Use-of-Force Reporting Requirements

Version 1.0 · Current · October 2026

The Federal Framework

The FBI's National Use-of-Force Data Collection (NUOFD) launched in 2019 as the first systematic federal effort to collect use-of-force data from law enforcement agencies nationwide. Participation is voluntary. As of 2022, agencies covering approximately 65% of the US population submitted data – meaning roughly 35% did not. The program cannot produce a nationally representative count of use-of-force incidents; it produces a count from participating agencies only.

The program collects data on incidents involving: any firearm discharge, any use of force resulting in death or serious bodily injury, and any use of force resulting in a complaint. Less serious force – takedowns, strikes, use of chemical spray – is reported at agency discretion under a separate "summary" track.

The Death in Custody Reporting Act (DCRA) of 2013 requires states to report deaths occurring in law enforcement custody as a condition of certain federal funding. Compliance is inconsistent, penalties have not been enforced, and the scope excludes force-related deaths that occur outside custody.

State Mandates

State use-of-force reporting requirements vary across four dimensions:

Trigger threshold – what level of force triggers a report. Some states require reports for any use of force; others only for force resulting in injury; others only for deadly force.

Reporting entity – whether the officer, supervisor, or agency submits the report, and to whom (internal records only, state attorney general, independent oversight body, or public database).

Timeliness – reporting deadlines range from 24 hours (for deadly force) to 30 days or more for less serious incidents. Late or amended reports are common.

Public availability – a minority of states publish use-of-force data in accessible form. Most collect it without making it available for independent analysis.

As of 2024, fewer than half of states have enacted comprehensive use-of-force reporting mandates covering all levels of force. Several states enacted new requirements following 2020, with variable implementation quality.

What Gets Reported vs. What Occurs

Use-of-force reports document incidents that officers classify as use-of-force under agency policy – not all force that objectively occurs. This creates three systematic gaps:

Classification discretion – whether a given action (a firm grip, a push, a compliance hold) is classified as reportable force depends on how the agency defines force in policy and how officers interpret that definition. Narrow definitions produce low counts; broad definitions produce high counts. Cross-agency comparisons are unreliable without policy-level analysis.

Supervisor review gaps – in agencies without mandatory supervisor review of force reports, underreporting is structurally incentivized. Officers bear the burden of self-reporting conduct that may result in discipline.

Soft-force undercounting – less-than-lethal force options (chemical agents, CEWs, physical control techniques) are systematically underreported relative to firearm deployments in nearly every study that has compared administrative records to BWC or ICV footage.

What Good Reporting Looks Like

Effective use-of-force reporting systems share five features:

1. Low trigger threshold – any intentional physical contact beyond a handshake requires documentation; force is not defined by outcome
2. Independent submission pathway – officers document force; supervisors review and counter-sign; neither can unilaterally suppress a report
3. Standardized data elements – subject demographics, officer demographics, force type, injury outcome, and whether BWC was activated are collected on every report
4. Timely supervisor review – force reports are reviewed within 24–48 hours, not aggregated at end of quarter
5. External publication – aggregate data is published on a regular schedule in machine-readable format; incident-level data is available to researchers and oversight bodies under appropriate protocols

The Relationship to Pattern-or-Practice Investigations

DOJ pattern-or-practice investigations under 34 U.S.C. § 12601 routinely find that internal use-of-force reporting significantly undercounts actual force. The standard method is to compare administrative force reports against BWC footage, ICV footage, and supervisor use-of-force logs for the same time period. Gaps of 20–40% between documented force and observable force are common findings.

This is not primarily a deliberate-falsification problem. It is a policy design problem: agencies that define force narrowly, require self-reporting without independent review, and do not audit against available footage produce structurally incomplete records regardless of individual officer intent.

The Bottom Line

A use-of-force reporting system that only captures what officers choose to report is not an accountability mechanism – it is a count of self-disclosed incidents. The quality of use-of-force data in any agency is a direct function of three policy decisions: how force is defined, who reviews reports before they are finalized, and whether reported counts are audited against available footage. Agencies serious about accountability treat force reporting as a verification system, not an honor system.

HOW TO CITE

Edged-Weapon Response Lab. (2026). *Use-of-Force Reporting Requirements*. In *EWRL Evidence Library* (Version 1.0). https://droptheknife.org/bulletins/use_of_force_reporting (https://droptheknife.org/bulletins/use_of_force_reporting)