



Bureau of Justice Statistics

## Survey of State Criminal Investigative Agencies on Law Enforcement Use of Force (SSCIA)

The Bureau of Justice Statistics (BJS) in cooperation with the Association of State Criminal Investigative Agencies (ASCIA) and through the Research Triangle Institute (RTI) International is conducting this survey of state criminal investigative agencies to learn about (a) the scope of involvement in other law enforcement agencies' use of force investigations, (b) the methods by which these agencies become involved in these efforts, and (c) the data systems that state criminal investigative agencies use to record and report on use of force investigations for other agencies.

The SSCIA seeks information about the extent to which criminal investigative agencies are investigating law enforcement use of force cases for other agencies. The survey focuses mainly on the past three calendar years (2013-2015) and asks about the law enforcement agencies your organization provided use of force investigative services to, the types of use of force investigated, number of cases investigated, how your agency becomes involved in external investigations, the types of information collected, how case information is stored and how cases are closed out.

### Completion Instructions

- The survey should be completed by a representative who is most knowledgeable about your agency's procedures for handling cases about use of force for other law enforcement agencies.
- For the purposes of this survey, a use of force investigation is defined as an investigation that determines if the use of force was legally justified. The type of force examined may differ depending on the case.
- **Please do not leave any items blank.** If the answer to a question is unknown or not available, write "DK" in the space provided. If the answer is not applicable, write "NA" in the space provided. If the answer to a question is none or zero, write "0" in the space provided.
- **Please submit your completed questionnaire by XX XX, 2016.**
- If you have questions about the survey, items on the questionnaire, or how to submit completed responses, please contact the Survey Team at RTI by email at [TBD@rti.org](mailto:TBD@rti.org) or call the Help Line at XXX-XXX-XXXX (toll free). The Help Line is available from 9:00 a.m. to 5:00 p.m. (EST). When communicating about the survey, please reference your Agency ID.
- If you have general comments or suggestions for improving the survey, please contact Shelley S. Hyland, Program Manager, Bureau of Justice Statistics, by phone at 202-616-1706 or by email at [Shelley.Hyland@usdoj.gov](mailto:Shelley.Hyland@usdoj.gov).
- The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection. Although this survey is voluntary, we need your participation to make the results comprehensive, accurate, and timely. We greatly appreciate your assistance. The dataset for this collection will be made available for public download through the National Archive of Criminal Justice Data. The only identifying information that will be included on the dataset will be the agency name and state.

### Contact Information

1. Official name of agency: \_\_\_\_\_

2. Person completing the form:

Name: \_\_\_\_\_ (First & Last)

Title: \_\_\_\_\_

Telephone: (    ) \_\_\_\_\_

Fax: (    ) \_\_\_\_\_

Email: \_\_\_\_\_

#### Burden Statement

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 53 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531.

## Coverage

The first set of questions are about the number of use of force cases you have investigated for YOUR agency (i.e., internal investigations). Include any use of force case that involved your agency's personnel even if another law enforcement agency's personnel was also involved.

3. During 2013-2015, how many cases involving use of force did your agency investigate for **YOUR OWN AGENCY**? If an exact count is not possible, please provide an estimate. If none, please enter '0'. If an investigation spanned more than one year, count the investigation in the year it began.

Year	Number of Internal Investigations
a. 2013	
b. 2014	
c. 2015	
d. Total (sum of 'a' to 'c')	

**[If INTERNAL total = 0 ask Q4; If INTERNAL total 1 or greater, skip to Q5]**

4. What are the reasons your agency did not investigate any use of force cases for your own personnel from 2013-2015? (Mark all that apply)

- Our agency did not have any personnel involved in use of force incidents
- Our agency did not have sufficient funding to investigate use of force cases
- Our agency did not have sufficient staff to investigate use of force cases
- Our agency requested another law enforcement agency to conduct use of force investigations (please specify agency name):  
\_\_\_\_\_

- Other (please specify): \_\_\_\_\_

5. In general, how are cases handled when the use of force incident involves officers or agents from your own agency? (Mark only one)

- Cases are investigated by the same regional office that employs the involved officers or agents
- Cases are investigated by a different regional office that does not employ the involved officers or agents
- Cases are referred to an outside agency for investigation (please specify agency name):  
\_\_\_\_\_

- Other (please specify): \_\_\_\_\_

The remaining set of questions refer to the use of force cases you have investigated for **OTHER** law enforcement agencies (i.e., external investigations). These cases should only involve another law enforcement agency's personnel. Use of force cases that also involve your agency's personnel should be counted in internal investigations above.

