

	Policy Level Companywide	Policy No. LEG-010	Page Page 1 of 5
	Department Legal	Version No. 2.0	Effective Date 2/22/2022
USE OF FORCE REVIEW BOARD POLICY Issued: 11/1/2020			

Table of Contents

1.0	Purpose	1
2.0	Scope	1
3.0	Policy Summary	1
4.0	Roles & Responsibilities	2
5.0	Policy	2
5.1	Use of Force Incident.....	2
5.2	Use of Force Form	2
5.3	Timing of Board Review	3
5.4	Use of Force Review Board.....	3
5.4.1	Composition of the Board	3
5.4.2	Responsibilities of the Board	4
5.4.3	Findings and Recommendations of the Board	4
5.4.4	Board Documentation and Reports	5
5.4.5	Root Cause Analyses & Lessons Learned	5

1.0 **Purpose**

The Use of Force Review Board (“the Board” or “UFRB”) is empowered to conduct administrative reviews into the circumstances of all incidents involving any use of force occurring within Constellis Holdings, LLC and its affiliated companies (hereinafter, “the Company”). This authority has been delegated to the Board by the Chief Legal and Compliance Officer pursuant to Section 6.0 of the Company’s Delegation of Authority Policy. This Use of Force Review Board Policy (“the Policy”) outlines the roles and responsibilities of the Board in carrying out its administrative reviews.

2.0 **Scope**

This Policy applies to all operations across the Company, including all employees and contractors (referred collectively to as “employees”) who are empowered to implement any use of force in carrying out their job duties.

3.0 **Policy Summary**

Pursuant to Section 6.0 of the Company’s Delegation of Authority Policy, the Chief Legal and Compliance Officer for Constellis, LLC and its affiliates, has delegated the authority to the Board to conduct administrative reviews of Use of Force Incidents that occur within the two divisions of the Company: North American Operations (NAO) and Global Support Operations (GSO). The Board is best positioned as a

USE OF FORCE REVIEW BOARD POLICY	Policy Level Company-wide	Policy No. LEG-010	Page Page 2 of 5
	Department Legal	Version No. 2.0	Effective Date 2/22/2022

group of subject-matter experts to collect information and review use of force incidents. Consistent with the Delegation of Authority Policy, all investigations and administrative reviews into use of force incidents are to be done at the direction and control of the Chief Legal Officer and the Sr. Director of Employment and Compliance.

The Board, following the roles and responsibilities of this Policy, will review each Use of Force Incident to determine if the conduct at issue was consistent with the Company’s Code of Business Ethics and Conduct and all applicable use of force training and documents, including any customer or client requirements and program specific use of force directives or standard operating procedures. In addition, the Board will provide recommendations to Company management, as appropriate. The Board is also charged with conducting root cause analyses and lessons learned from each Use of Force Incident, which will be collated and shared at regular intervals.

4.0 Roles & Responsibilities

- **Board Chair:** A member of Senior Management appointed by the Presidents of the Company’s business lines. The Chair is responsible for presiding over the UFRB meetings and sharing all root cause analyses and lessons learned with appropriate personnel within the Company’s operational units at regular intervals.
- **Business Line Representatives (Primary and Backup):** Both business lines have Primary and Backup Representatives serving on the Board. The Primary Business Line Representative is responsible for collecting the relevant documentation necessary for a Board Review of a Use of Force Incident within their respective business line and presenting the incident at a Use of Force Review Board meeting (unless determined that other management personnel is better positioned to present incident to the Board). The Business Line Representative Backup will perform these duties if the Primary is not available at the time of the Use of Force Incident and/or during the Use of Force Review Board Meeting or if they are best positioned to present the incident to the Board.
- **Sr. Director, Employment and Compliance:** The Sr. Director is responsible for overseeing all administrative reviews of Use of Force Incidents that occur within the Company. The administrative reviews conducted by the Board are done at his or her direction and control.

5.0 Policy

5.1 Use of Force Incident

A Use of Force Incident occurs when Company personnel deploy any use of force while carrying out their duties on behalf of Company customers and clients. All Use of Force Incidents must be reported consistent with all applicable contract requirements and the Company’s Incident Reporting Policy.

5.2 Use of Force Form

When a Use of Force Incident occurs, a Use of Force Form must be completed as soon as possible but no later than within 24 hours (or earlier if required by contract requirements) by the

USE OF FORCE REVIEW BOARD POLICY	Policy Level Company-wide	Policy No. LEG-010	Page Page 3 of 5
	Department Legal	Version No. 2.0	Effective Date 2/22/2022

Contract Manager, Project Manager, or similar management personnel at the location where the Use of Force Incident occurred. Once completed, the Use of Force Form is to be sent to appropriate management personnel within the business line and to the Board’s Primary Business Line Representative.

The Business Line Representative must review the Form to ensure it is fully completed and all relevant information has been collected by the Contract or Project Manager. Once this review is completed, the Use of Force Form should be sent to the Sr. Director, Employment and Compliance and the President of the applicable business line.

