



**18 August 2021**

## **Background**

On June 4, 2020 the City of Moab issued a proclamation in which the Police Department pledged to conduct a review of our use of force policies and to seek input from community members with a diverse range of backgrounds, experiences and stories. Upon completion of that review the findings would be reported to the community.

In November 2020, a review group was assembled consisting of six citizens with diverse backgrounds and significant experience working with important organizations throughout Grand County. Unfortunately, just as the review got off the ground one member was forced to resign for personal reasons. Rather than delay the review to search for a replacement, we proceeded with five of the original members representing the following organizations:

Luke Wojciechowski - Seekhaven

Belinda Hurst - Four Corners Behavioral Health

Rhiana Medina - Moab Valley Multicultural Center

Kelly Thornton - Utah Department of Workforce Services

Local organization and participant who requested not to be identified

Due to COVID, the review was conducted remotely over several months beginning in the last week of November and extending through the first week of April, 2021. The review group was highly engaged in the process, asking questions to further their understanding of police use of force and making suggestions when they determined there was a need for improvement and/or clarification. Each time an edit was made to the policy, it was reviewed by the group and implemented only when we reached a consensus.



## Review Process

At the beginning of the process the group was provided with copies of the following Moab City Police Department policies, all of which have relevance and connection to use of force:

- Use of Force
- Control Devices and Techniques
- Conducted Energy Device
- Report Preparation
- Medical Aid and Response

Additionally, copies of the following relevant Utah State Codes were provided:

- Force in Making Arrest, 77-7-7
- Definitions, 76-1-601
- Peace Officer's Use of Deadly Force, 76-2-404

Lastly, the group was asked to read summaries of the following two important Supreme Court cases that have had significant and longstanding impacts on state and federal laws as well as department policies on police use of force:

- Graham vs. Connor
- Tennessee vs. Garner

The Moab City Police Department Use of Force policy is a 13 page document consisting of multiple sections. To make the review process manageable, the policy was divided into several shorter segments, and the review group was given three weeks to review each segment, ask questions and provide feedback. This ensured that each member of the group had sufficient time to review the policy and formulate thoughtful questions and suggestions.

As has already been mentioned, each time an edit was made the revised policy was sent back to the group for review and was not finalized until a consensus was reached. Once each section had been reviewed, edited and implemented, thus creating a finished product, the final revised policy was sent to the group for one final review before it was published and made available to members of the department.



During the review process, one member who had initially agreed to participate in the review failed to take part in any way. Multiple attempts were made to contact the member with no response. As a result, the final review group consisted of four individuals.

### **Review Outcome**

Several changes were made to the use of force policy as a result of the community review. They include:

- Updated requirement making annual training mandatory rather than recommended
- Change to language better defining certain immobilization techniques
- Added sub-section addressing specific prohibitions on use of force to include:
  - o Excessive, unwarranted or unlawful force
  - o Using force based on bias
  - o Force used as punishment or retaliation
  - o Force used during lawful First Amendment assemblies

Of equal importance, the group engaged in several productive discussions about use of force that led to a broader understanding of how, why and when police officers may need to use force as well as clarification on different weapons systems and their practical deployment.

It should be noted that prior to the community review, the entire use of force policy was extensively reviewed and received a significant update with the goal of developing an effective policy compliant with many of the recent police reform recommendations.

We are grateful for this opportunity to engage with key members of our community on such an important policy. Use of force impacts officers, the department, our citizens and may even have consequences that extend well beyond our community. It is vital for our use of force policy to be relevant, current and useful to ensure the safety of our officers and the Moab community.