

Use of Force and De-escalation Training Pilot Program Data Reporting Guide

Instructions for Reporting Use of Force Data

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INTRODUCTION

The 2022 Budget Act (Assembly Bill 178, Chapter 45, Statutes of 2022) established the Use of Force and De-escalation Training (UFDT) Pilot Program providing \$9,700,000 in funding over three years to the following local law enforcement agencies for use of force and de-escalation training pilot programs:

- \$5,000,000 to the Los Angeles Police Department
- \$2,000,000 to the San Bernardino County Sheriff's Department
- \$1,150,000 to the Fresno County Sheriff's Department
- \$1,000,000 to the San Francisco Police Department
- \$200,000 to the Redlands Police Department
- \$350,000 to the Pasadena Police Department

The funding may be used for use of force and de-escalation training approved by the Commission on Peace Officers Standards and Training. No more than 10 percent of the grant funding may be used for staffing hours, including overtime hours, to backfill positions for peace officers participating in trainings supported by this grant program. As a part of the program, each pilot participant shall collect and report the following information to the Board of State and Community Corrections (BSCC):

- The number of participants who received and successfully completed the training, including demographic data that includes race, gender, and position.
- The names and description of trainings selected and used.
- Use of force incidents data in the three previous calendar years.
- The number of use of force incidents in each calendar year for the duration of the pilot.
- Any quantitative and qualitative data, and other metrics that are collected by specific tools or trainings that are selected by the pilot participant.
- Any information collected through a survey to assess training participants' satisfaction of the training product or program.
- A detailed expenditure report of how grant funding was spent.

This document provides instructions for reporting the information outlined above to the BSCC. For any additional information about the UFDT Pilot Program, please visit the UFDT Pilot Program Webpage.

BSCC CONTACT INFORMATION

Direct any questions regarding the UFDT Pilot Program, including data collection procedures, to UFDTPilotProgram@bscc.ca.gov.

GENERAL INSTRUCTIONS

The UFDT Pilot Program data will be submitted via email in a Microsoft Word file. There will be two reports used to collect the required information. The two reports are:

- 1. UFDT Pilot Program Baseline Data Report: This one-time report collects use of force incidents data for the three previous calendar years. The Baseline Data Report is due on June 30, 2023 and the data collection periods for the three previous calendar years for which data shall be provided are:
 - a. For calendar year 2020, January 1, 2020 through December 31, 2020.
 - b. For calendar year 2021, January 1, 2021 through December 31, 2021.
 - c. For calendar year 2022, January 1, 2022 through December 31, 2022.
- 2. UFDT Pilot Program Annual Data Report: This annual report will be collected after each calendar year in the grant cycle. This report collects the following information:
 - a. The number of use of force incidents for the calendar year.
 - b. The number of participants who received and successfully completed the training, including demographic data that includes ethnicity/race, gender identity, and position.
 - c. The names and descriptions of the trainings selected and used.
 - d. Any quantitative and qualitative data or metrics that were collected by specific tools or trainings that were selected by the pilot participant.
 - e. Participants' satisfaction ratings with the training product or program, if collected.
 - f. A detailed expenditure report of how grant funding was spent (3rd Annual Data Report only).

The due dates for the Annual Data Reports and the data collection period for each report (i.e., the time period for which the data provided represent) are:

- 1st Annual Data Report: <u>Due April 30, 2024</u> for the data collection period of January 1, 2023 through December 31, 2023.
- 2nd Annual Data Report: <u>Due April 30, 2025</u> for the data collection period of January 1, 2024 through December 31, 2024.
- o **3rd Annual Data Report:** <u>Due December 1, 2025</u> for the data collection period of January 1, 2025 through October 31, 2025¹. As part of this report, pilot program agencies are required to submit an expenditure report detailing how the funding was used. An Expenditure Report Excel file will be provided to each agency to complete.

¹ Assembly Bill 178 (Chapter 45, Statutes of 2022) established the December 31, 2025 due date for all information to be reported to the BSCC. To meet this report due date the final data collection period was modified to January 1, 2025 to October 31, 2025 to provide grantees sufficient time to gather and report the required data to the BSCC.

