



GENERAL ORDERS

Chapter
INTERNAL AFFAIRS

Subject
Officer Involved Shooting

POLICY

To investigate any shooting incident involving a firearm used or carried by a Scottsdale Police Department (SPD) employee and all deadly force incidents.

DEFINITIONS

Bifurcate: As it relates to this policy, divide the investigation into two distinct branches: criminal and administrative.

Class I Shooting Incident: Unintentional discharge of a weapon that does not injure or kill a person.

Class II Shooting Incident: Deliberate shooting or attempted shooting of an object or animal other than a person, regardless of whether such object or animal is struck.

Class III Shooting Incident: Incident in which either of the following has occurred:

1. A person is injured or killed by the discharge of a Scottsdale police officer's weapon.
2. An attempt is made to shoot a person by discharging a weapon.

East Valley Critical Incident Response Team (EVCIRT): Regional law enforcement task force that performs the criminal investigation of critical force incidents, including class III shootings. See ARS [41-1762/Major incident division](#).

Public Safety Statement: An exception to Miranda Warnings and applies only when public safety is paramount.

- Must be received as quickly as possible since a significant delay may result in the suppression of statements/evidence.
- This exception does not permit a compelled statement. It only permits a police officer to question a subject before providing Miranda Warnings to resolve an imminent public safety concern. Once the danger is eliminated, or a delay undercuts the exigency, no further questions may be asked under this exception.

OVERVIEW

GENERAL

1. The Internal Affairs (IA) Unit or a designee investigates all shooting and deadly force incidents involving department officers.

2. IA may request assistance from the Violent Crimes Unit (VCU) at any time.
3. In addition to the administrative investigation, the Investigative Services Division (ISD) Commander decides whether VCU conducts a criminal investigation as appropriate.

EMPLOYEES involved in any shooting incident, weapon discharge, or other deadly force incident:

1. Immediately arrange for the care of injuries.
2. Notify a supervisor.
3. Notify the appropriate law enforcement agency if the shooting occurred in another jurisdiction.
4. Leave all weapons undisturbed if possible.
5. Do not disturb any item of evidence, such as expended cartridges, leather gear, and clothing.
6. Refrain from discussing the incident until the first supervisor arrives. Briefly inform the supervisor of the circumstances surrounding the incident and the action taken.

SUPERVISOR – After briefly determining the facts, make a preliminary classification of the incident and the required notifications.

EVCIRT – Responsible for any Scottsdale criminal investigation related to officer involved shootings or deadly force incidents.

VCU – Liaison with EVCIRT and takes the lead on any criminal investigation separate from a Class III incident.

TRAINING UNIT FIREARMS ARMORER – Assists in all Class III shootings as outlined in the [CLASS III SHOOTINGS](#) or [DEADLY FORCE INCIDENTS](#) section below and may assist in [Class I](#) and [Class II](#) shootings when requested.

1. Upon case detective approval, obtain the weapon from the Property and Evidence Unit.
2. Inspect the weapon to ensure the weapon and all mechanical safety measures are functioning properly.
3. Submit a report to the case detective and supervisor detailing the status and functionality of the weapon to be included in the case.
4. Return the weapon to the Property and Evidence Unit.

IA

1. Responsible for the administrative investigation related to officer involved shootings or deadly force incidents within Scottsdale.
2. Administratively investigates officer involved shootings and deadly force incidents outside Scottsdale.
 - a. EVCIRT assists if directed by the Office of the Chief.
 - b. The Watch Commander makes administrative notifications normally required for a shooting or deadly force incident.
3. If EVCIRT is involved during the bifurcated investigation of an incident, the criminal investigation has precedence. Some phases of the investigation may be conducted simultaneously, while others may be conducted individually.
 - While IA may observe all phases of the criminal investigation, EVCIRT is excluded from the administrative investigation.

CLASS I SHOOTINGS

1. **LINE SUPERVISOR**
 - a. Administratively investigates the incident.
 - b. Completes a Use of Force supplement in the Records Management System (RMS).
 - c. Completes a Department Report (DR) to include:
 - 1) The involved employee's name, badge or ID number, duty assignment, workdays, and hours.
 - 2) Incident details:
 - Date and time.
 - Impact locations.
 - Injuries or damage, including a description of the animals involved.
 - Location of occurrence.
 - Name and address of the owner of the damaged property/injured animal.
 - Number of shots fired.
 - Ownership of the weapon.
 - Photographs.
 - Reason for shooting.
 - Type of ammunition used.
 - Weapon used: make, model, and caliber.

