ADMINISTRATIVE REGULATION 405

USE OF FORCE

Supersedes: AR 405 (Temporary, 06/23/11) (Temporary, 03/03/16)
AR 405 (Temporary, 5/25/16)
Effective Date: 8/16/16

AUTHORITY: NRS 209.131, 209.161, 212.090 and 212.190

RESPONSIBILITY

1. The Warden/Division Head is responsible for the overall execution of this regulation. Direct supervision of this regulation is the responsibility of the Shift Supervisor (institutions/facilities) and/or the Transportation Lieutenant/Sergeant in regards to Central Transportation Division.

2. The Warden at each institution will ensure that all assigned staff is trained and have signed an acknowledgement statement that they have read, know and understand this regulation. A copy of their acknowledgement will be maintained in each staff members personnel file.

DEFINITIONS

Authorized Personnel – A person who has received the prescribed NDOC training in the application of Use of Force equipment or tactics, and whose qualifications are up-to-date.

Deadly Force – Any force which carries a substantial risk that it will result in death or serious physical injury.

Excessive Force – The use of more force than an objective trained and competent correctional peace officer faced with similar facts and circumstances would use to subdue an attacker, overcome resistance, affect custody or gain compliance with a lawful order.

Force – Any violence, compulsion, or constraint physically exerted by any means upon or against a person.

Less Lethal Force – any force that is neither intended nor likely to cause death or serious physical injury.

Passive Compliance Measures – Techniques/strategies used by staff to gain compliance/control of an inmate without forcible physical contact.

Planned Use of Force – The Use of Force when time and circumstances allow the opportunity for planning and consultation and approval of the Warden or Administrator On Duty (AOD)

Physical Force (Hands On) – The use of hands, other parts of the body, objects, instruments, chemical devices, firearms, or other physical methods for the purpose of overcoming the resistance to lawful authority.

Reasonable Force – That force which is objectively reasonable based on the totality of the circumstances and the facts known to the officer at the time to subdue an attacker, overcome resistance, affect custody, or gain compliance with a lawful order.

Show of Force – Movement of appropriate staff and/or equipment/weapon to an incident site for the purpose of convincing an inmate that adequate staff and measures are available and will be used to successfully resolve the situation.

Skip Shot – A live rubber round discharged from a 12gauge shotgun that is fired at the ground one to two yards in front of the intended inmate so that the individual live rounds skip off the ground/floor striking the intended inmate(s) lower extremities.

Spontaneous Use of Force – Actions that staff may immediately take in response to an emergency situation.

Use of Force – The application of progressive levels of force to gain control of an inmate up to and including deadly force. This does not include those situations in which security restraints are used in a standard manner for arrest, escort or transport. (Use of Force will be limited to the minimal amount of force necessary to control the situation.)

405.01 USE OF FORCE GENERAL PROVISIONS

The NDOC shall operate under this use of force policy that defines staff responsibilities and limitations concerning the use of force while still allowing discretion in the appropriate application of force. The policy provides staff with the appropriate guidance on the permissible Use of Force. It ensures discipline is imposed for violations of the Use of Force policy, procedures or training.

It is the policy of the NDOC to authorize the use of physical force when and only to the extent that is reasonably believed to be necessary as specified in these rules. Staff are authorized to use that amount of force that is objectively reasonable to overcome a threat thereby minimizing the risk of injury to the officer, the threat and the public.

At no time are staff permitted to use force for punishment, retaliation or discipline.

Force shall be used only when reasonably necessary to subdue an attacker, overcome resistance, affect custody, or to gain compliance with a lawful order. It is the policy of the NDOC to accomplish the educational, treatment and supervision functions with minimal reliance on the use of force. Staff may use reasonable force as required in the performance of their duties, but unnecessary or excessive force shall not be used. If staff, at any point, determines the situation can be resolved without any further use of force, staff shall terminate the use of force.

405.02 STAFF TRAINING INVOLVING USE OF FORCE

1. All personnel will receive training and be qualified prior to being assigned to a position involving possible Use of Force and being authorized to use any force related equipment such as physical restraints, firearms, chemical agents (CS/OC), taser or similar technology or batons. A staff member employed in positions that are authorized to use force-related equipment will receive annual refresher and semi-annual firearms qualification training in the correct use of all equipment to maintain their established proficiency levels.

2. Training will include:

   A. Techniques/strategies known as Passive Compliance Measures used by staff to gain compliance/control of an inmate without forcible physical contact such as: communications, videotaping of inmate(s), show of force.