Summary of Due Dates

Report	Calendar Year of Data	Data Collection Period	Due Date
Baseline	2020	January 1, 2020 – December 31, 2020	June 30, 2023
Data Report	2021	January 1, 2021 – December 31, 2021	
	2022	January 1, 2022 – December 31, 2022	
1 st Annual	2023	January 1, 2023 – December 31, 2023	April 30, 2024
Data Report		-	-
2 nd Annual	2024	January 1, 2024 – December 31, 2024	April 30, 2025
Data Report			
3 rd Annual	2025	January 1, 2025 – October 31, 2025	December 1, 2025*
Data Report			
Expenditure	2023-	January 1, 2023 – June 30, 2025	December 1, 2025
Report	2025		

^{*2025} data will be partial, with data from January 2025 through October 2025.

COMPLETING UFDT PILOT PROGRAM – BASELINE DATA REPORT

Each of the fields which comprise of the UFDT Pilot Program – Baseline Data Report are described in detail below. The Microsoft Word file for this one-time report is available on the <u>UFDT Pilot Program Webpage</u>. The Baseline Data Report is due by **June 30, 2023**.

To complete this report, your agency must enter the data requested and email the completed file to UFDTPilotProgram@bscc.ca.gov.

I. Grantee Information

In this section, please complete each field to identify the law enforcement agency (i.e., grantee), provide the project title and date of the report. This section also requests information for the individual who prepared the report. This is the reporting person and who BSCC may contact if there are any questions about the information reported. For this person, please include their name (in the Prepared by field), title, phone number, and email address.

II. About Baseline Data Collection

Each pilot participant is required to report use of force incident data to the Board of State and Community Corrections (BSCC) for the three calendar years prior to the pilot program (2020, 2021, and 2022).² For the purposes of this report, calendar year is January 1 through December 31 of each year and use of force data will be collected for each of the two definitions below.

- 1. The Agency's Definition of Use of Force: Each agency may have an agency specific definition of use of force that guides the agency's work and the agency's collection of use of force incident data.
- 2. Use of Force Definition Based on Government Code (GC) Section 12525.2:
 Requires law enforcement agencies to report monthly to the Department of
 Justice all instances when a police officer is involved in any of the following: 1) an
 incident involving the shooting of a civilian by a peace officer, 2) an incident
 involving the shooting of a peace officer by a civilian, 3) an incident in which the
 use of force by a peace officer against a civilian results in serious bodily injury or
 death, and 4) an incident in which use of force by a civilian against a peace
 officer results in serious bodily injury or death. This code section provides a
 common, consistent metric for the collection of use of force incident data across

² Budget Act of 2022 (Assembly Bill 178, Chapter 45, Statutes of 2022).

all agencies with a UFDT Pilot Program. See Appendix A for the full code section.

III. Baseline Data Collection by Calendar Year

For each calendar year of the baseline data collection period (i.e., 2020, 2021, and 2022), the information outlined below is requested.

1. Agency's Definition of Use of Force

Use the text field to provide the agency's definition of a use of force incident. This definition will provide context to how your agency records and counts use of force incidents for the calendar year. The text field will expand as you type.

2. Use of Force Incidents (Based on Agency Definition)

Use the text field to report the total number of use of force incidents for the calendar year based on the agency's definition of use of force.

3. Use of Force Incidents (Based on GC section 12525.2 Definition)

Use the text field to report the total number of use of force incidents in the calendar based on the definition of use of force as defined in Government Code section 12525.2 (see Appendix A).

4. Additional Narrative

Use this text field for any information, notes, or comments that may be necessary or relevant for the use of force incidents data reported for the calendar year.

COMPLETING UFDT PILOT PROGRAM – ANNUAL DATA REPORT

Each of the fields which comprise of the UFDT Pilot Program – Annual Data Report are described in detail below. The Microsoft Word file for this annual report is available on the UFDT Pilot Program Webpage.

To complete this report, your agency must enter the data requested and email the completed file(s) to UFDTPilotProgram@bscc.ca.gov.

I. Grantee Information

In this section, please complete each field to identify the law enforcement agency (i.e., grantee), provide the project title and date of the report. This section also requests information for the individual who prepared the report. This is the reporting person and who BSCC may contact if there are any questions about the information reported. For this person, please include their name (in the Prepared by field), title, phone number, and email address.

II. About Annual Data Collection

The Annual Data Report focuses on collecting the information outlined below for each calendar year.

