# 8.400 – Use of Force Reporting and Investigation

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## 8.400-POL-1 Use of Force Reporting and Investigation

The Seattle Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous and transparent oversight systems to ensure accountability to the community and to maintain their trust. To ensure transparency and accountability, sworn employees must clearly and reliably report and thoroughly document each time they use force defined as Type I, II, or III.

All uses of force are reportable, except de minimis force.

Supervisors must clearly and reliably document the steps they have taken to investigate and review the actions of the sworn employee and any additional steps taken or recommendations for further review and action.

The requirements for reporting, investigating, and reviewing use-of-force incidents, which are classified and determined by the screening supervisor, are based on the nature of the incident and are separated into four types: De Minimis, Type I, Type II, and Type III (see levels of force, threshold, and examples chart below).

The categorization of use-of-force investigations is based on the following factors: degree of injury caused by the use of force, potential of the technique or weapon to cause injury, degree of pain experienced, degree of disability experienced by the subject, complaint by the subject, degree of restraint of the subject, impairment of the functioning of any organ, duration of the force, and physical vulnerability of the subject. An investigation may result in an incident being re-classified as a different level of force, when appropriate.

The department recognizes the inherent limitations on sworn employees known use of force, their perception and recall following tense and rapidly evolving circumstances.

| Level of Reporting | Threshold | Examples |
|---|---|---|
| **De Minimis**<br><br>Actions that are meant to separate, guide, and/or control, without the use of control techniques that are intended to or reasonably likely to not cause pain or injury. | Physical interactions that are meant to separate, guide, and/or control that are reasonably likely not to cause pain or injury.<br><br>Stationary tire deflation device deployment without tire deflation.<br><br>Handcuffing discomfort due to the wearing of handcuffs.<br><br>Vehicle roadblocks.<br><br>Vehicle blocking. | Using hands or equipment to stop, push back, separate or escort, and the use of compliance holds without the use of sufficient force to cause pain.<br><br>Controlled placement/takedown that does not result in a complaint of pain or disorientation. |
| **Type I**<br><br>Force that causes pain or injury not requiring anything greater than basic first aid (see 8.050).<br><br>Certain deployments of less lethal tools. | Pointing of a firearm at a subject (not including sul or low ready).<br><br>Noise Flash Diversion Device (NFDD) directed away from people.<br><br>Handcuffing pain caused by the application of handcuffs.<br><br>Use of a less lethal tool directed at a person that does not make contact or misses a person.<br><br>Stop stick deployment without tire deflation.<br><br>Use of a stationary tire deflation device with confirmed contact and deflation of tires.<br><br>Vehicle Pinning.<br><br>Application of a spit sock.<br><br>Hobble restraint resulting in pain or minor injury.<br><br>Blast ball deployment away from people (i.e., a "bang out").<br><br>Use of a 40 mm Less Lethal (LL) launcher or wooden dowels directed away from people. | Controlled placement/takedown that results in a complaint of pain or causes injury.<br><br>Strike with sufficient force to cause pain, complaint of pain, indication of pain, or complaint of injury.<br><br>Injury requiring basic first aid only, not treatment at a hospital.<br><br>Abrasion(s)/laceration(s) not requiring stitches, bruising.<br><br>40 mm Less Lethal launchers or wooden dowels used for breaking out house windows. |
| **Type II**<br><br>Force that causes or is reasonably expected to cause physical injury requiring medical treatment greater than basic first aid. | Medical treatment of an injury requiring more than basic first aid.<br><br>Use of any Less-Lethal Tool directed at a person that makes contact with a person.<br><br>Complaint of less than Type III injury.<br><br>Canine bite. | Takedown that causes injury requiring more than basic first aid.<br><br>Punch or kick that causes injury requiring more than basic first aid.<br><br>Punch or kick to the groin with less than Type III injury. |

