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Updated Law Enforcement Mobile Report Writing Manual- Offenses

The incorrect use of the offenses **suspicious circumstances**, **non-criminal**, or **information only** has been a longstanding issue. Deputies have frequently used these offenses when entering a crime would be appropriate. Not doing so results in the significant under-reporting of crime statistics, which in turn results in the loss of funding to our department.

The offenses **use of force**, **use of electronic immobilization device**, and **use of safety restraints** have long been used in the Detentions Bureau. P.C. 835a(b) states that any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance. Thus, every use of force should have a crime attached to it. A use of force may start out as a facility violation, but after the suspect refuses a lawful order, it becomes a violation of P.C. 148(a)(1). When a suspect attacks a deputy, the appropriate charge should be selected (i.e., P.C. 69, P.C. 243(b), etc.). The decision to seek a complaint with the District Attorney's Office shall still be decided on a case-by-case basis.

The Assist Other Department (**AOD**) offense code is an available option for deputies but shall be used only when the crime or incident reported did not occur in the Sheriff's Office jurisdiction. No other offense shall be entered when the **AOD** offense code has been used.

The following offense codes have been removed from the Mobile report writing system:

- **Use of Force**
- **Use of Electronic Immobilization Device**
- **Use of Safety Restraints**
- **Susp Circ/SAAIU**
- **Void CI**

The KCSO Report Writing Manual has been amended to include the following changes:

Entering All Applicable Offenses

For each report, enter all applicable offenses based on what was reported to law enforcement in combination with the findings of the investigation. Offenses should be added based on what was reported by the victim/reporter, unless the investigation determines the reported crime was something different than what was committed, then the appropriate offense should be selected.

In situations in which it is difficult to determine if a crime actually happened, the offense(s) should be entered as it was reported. Probable cause is not the standard by which reports are written. For example, if a rape is reported and the victim cannot recall the details of the incident in full or is not clear about what happened but feels a rape occurred, a rape report must be written unless evidence proves otherwise.

The offenses **suspicious circumstances, non-criminal, or information only** **shall** not be used unless the deputy is certain a crime did not occur. Otherwise, the offenses which most closely correspond to what was reported shall be entered. When a crime is reported but the investigation determines that no crime actually occurred, the assigned investigator can later clear the case as unfounded.

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The updated Report Writing Manual has been uploaded to SheriffNet, and can be found under Procedures, Publications, & MOUs, and then by clicking Law Enforcement Mobile Manual Master-Updated November 2022 ([Report Writing Manual](#)).