- 1. The number of use of force incidents for two definitions: agency definition and Government Code section 12525.2.
- 2. The number of participants who received and successfully completed, including demographic data that includes ethnicity/race, gender identity, and position.
- 3. The names and description of trainings selected and used in the.
- 4. Any quantitative and qualitative data, and other metrics that were collected by specific tools or trainings that were selected by the pilot participant.
- 5. Participants satisfaction with the training product or program, if available.
- 6. A detailed expenditure report of how grant funding was spent (final annual data report only).

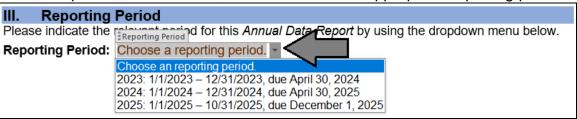
III. Reporting Period

Use the drop-down menu to select the reporting period for the Annual Data Report being completed. To enable the drop-down menu, click on the "Choose a reporting period." area. Once clicked, the drop-down menu button will appear to the right of the text. Click on the drop-down menu button, and then select the appropriate reporting period. Please see screenshots below for additional guidance:

I. Click on the "Choose a reporting period." area:

III. Reporting Period Please indicate the relevant period for this Annual Data Report by using the dropdown menu below. Reporting Period: Choose a reporting period.

II. Once clicked, the drop-down menu button will appear to the right of the text. Click on the drop-down menu button, and then select the appropriate reporting period.



IV. Use of Force Incidents

In this section, provide the agency's definition of use of force and report the total number of use of force incidents during the reporting period for two definitions: the agency's definition and Government Code (GC) section 12525.2.

1. Agency's Definition of Use of Force

Use the text field to provide agency's use of force incident definition. This definition will provide context to how your agency records and counts use of force incidents. The text field will expand as you type.

2. Use of Force Incidents (Based on Agency Definition)

Use the text field to report the total number of use of force incidents for the reporting period based on the agency's definition of use of force.

3. Use of Force Incidents (Based on GC section 12525.2 Definition)

Use the text field report the total number of use of force incidents in the reporting period based on the definition of use of force as defined in Government Code section 12525.2 (see Appendix A).

4. Additional Narrative

Use this text field for any information, notes, or comments that may be necessary or relevant for the use of force incidents data reported for this calendar year. For example, you can provide a brief summary of the why there were differences between agency defined use of force incidents and GC section 12525.2 defined use of force incidents.

V. Participants

In this section, provide the 1) total number of participants who received and successfully completed one or more use of force and de-escalation trainings. For this total number of participants, report their 2) race/ethnicity, 3) gender identity, and 4) position.

1. Total Number of Participants

Use the text field to report the total number of participants who received and successfully completed one or more use of force and de-escalation training during the reporting period. Count each individual only once, even if the individual completed multiple training courses or a program with several components. **This should be a unique, non-duplicated count of individuals.** For example, if an individual attended two distinct use of force and de-escalation training courses, count the individual just once in this total count of participants.

The total for each table in the following sections (Race/Ethnicity, Gender Identity, and Position) should be equal to this number.

2. Race/Ethnicity

Indicate the number of participants who identify with each race/ethnicity category provided (see below for categories). Please ask participants to self-report whenever possible.

The State of California mandates that collection of race and ethnicity data must include and report each major Asian group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, and Cambodian, and each major Pacific Islander group, including, but not limited to, Hawaiian, Guamanian, and Samoan. The State also provides guidelines for multiracial Californians, that is, data on ethnic origin, ethnicity, or race must provide the option of selecting one or more ethnicity or racial designations. For participants who indicate multiple races/ethnicities, report them under "j. Multi-ethnic origin, ethnicity, or race". For additional guidance on race/ethnicity data collection, please see BSCC's Recommendations for the Collection and Reporting of Juvenile Race and Ethnicity Data.

