



Pueblo County Sheriff's Office General Order Policies and Procedures Manual Pueblo County Sheriff's Office Section 7	
Part 3	Subject: Officer Involved Shooting
Related CALEA Standards: 4.2.1 a, 4.2.3, 11.3.4	

Authority

This policy is issued pursuant to Sheriff David J. Lucero's directive in which authority to manage and direct all activities connected with the officer involved shooting is delegated to the Law Enforcement Bureau Chief.

Purpose

The purpose of this policy is to assign the necessary duties to specific positions within the Pueblo County Sheriff's Office. This is to ensure the shooting incident investigation is complete and thorough and the involved deputy(is) are afforded the opportunity to explain what happened.

**Shooting Policy
Officer Involved**

The authority to use deadly force is the most critical responsibility that will ever be placed on a peace officer. The consequences of the decision to use deadly force are not reversible after the fact; they are final. In a like manner, a decision not to use deadly force can also mean finality. These are decisions unlike any other which are required by our society. The following procedures will be used to investigate every incident of firearms discharge by an Office member. <4.2.1 a>

Except for target practice, hunting, ballistic examinations, and incidents involving the destroying of an animal.

Training

The Law Enforcement Investigations Captain in connection with the training division will create and maintain process training for agency personnel responsible for managing office involved shooting investigations <11.3.4 e>

The training will also include awareness training for all personnel potentially impacted. <11.3.4 f>

Officer involved in a shooting

When an officer is involved in a shooting, the deputy will:

- Notify the dispatcher of the incident and location.
- Delay in the required notification shall be allowed only to render first aid; to maintain the arrest or prevent the escape of a felon; to protect a crime scene, or when the deputy is incapacitated. Even when the deputy is delayed due to the aforementioned reasons, that deputy will make every attempt to make notification as soon as reasonable.
- When appropriate, determine the physical condition of any injured person and render first aid.
- Request necessary emergency medical aid.
- Secure the scene.
- The deputy will remain at the scene (unless injured) until the arrival of the appropriate supervisor and investigator. If the circumstances are such that the continued presence of the deputy at the scene might cause a more hazardous situation to develop (i.e., violent crowd) the ranking officer at the scene shall have the discretion to instruct the deputy to respond to another more appropriate location.
- The deputy involved will protect his/her weapon for examination and submit said weapon, gun belt, and other requested items. The deputy will be given replacement items as soon as practical.

- Advise investigators where the incident happened, where possible evidence is located, and any witness to the incident.

Communications Responsibilities

The communications officer will notify the following personnel:

- Dispatch necessary patrol units
- The captains of patrol and investigations.
- Sheriff/undersheriff, and bureau chief(s).
- On call district attorney / district attorney's investigator.
- Notify the critical incident team upon direction of the sheriff.
- The communications section will have updated call-out numbers for our mutual agreement response to critical incidents.
- The overall responsibility shall be with the captain of investigations who shall maintain the accurate call-out numbers to be used by the communications center.

Patrol Supervisor Responsibilities

Patrol supervisor responding to the scene will ensure that the duties of the responding patrol officers are accomplished. Other duties will include the following:

- Advise the bureau chief and captain of the situation via telephone.
- Use discretion as to what is said on any radio.
- Remember that radio and telephone transmissions can be transcribed and become part of the case file.
- Remember that inadvertent or inappropriate remarks may be misconstrued and become evidentiary regardless of their accuracy or validity.
- Transport officer to a location determined by the on-duty supervisor or CIT coordinator. There will be a gate keeper assigned to the involved deputy per CIT policy.
- Avoid discussing the shooting.

Take the officer to a quiet room at sheriff's office annex and: Assign a deputy of equal rank to assist the involved deputy. This assigned deputy shall not leave the involved deputy and is designated as "gate keeper" and is not designated to investigate any aspect of the incident. The involved deputy can request any deputy to be the "gate keeper" but all assignments must be approved by supervision.

Deputy will be allowed to make a brief call to family concerning their welfare and to contact legal counsel if requested.

Don't allow deputy to wash his hands, etc.

Don't allow other officers in the room.

Check officer's clothing for evidence and secure same.

Advise investigators of officer's location upon arrival at sheriff's office annex.

Make report on what you did. Make sure all officers at scene complete proper reports.

The involved deputy will be removed from line-duty assignment pending administrative review. <4.2.3>

Secure deputy's weapon used in the shooting.

Responding Patrol Officers

Patrol officers responding to the scene will:

1. Check on welfare of officer and person involved in shooting.
2. Secure scene and protect any potential evidence.
3. Separate witnesses and obtain preliminary statements.
4. Ride in ambulance with subject/person and:
5. Write down any statements
 - Secure evidence
 - Protect personal property
6. Crowd and media control.
7. Names of persons involved will only be released by sheriff, undersheriff, bureau chief or their designee.
8. Brief investigative personnel. Initiate offense report.

