

The nature of Police work requires employees to be exposed to stressful events. The expectation of our community and this Police Department is our employees maintain a high threshold of managing stressful events and be able to perform their duties during high stress situations.

However, there may be a critical incident in the line of duty which necessitates special consideration on the part of the Department and its personnel in the effort to assist the involved employee to understand and cope with the normal reactions to such involvement.

Definition

Critical Incident means that while in the line of duty an employee is involved in an incident that by its own nature or the circumstances in which it occurred, causes employees to experience unusually strong emotional (and sometimes physical) reactions which may interfere with their ability to function either at the scene or later.

Directly Involved means an employee who is personally and actively involved in circumstances that result in the death or serious injury of another.

Serious Injury means an injury that creates a substantial risk of death; causes serious permanent disfigurement, or may result in long-term loss or impairment of the function of any bodily member or organ.

Critical Incident Stress Debriefing means a venting and educational session which takes place between a qualified mental health professional or critical incident team and employees preferably within one to three days following a significant critical incident.

- ❖ All directly involved personnel are *required* to attend a *mandatory* individual debriefing with a qualified mental health professional when criteria in this policy are met.
- ❖ Directly involved personnel *may* also attend an *optional* group debriefing that will be provided by the Department.
- ❖ Other personnel *may* be invited to attend additional group debriefings where necessary

“Qualified Mental Health Professional” means a Department-designated, or personally selected, psychologist or psychiatrist (Ph.D. or M.D. level), or other mental health professional (Master level) experienced in assisting law enforcement personnel and their families to recognize and cope with the natural responses to a critical incident.

“Peer Support Group Counselor” means a law enforcement officer, or civilian employee of a law enforcement agency, who has received training to provide emotional and moral support and counseling to employees, and who has been so designated by the Chief of Police prior to the incident that gives rise to the need for counseling. RCW 5.60.060 (6).

For purposes of this section, a Peer Support Group Counselor will not be a directly involved employee in the critical incident. His/her duty shall be to remain available to assist and provide immediate emotional and informational support to any and all involved employees during (if prolonged) and, thereafter, in the aftermath of the critical incident.

Notifications

Upon the occurrence of any critical incident, the on-duty supervisor and the on-duty on-call Patrol Captain will be notified.

When a critical incident occurs, the Patrol Captain will notify:

- ❖ The Section Commander (Major) of the employee's section,
- ❖ If it is a use of force, the Investigations Section Commander,
- ❖ If the incident is traffic related, the Commander of the Traffic Unit,
- ❖ The Chief of Police and Assistant Chief,
- ❖ The Public Information Officer,
- ❖ The Department Legal Advisor, and
- ❖ A Union or Guild representative.

The Patrol Captain may call in a Peer Support Group Counselor for on-scene assistance (for purposes of monitoring the well-being of personnel during long-term incidents, assisting in coordination of emergency notifications, etc.).

Supervisory Responsibilities

On-Duty Supervisor

The on-duty supervisor's primary responsibility is to respond to the scene and assume on-scene command until relieved by a Patrol Captain. The supervisor will secure the scene and minimize disturbing any evidence, with due regard for the preservation of human life.

Patrol Captain

The on-duty or on-call Patrol Captain will respond to the scene and assume on-scene command until relieved by a Section Major. The Patrol Captain will determine what resources are necessary to successfully conclude the on-scene investigation of the incident and advise the involved employee(s):

- ❖ That the Department recognizes that a critical incident can be highly stressful to the employee(s) involved; is concerned for their vulnerability; and wishes to assist the employee(s) in protecting their Constitutional rights; and
- ❖ That the employee(s) may consult with a Peer Support Group Counselor concerning their involvement in the incident, with all communication between them made while receiving counseling to be confidential and privileged. The Communication may only be revealed by specific consent of the involved employee or Court Order.

Note: Communication between an employee and Peer Support Group Counselor is confidential and privileged communication in accord with RCW 5.60.060(6). This Peer Support Group Counselor privilege applies to any communication by an employee while receiving peer Support Counseling or at a Critical Incident debriefing.