Race/Ethnicity
a. American Indian/Alaska Native
b. Asian (a subtotal of the 9 rows below)
Chinese
Japanese
Filipino
Korean
Vietnamese
Asian Indian
Laotian
Cambodian

Race/Ethnicity
Other
c. Black or African American
d. Hispanic, Latino, or Spanish
e. Middle Eastern/North African
f. Native Hawaiian/Pacific Islander(a subtotal of the 4 rows
below)
Native Hawaiian
Guamanian
Samoan
Other
g. White
h. Other identified ethnic origin, ethnicity, or race
i. Decline to state
j. Multi-ethnic origin, ethnicity, or race
k. Unknown
Race/Ethnicity TOTAL (sum of a through k)

If you require a race/ethnicity form that will allow you to collect this data in a way that conforms to state requirements outlined above, please notify the BSCC by email at <a href="https://www.ufgnetrance.com/ufgnetrance

3. Gender Identity

Indicate the number of participants who identify with each gender identity category provided (see below). Please ask participants to self-report whenever possible. Gender identity is one's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves.³ One's gender identity can be the same or different from their sex assigned at birth. The options provided in the data reporting form include:

- a. Female
- b Male
- c. Non-binary: An adjective describing a person who does not identify exclusively as a man or woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories.⁴
- d. Prefer to self-define
- e. Prefer not to state
- f. Other
- g. Unknown

³ Human Rights Campaign. Glossary of Terms. https://www.hrc.org/resources/glossary-of-terms.

⁴ Ibid.

4. Position

Indicate the number of peace officer participants who identify with each position/classification provided (see below), as of January 1 of the reporting year. Please indicate "Other" if the participant's position is not listed in the table. The options provided in the data reporting form include:

Acting Chief Detective (I, II, III) Jail Sergeant
Assistant Chief Division Chief Lieutenant

Assistant Sheriff Investigator (I, II, III) Police Officer (I, II, III)

Bureau Chief Investigator Manager Reserve Level I
Captain Investigator- Reserve Level II
Chief Supervisor Reserve Level III

Chief Deputy Jail Assistant Sheriff Sergeant Chief Investigator Jail Commander Sheriff

Commander Jail Captain Sheriff/Coroner

CorporalJail DeputyTraineeDeputy (I, II, II)Jail LieutenantWardenDeputy ChiefJail Senior DeputyOther

VI. Course Names, Number of Participants, and Course Descriptions

In this section, use the text fields to provide the names, total number of participants, and descriptions of trainings selected and used during the reporting period. The text field in the "Description" column will expand as you type.

VII. Quantitative and Qualitative Data

Use the text field to provide a detailed description of any quantitative and qualitative data collected (other than Participant Satisfaction, which is addressed in the next section). For example, if your agency administered any pre- and post- surveys or evaluations, please provide the details. If there are not additional quantitative and qualitative data or metrics to report, enter "N/A" in the text field.

VIII. Participant's Satisfaction

Use the text field to provide the participants' average rating of the trainings, if your agency collected these data. To the extent possible, pilot participants were to create a survey for training participants to rate their satisfaction with the training product or program. In this section provide the average satisfaction across the training participants for the reporting period. Also provide a description of the satisfaction rating scale to aid in interpretation of the average rating provided.

Example Response: Participants' average satisfaction rating was 4.3 across all trainings provided during the reporting period based on a five-point rating scale (1 = very dissatisfied, 2 = dissatisfied, 3 = okay, 4 = satisfied, and 5 = very satisfied).

If participants' satisfaction was not collected, enter "N/A" in the text field.

IX. Expenditure Report

ONLY COMPLETE WITH THE 3RD ANNUAL DATA REPORT

As part of the 3rd Annual Data Report, agencies are required to submit an expenditure report detailing how the funding was used. An Expenditure Report Excel file will be provided to each agency which must be completed and sent with the 3rd Annual Data Report. The Excel file contains several tabs; instructions for each of the tabs are provided below.

Each time the Excel file is opened, a prompt will appear asking for a password. The password will be provided by email to each grantee. The Expenditure Report has specific functions which require macros to be enabled. A macro is a series of commands, such as calculations, that are stored within the document for tasks performed repeatedly. In most cases, Excel will prompt the grantee to enable macros. When this prompt appears, select Enable Editing then Enable Content. Enabling macros for the Expenditure Report will not compromise the security of the local system nor the security of the agency's network.

Advance Payment

This first tab is a summary page which includes the agency name, address and the amount of grant funds received. Please review this information to ensure its accuracy. The funds were distributed in one advance payment, so the Grant Award Balance should be \$0.

Final Invoice

The Final Invoice tab allows grantees to enter data into the green-shaded fields. Only complete the green fields. For all fields reporting a dollar amount, please round to the nearest whole dollar; do not enter decimals.

