



**Ohio Attorney General's Office**  
**Bureau of Criminal Investigation**  
Investigative Report



2021-1431

Officer Involved Critical Incident - 5714 South Park Boulevard, Parma,  
OH 44134

Investigative Activity: Document Review; Records Review  
Activity Date: July 19, 2021  
Activity Location: Parma Police Department  
Authoring Agent: SA Jared Prill #137

**Narrative:**

On Monday, July 19, 2021, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jared Prill received the use of force policy utilized by the Southeast Enforcement Bureau at the time of this incident. The document received is attached to this Investigative Report for further review.



# **SOUTHWEST ENFORCEMENT BUREAU**

EMERGENCY RESPONSE UNIT · BOMB DISPOSAL

**Policy Number: SEB-104**

**Subject: USE OF FORCE**

**Issued by: Asst. Unit Commander Tarase**

**Effective Date: June 11, 2013**

**Review:**

*"This policy statement and the procedures there under are intended for Southwest Enforcement Bureau (SEB) use only. The policies, procedures, and regulations are for internal administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal SEB policies, procedures, regulations, or rules form the basis for disciplinary action. Violations of law form the basis for civil and/or criminal sanctions to be determined in the proper judicial setting, not through administrative procedures of SEB."*

## **I. PURPOSE**

The purpose of this policy is to provide MEMBERS of the SOUTHWEST ENFORCEMENT BUREAU (SEB) with guidance of in the use deadly and non-deadly force.

## **II. POLICY**

In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of SEB that police officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the lives of the officer or another.

## **III. DEFINITIONS**

- A. Deadly Force: Any use of force that is likely to cause death or serious bodily harm.
- B. Non-deadly Force: Any use of force other than that which is considered deadly force.

## **IV. PROCEDURES**

- A. Parameters for use of deadly force
  - 1. Defense of life and significant threat to others



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- a. An officer may use deadly force to protect themselves or others from what he reasonably believes to be an immediate threat of death or serious bodily harm.
  - b. An officer may use deadly force to affect the capture and prevent the escape of a suspect where the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical harm to the officer or others.
  - c. No distinction shall be made relative to the age of the intended target of deadly force. Self-defense and imminent threat shall be the only policy guideline for employing deadly force.
- B. Specific procedures relating to the use and discharge of firearms
1. A firearm used by a police officer against another human being is considered deadly force. The previously listed parameters are equally applicable to the use of firearms.
  2. Police officers shall adhere to the following guidelines regarding the use and discharge of their firearm.
    - a. When feasible, a police officer should identify himself as a law enforcement officer and state his intent to shoot before using a firearm.
    - b. Warning shots **shall never be utilized!**
    - c. Except for general maintenance, storage or authorized training, officers shall not draw or exhibit their firearms unless circumstances create a reasonable cause to believe it may be necessary to use the weapon in conformance with this policy.
  3. In addition to the self-defense situation and the arrest of a suspect as previously outlined, a police officer may also discharge a weapon under the following circumstances:
    - a. During range practice or competitive sporting events.
    - b. When the situation occurs, a firearm may be used in the following situations:
      - 1) For self-defense and/or defense of others;
      - 2) To prevent the suffering of a badly injured animal or in the defense of a menacing animal.



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- 3) As long as the use of the weapon is objectively reasonable given the totality of the circumstances confronting the officer at the time of use.

## C. Parameters for use of less lethal force:

1. Where deadly force is not authorized, officers should assess the incident in order to determine which less lethal technique or weapon will best de-escalate the incident and bring it under control.
2. Police officers are authorized to use team-approved less lethal techniques and issued equipment for resolution of incidents, as follows:
  - a. To protect themselves or another from physical harm; or
  - b. To restrain or control a resistant individual; or
  - c. To bring an unlawful situation safely and effectively under control.
  - d. To create a diversion, such as breaking windows or removing unwanted lighting.

## D. Training and qualifications

### 1. Deadly weapons:

- a. Authorized weapons utilized by SEB members must be those that have been approved and registered through the officer's home agency. Additionally, the officer must have received departmental training on the firearm(s) utilized and be subject to passing annual state qualifications through his agency.

SEB members will be subject to tactical firearms qualifications on these weapons as well.

SEB specified weapons, such as the submachine gun or scoped long gun, must be those with which the team member has received training through SEB.

Additionally, SEB members will be subject to passing the state qualification, as well as SEB qualifications for any SEB authorized weapon.



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- b. The team shall schedule regular training and qualification sessions for SEB approved weapons, which will be graded on a pass/fail basis.
  - c. SEB members, who fail to receive a passing score in accordance with team testing procedures, shall be relieved of their SEB responsibilities.
  - d. SEB members shall not be permitted to carry any weapon and/or ammunition with which they have not been able to qualify with during the calendar year.
  - e. SEB members that have taken extended leave due to an illness or injury may be required to re-qualify before returning to SEB duties.
2. Less lethal systems and methods:
- a. SEB members are not permitted to use a less lethal weapon unless qualified in its proficient use as determined by training procedures.
  - b. The following less lethal weapons are authorized:
    - 1) Taser
    - 2) ASP/Straight Baton
    - 3) Chemical munitions
    - 4) Less lethal munitions
      - a) Impact Weapons
      - b) Chemical munitions
- E. Reporting use of force
1. The Region Commander or his designee will prepare a written report according to team procedures in the following situations:
    - a. When a firearm is discharged outside of the firing range.
    - b. When a use of force results in death or injury.
    - c. When a less lethal weapon is used on a person.



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2. A supervisor from the receiver agency will be immediately summoned (if not already present) to the scene and will comply with investigative procedures as required by the department in the following situations:
  - a. When a firearm is discharged outside of the firing range.
  - b. When a use of force results in death or serious injury.
  - c. When a subject complains that an injury has been inflicted.

## F. Team response

### 1. Deadly force incident

- a. When a SEB member's use of force causes death or serious physical harm, the officer shall be placed on temporary leave from SEB until all requirements are completed at the home agency, which could include administrative leave after completing all internal investigative requirements and until it is determined by a mental health professional, that the police officer is ready to return to duty.
- b. When deadly force is used within the course of a SEB call-out, the Critical Incident Stress Debriefing Team (CISD) will be contacted by the SEB Commander or his designee.

Introduction to the CISD Team is mandatory for all members of SEB that participated in the call-out that led to the use of lethal force. This will take place as soon as possible after the incident has concluded and before members are released.

- c. The receiver agency shall conduct both an administrative and criminal investigation of the incident.
- d. The Cuyahoga or Medina County Prosecutor's Office shall be immediately contacted by the receiver agency any time a team member uses force that results in death or serious physical injury. Their investigation is not intended to replace or take the place of the receiving agency's criminal or administrative investigations.



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2. Administrative review of critical incidents
  - a. It is recognized when an officer is faced with a violent suspect, it may be necessary to employ unconventional techniques to control the situation and ensure officer safety. Such incidents must be thoroughly documented and justified.
  - b. All reported uses of force will be reviewed by the SEB Chain of Command to determine whether;
    - 1) Any SEB rules, policy or procedures were violated;
    - 2) The policy was clearly understandable and effective to cover the situation;
    - 3) SEB training is currently adequate
  - c. All findings of policy violations or training inadequacies shall be reported to the SEB Command Staff for resolution and/or discipline.
  - d. All use of force incident reports shall be retained as required by state law.
  - e. There will be a regular review of use of force incidents by the SEB Chain of Command to ascertain training and policy needs.

By Order of

Unit Commander

SEB Chairman



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I have read the *USE OF FORCE POLICY* and understand it.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date