



Policy and Procedure

Policy Number

11.12

Chapter

Law Enforcement Operations

Article

Critical Incident Response Protocol

Authorized By:

Robert L. Ticer, Chief of Police

Effective Date: February 14, 2020

PURPOSE

The purpose of this policy is to inform the employee about the 8th Judicial District Critical Incident Protocol and the multi-agency critical incident response team (CIRT) and to outline the agency's commitment to the process.

POLICY

The Department will participate in and cooperate with the District Attorney's Office when investigating critical incidents in order to maintain transparency, conduct thorough, high quality investigations, and reduce potential conflicts of interest regarding employee-involved incidents. The District Attorney's Office CIRT investigation is independent of the Department's internal investigation or significant incident review.

<CALEA 11.3.4>

DEFINITIONS

Critical Incidents are incidents occurring in the Eighth Judicial District, involving two or more people, in which a police agency employee is involved as an actor, victim, or custodial officer and where fatal injury or serious bodily injury occurs. Incidents do not include serious bodily injury caused by the deployment of less-lethal systems or other impact or intermediate weapons.

Any undefined term in this policy shall have the meaning ascribed to that term in the Eighth Judicial District's *Critical Incident Protocol*.

GENERAL GUIDELINES

CIRT Objective

The CIRT is a multi-jurisdictional response team that conducts investigations of critical incidents in order for the District Attorney (DA) to determine whether any person committed a crime during the course of events that led up to and included the critical incident. The CIRT investigation takes priority over the Department internal investigation.

Internal Protocol <CALEA 4.2.3> <CALEA 11.3.4 a-c>

Any professional staff member ("police employee") of the Department whose actions or use of force results in the death or serious bodily injury of any person and meets the criteria for any critical incident as defined by the Eighth Judicial District's *Critical Incident Protocol*, which triggers activation of the CIRT, shall be placed on administrative leave with pay or relieved from a line-duty assignment pending review of the incident by the District Attorney. Upon conclusion of the District Attorney's investigation and publication of findings, concerning the legal determination(s) relevant to the critical incident, the District Attorney will communicate the aforementioned findings to the Chief of Police, the Professional Standards Unit, and the Professional Standards Sergeant. After the District Attorney's findings and conclusions of law are so received, an internal review will proceed concerning relevant policy adherence consistent with the Department's policy regarding internal investigations.





CIRT Assignment

Assignment to the CIRT is a collateral assignment. Personnel may be assigned, in accordance with the CIRT protocol as team commander, incident commander, leader, member, and involved agency liaison. Department personnel assigned to the CIRT shall conduct their investigation in accordance with the 8th Judicial District's *Critical Incident Protocol*.

CIRT Activation

The Eighth Judicial District's *Critical Incident Protocol* shall be automatically effective upon the occurrence of a critical incident. Once invoked, the CIRT Team may, by mutual agreement, temper the requirements of the protocol based upon the facts and circumstances of a particular incident.

Each participating agency to the Eighth Judicial District's *Critical Incident Protocol*, when in the capacity of a venue or involved agency, may invoke the CIRT Team for any sensitive or critical event not previously defined as a critical incident such as:

- Any fatality not covered by the Eighth Judicial District's *Critical Incident Protocol*
- An incident in which the injuries were not fatal and did not meet the definition of serious bodily injury
- Less-lethal weapon, impact or other intermediate weapon deployments involving serious or other bodily injury

Return to Duty

The Department will follow the return to duty protocol in the *Critical Incident Protocol* when an employee returns to duty after being placed on paid administrative leave or relieved from a line of duty assignment due to a critical incident. This protocol may be used partially or in its entirety at the discretion of the Chief.

Incorporation

The Eighth Judicial District's *Critical Incident Protocol* shall be incorporated into this policy.

Training <CALEA 11.3.4 e, f>

All members that may be responsible for managing use of force incidents or other law enforcement actions that result in death or serious bodily injury will receive process training for managing such incidents. .

Training may consist of:

- Shadowing other investigators during a CIRT incident (on-the-job training)
- A component of a more broad training program (Investigator training, etc.)
- Attending CIRT meetings where the protocol is reviewed

All members that may be potentially affected by a use of force incident or other law enforcement actions that result in death or serious bodily injury will receive awareness training through the department's in-service or pre-service training program.

