

Recommendation- The NEPC would like to recommend the review of the disciplinary process regarding use of force investigations where officers are held to disciplinary actions that are not based on the policies at the time of the incident but at the time of the review. We would like to understand if this information is correct and want to know, if it is true, the justification of holding officers to policies that were not yet in effect at the time of the incident

Rationale- NECPC has heard of an issue with the review of use of force cases. Given the backlog, some of these cases yet to be reviewed are several years old. Policies on use of force and other issues have been changed from when these use of force events occurred. Yet, we have heard that the review and any disciplinary actions are not based on the policies at the time of the incident but at the time of the review. If this is true, this seems inappropriate to us and not consistent with legal standards.