- ❖ That the employee(s) may consult with a Guild/Union or personal attorney before making any statement; verbal or written, concerning direct personal involvement in the incident

Involved Employee(s) Responsibilities

For purposes of ensuring public safety issues (e.g., description of fleeing suspects, vehicles, weapons, officer safety etc.) and other information that relates to scene management (such as location of physical evidence), involved employee(s) will be asked to provide a brief overview of what occurred.

The Public Safety Statement Form provides critical on-scene information. The on-scene supervisor will direct the involved Officer(s) to answer only the questions on the form.

However, the involved employee(s) need not provide information concerning direct personal involvement in a critical incident without first consulting with his/her Guild/Union or personal attorney.

Legal Counsel for Involved Employee(s)

All employee(s) directly involved in a critical incident will be afforded the opportunity to confer with his/her Guild/Union or personal attorney.

Until the employee has conferred with the Guild/Union or personal legal representative, the involved employee(s) will not be questioned by any Department personnel concerning his/her direct personal involvement in the critical incident.

An involved employee's timely exercise of the right to consult legal counsel prior to making any statement concerning his/her direct personal involvement in the incident will not be deemed to violate any Department policy, procedure or regulation.

Post-Incident Leave

An employee directly involved in the death or serious injury of another will be placed on mandatory paid administrative leave. Employees involved in a critical incident that causes them to experience unusually strong emotional (and sometimes physical) reactions that interfere with their ability to function either at the scene or later will be assessed by their commander and may also be placed on paid administrative leave. Administrative leave is in the interest of the employee and the Department. The employee shall remain on administrative leave for a minimum of three days until receiving approval from the Chief of Police or his/her designee to return to duty. These three days is not in addition to, but does include any regularly scheduled days off that might occur during that same period of time.

Necessary investigative interviews and critical incident stress debriefings could still take place during this time unless the employee's medical condition precludes either.

The employee directly involved will be afforded the opportunity to name a fellow employee (other than or in addition to a Peer Support Group Counselor) to assist with transportation needs, companionship and moral support.

If a fellow employee is named, that employee will also be placed on concurrent administrative leave for a period of time authorized by the Chief of Police or his/her designee.

Communications between the two employees will be considered confidential and privileged for the purpose of any Department investigation or review. However, unless the employee is a Department-designated Peer Support Group Counselor, the communications may be subject to court-ordered disclosure at a later proceeding.

Critical Incident Stress Debriefing

Employees placed on critical incident paid administrative leave will be required to attend an individual debriefing session usually within twenty-four (24) to seventy-two (72) hours after the incident unless the employee's medical condition precludes attending the session within that period of time. This requirement may only be waived by the Chief of Police.

This is in addition to any additional individual or group debriefings offered by the Department that directly involved or other employees may also attend on a voluntary basis.

The mandatory debriefing session will be with a Department-designated, or personally selected, psychologist or psychiatrist, or other qualified mental health professional, experienced in assisting law enforcement personnel and their families to recognize and cope with the natural responses to a critical incident.

The Personnel Services Commander is responsible to make appointments for any mandatory debriefing or other Fitness for Duty requirements.

The Department will pay for the initial mandatory debriefing session. If subsequent treatment or counseling is requested by the employee:

- ❖ LEOFF I employees will submit all bills for subsequent counseling or treatment to their personal insurance carrier and/or the LEOFF Disability Board.
- ❖ LEOFF II and noncommissioned employees will submit all bills for subsequent counseling or treatment to the City Worker's Compensation Program. Employees are required to confirm the applicability of Worker's Compensation with the Risk Management Office before pursuing additional treatment or counseling.

No additional treatment or counseling will be paid by the Department unless authorized by the Chief of Police.

A supervisor, any directly involved employee, or other employee, may request initiation of a critical incident stress debriefing other than the initial mandatory debriefing, however a Section Commander will approve and schedule the debriefing. Debriefings can be either individual or in groups provided:

- ❖ Debriefings are considered confidential by the Department and no mechanical recording or written summary will be made or provided to anyone; and
- ❖ Any officer or other employee directly involved in a death, serious injury or police shooting will still have a mandatory individual debriefing session, in addition to any other individual or group session(s).