   B. Staff is expected to know the Continuum of Force and be able to apply the proper level and type of force needed to control an inmate's behavior. Minimum harm to staff, the public and inmates is the goal, but the overall objective is to gain compliance, control, and facility order. Force should be limited to the minimum amount necessary to control the situation. Force will not be used to punish, harass, coerce, or abuse inmates.

405.03 WHEN FORCE MAY BE USED

1. A staff member may use force to protect himself or any other individual from physical harm by an inmate.

2. Force will be proportionate to the threat exhibited by the inmate, and the force will decrease as the threat is lessened.

   A. Any staff witnessing a Use of Force that is either excessive or unnecessary is required to immediately report their observations to the shift supervisor both verbally, subsequent to the incident, in a written report.

3. To prevent the escape of an inmate, staff may use reasonable force to prevent the escape if no alternative method of persuasion is effective.

4. To prevent destruction of state property.

   A. Staff may use force to prevent state property from substantial damage by an inmate if no alternative method of persuasion is effective.

   B. Nevada Revised Statute (NRS) 212.190 states that damaging prison property is at least a gross misdemeanor.

5. To compel an inmate's compliance with orders, force may be used if no alternative method of persuasion is effective or where the circumstances require urgency.

6. To prevent or quell a disturbance, disperse or apprehend inmates whose conduct is creating a risk of death or serious physical injury to others.

7. Levels of Force:

   A. Planned use of force can be used at any level in the use of force continuum. Planned use of force incidents should be videotaped. Staff involved in these incidents should utilize protective equipment. An example of planned use of force is a cell extraction.

      a. In a planned use of force, the Incident Commander in charge will assign a staff member to be in charge of recording the entire planned use of force.

      b. The staff member assigned to recording will ensure, prior to the start of the use of force, that the recording equipment has sufficient batteries and sufficient blank recording space, such that technical issues with recording will be minimized once recording begins.

      c. The staff member assigned to recording should not be expected to participate in the use of force and should not do so, such that they may dedicate their full attention to recording. The recording staff member should refrain from engaging in verbal comments during the recording, as staff comments will obscure the sounds being recorded. The recording staff member must also record in such a manner that the inmate is in focus as much as possible, and adjust their positions should a staff member's body position be obscuring a visual of the inmate.

      d. All recordings of a planned use of force should be kept in a manner and location that is easily retrievable in the event review is needed. The recording must be maintained for no less than three years from the date force was used.

   B. Spontaneous use of force may be used by staff to respond to an emergency when there is not time to formulate a plan or notify an immediate supervisor, and the situation constitutes a serious threat to the safety of staff, public, inmates and/or

prison security. Immediate use of force should be employed in a manner that poses the least risk to staff, the public and inmates.

a. Where force was used spontaneously, regardless of injuries reported contemporaneous with the event, the area supervisor/incident commander will immediately review, if available, any unit video surveillance that may have captured the use of force.

b. If the use of force was captured on video, from any angle on any camera, the area supervisor/incident commander will be responsible for preserving that recording in a manner and location that is easily retrievable in the event review is needed. The video must be maintained for no less than three years from the date force was used.

c. If no cameras were operational in that unit or no cameras captured the use of force, the area supervisor/incident commander will make a notice of same in the Use of Force Incident Report.

d. In addition to and apart from any surveillance footage from stationary cameras that may exist, video footage should also be recorded via a hand-held camera, as follows:

    - As soon as the shift supervisor becomes aware that force is being used or has been used, a staff member will be directed to immediately obtain a handheld video camera and will be ordered to the scene where force has been used.

    - Immediately upon arrival to the scene, the staff video recorder will begin recording, noting the time and date the recording begins. The staff video recorder will continue to take footage until the area supervisor/incident commander decides the incident is over and instructs the staff video recorder to cease recording.

If the Use of Force is still occurring when the staff video recorder arrives, the incidents will be recorded to capture the unfolding events while waiting for a response team, even if through windows, fences, bars, or even if far away, etc. Staff should not place themselves in any danger to capture the events.

C. The Warden/Division head will ensure that Use of Force Operational Procedures are specific on the process for the recording of Use of Force incidents and storage of the video recordings.