- Witness statements.
- Other information unique to the investigation.
- Related DR numbers.

- d. If appropriate, secures the involved weapon. If the weapon is the officer's primary duty weapon, IA or the on-duty Watch Commander immediately issues the officer a replacement.
2. The Crime Scene Section (CSS) may be used to document and process the scene and impound evidence.
3. The involved employee receives additional firearms instruction from the Training Section or designee.
4. The [Use of Force Review Board](#) (UFRB) reviews all Class I shootings.

CLASS II SHOOTINGS

1. The VCU Sergeant or Lieutenant determines whether VCU or a line supervisor criminally investigates the incident.
2. IA, or a designee, administratively investigates.
3. [UFRB](#) reviews all Class II shootings.

CLASS III SHOOTINGS or DEADLY FORCE INCIDENTS

JURISDICTION

1. EVCIRT criminally investigates Class III shootings.
2. IA responds to begin the administrative investigation.

INVOLVED OFFICERS

1. Immediately provide or arrange for medical care of the injured when safe to do so.
2. Notify a supervisor.
3. Apprehend suspect(s) and secure the scene.
4. The first uninvolved supervisor on scene will ask for a Public Safety Statement.
5. Refrain from discussing the incident with anyone until after EVCIRT and IA conduct preliminary interviews.

ESCORT OFFICER

1. Monitors the involved officers, ensuring their general welfare, and protects the integrity of the investigation.

2. With approval from the on scene supervisor, transports the involved officer(s) to a district station or other suitable location.
3. Maintains sight of the person assigned to monitor to maintain custody of evidence and ensure witnesses are separated.
4. Does not discuss the specifics of the incident with the involved officer and will not be present when the officer is talking to the officer's attorney.
5. Does not record (OBC) interactions with the involved officer.
6. Documents involvement in a supplement.

ON-SCENE SUPERVISOR

1. Public Safety Statement
 - a. Read the Public Safety Statement from the card, captured on your OBC.
 - b. Immediately disseminate public safety information via radio as appropriate.
 - c. Provide this information during the investigative brief.
2. Collect or designate personnel to retrieve the involved officers' OBCs.
3. Assign escort officer(s).
4. Complete the critical incident worksheet and provide a briefing to investigations.

WATCH COMMANDER – Notifies:

- Administrative staff (commanders and chiefs).
- Department chaplain.
- IA Sergeant.
- Police Legal Advisor.
- Public Information Officer (PIO).
- VCU Supervisor/On-Call Persons Crimes Sergeant.
- Any other concerned staff.

INTERVIEWS

1. EVCIRT and IA conduct interviews with the involved officer(s) using Miranda Warnings in criminal cases (Field Order [1302/Probable Cause/Miranda Warnings](#)) and Garrity Warnings in administrative cases (General Orders [1401/Definitions](#) and [1411/Investigation of the Allegation](#)),

and in accordance with the appropriate sections of the General and Field Orders.

2. If possible, a portion of the interview process includes a recorded scene walkthrough.
3. **Involved Officer**
 - Is allowed to contact a family member or friend. Department transportation may be provided for the friend or family member to join the officer.
 - Is allowed to contact an attorney, if desired, as soon as requested and when it can logistically be accomplished.
 - May contact or have time with a peer counselor or [Critical Incident Stress Management \(CISM\) Team](#) member when appropriate and time allows in the investigative process.
 - May view his/her On-Body Camera (OBC) footage related to the incident at the commencement of any criminal or internal investigation and/or scene walkthrough, and upon reading the admonition listed in [ARS 38-1116/Limitations of body camera video evidence](#), and signing the Scottsdale Right to View form.

SCENE CONSIDERATIONS – Except under exigent circumstances, keep an officer involved shooting or deadly force incident scene intact and protected.

1. Leave expended cartridges, magazines, and weapons undisturbed.
2. The involved officer holsters and retains fired weapons until detectives arrive. Give other firearms or weapons to the responding supervisor or detective as soon as practical.
3. Except for VCU/EVCIRT Detectives, do not handle or examine weapons and magazines once secured. VCU/EVCIRT Detectives take all of the officer's equipment, including the leather gear, if possible, to a location away from the scene. The investigator or the on-scene supervisor may make variations due to medical conditions or investigative concerns.
4. Separate witnesses until detectives arrive. Detectives interview all officers and witnesses.
5. Arrange for the identification of all civilian witnesses, police, medical, or fire personnel and their vehicles.

