



Police Relations: Proactive Opportunities for Policy Review and Community Engagement

Law Enforcement Action Forum

LEAF

A group of Michigan law enforcement executives convened for the purpose of working with loss control staff, to assist with the development of law enforcement model policies, identify best practices, research trends in the field and identify liability exposures. The goal of this increased focus is to reduce the potential for officer injuries and civil lawsuits that is so inherent in modern police operations.

Many of the critical exposure areas in terms of civil liability are also the most likely causes of police officer injuries (and therefore workers compensation claims). Among the most hazardous areas of operation are use of force incidents, arrests, and motor vehicle operations. Labor law is another high liability area.

The Forum is supported in their mission by members of the Michigan Municipal League Risk Management Services staff, loss control, and attorneys who specialize in the area of police liability and legal defense.

LEAF History

- **MML Loss Control Services' focused law enforcement effort began in 1991- Law Enforcement Risk Control Unit (LERC)**
- **Staffed by former police professionals trained in risk management**
- **Law Enforcement Action Forum (LEAF) developed in 1992**
- **Law enforcement experts; loss control staff; legal advisor; MML Risk Management Services**
- **Northern & Southern group**
- **Policy development, focusing on high profile topics such as use of force and pursuits**
- **Monthly meetings**

Model Policies

- **Total of 33 model policies**
- **Available to MML insurance program members**
- **Use all or part**
- **Quiz provided**
- **Supporting forms and other documentation**
- **Location: [MML.org](https://mml.org) → Insurance → Law Enforcement Action Forum**

[Member Logout](#)

[Table of Contents/
Navigation Hub](#)

Jump to...

- [My Account](#)
- [Most Recently Updated](#)
- [How to Use the Manual](#)
- [Glossary of Terms](#)
- [Risk Control Resources](#)
- [Disclaimer](#)

CHAPTER 3: Use of Force

OVERVIEW

Chapter 3 Use of Force addresses the authorization to use force, the use of force in response to resistance, the "objectively reasonable" standard, decision-making criteria, de-escalation, the duty to intervene, medical care, and post-force procedures, reporting and review protocols.

Chapter 3 does not deal with the specific weapons authorized, or the weapons training and qualifications required by a department - these are addressed in *Chapter 4 Use of Weapons & Restraints*. *Chapters 3 and 4* are intended as a two-pronged approach – they support each other and should be implemented together.

Police officers are granted authority to use force to achieve legal law enforcement objectives. While the public recognizes force as a necessary option, use of force that is perceived as unnecessary or excessive diminishes community trust and support. Use of force viewed as inappropriate also results in increased civil suits. Frivolous or not, litigation is costly and time-consuming regardless of the outcome.

Conversely, officers who are overly hesitant in responding to resistance or aggression are more likely to be injured or killed - an undesirable risk for themselves and their agencies.

Therefore, effectively managing the use of force should top every police executive's priority list. Achieving this goal requires establishing and maintaining a triad of components: 1) sound, well-documented procedures, 2) adequate and appropriate training, and 3) ongoing oversight.

Chapter 3 includes guidelines for documenting use of force incidents. It is highly recommended that departments require completion of the *Use of Force Report* after any incident in which an officer applies a control technique at or above the level of compliance controls.

Chapter 3 also provides guidelines for supervisory review of incidents. Every incident involving use of force above the level of compliance controls should undergo supervisor and command review that includes a meaningful examination of the circumstances surrounding the incident and the reasonableness of the use of force, as well as whether any policy, training, equipment, or disciplinary issues need to be addressed. This review can be documented on page 3 of the *Use of Force Report*.

SAMPLE POLICIES AND PROCEDURES:

[Ch. 3 - Use of Force](#)

[Ch. 3 - Use of Force \(with markup to show changes from previous version\)](#)

Policy Tests:

[Ch. 3 - Use of Force - Test & Answer Key](#)

Forms:

[Use of Force Report Form](#)

[Use of Force Report Form - Instructions](#)

Legal Perspective:

[Review of the Law - Use of Force](#)

[Review of the Law - Use of Force Reporting](#)

Additional Information:

[Use of Force Report Form - Sample A](#)

[Use of Force Report Form - Sample B](#)

[Defensive Tactics - The Foundation of Use of Force in Law Enforcement \(article\)](#)

[Chapter 3: Download all Documents \(Zip\)](#)

The Foundation for Policies

- **Legislation**
- **Court decisions**
- **Best practice**
- **Recommendations from legal counsel**
- **Civil cases**

Structure

- **Meet twice a year**
- **Small group meetings**
- **Mix of experience**
- **Mix of size of departments**
- **Various locations throughout Michigan**

- 1. Fundamentals of Risk Management**
- 2. Motor Vehicle Operations**
- 3. Use of Force**
- 4. Use of Weapons**
- 5. Post Force Reporting – now part of Ch. 3**
- 6. Field Contact & Investigatory Detention**
- 7. Arrest Management**
- 8. Search and Seizure**
- 9. Post Critical Incident Stress Management**
- 10. Line of Duty Death or Serious Injury**
- 11. Rules For Law Enforcement Operations**
- 12. Citizen Complaints**
- 13. Internal Investigations**
- 14. Disciplinary Process**
- 18. Mutual Aid Agreements & Response**
- 19. In-Service Training Program**
- 20. Retention of Official Records & Documents**
- 21. Audio/Visual Recordings**
- 22. Detention of Persons in Custody**
- 23. Property and Evidence Management**
- 24. Personal Protection Equipment**
- 25. Canine Teams**
- 26. Critical Incident Management**
- 27. Police Officers in the Schools**
- 28. Ride-Along Programs**
- 29. Incidents Involving Incapacitated Persons**
- 30. Employee Use of Social Media**
- 31. Language Access Services**

Participating Police Agencies

Walker Police Department

Alpena Department of Public Safety

Centerline Public Safety Department

Springport Township Police Department

Jackson Police Department

Marquette Police Department

Adrian Police Department

Midland Police Department

Kentwood Police Department

Zeeland Police Department

Muskegon Police Department

Buena Vista Police Department

Sturgis Department of Public Safety

Auburn Hills Police Department

Brownstown Twp Police Department

Coldwater Police Services

Frankenmuth Police Department

Mackinaw City Police Department

Perry Police Department

Williamston Police Department

Newaygo Police Department

Harbor Springs Police Department

Rogers City Police Department

Three Rivers Police Department

East Grand Rapids Department of Public Safety

Manistee Police Department

Participating Legal Advisor



Audrey J. Forbush

(810) 342-7014

aforbush@plunkettcooney.com

Law Enforcement Action Forum Newsletter

- Quarterly publication
- Focus is on current risk management topics within law enforcement
- Examples:
 - [Slow Down and Think!](#)
Volume 29, Issue 1
Spring 202
 - [Best Practices for Reserve Officer Programs](#)
Volume 28, Issue 2
Fall 2021
 - [Spotting Bad Apples in the Hiring Process ... A Better Way to Know](#)
Volume 26, Issue 3
October 2019

Other Services for LEAF Participants

- Disseminate recent court decisions impacting operations
- Disseminate applicable leadership information
- Focus on future trends across the country
- Training
- Sharing of resources
- MIOSHA standards
- MCOLES
- MACP Partnership
- Any other applicable material and resources

Other Risk Management Resources

- **Risk Management is Good Management**
- **Risk Control Solutions**
- **Safety and Health Resource Manual**
- **Safetysurance web-based training**



MATT HEINS

Loss Control Consultant, LEAF Coordinator

Michigan Municipal League Liability & Property Pool

Matthew.heins@meadowbrook.com

248-791-4371