405.04 AUTHORIZATION FOR THE USE OF LESS LETHAL FORCE

"Less lethal force" may be used in the following situations:

1. Self-defense;

2. Defense of others;

3. Prevention of self-injurious behavior;

4. Maintaining order and control in a facility, including prevention of damage to state property;

5. Prevention of escape from any security level;

6. Prevention of the commission of a felony by an inmate;

405.05 LESS LETHAL FORCE

1. Physical Force (Hands On) – Physical force may be used to subdue unruly inmates, to separate inmates fighting, and in defense of self or others. It may also be employed to move inmates who fail to comply with lawful orders. Includes certain self-defense and inmate control techniques or strikes to areas of the body unlikely to result in serious physical injury.

2. Chemical / Inflammatory agents may be deployed only by trained and qualified Authorized Personnel. Chemical agents items such as listed below are designed to temporarily immobilize or incapacitate the inmate through temporary discomfort caused by a chemical action.

   - CS - Ortho-chlorobenzalmalononitrile – commonly known as tear gas or mace
   - OC - Oleoresin Capsicum – commonly known as pepper spray

3. Electronic Control Devices (ECD), to include items such as a Taser/electronic stun gun, Remote Access Custody Control (RACC) Belt, or electronic shield, are designated to temporarily immobilize or incapacitate an inmate by delivering a non-lethal electronic charge. An ECD may only be deployed by trained and qualified Authorized Personnel.

4. Specialty Impact Devices (SID) Side handle batons or Expandable Baton or similar equipment designed to temporarily incapacitate an inmate by striking or applying a controlled take down of the inmate. These SID's may only be used by trained and qualified Authorized Personnel.

5. A 12-gauge shotgun loaded with a blank round and three (3) rubber stinger rounds to skip shoot into the inmate(s) striking the inmate(s) in their lower extremities to

temporarily incapacitate or immobilize the inmate(s). Shotguns may only be used by trained and qualified Authorized Personnel.

A. First, a loud and clear verbal warning or order should be given. Verbal warnings should be repeated before each shot fired of any ammunition type.

B. Second, if the first verbal warnings or orders fail to stop the prohibited activity, then a blank warning shot may be discharged.

C. If the initial warning shot fails to stop the prohibited activity, then a rubber stinger may be discharged skip shot towards the inmates.

D. If the rubber stinger round fails to stop prohibited activity, then a second rubber stinger round may be skip shot into the ground/floor at the problem inmates.

Caution: If there is no ability to skip shoot into the ground/floor, then live rounds will NOT be discharged unless the inmate possesses a deadly weapon or serious physical injury and/or death is imminent. In this instance refer to 405.06.

E. The progression from the warning shot to the rubber stinger round will be dictated by the level of the threat.

1) Firing of a warning shot: If the conduct or activity does not stop then you can progress to firing of the Rubber Stinger round (skip shot).
   - An inability to skip shoot will include those instances where the disturbance is occurring in an area crowded by other inmates who are already lying prone on the ground.

2) If the threat increases to include;
   - More than two aggressors involved
   - Persons being over taken to the point where serious physical injury and/or death is imminent
   - Groups of inmates forming and being non-compliant

3) You can then progress to firing of the additional live rubber rounds, skip shot only.

F. No less lethal force should be used to stop verbal abuse or other non-threatening behavior.

405.06 AUTHORIZATION FOR USE OF DEADLY FORCE

Staff have the obligation and responsibility to exercise discipline, caution, restraint and good judgment when using potentially deadly force. Deadly force may be used upon the reasonable belief that staff life or safety, or the life or safety of another, is in imminent

danger of death or serious physical injury, given the totality of the circumstances known to the officer at the time of his/her action. Staff must keep in mind that the use of potentially deadly force presents a danger to the subject and to innocent parties. Only trained and qualified staff are authorized to use deadly force, and only as a last resort. Officers should consider other reasonable means of control before resorting to the use of deadly force as time and circumstances safely permit.

Deadly force is that degree of force which is likely to result in death or serious physical injury. Deadly force may be used only in the following situations:

1. To prevent death or serious physical injury to self, other staff, inmates, or other persons who are threatened;

2. To prevent the taking of hostages;

3. To prevent the escape of any prisoner who is actively attempting to flee custody from a medium or maximum security correctional institution including while being transported or being housed in the community;

4. To prevent destruction or injury to property or person(s), major damage during a disturbance within a correctional institution, if it is reasonably believed that the damage may cause death or serious physical injury to any person.

5. To prevent inmates from unlocking other inmates (seizure of keys or door controls).

6. If deadly force is to be used, staff will take reasonable actions under the following guideline - Time permitting a clear, verbal warning order, "**Stop or I will shoot**," will be given before each shot is discharged.