6. During 2013-2015, how many cases involving use of force did your agency investigate for **OTHER LAW ENFORCEMENT AGENCIES** in your state (i.e., external investigations)? *If an exact count is not possible, please provide an estimate. If none, enter '0'. If an investigation spanned more than one year, count the investigation in the year it began.*

Year	Number of External Investigations
a. 2013	
b. 2014	
c. 2015	
d. Total (sum of 'a' to 'c')	

**[If EXTERNAL total = 0 ask Q7; If EXTERNAL total 1 or greater skip to Q8]**

7. What are the reasons your agency did not conduct any use of force investigations for other agencies in your state from 2013-2015? *(Mark all that apply)*

- Our agency did not conduct **any** on-scene investigations (e.g., only provided forensic services)

Please explain why: \_\_\_\_\_

- Our agency was not requested to investigate any use of force cases
- Our agency did not have sufficient funding to investigate use of force cases
- Our agency did not have sufficient staff to investigate these types of cases
- Use of an external agency for use of force investigations is not state-mandated
- Other (please specify): \_\_\_\_\_

**[If EXTERNAL total = 0 and agency answers Q7, skip to end]**

8. For the 2013-2015 use of force cases investigated for other agencies in your state, how often did these cases involve the following?

<b>By Injury Severity</b>	<b>Always</b>	<b>Sometimes</b>	<b>Never</b>
a. Any use of force that did not result in injury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Any use of force that resulted in a subject sustaining minor or moderate bodily/physical injury (e.g., complaint of substantial pain, minor swelling, contusions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Any use of force that resulted in a subject sustaining serious bodily/physical injury (include any 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, organ, or mental faculty)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Any law enforcement use of force that resulted in a subject's death	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Death of a subject in law enforcement custody which was later found to NOT be due to officer use of force (e.g., intoxication, suicide, natural causes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Death of a subject in jail or prison custody from use of force	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Death of a subject in jail or prison custody which was later found to NOT be due to use of force (e.g., intoxication, suicide, natural causes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Level of Force Used by Officer(s)</b>	<b>Always</b>	<b>Sometimes</b>	<b>Never</b>
h. Any incident involving physical force without a weapon (i.e., use of any part of the officer's body to compel compliance)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Any incident involving less-lethal weapons (i.e., use of some device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the officer's authority)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Any incident involving the discharge of a firearm at or in the direction of a person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. <b>Other (please specify):</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9a. There are approximately <<PREFILL NUMBER>> local and county law enforcement agencies in your state.

During 2013-2015, approximately what percentage of these agencies did your agency

- actually provide use of force investigative services to **OR**
- would have provided these services for if they had a qualifying use of force incident?

*Law enforcement agencies that would not have requested your agency to investigate a qualifying use of force incident should not be counted. (Mark only one option that reflects your best estimate)*

- 0-10%
- 11-25%
- 26-50%
- 51-75%
- 76-90%
- 91-100%

9b. How would you characterize the jurisdiction populations of these agencies in #9a? (Mark all that apply)

- Very small (less than 25,000)
- Small (25,000 – 74,999)
- Medium (75,000 – 249,999)
- Large (250,000-999,999)
- Very large (1,000,000 or more)

9c. Briefly describe the agencies who were **NOT INCLUDED** in the percent estimate in #9a? Only consider those who would not have requested your services if they would have had a qualifying use of force incident. For example, if you serve all but the largest agencies in your state, please list these largest agencies.

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10. Do you expect the **NUMBER OF AGENCIES** your agency provides use of force investigative services to decrease, increase, or stay the same in 2016? Please assess the number of agencies that you **could** serve in the state, including agencies that might not have a qualifying use of force case in the next year, but would request your services.

- Decrease
- Increase
- Stay the same

11. Do you expect the **NUMBER OF USE OF FORCE CASES** your agency investigates for other law enforcement agencies to decrease, increase, or stay the same in 2016?

- Decrease
- Increase
- Stay the same

12. During 2013-2015, did your agency provide any direct use of force investigative services to law enforcement agencies in another state?

- Yes

[If YES]:

a. For which states did you provide these services (please list):

\_\_\_\_\_

b. How many law enforcement agencies were served in these other states?

- No

[If NO]:

a. What is the **PRIMARY** reason you did not provide direct use of force investigative services to law enforcement agencies in other states? (*Mark only one*)

- Services were not requested during 2013-2015
- We cannot provide services in other states
- Other (please specify): \_\_\_\_\_

### Investigative Processes

13. During 2013-2015, how did your agency get involved in use of force investigations for other law enforcement agencies? (*Mark all that apply*)

- Requested by the law enforcement agency involved but there is no pre-established formal agreement (e.g., memorandum of understanding)
- Our agency has a pre-established formal agreement with the involved agency
- Requested/instructed by an outside agency that had no direct involvement in the incident (e.g., Attorney General's Office)
- Mandated by state statute (year enacted: \_\_\_\_\_ )
- Mandated by proclamation of governor (Year enacted: \_\_\_\_\_ )
- Our agency took its own initiative to undertake investigations
- Other (please specify): \_\_\_\_\_

14. If there is no current state mandate for your agency to investigate use of force for other law enforcement agencies, is there pending legislation to require this?

