	GENERAL ORDER	**NUMBER:**
	DURHAM POLICE DEPARTMENT **DURHAM, NC**	**4086**

RESPONSE TO SHOTSPOTTER GUNSHOT DETECTION ALERTS

Effective Date: 12/15/2022	Revision Dates:

INTRODUCTION

In keeping with the Durham Police Department's mission to work together with the community to minimize crime, promote safety, and enhance quality of life in our city, the department utilizes a gunshot detection system within a defined coverage area to bolster its ability to detect and respond quickly to gunshot incidents.

The rapid detection of gunshot incidents, accompanied by a rapid police response to a precise incident location, is associated with a greater likelihood that first responding officers might be able to locate a suspect(s), a witness(es), or any evidence associated with the gunshot event. Additionally, it is more likely that a critically injured victim will receive life-saving medical treatment more quickly with the rapid alert provided by the gunshot detection system.

DEFINITIONS

Gunshot Detection System: a network of acoustic sensors, which are connected wirelessly to a centralized, cloud-based application, that can detect and locate gunshot incidents using triangulation. Each acoustic sensor captures the time and audio associated with impulsive sounds that may represent gunfire. This data is used to locate the incident and is then filtered by machine algorithms to classify the event as a potential gunshot.

Incident Review Center (IRC): A ShotSpotter 24/7 remote operating center staffed by personnel who instantly review each activation to confirm the events are indeed gunfire. Once reviewers confirm a gunfire event has occurred, the event is pushed to the ShotSpotter Respond Application (on browser and mobile devices) and the ShotSpotter Dispatch Application for member dispatch and investigation.

ShotSpotter Dispatch Application: The ShotSpotter Dispatch Application is available on web browsers via URL. This tool provides real-time gunshot alerts to the Durham Emergency Communications Center (DECC). The application allows members to acknowledge and close alerts, assign CAD numbers, and add details to incidents.

ShotSpotter Respond Application: A smart phone application and web-based tool. This tool provides real-time gunshot alerts to patrol and investigative personnel in a mobile device format. This application will be made available to department personnel on the Mobile Data Computer (MDC).

ShotSpotter Insight Application: A web-based application that provides crime analysts, investigators, officers, and command staff a single source for all historical gunshot activity and the ability to uncover important details and patterns about shootings that can help solve gun crimes.

ShotSpotter Mobile Application: The Mobile Application is available to users on a smart phone. The Mobile Application provides a user with real-time alerts as well as geolocation and audio of the event. No data is stored on the user's device.

Detailed Forensic Report (DFR): A court-admissible forensic analysis of a shooting incident with an exact shot by shot location, precise time of trigger pull, and audio of the gunfire produced by ShotSpotter forensic engineers. The DFR conclusions are supported by expert witness testimony.

Investigative Lead Summary (ILS): A report with the approximate location, sequence, and timing of each shot fired. The report is available through the ShotSpotter Respond Application and may be used for investigative purposes only, such as better evidence collection and interviewing of witnesses or suspects on the scene. The ILS may not be a court admissible document.

Respond to the Dot: ShotSpotter directs members to respond to incidents of gunfire, which are represented on the ShotSpotter Respond Application as a dot. The dot is a precise location with corresponding latitude and longitude coordinates. The dot includes an 82-feet radius for locating victims, evidence, witnesses, and crime scene management.

PROCEDURES

Monitoring and Receiving a ShotSpotter Alert

A gunshot alert can be communicated to officers in three ways:

1. Durham Emergency Communications Center (DECC) may dispatch officers to a ShotSpotter alert

2. Shot Spotter Respond Console
   - All officers with a Mobile Data Computer (MDC) are required to log into the ShotSpotter Respond Console at the beginning of their shift.
   - Officers may receive alerts directly from the ShotSpotter IRC via the Respond Console.

3. Mobile Alerts (ShotSpotter Mobile Application)
   - At the start of each patrol shift, officers, including supplemental officers, assigned to patrol beats 111, 112, 113, 114, 121, 122, 212, 311, 411, 412, 413, 512, and 513 are required to log into the ShotSpotter Mobile Application on city-owned cell phones, which are provided to the officers. Officers are required to monitor the ShotSpotter Mobile Application while on duty. Additionally, all corporals, sergeants, and the watch commander are required to log into and monitor the ShotSpotter Mobile Application on their city-owned cell phones while on duty.

     No data is stored on the cellular device and users shall not "screenshot" or otherwise download any data from ShotSpotter on the cellular device.

