



UFAD Frequently Asked Questions

Bureau of Justice Information & Analysis

October 2024

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FAQ

What incidents are considered “reportable”?

Incident information is collected when one or more of the following occur:

- An officer utilizes force that results in the death of a person
- An officer utilizes force that results in the serious bodily injury of a person
- An officer discharges their firearm at or in the direction of a person
- A person dies while detained, arrested, or in the course of being arrested

What is the deadline for reporting?

Reports must be submitted by the 15th of the following month.

For example: Your agency experiences a reportable incident on September 12th. The initial report for this incident will be due on or by the 15th of October.

What if DCI or an external agency is investigating the incident, and my agency does not have all of the information needed to complete the UFAD form?

If your agency is waiting on information pending an investigation, you will need to complete what is called a “Preliminary UFAD Report” by the standard 15th of the following month deadline.

To submit a preliminary report, follow these steps:

- Open a new UFAD form within TraCS and enter in all of the information that is available as of that moment on the form.
 - *Anything that is not yet available should be set to “Pending Further Investigation”.*
 - *Please **do not** use the “Unknown” indicator for anything that is pending investigation, as Unknown is only to be used when a field is unknown and unlikely to ever be known.*
- Click the “Validate” check mark and when the TraCS window saying, “Form has successfully validated, continue on to Final Validation?” appears, **click NO**.
- There should now be a large gray banner across the top part of the form that says “PRELIMINARY VALIDATION”
- Close the form and transmit it via your agency’s standard transmission process.
 - *E.G: the Transmit button, end shifting, accepting the form, etc.*

If you have already created a form that has pending fields and attempted final validation, you can still change it to a Preliminary form. To do this:

- Close the form and re-open it.
- Click “Edit”, after which you will be prompted with a warning that says by opening the form you will need to go through validation again.
 - Click yes to that and then follow the validation steps above.

Note: all preliminary forms and any “Pending” or blank fields are expected to be updated as soon as the investigation(s) surrounding the incident conclude.

What is a Zero Report?

A zero report is an agency reporting that they have had no reportable incidents for a month.

Zero reports **must** be submitted if an agency experiences no reportable incidents for a month – an agency cannot only report for months in which reportable incidents occur. This allows for differentiation between agencies who have nothing to report, and agencies who are not reporting.

Zero reports for a month must be completed by the 15th of the following month.

What if my agency submits a Zero Report for a month and then later discovers that there was a reportable incident for that month?

In this scenario, your agency should create a new UFAD form to record and transmit the reportable incident. Once that reportable incident is received at the state level, it will; automatically override a previous zero report for the month the reportable incident occurred in.

Note: do not attempt to convert a previously transmitted zero report to a reportable incident, as this will result in errors.

Can multiple agencies report the same incident?

Yes, if the incident involved officers that utilized reportable force from multiple agencies, each agency that employed an officer that utilized reportable force during the incident will need to file a UFAD reportable incident for its own officers.

Which officers should be counted under the “Total Reporting Agency Officers” field?

Only officers from your agency that utilized **reportable** force during an incident should be counted under the “Total Reporting Agency Officers” field. This field should not include any officers who were only on-scene and utilized no or lesser, non-reportable force during the incident.

Are non-lethal/less-lethal rounds or Taser deployments reportable?

On their own, no. The usage of less lethal ammunition or electronic control devices (ECD) do not qualify as a "firearm discharges" per the FBI.

However, if a less-lethal round or ECD were to cause serious bodily injury or death, then that would qualify as a reportable incident.

What is the definition of a firearm for the National Use-of-Force Data Collection?

Per the FBI:

*“The term firearm means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. **Firearms discharged at or in the direction of a person with less lethal munitions, such as beanbags, pepper balls, and rubber bullets are excluded.** In addition, **electronic control weapons are not to be considered firearms.** (This definition is based on the Bureau of Alcohol, Tobacco, Firearms, and Explosives definition, 18 U.S. 921 (a) (3).)”*

Are PITT maneuvers and spike strips reportable force types?

If their usage results in serious bodily injury or death – Yes.

Note: even if reportable force is not used, if a subject dies as a result of a crash during an active pursuit, that is reportable as an arrest-related death.

Do deaths in jails need to be reported?