| Level of Reporting | Threshold | Examples |
|---|---|---|
| | Ramming or PIT (screen with FIT).<br><br>Stop stick deployment with tire deflation.<br><br>Deployment of a blast ball directed at a person.<br><br>Deployment of a 40 mm LL launcher directed at a person.<br><br>Deployment of a Pepperball LL launcher directed at a person or for the purposes of area denial that will likely affect people.<br><br>NFDD(s) directed at a person. | Unintentional injury caused by "bang out" of a blast ball.<br><br>Laceration or evulsion requiring stitches.<br><br>Chipped, broken, or lost tooth (screen with FIT).<br><br>Minor joint dislocation, for example finger or toe dislocation (screen with FIT). |
| **Type III**<br><br>Force that causes or is reasonably expected to cause great bodily harm, substantial bodily harm, loss of consciousness, or death. | Any use of force resulting in great bodily harm or substantial bodily harm.<br><br>Deadly force.<br><br>Criminal conduct by officer(s) related to the use of force.<br><br>The use-of-force constitutes a serious policy violation (see 5.002).<br><br>Discharging a firearm at a person (see 8.300-POL-14).<br><br>Canine physical contact resulting in greater than Type II injury.<br><br>Impact weapon strike to the head, neck, face, throat, spine, groin, or kidneys (see 8.300-POL-4).<br><br>Use of a stationary tire deflation device or stop stick on a vehicle causing injury greater than Type II or use of a tire deflation device against a motorcycle (see 8.300-POL-6).<br><br>Striking a person's head into a hard, fixed object. | Broken bone.<br><br>Potentially serious head injury.<br><br>Serious joint dislocation, for example shoulder knee or hip.<br><br>Loss of consciousness.<br><br>Permanent disfigurement or loss of the function of any bodily part of an organ.<br><br>Incidents where the subject is admitted to the hospital because of the force.<br><br>Striking a person's head into a hard, fixed object to include, but not limited to, concrete objects or surfaces, or solid metal structures such as bars or guardrails. |

## 1. Sworn Employees Will Document All Uses of Force, Except De Minimis Force, in a Use-of-Force Report

Once a subject is free to leave, sworn employees will not detain the subject for use of force screening purposes. When force, use of force, or reportable force is referenced throughout the rest of this policy, it does not include de minimis force.

### 2. Sworn Employees, Including Witness Sworn Employees, Will Verbally Notify a Supervisor Following Any Use of Reportable Force, as Soon as Feasible, and May Do So by Phone

Sworn employees who use reportable force while on duty, or while working for a secondary employer, will call for an on-duty sergeant unless an SPD sergeant is assigned or working the same off-duty detail.

Sworn employees who use any reportable force while exercising police authority while off duty (except during military activity) will call Communications and request to be contacted by an on-duty lieutenant, who will screen the incident with FIT. The Chief of Police will determine duty status (see manual section 5.001 – Standards and Duties).

When a sworn employee is involved in an incident in another precinct while working off-duty, a sergeant in that precinct (or a sergeant assigned to the same off-duty detail, when there is one) will conduct the investigation and then submit it to the involved sworn employee's chain of command for approval.

When a sworn employee makes contact with a subject's neck during the application of a head control tactic or other control technique, which results in momentary contact with the neck of a subject, without the risk or intention of restricting the flow of blood or oxygen, the department does not consider that contact to be a neck or carotid restraint. This contact must be screened with a supervisor.

When there are no SPD supervisors on the scene of a reportable use of force, and one cannot respond to the scene in a timely manner, a sworn employee, including those assigned to Federal/Multi-Agency Task Forces, will contact a supervisor by phone. The supervisor will contact Communications and an on-duty lieutenant who will determine the appropriate response based on the incident.

An SPD supervisor can compel a Public Safety Statement (PSS) over the phone and will document the statement either on a recording or by requesting Communications to update the call log. Any information obtained from the PSS statement will be relayed to the on-scene outside law enforcement agency supervisor to assist with their response and investigation until an SPD supervisor arrives on scene.

- Supervisors will document their actions of obtaining a PSS in their supervisor's report or in a supplemental report.

### 3. Animal Shootings and Unintentional Discharges are not Considered Force

Animal shootings are not considered force but will be documented in an incident report and will be screened with FIT. The supervisor will provide details of the incident in a department memo to the Captain of the Training Unit.

For unintentional discharges of department-issued weapons, including less-lethal tools, see manual section 8.300 – Use of Force Tools.