7. When the use of deadly force is warranted, if time and circumstances permit, a warning shot will be discharged.

   A. In any life-threatening situation where the inmate does possess a deadly weapon or serious physical injury and/or death is imminent, the policy will be to "shoot to stop" by shooting at a vital portion of the body, such as the torso.

   B. Every effort should be made to direct the round into the aggressor and not the victim.

   C. If doubt exists in the officer's mind as to whether he should discharge the firearm under the circumstances that have been outlined above, the officer should conclude that he SHOULD NOT discharge the firearm.

405.07 DEADLY FORCE

1. 12-gauge shotgun loaded with (00) buckshot rounds, or 7.5 birdshot when discharged directly at the inmate(s). May only be used by trained and qualified Authorized Personnel.

2. Mini 14 .223 caliber rifle loaded with 55 grain soft point rounds. May only be used by trained and qualified Authorized Personnel.

3. .40 caliber Glock semi-automatic hand gun loaded with hollow point 165 to 180 grain round – approved through FBI protocols/specifications. May only be used by trained and qualified Authorized Personnel.

4. Specialized weapons may be authorized for emergency situations with approval from the Director/designee. May only be used by trained and qualified Authorized Personnel. Refer to Administrative Regulation (AR) 412 Armory Weapons and Control, for descriptions of authorized weapons, munitions and less lethal equipment.

405.08 ESCAPE FROM SECURED PERIMETER

1. If possible, prior to using firearms, attempts should be made to apprehend or physically restrain an escapee or an attempted escapee.

2. If an officer observes an inmate located within the "No Man's Land," an immediate alarm will be sounded to initiate a response then the following command in a loud and firm voice, will be given, "Stop or I will shoot." If the inmate fails to stop and no other means of stopping the inmate is available, then the officer may fire a warning shot as outlined in this procedure.

3. If the inmate continues toward the inner perimeter fence, after verbal warnings and a warning shot has been discharged, additional warning shots may be discharged near the escaping inmate in an effort to gain compliance. The officer must exercise care to prevent a possible ricochet of the warning shots. (Wardens will designate in operations procedures where warning shots will be discharged.)

4. Once an inmate has begun going over, under, or through the inner perimeter fence, (that is, feet have left the ground or crawling under or through), the following will be done:

   A. The officer, after firing a warning shot, will “shoot to stop.”

B. The officer will choose which firearm to use based on distance and conditions surrounding the incident. The perimeter towers have both 12 gauge shotguns with .00 buckshot and .223 Mini-14 rifles designed for greater distance and accuracy.

- Effective ranges:
  - .223 caliber round - up to 1000 yards
  - 00 buckshot - up to 150 yards

5. Should the situation arise in which the inmate attempting to escape is not noticed until after clearing the inner perimeter fence, the officer will fire one (1) warning shot if, in their opinion, there is still sufficient time to be able to "shoot to stop" before the inmate could clear the outer perimeter fence. If there is not enough time for a warning shot after the inmate has cleared the inner fence, then shots may be discharged directly at the escaping inmates to shoot to stop.

405.09 USE OF FORCE IN THE COMMUNITY

1. There are numerous situations that call for Department personnel to provide escort and security functions in the community. Inmates may be transported to outside medical facilities, between institutions/facilities, into courtrooms for judicial proceedings or to a variety of other locations. Use of Force in the community calls for exercising extreme caution and for making careful judgments. The level of force utilized in any particular situation MUST be based largely on, the threat, physical surroundings and the proximity of civilians.

2. The physical surroundings and proximity to civilians MUST be considered when an inmate is escaping during transport in an outside setting and if deadly force is necessary to prevent the inmate from escaping. If, in the best judgment of the transporting officer(s), it is deemed necessary to fire shots at the inmate escaping into the community, all shots will be directed at the inmates' torso with the intent to completely stop the escape.

3. Officers are required to cooperate with local law enforcement officials in any unusual or emergency situation involving inmates under the custody of the Department of Corrections.

405.10 MEDICAL CARE AFTER USE OF FORCE

A. Medical care which includes medical treatment and examinations will be conducted by institutional medical staff when a Use of Force incident has occurred. When order has been restored, the inmate(s) who has been subjected to any Use of Force will be examined by medical staff and provided medical care proportionate to the individual's injuries sustained. This examination will be documented utilizing the Unusual Occurrence Report form DOC 2514. All refusals of medical treatment will be documented and included in the Use of Force incident files utilizing the Refusal of Medical Treatment form DOC 2523.