   - Officers may elect to monitor the ShotSpotter Mobile Application on their personal cell phones. The use of a privately owned cell phone to monitor the ShotSpotter Mobile Application is not a requirement.

No data is stored on the cellular device and users shall not "screenshot" or otherwise download any data from ShotSpotter on the cellular device. Personnel utilizing a personal cell phone shall "log off" from the ShotSpotter application when not in an on-duty status.

Responding to a ShotSpotter Alert

All ShotSpotter alerts are classified as Priority 2 responses and will be dispatched immediately. Officers will initiate a Priority 2 response in accordance with G. O. 4001 R-1 *Response Priorities.*

When an officer receives an alert via the ShotSpotter Respond Console or ShotSpotter mobile app prior to being dispatched by DECC, the officer will immediately notify DECC of the following information:

1. The address of the alert

2. The time frame of the alert

3. The number of shots detected

4. Any other information communicated by the IRC (e.g., multiple shooters, direction of travel, high-powered firearm, etc.)

Responding officers shall listen to audio from the gunshot detection alert so they may better understand whether multiple shooters might be involved, the type of firearm(s) used (e.g., semi or full auto), and whether the shooter(s) is stationary or moving.

At least two units must respond to the location of the ShotSpotter alert (one primary and one to check). When feasible, the two responding units should meet at a remote location in the vicinity of an alert prior to responding to the location of the alert.

If additional information suggests a high volume of shots, multiple shooters, high-powered firearms, or any other aggravating factor, a supervisor shall respond.

Responding officers shall activate their body worn cameras during all ShotSpotter Alert responses, in accordance with G.O. 4083 R-4 *Body-Worn Cameras.*

Responding officers should not rely solely on the numeric address provided and should use the map via the ShotSpotter Respond Console, ShotSpotter mobile app, or by navigation from DECC to locate the area indicated on the map by the dot(s). For example, a ShotSpotter alert in a park will provide officers with the address of the park but the dot(s) on the map will provide officers with the location of the detected gunshot(s) inside the park (usually within 82 feet). To the extent allowed by law, officers should respond to the area of the dot(s) and not just the address.

Investigating a ShotSpotter Alert

Based solely on a ShotSpotter alert, responding officers shall not enter a private residence, the curtilage of a residence beyond the common entranceway, or an area that is not open to the general public and for which there is a reasonable expectation of privacy. Members shall not detain or arrest based solely on a ShotSpotter notification. As it is a lead only, any possible connection or involvement of any subject to the ShotSpotter notification must be based upon the totality of the circumstances.

Once on scene, officers must exit their patrol vehicles and physically check, to the extent allowed by law, the area indicated by the dot(s) on the map (might include an 82-feet radius from the dot) and take the following actions when applicable:

- Notify DECC of the actual address where shots were fired
- Use caution and render aid to any victims
- Ensure scene is secure for responding EMS personnel
- Attempt to identify and interview any witnesses
- Make any necessary arrests
- Actively search for and recover any evidence. The search shall include an examination of the scene for discarded firearms, ammunition, spent casings, projectiles, projectile strikes, and any other evidence related to the discharge of a firearm.

When the ShotSpotter alert indicates the gunfire event occurred on private property, officers shall attempt to make contact with the property owner or person in apparent control of the property. Efforts to make contact might include a phone call or a knock-and-talk. Where additional factors have not established probable cause necessary for exigent circumstances, officers shall make a reasonable attempt to obtain valid consent to search the area where the gunfire occurred. In these situations, officers shall follow the guidelines outlined in G.O. 4004 R-4 *Warrantless Searches and Seizures.*

Community Contacts

Between the hours of 8:00am and 11:00pm, officers will attempt to make contact with residents who live in the immediate area of the ShotSpotter alert. During the contact, officers will:

- Advise the resident police are investigating a ShotSpotter alert
- Inquire about any injuries or damage due to the shots
- Inquire about suspect information
- Provide the resident with a Gunfire Incident door hanger, filling in the CAD event number, date, and time sections on the form
- For residents who are not home or do not come to the door, leave a completed Gunfire Incident door hanger at the residence

Between the hours of 11:00pm and 8:00am, leave a Gunfire Incident door hanger at the residence, filling in the CAD event number, date, and time sections on the form. A knock and talk should be avoided unless reasonably necessary to verify the safety of occupants or secure potential evidence.