Yes, however there is some variability on how to report depending on the cause of death:

- If an incident involves a subject who died while incarcerated, regardless of their cause of death, this is reportable as an Arrest-Related Death.
 - If their death was caused by a sworn law enforcement officer's use-of-force, the incident is reportable as both an Arrest-Related and Use-of-Force Death.

Note: If an incarcerated subject sustains serious bodily injury as a result of a law enforcement officer's use-of-force, that would be reportable as a Use-of-Force – Injury incident.

Who qualifies as an "Officer" for the collection?

The FBI defines law enforcement officer* according to the Law Enforcement Officers Killed and Assaulted (LEOKA) definition which is as follows:

"All local, county, state, and federal law enforcement officers (such as municipal, county police officers, constables, state police, highway patrol, sheriffs, their deputies, federal law enforcement officers, marshals, special agents, etc.) who are sworn by their respective government authorities to uphold the law and to safeguard the rights, lives, and property of American citizens. They must have full arrest powers and be members of a public governmental law enforcement agency, paid from government funds set aside specifically for payment to sworn police law enforcement organized for the purposes of keeping order and for preventing and detecting crimes, and apprehending those responsible."

**For this collection, Parole and Probation Officers, Corrections Officers, and Juvenile Detention Officers are not included.*

What deaths are required to be reported as an "Arrest-Related Death"?

Per the Bureau of Justice Assistance, you are to report:

*"Information regarding the death of any person who is detained, under arrest, or is **in the process of being arrested**, is en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility)."*

This does not include deaths occurring while an individual is on parole or probation."

If an inmate or detained subject is transferred to a medical facility and dies there, not in a correctional facility, is that reportable?

Yes. If the incarcerated person, absent the medical condition, would have been in prison at the time of death, it counts as a reportable death. Although the person was not physically in a correctional facility at the time of death, the death is still one of an incarcerated individual.

If a subject commits suicide in the process of being arrested, but before any "hands-on" contact occurs by officers, (for example: during a police stand-off) is that reportable?

Yes. Even though "hands on" contact had not yet occurred by officers, if the outcome of the interaction, absent the subject's suicide, would have been for the person to be detained or arrested, that would make the incident reportable as an "Arrest-Related Death" incident.

What is the difference between the “Force Type Employed” and “Lesser Force Type Employed” fields?

The “Force Type Employed” field is used to record any reportable force types employed by the officer/on the subject during the incident.

The “Lesser Force Type Employed” field is used to record any non-reportable force types that were used by the officer/on the subject alongside the reportable use of force. This field allows for a clearer picture of the incident being reported and can be marked as “None” if no lesser force types were used during the incident.

What is the difference between “Serious Bodily Injury” and “Great Bodily Harm”?

“Serious Bodily Injury” is the terminology used by the FBI for the national Use-of-Force data collection effort. Upon review, the BJIA found that the definition of “Serious Bodily Injury” is nearly identical to Wisconsin’s “Great Bodily Harm” definition. Here is the FBI’s definition on “Serious Bodily Injury”:

“The term serious bodily injury means 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, organ, or mental faculty. Serious bodily injury would include all gunshot wounds (regardless of whether they are penetrating or grazing), apparent broken bones, possible internal injury, severe laceration, stitches, sutures, chipped teeth, loss of teeth, canine bites requiring medical attention, unconsciousness due to an applied carotid artery hold, and injuries severe enough to require medical intervention and/or hospitalization. The term “medical intervention” does not include routine evaluation of the subject to determine fitness for arrest or detention by an emergency medical technician or medical staff at a medical facility. (This definition is based, in part, upon Title 18 United States Code (U.S.C), Section 2246 (4).”

How should a subject’s Time of Death be recorded?

Until a medical examiner’s report can be obtained with an official time of death, an approximate time of death should be recorded in its stead.

General Reminders

- When a field is highlighted in the TraCS form, instructions specific to completing that field can be found by pressing ‘F2’ – after which a separate browser window will open with instructions.
- UFAD reports must be **transmitted** to the DOJ by the 15th of the following month – if your agency has no reportable incidents for the month, a Zero Report **must** be submitted.

Contact Us

Questions on UFAD reporting?

Please reach out to the UFAD Data Collection Lead: CebertowiczME@doj.state.wi.us



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