Patrol Division Captain's Responsibilities

The patrol division captain will notify the following personnel after attaining information from the responding patrol supervisors:

- Investigative Division Captain.
- Assigned Investigations detective.

- Office of Professional Standards Inspector
- Law Enforcement Bureau Chief
- Any other persons as requested by the Bureau Chief, Undersheriff or Sheriff

Investigative Personnel

Investigative captain's responsibilities:

- Responsible for the overall criminal investigation of this incident.
- Ensure the notification of the on-call district attorney.
- Work in concert with the district attorney's staff on separate, but equally important investigations. Ensure the necessary warrants are obtained.
- Make sure all possible witnesses are contacted and:
- Arrange for transportation of witnesses for interviews.
- Determine which advisement will be used after consulting with the district attorney and Sheriff.
- Allocation of personnel to assist investigations
- Organize interviews.
- Keep command staff up to the Sheriff apprised of the entire investigation.
- Brief Professional standards inspector after investigation is concluded.
- Make all reports available for review by Inspector.
Make the inspector aware of any possible office violations.

Investigations additional duties: Identification technician will:

- Respond to scenes, to include hospital and be responsible for processing and collection of all evidence.
- Brief investigators after scenes are completed.
- If possible, retain control of the scenes until after briefing with investigative team and command staff.

Office of Professional Standards Responsibilities

- May not be physically present during the interviews the A/V recordings of which will be provided.
- May be present and observe any aspect of the investigation but may also be provided any memorialization's of the same instead.
- Will not participate in the criminal investigation but may observe any aspect
- Obtain copies of all the investigative reports.
- Conducts the administrative investigation for the office regarding this OIS. Rendering to the undersheriff and sheriff their findings.

Public Information Officer: The PIO will be the Sheriff or his designee.

- Respond to the scene.
- Contact incident commander for briefing.
- Contact and control the news media.
- If the PIO is not the sheriff, make no press releases without prior approval of the sheriff, undersheriff, or Bureau Chief. Ensure CIT policy on PIO coordination and assignment is followed and communicated with the sheriff. [GOPP Section 4 Part 8 - Public Information Procedure/News Media <11.3.4 d>](#)

During the initial investigation immediately following the shooting incident, the following advisement form will be used in lieu of the Miranda or Garrity when determined by the investigator, district attorney, and Sheriff that it is appropriate. Any deputy involved will be informed of the following:

1. MY NAME IS _____ I AM AN INVESTIGATOR AND I WILL BE INTERVIEWING YOU IN REGARD TO THIS INVESTIGATION. THE PURPOSE OF THIS CRIMINAL INVESTIGATION IS TO DETERMINE WHETHER OR NOT ANYONE COMMITTED A CRIME DURING THE COURSE OF EVENTS WHICH LED UP TO AND INCLUDED THE CRITICAL INCIDENT.
2. YOU ARE NOT IN CUSTODY. YOU ARE FREE TO LEAVE IF YOU WISH. YOU MAY STOP TALKING TO ME AT ANY TIME AND/OR SPEAK WITH YOUR ATTORNEY AT ANY TIME BEFORE CONTINUING.
3. YOU WILL SUFFER NO NEGATIVE JOB SANCTIONS IF YOU CHOOSE NOT TO SPEAK WITH ME AT THIS TIME. YOU ARE NOT COMPELLED IN ANY WAY TO MAKE A STATEMENT TO ME AT THIS TIME.
4. THE INTERVIEW IS BEING VIDEOTAPED. IT IS INTENDED THAT THIS VIDEOTAPED INTERVIEW WILL SUFFICE AS YOUR REPORT ON THIS INVESTIGATION.

5. I KNOW THAT YOU HAVE BEEN INVOLVED IN A STRESSFUL INCIDENT. DO YOU FEEL YOU ARE CAPABLE IF PARTICIPATING IN AN INTERVIEW AT THIS TIME?

Investigation Responsibilities

The criminal and investigative authority for an officer involved shooting is completed by the agency NOT involved in the incident. Please see: [Officer-Involved Incident Protocol - CIT: Officer-Involved Incident Protocol of the Tenth Judicial District](#) or CIT policy.) <11.3.4 a and b>

Investigation Conclusion

Upon completion of the investigation it will be turned over to the District Attorney's Office for review and findings.

If the District Attorney's Office concludes the case was a justified Response to Resistance where the deputy is cleared of any criminal charging, an evidence disposition form will be sent along with the conclusion to this office. <11.3.4 c>

Once the conclusion and evidence disposition form are received the Investigation Captain will notify the command of the conclusion. Personal or department owned firearms/equipment will then be returned to the deputy or returned to service.

In cases where the facts and circumstances may be in question the sheriff's office may maintain the weapons and property until a proper conclusion is reached and command staff through the sheriff are notified and in agreement.



By Order Of The Sheriff