- Not applicable--there is a state mandate
- Yes
- No
- Don't know

15a. During 2013-2015, how often did your agency act as the primary investigative body for the criminal offense that may have occurred immediately prior to the use of force conducted by another agency's personnel (i.e., the predicated offense)?

- Always
- Sometimes
- Never

If ALWAYS OR SOMETIMES:

15b. What is the **PRIMARY** reason your agency was responsible for conducting the predicated offense investigation? (Mark only one)

- Requested by the law enforcement agency involved but there is no pre-established formal agreement (e.g., memorandum of understanding)
  - Our agency has a pre-established formal agreement with the involved agency
  - Requested/instructed by an outside agency that had no direct involvement in the incident (e.g., Attorney General's Office)
  - Mandated by state statute
  - Mandated by proclamation of governor
  - Our agency took its own initiative to undertake the investigation
  - Other (please specify):
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16. During 2013-2015, how did your agency close out use of force cases for other law enforcement agencies once the investigations were complete? (Mark the appropriate box in each row)

	Always	Sometimes	Never
a. Provided case findings to the district attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Made recommendations whether the use of force was legally justified to the district attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Provided case findings to the law enforcement agency involved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Made recommendations whether the use of force was legally justified to the law enforcement agency involved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Made recommendations whether the use of force was within policy to the law enforcement agency involved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Case Management

17a. During 2013-2015, how were **ELECTRONIC** records for use of force cases investigated for other law enforcement agencies stored?

- Not applicable--Records are not stored electronically
- Stored centrally in one place or system
- Stored in multiple electronic systems

17b. During 2013-2015, how were **PAPER** records for use of force cases investigated for other law enforcement agencies stored?

- Not applicable--Hard copy records are not retained
- Stored centrally in one place or system
- Stored in multiple locations

**[If agency uses electronic records go to Q18, if not skip to Q19]**

18. During 2013-2015, did your electronic record management system allow you to flag the cases involving use of force conducted for another law enforcement agency?

- Yes
- No

[If NO]:

a. How would you determine if your past cases involved law enforcement use of force?

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b. Have you recently implemented or plan on adding a flagging feature to your record management system?

- Yes— already implemented after 2015
- Yes—plan to add in the future
- No



19. How accessible are the following elements for use of force cases investigated for other agencies during 2013-2015? (Mark the appropriate box for each data element)

	<b>Not accessible</b> (data element not typically recorded)	<b>Somewhat accessible</b> (individual case files would have to be consulted to get this data element)	<b>Accessible</b> (data element can easily be extracted electronically into a spreadsheet)	<b>Comments</b>
a. Officer(s) demographics (e.g., sex, race, ethnicity, and age)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Officer(s) tenure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Subject demographics (e.g., sex, race, ethnicity, and age)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Address of the incident	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Date & Time of incident	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. Reason for initial contact between the subject and officer (e.g., call for service, vehicle stop, or street stop)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. Any crimes committed by the subject immediately before the use of force	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Type of subject resistance (e.g., barricade self, resist handcuffing, attempt escape, or flee)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. Subject's apparent physical or mental impairment (e.g., mental health, intoxication, intellectual disability, physical disability)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. Weapon display, threat or use by subject	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
k. Type of force utilized by officer(s), including use of less-lethal weapons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
l. Type of injury sustained (including death) by subject	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
m. Type of injury sustained (including death) by officer(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
n. Subject attempted, injured or killed bystander	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
o. Number of shots fired (if officer(s) used firearm(s))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
p. Number of officer(s) involved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
q. Number of officer(s) firing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

service weapon(s)				
r. Assistance by other law enforcement agencies during the incident	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
s. Use of less lethal techniques by officer(s) before discharging firearm in shooting incidents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
t. Criminal outcome for officer(s) involved (i.e., use of force was or was not legally justified)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
u. Administrative outcome for the officer(s) involved (i.e., determination if the officer(s) acted within agency policy)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

20. Are there any other details about your agency's investigation of use of force cases that you would like to share?

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**Thank You!**

This concludes the survey. Thank you for your time and participation. BJS and RTI will be analyzing and disseminating information obtained from this survey through the ASCIA Use of Force Committee meetings in the coming months. If you have any questions about the survey, please contact Shelley S. Hyland, BJS Program Manager (202-616-1706, [Shelley.Hyland@ojp.usdoj.gov](mailto:Shelley.Hyland@ojp.usdoj.gov)) or Azot Derecho, RTI Data Analyst (919-541-7231, [Derecho@rti.org](mailto:Derecho@rti.org)).