6. If possible, have all civilian witnesses voluntarily transported to a district station to be interviewed by detectives.
7. Identify immediate family members of wounded or deceased persons who may be witnesses.
 - Considering the emotional impact of the situation, obtain brief facts to determine the extent of their knowledge of the incident, if possible, and give this information to VCU/EVCIRT personnel, who will determine the need to interview family members.
8. All involved officers submit to blood, urine, and/or hair analysis testing, which IA administers following the guidelines in General Orders (GO) chapter [2600/Alcohol and Substance Abuse](#). EVCIRT personnel may administer additional tests following department procedure and/or legal constraints.
9. Involved officers are photographed and should remain in their current attire when possible.
10. The EVCIRT Sergeant notifies the Maricopa County Attorney's Office (MCAO) Law Enforcement Liaison and/or the Major Felony Unit, as appropriate, and requests assistance and/or response to the scene. The entire criminal investigation is submitted for review and filing of any charges.
11. Notify CSS, who responds to process the scene as directed by on-scene detectives.
12. When an officer is shot or injured, a sergeant, lieutenant, or supervisor from the injured officer's chain of command is dispatched to the hospital as a liaison between medical and department personnel. The supervisor:
 - Arranges security details if appropriate.
 - Contacts appropriate family members.
 - Contacts the chaplain, peer counselor, and/or a member of the [CISM Team](#).
 - Organizes and maintains the flow of information between the hospital and the department.
 - Preserves evidence.
 - Reviews GO [513/Funeral and Memorial Procedure](#).
 - Withholds the location where the injured officer is taken.
 - Withholds the name of the injured or deceased officer.

POST CRITICAL INCIDENT ADMINISTRATIVE LEAVE

1. In shootings involving death or serious injury, or deadly force incidents, officers who used their weapon are placed on Post Critical Incident Administrative Leave until their respective Assistant Chief authorizes their return to work.

2. Notwithstanding the [RETURN to DUTY](#) section below, at the discretion of the appropriate Assistant Chief, officers involved in a Class III shooting or deadly force incident may be assigned and remain on administrative duty assignments that do not require the exercise of police powers until both EVCIRT and IA complete a preliminary report on the incident.
3. Post Critical Incident Administrative Leave or administrative reassignment is not a form of discipline.

WEAPON

1. The Department of Public Safety (DPS) Crime Lab conducts a ballistic test and function fires the weapon. If ballistic tests are not needed, the Training Section Firearms Armorer, or certified SWAT Armorer in cases involving SWAT-issued firearms, will follow the TRAINING UNIT FIREARMS ARMORER procedure [#1-4.](#), outlined in the OVERVIEW section above.
2. Unless precluded by the criminal investigation, EVCIRT/VCU issues an involved police officer a replacement duty weapon and ammunition before the officer goes home. Once the investigation is completed, and if appropriate, the case detective or EVCIRT Supervisor authorizes and coordinates the release of the officer's weapon back to the officer.
3. Detention and Municipal Security employees will be issued a replacement weapon only when they are authorized to return to duty.

DEPARTMENT PSYCHOLOGIST

1. **Respective Assistant Chief or designee** arranges a mandatory meeting between the department psychologist and any officer who has been significantly involved in a Class III shooting or deadly force incident within two days following the incident.
2. **Involved Officers**
 - a. Are provided an opportunity to discuss the incident in a confidential environment.
 - b. Are required to return to the department psychologist after six months and then again at one year.
 - c. Subsequent counseling is voluntary unless warranted.
3. **Department Psychologist**

- a. Confirms the first appointment was kept but does not provide information on subsequent visits unless the officer authorizes such disclosures.
- b. Responds and conducts group briefings if requested.

RETURN to DUTY – Officers may return to full duty with authorization from the Assistant Chief in their chain of command after:

1. Completing the mandatory meeting requirement with the department psychologist.
2. The administrative and criminal investigations have preliminarily revealed a justified shooting or deadly force incident.
3. Receiving negative results from lab tests related to GO [2601/Alcohol and Substance Abuse](#).
4. Attending a scheduled appointment with one of the firearms Training staff or SWAT training staff to provide the involved employee with the opportunity to fire his/her duty weapon, confirm zero on a replacement or reissued weapon optic, qualify on a replacement weapon if necessary, and discuss any weapons-related questions he/she may have as a result of the shooting or deadly force incident.
 - In use of force incidents involving serious injury or death not involving a firearm, the involved employee will meet with the appropriate Training staff with respect to the applied use of force.