While there is no requirement to submit the proposed budget to the BSCC, it is best practice to establish a budget for a project prior to implementation. As such, the Budget column should be completed prior to implementing the UFDT pilot program. Please include the dollar amount budgeted for each of the Line Items listed in the first column. If the Line Items are not relevant to your program, please enter \$0. As the dollar amounts are entered in the Budget column, a total should auto-calculate at the bottom of the budget row. The total amount budgeted should not exceed your grant award amount. Additionally, they should carry over to the Balance column, including the total.

At the conclusion of the project, the Expenditures for Reporting Period column should be completed. For each of the line items in the first column, report the actual amount spent in the Expenditures for Reporting Period column. These values will be subtracted from the Budget column and reflected in the Balance column. If all of the funds were used, the Total at the bottom of the Balance column should be zero, which will be reflected by a "-" in that cell.

Beginning on line 25 is the Expenditure Description section. For each dollar amount entered as an expenditure, enter a brief but detailed description. Your expenditures should correlate to the guidelines described in the 2022 Budget Act (Assembly Bill 178, Chapter 45, Statutes of 2022). Please note, no more than 10 percent of the grant funding may be used for staffing hours, including overtime hours, to backfill positions for peace officers participating in trainings supported by this grant program. If your Salaries and Benefits amount is more than 10% of your grant funds used, the dollar amount will appear in a red box on line 26. You may provide additional information in the Comments field, if needed.

Beginning on line 35, the individual who prepared the invoice should be listed. The Authorized Financial Officer cannot prepare invoices. The individual who prepares invoices will provide their contact information and the date the invoice was prepared under the PERSON PREPARING REPORT section. Then, forward the Expenditure Report to the Authorized Financial Officer for review and approval.

The Authorized Financial Officer cannot be the Project Director or the individual preparing the invoice. The Authorized Financial Officer must review each line item expenditure and description. Then, approve the invoice by checking the certification box and providing their contact information and the date of approval.

Once the Expenditure Report has been approved by the Authorized Financial Officer, it should be attached to the 3rd Annual Data Report and submitted with the completed report. Do not use the SUBMIT button in the Expenditure Report to submit the invoice. The Expenditure Report Excel file must be completed and submitted with the 3rd Annual Data Report.

Appendix A: Government Code § 12525.2

Government Code section 12525.2 states:

- (a) each law enforcement agency shall monthly furnish to the Department of Justice, in a manner defined and prescribed by the Attorney General, a report of all instances when a peace officer employed by that agency is involved in any of the following:
 - (1) An incident involving the shooting of a civilian by a peace officer.
 - (2) An incident involving the shooting of a peace officer by a civilian.
 - (3) An incident in which the use of force by a peace officer against a civilian results in serious bodily injury or death.
 - (4) An incident in which use of force by a civilian against a peace officer results in serious bodily injury or death.
- (b) For each incident reported under subdivision (a), the information reported to the Department of Justice shall include, but not be limited to, all of the following:
 - (1) The gender, race, and age of each individual who was shot, injured, or killed.
 - (2) Whether the officer perceived the civilian had a developmental, physical, or mental disability.
 - (3) The date, time, and location of the incident.
 - (4) Whether the civilian was armed, and, if so, the type of weapon.
 - (5) The type of force used against the officer, the civilian, or both, including the types of weapons used.
 - (6) The number of officers involved in the incident.
 - (7) The number of civilians involved in the incident.
 - (8) The reason for contact.
 - (9) The reason for using force.
 - (10) The injuries sustained.
 - (11) If any medical aid was rendered.
 - (12) If the officer observed signs of any of the following:
 - (A) Mental, physical, or developmental disability.
 - (B) Drug or alcohol impairment.
 - (C) Erratic behavior.
- (d) For the purposes of this section, the following terms are defined as follows:
 - (1) "Developmental disability" has the same meaning as in Section 4512 of the Welfare and Institutions Code.
 - (2) "Mental disability" has the same meaning as "serious mental disorder" in Section 5600.3 of the Welfare and Institutions Code.
 - (3) "Physical disability" has the same meaning as in Section 12926 of the Government Code.
 - (4) "Serious bodily injury" means a bodily 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 or organ.