Reporting Requirements for a ShotSpotter Alert

After conducting a thorough investigation of the incident location, if no evidence of a gunshot event can be found (e.g., no victim present, no shell casings, no witnesses, no signs of property damage, etc.) then the primary officer shall enter all investigative efforts and findings into the CAD notes. No incident report (Code 1) shall be required in these circumstances. These events may be cleared in one of two manners:

1. Code 7 – Documentation of all unfounded ShotSpotter alerts, meaning no evidence was located to support the conclusion that a shooting event did or did not occur.
2. Code 10 – Documentation of all false-positive ShotSpotter alerts, meaning evidence was located to support the conclusion that no shooting event occurred in the area.

If ShotSpotter was activated by a confirmed source other than a firearm discharge (e.g., vehicle backfire, fireworks, construction equipment, helicopter, etc.), the responding officer should enter comments into the call notes documenting the specific event that caused the activation. The officer's supervisor or the watch commander shall ensure an email is sent to support@shotspotter.com by the end of their shift stating the misidentification.

In the event of a discharging incident that occurs within the coverage area, but does not activate an alert, the on-scene supervisor shall ensure that ShotSpotter is notified via email at support@shotspotter.com or phone at (888) 274-6877 within 24 hours. The incident details are to include the date, time, exact location, caliber, number of rounds/casings, and any other relative evidence discovered. ShotSpotter can research data and provide the audio, but only within 24 hours of the event.

When evidence of a gunshot event is found and Forensic Services is not needed, officers shall collect all pertinent information and physical evidence and complete an Incident Report (Code 1) in accordance with G. O. 4028 R-6 *Report Writing*. These calls should be cleared as Code 1. Information contained in the Incident Report should include, but may not be limited to, the following:

- A description of the area canvassed
- Efforts undertaken to locate evidence
- Description of evidence seized
- Victims/witnesses and details of the victim/witness statements
- Locations of security cameras and whether video footage was collected from those cameras

Detailed Forensic Reports (DFR)

DFRs are completed upon request for the following purposes:

- Officer-Involved Shooting: delivered within 24 hours of receipt of OIS notification. Email request made to support@shotspotter.com

- Search Warrant: delivered within 48-72 hours of receipt of request. Gunfire incident report to support search warrant application. Email request: support@shotspotter.com

  Personnel with the Durham Police Department shall not apply for a Search Warrant based solely on the receipt of a ShotSpotter alert. A ShotSpotter alert, plus additional evidence or observations to establish probable cause that a firearm was used in a crime, are required for an application for a Search Warrant.

  Personnel obtaining a Search Warrant as part of a response to a ShotSpotter alert shall obtain a Detailed Forensic Report as part of that investigation.

- Murder Investigation: delivered within 48-72 hours of receipt of request. Email request: support@shotspotter.com

- Prosecution: delivered within ten business days from the date of the request. Typically provided to the District Attorney's office by ShotSpotter after an indictment. Email request: support@shotspotter.com

  A DFR shall be obtained by the case officer as part of trial preparation, upon the request of the prosecuting District Attorney. Efforts should be made to attempt to obtain a DFR only in instances in which the matter is bound for a trial and the document is needed for final discovery purposes.

  Officers are not ShotSpotter expert witnesses and shall not testify to the technology utilized by ShotSpotter, or to the manner in which that technology performs. Rather, an officer shall simply testify that a ShotSpotter alert was received and that alert led the officer to canvass a certain area for evidence of gunfire.

Investigative Lead Summary (ILS)

An ILS may be use for investigative purposes only, such as better evidence collection and interviewing of witnesses or suspects on the scene.

ILS reports are available immediately after an incident occurs via the mobile, web, or desktop ShotSpotter Respond application (machine-generated).

In the event that a suspect is criminally charged in association with a ShotSpotter alert event, the charging officer shall download the ILS from ShotSpotter and add it to the case file for discovery purposes.
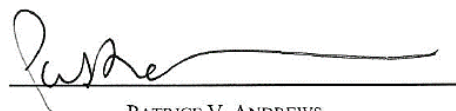
Access to Audio from Acoustic Sensors

Members shall only have access to recorded audio from confirmed gunshot incidents when pertinent to an active investigation. Members shall not be able to monitor live audio from acoustic sensors.

DISCLOSURE OF INFORMATION

Requests for public records created or received through the use of the ShotSpotter gunshot detection system will be handled in accordance with City of Durham Policy PA-1 R-2 *Public Information and Public Records Procedures*.

Unless otherwise authorized by the Chief of Police, information and records developed, created, or received through the use of the ShotSpotter gunshot detection system, which do not constitute a public record, will only be shared with other law enforcement agencies for law enforcement purposes and/or prosecutorial agencies for review of potential criminal charges or to assist in a criminal prosecution.

PATRICE V. ANDREWS
CHIEF OF POLICE