B. Any staff member involved in the Use of Force sustaining injuries will be examined by NDOC medical staff and will provide emergency medical care proportionate to the individual's injuries prior to transport to an appropriate healthcare facility. This examination will be documented utilizing the Unusual Occurrence Report form DOC 2514.

405.11 REPORTING OF USE OF FORCE

In all cases the reporting of Uses of Force MUST be accomplished as soon as practical after the incident and before leaving the institution or going off duty. Any Use of Force will be reported to the shift supervisors who will ensure, once order has been restored and the involved inmate(s) are placed in secure housing, that written reports from all staff involved are completed. This includes custody officers, institutional staff, medical staff, volunteers or any persons that witnessed the Use of Force.

1. These reports will be entered into the Nevada Offender Tracking Information System (NOTIS) for review by the appropriate supervisors.

   A. All relevant and supporting documentation and information associated with the Use of Force will be contained within the NOTIS Incident Report (IR).

   B. All relevant incident questions, inmate involvement questions, and staff involvement questions will be completed within NOTIS.

2. Verbal notification of the Use of Force will be made via the chain of command to the Warden. The Warden will notify the Deputy Director of Operations.

3. An email will be generated by the shift supervisor, notifying institutional/facility administration, the Deputy Director of Operations, and the Inspector General of the IR number and Use of Force for instances that involved, (the below referenced list includes but is not limited to the following uses of force that must be reported):

   A. Discharge of a firearm for any reason other than training;

   B. Any Use of Force that results in an injury to staff or an inmate;

   C. Any Use of Force that results in an allegation or grievance claiming an injury;

   D. Any complaint, grievance or indication of an unnecessary or excessive Use of Force; or

   E. Planned Use of Force that results in any of the above.

405.12 USE OF FORCE INCIDENT REVIEWS

1. Any Use of Force suspected to be excessive or unnecessary will be immediately referred to and assigned to the Inspector General for investigation. In these circumstances the Use of Force Incident Review will not be completed.

2. Any use of less lethal force will result in a Use of Force Review panel convening within ten (10) days from the Use of Force. To ensure a fair and impartial review, the review panel will be comprised of staff not directly involved in the incident to ensure a fair and impartial review.

3. At a minimum the review panel will consist of:

   A. An Associate Warden from the institution involved.

   B. An institutional Command Staff at the level of authority of a Correctional Lieutenant or above, from the institution involved.

4. The review panel will review all information, reports, all video footage, and any other pertinent information or document that is or will become available.

5. The review panel will review the actions of all staff members and inmate(s) involved in the Use of Force incident, including those actions leading up to the Use of Force, taking into account any NOTIS incident reports surrounding the time frame of the Use of Force, especially involving the staff member that used the force and the inmate that had the force used upon their person.

6. The review panel will conduct in person, recorded interviews of all staff and inmate(s) involved in the Use of Force. Should the panel, as part of the review, desire to question/interview an employee involved in the use of force, the panel will conduct all interviews in accordance with department disciplinary procedures, as well as relevant provisions of NRS chapter 284 and 289. The panel does not have the authority to recommend discipline.

7. The review panel will evaluate the Use of Force incident and prepare a written report on its evaluation and determination to the Warden, the Deputy Director of Operations and Inspector General within ten (10) days from commencement of the Use of Force review, to include:

   A. Was the Use of Force justified;

   B. Was the Use of Force within policy, procedures and training of the Department;

   C. Could the Use of Force have been prevented;

   D. Could this type of Use of Force be prevented in the future;

E. Any referral for investigation for possible disciplinary action for staff member(s) involved in the Use of Force.

F. Any recommended corrective action for staff member(s) involved in the use of force.

G. Any recommendation for any staff member that acted with distinction in the Use of Force; and

H. Any recommended changes or enhancements to policy, procedure, or training related to this Use of Force.

405.13 SERIOUS USE OF FORCE INCIDENT REVIEWS

1. Any Use of Force suspected to be excessive or unnecessary will be immediately referred to and assigned to the Inspector General for investigation. In these circumstances the Use of Force Incident Review will not be completed.

2. Any use of deadly force or less lethal force causing serious physical injury will result in convening a Serious Incident Review Panel within fifteen (15) days from the Use of Force. The review panel will be comprised of staff not directly involved in the incident to ensure a fair and impartial review.