An initial, individual debriefing session is mandatory for all employees directly involved in a critical incident (including Communications Center personnel where applicable):

- ❖ When a death or serious injury at the hand of an employee occurs; or
- ❖ When a Section Commander determines that a critical incident may have affected the well-being of an involved employee;

A debriefing is optional for other employees, not directly involved, yet affected by the critical incident, and would generally be conducted separately from a debriefing of directly involved employees.

When a debriefing is conducted, the Section Commander who scheduled the debriefing will submit a report to the Chief of Police regarding who was debriefed, by whom and for what incident. No other information with regard to the debriefing will be communicated in this report.

The Personnel Services Unit is responsible for:

- ❖ Maintaining a list of the names and phone numbers of Department approved psychologists or psychiatrists, and other qualified mental health professionals.
- ❖ Maintaining a list of the names and phone numbers of Department Peer Support Group Counselors.
- ❖ Ensuring that the names of Department Peer Support Group Counselors are posted throughout the Department.
- ❖ Ensuring that the above lists are updated quarterly and made available to the Communications Center.

Return to Duty

In determining the appropriate administrative action to take in returning the employee to regular duty and terminating the administrative leave, the Chief of Police may seek and consider the professional opinion of any psychological counselor and/or treating physician as to:

- ❖ Whether the employee should be expected to report to full duty in his/her regular assignment or whether the employee needs additional recuperative time and, if so, how much additional time is recommended; and
- ❖ Whether any modification of the employee's regularly assigned duties should be considered by the Department in order to facilitate the employee's speedy return to full productivity and, if so, the nature and duration of the recommended modifications; and
- ❖ Whether a commissioned employee should, for the duration of any extended leave, disability or modified duty, continue to be armed.

Departmental Resources Available to Involved Employee

If the critical incident involved the discharge of an officer's service pistol, it must be taken for examination in compliance with the Department Use of Force procedure.

The Personnel Services Unit will arrange for all damaged or destroyed Department-issued equipment or clothing to be expeditiously replaced or repaired. Personnel Services Unit personnel will also assist the employee in responding to inquiries from the City Human Resources Department or the Finance Department relating to administrative leave and other personnel adjustments necessitated by the critical incident.

Death or Serious Injury to an Employee

In the event of death or serious injury to an employee, his/her family will be notified as indicated on the Emergency Notification Instruction form. If no instructions are on file with the Patrol Section commander, notification will be made in person by the employee's immediate supervisor, commander, or other person(s) deemed most appropriate in a timely manner.

In the event of an employee's death or serious injury, the Personnel Services Unit commander will advise, or cause to be advised by other designated staff, his/her family of appropriate professional assistance available and any benefits accruing to the family from the City of Bellevue and other governmental entities.

The Chief of Police may grant administrative leave to a Department employee, as named in the Emergency Notification Instructions form, and to a Peer Support Group Counselor, for the purpose of assisting the involved employee's family, for such length of time as deemed appropriate. If no Emergency Notification Instructions form is on file, the involved employee's immediate supervisor will recommend an employee to the Chief of Police to provide such assistance.

Critical Incident Investigations & Criminal/Traffic Investigations

Depending upon the circumstances of the critical incident, responsibility for investigation of the incident will be vested in either the commander of the Investigations Section or the Traffic Unit.

The Section or Unit Commander will, upon arrival at the scene, assume command and, after ascertaining the necessary facts and evaluating the situation, direct the manner in which the investigation will be completed.

The Section or Unit Commander will coordinate with the Public Information Officer regarding the release of information to the news media.

Information and press releases regarding critical incidents will be released only as authorized by the Chief of Police or Chief's designee.

Review Boards

The Chief of Police may, depending on the nature of the critical incident, order a Firearms Review Board or Traffic Accident Review Board to review the circumstances of the incident.

Formal Standards Investigation

The Chief of Police may order a Formal Standards investigation to be conducted concurrently with the criminal/traffic investigation.

The Office of Accountability will conduct the Formal Standards Investigation.

Civil Investigation

The Chief of Police may direct the Commander in charge of the investigation to assign one or more investigators to conduct a thorough investigation of the critical incident solely for the purpose of assisting the Legal Advisor to provide legal advice to the Department and its personnel.