5.3 Timing of Board Review

The Company’s Sr. Director, Employment and Compliance, in consultation with the appropriate President, will determine whether the Board should delay any review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action, to include customer or client direction. This determination will be made no later than 48 hours after the Use of Force Incident.

Absent delay for the reasons stated above, or other extenuating circumstances, Use of Force Incidents will be reviewed by the Board at the first Use of Force Review Board meeting after the Use of Force Review Board member has compiled all of the necessary information for a review presentation. The Board will have regularly scheduled monthly meetings. If an out of cycle meeting is required due to a particular incident, the Sr. Director, Employment and Compliance will schedule it.

5.4 Use of Force Review Board

5.4.1 Composition of the Board

In addition to the Board Chair and Sr. Director, Employment and Compliance, the Company’s Presidents select five (5) Use of Force Review Board members, one each from the following, as appropriate:

- Global Support Operations: International USG
- Global Support Operations: International Commercial
- Global Support Operations: Global Support & Training Operations
- North American Operations: USG Non-Classified & Commercial
- North American Operations: National Security

In the event that a member cannot attend a Board meeting, his or her backup shall attend and serve in their place.

The Business Line Representatives and or the respective Business Line Representative Backup are the voting members of the Board and a representative from each business line must be present at a meeting where a Use of Force Incident is reviewed. The voting members will review each Use of Force Incident and reach consensus on their collective findings and recommendations (*see* Section 5.4.3, below). The Board Chair and the Sr. Director, Employment and Compliance are

USE OF FORCE REVIEW BOARD POLICY	Policy Level Company-wide	Policy No. LEG-010	Page Page 4 of 5
	Department Legal	Version No. 2.0	Effective Date 2/22/2022

a non-voting member. The Board Chair directs the administrative review and the Sr. Director, Employment and Compliance provides legal advice and counsel as necessary to the Board.

5.4.2 Responsibilities of the Board

- The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of a Use of Force Incident.
- The Board members may request further investigation, request reports be submitted for the Board’s review, and, if necessary to enable the Board to reach a finding, call persons to present information and request the involved employee(s) to appear.
- The review shall be based upon those facts which were reasonably believed or known by the employee at the time of the incident, applying any Company policies, divisional or contract-specific procedures, and approved training to those facts. Facts later discovered but unknown to the employee at the time shall neither justify nor call into question an employee's decision regarding the use of force.
- The Board does not have the authority to recommend discipline.
- If required for the Board to reach a finding, any questioning of the involved employee conducted by the Board will be in accordance with the Company, divisional and/or contract-specific disciplinary procedures, the operative collective bargaining agreement, and any applicable state or federal law.

5.4.3 Findings and Recommendations of the Board

- The Board shall make one of the following recommended findings:
 - The employee's actions were within Company, divisional and/or contract-specific policy and procedure; or
 - The employee's actions were in violation of Company, divisional and/or contract-specific policy and procedure.
- The Board shall identify any training, qualifications, and/or certification deficiencies determined by the review. The Board shall make recommendations to leverage lessons learned during their review.
- A recommended finding requires a consensus of the Board. As part of their finding, the Board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate.
- The investigative board representative will submit the written recommendation to the Board Chair and the respective divisional President and Vice President (or business line equivalent) of the involved employee(s).

USE OF FORCE REVIEW BOARD POLICY	Policy Level Company-wide	Policy No. LEG-010	Page Page 5 of 5
	Department Legal	Version No. 2.0	Effective Date 2/22/2022

- The President shall review the recommendation and determine whether any additional actions, investigations, or reviews are appropriate. Once finalized, the findings will be forwarded to the involved employee's chain-of-command for review and appropriate action. If the President concludes that discipline should be considered, a disciplinary process will be initiated consistent with all applicable policies and procedures.

5.4.4 Board Documentation and Reports

- All reports and recommendations of the Board must be saved to the Board's designated SharePoint page. The documents are considered privileged attorney work product since they are being created at the direction of the Legal Department, and therefore highly sensitive and may not be disseminated outside of the Board unless there is a specific business purpose and authorized by the President of the business line where the Use of Force Incident occurred.

5.4.5 Root Cause Analyses & Lessons Learned

- At regular intervals, but not less than annually, the Board will review the Use of Force Incidents across the Company, conduct a root cause analysis of the Incidents, review relevant Company policies, procedures and directives for adherence to industry best practice and identify any other lessons learned that will be shared across the Company's executive management and operations.

RELATED DOCUMENTS

- Code of Business Ethics and Conduct
- Delegation of Authority Policy
- Incident Reporting Policy
- Use of Force Form

VERSION HISTORY

	Version	Version Date	Author	Description
1	1.0	11/1/2020	Vice President of Legal	Initial version
2	1.1	4/23/2021	Vice President of Legal	Updates to Timelines, Change of Division Names & Other Minor Edits
3	1.2	8/25/2021	Vice President of Legal	Updates to reflect modifications to Division Structure
4	2.0	2/22/2022	Sr. Director, Employment & Compliance	Updated to reflect modifications of positions; other minor typographical edits throughout