3. At a minimum the review panel will consist of:

   A. A Warden and/or an Associate Warden from an institution where the Use of Force did not occur;

   B. An Investigator or Supervisory Investigator from the Inspector General's Office;

   C. An institutional Command Staff at a level of authority of a Correctional Lieutenant or above, from an institution where the Use of Force did not occur.

4. The review panel will review all information, reports, all video footage, and any other pertinent information or document that is or will become available.

5. The review panel will review the actions of all staff members and inmate(s) involved in the Use of Force incident, to include those actions leading up to the use of force. The panel will also take into account any NOTIS incident reports surrounding the time frame of the Use of Force, especially involving the staff member that used the force and the inmate that had the force used upon their person.

6. The review panel will conduct in person, recorded interviews of all staff and inmate(s) involved in the Use of Force. When the panel, questions/interviews a staff member involved in the Use of Force the panel will conduct all interviews in accordance with department disciplinary procedures, as well as relevant provisions of

NRS chapter 284 and 289. The panel does not have the authority to recommend discipline.

A. The written notice will provide the names of the assigned staff members to the review panel;

B. The written notice will identify the NOTIS Incident Number for the Use of Force incident;

C. The written notice will identify the date, time and location of the interview;

D. The review panel will ask questions and gather information related to the specific Use of Force, the inmate(s) involvement and any historical information related to the interaction between the involved staff member and the involved inmate(s);

E. The written notice will provide the Notice of Confidentiality applied to the Use of Force Review.

7. The review panel will evaluate the Use of Force incident and prepare a written report on its evaluation and determination to the Director and the Deputy Director of Operations within thirty (30) days from commencement of the Use of Force review, to include:

A. Was the Use of Force justified;

B. Was the Use of Force within policy, procedures and training of the Department;

C. Could the Use of Force have been prevented;

D. Could this type of Use of Force be prevented in the future;

E. Any referral for investigation for possible disciplinary action for staff member(s) involved in the Use of Force.

F. Any referral for investigation for possible corrective action for staff member(s) involved in the Use of Force.

G. Any recommendation for any staff member that acted with distinction in the Use of Force; and

H. Any recommended changes or enhancements to policy, procedure, or training related to this Use of Force.

8. Any recommended corrective action being applied to a staff member will be reported to the appointing authority via a memorandum that outlines the reason for the corrective action. A corrective action is not deemed a discipline.

9. Any findings that recommend disciplinary action be taken against a staff member will be referred to the Inspector General and Director for their review and appropriate response; response may include, but not be limited to official assignment for Administrative Investigation.

10. Any findings that recommend a change or enhancement to a policy, procedure, or training will be sent to the Director and Deputy Director of Operations.

11. Any findings that identifies that a staff member acted with distinction in the Use of Force will be sent to the Director and Deputy Director of Operations.

12. The review panel report and its contents are confidential and not subject to dissemination except by order of the Director, Inspector General, or lawful court order.

13. The Inspector General's Office will track all Use of Force reviews to insure timely completeness. The Inspector General's Office will prepare and submit to the Director's executive team, an annual report that details the number of Uses of Force that were reviewed and the total of the outcomes for each of the categories reviewed

405.14 OFFICER INVOLVED SHOOTING INVESTIGATIONS

1. All uses of force that involve the discharge of a firearm, excluding blank rounds, will result in an Officer Involved Shooting (OIS) investigation being done by an investigator(s) of the Inspector General's Office (IG) unless;

   A. A death occurs as the result of the discharged round, at which time an outside law enforcement investigating body will be called in for response and investigation;
   B. Director or Inspector General determines that the matter is or may be a conflict of interest to the Department.

2. The processes, procedures and format used in conjunction with an OIS investigation and the subsequent report are contained within the confidential I.G. manual.

3. All OIS investigations are confidential and not subject to dissemination without the authorization of the Director, Inspector General, and Board of Prison Commissioner's or in conjunction with lawfully issued court order.

4. The OIS report will be e-mailed to the Director, Deputy Director of Operations and the Inspector General/designee. Once approved, this report will be made available to the Use of Force Review Panels.

APPLICABILITY

1. An Operational Procedure is required within thirty (30) days of this regulation's effective date.

2. This AR requires an audit.

REFERENCES

ACA Standards: 4-4206, 4-4204, 4-4203, 4-4202, 4-4201, and 4-4191.

Director

Date 8/16/16