### 4. Sergeants Will Review Use-of-Force Incidents

Sergeants will review reportable use-of-force incidents and do one of the following:

- Classify the investigation as Type I, or Type II, as appropriate, or
- Call the on-call FIT supervisor via Communications to screen the following:
    - Any contact with the neck, causing or reasonably likely to cause injury or loss of consciousness.
    - Major joint dislocation caused by a use of force.
    - Use of Type II force on a handcuffed subject.
    - Chipped, broken, or lost tooth.
    - Ramming or PIT (Vehicle-Related Tactic).
    - The use of force constitutes serious misconduct.
    - Unintentional canine bite.
    - Type III use-of-force.

### 5. The FIT Unit Supervisor or Commander, When Contacted by a Sergeant, Will Either Initiate a Type III Investigation or Recommend a Different Level of Force Investigation

### 6. When Multiple Sworn Employees are Involved in a Use-of-Force Incident, the Entire Incident Will be Reviewed at the Highest Level of Force Reached by any Single Sworn Employee During the Incident

If one sworn employee uses Type I force while another sworn employee uses Type II force in the same incident, the first sworn employee will complete a Type I report and the second sworn employee will complete a Type II report. The entire incident will be reviewed as a Type II.

### 7. Sergeants May Request a Higher Level of Investigation for a Given Force Incident

Factors to consider when determining whether a higher level of investigation is appropriate include, but are not limited to, the following:

- The nature of the resistance encountered.

- Force used against a handcuffed, or otherwise restrained, under-control, or in-custody subject.

- Force used against a pregnant, vulnerable, elderly, juvenile, or infirm subject.

- Incidents resulting from faulty information or unintentional error.

- When it is unclear whether the sworn employees' actions were consistent with law or policy.

### 8. Except as Provided in Manual Section 8.500-POL-6, No Supervisor Who Ordered, Used, or Participated in Reportable Force Will Conduct the Investigation of the Incident, Unless it is Impractical Under the Circumstances

When a supervisor orders, uses, or participates in reportable force, (to include authorizing entry into a constitutionally protected space), a higher-ranking sworn employee in the chain of command will determine who will review the investigation.

**Exception:** A supervisor who merely relays an order to use force from a higher-ranking supervisor is not considered to be ordering the force.

All officers, sergeants, lieutenants, and captains who participate in the tactical planning leading up to a reportable use of force will complete a use of force witness statement, unless they are otherwise required to complete an involved officer statement. Such individuals may also be required to submit to an investigative interview.

### 9. A Supervisor Who Reviews Force Used During a Planned Operation or Event Will Include the Patrol Operations Order, IAP, OPS Plan, or any other Appropriate Planning Documentation in Their Review

### 10. Whenever the Department Investigates the Discharge of a Firearm by a Sworn Employee, the Firearm Must be Inspected by Range Staff Prior to Being Returned to the Involved Sworn Employee

The range staff will verify:

- The firearm is approved by the department for use by the sworn employee.

- The ammunition is approved by the department for use by the sworn employee. Neither the firearm nor the ammunition has been modified to be out of compliance with department policy.

- Provide to FIT a memorandum identifying:

    - The firearm evaluated.

- The name and serial number of the sworn employee to whom it is assigned.

- The type of tests performed on the firearm, and their results.

- The individual who conducted the test.

- Conclusion whether the firearm is functioning properly.

- Any malfunctions discovered with the firearm.

- Any other information relevant to the functioning of the firearm inspected.

## 8.400-POL-2 Type I Investigations

### 1. Sergeants Must Screen Uses of Reportable Force In-Person with the Involved Officer and the Subject, Unless Impractical, Prior to the Subject Being Booked or Released

A subject who is free to leave may choose to remain at the scene to speak with the sergeant (see 8.400-TSK-1 Involved Officers' Responsibilities During a Type I Investigation).

Additional guidance on how to report Type I force may be found in 8.400-TSK-1.

Witness officer statements are not required for a Type I use-of-force.

The investigating supervisor will review the documentation as soon as practicable and will direct the officer to provide more information, if needed.

When the supervisor requests revisions from the involved officer, the supervisor must detail the requested revisions in writing.

Supervisors will summarize their investigation in a Type I report.

No ICV or other video review is required of the supervisor.

Additional guidance on how to investigate Type I force may be found in 8.400-TSK-7.

## 8.400-POL-3 Type II Investigations

### 1. In Conducting a Type II Investigation, a Sergeant Will Respond to the Scene and Thoroughly Investigate the Event, Unless Officer or Public Safety Will be Compromised as a Result

(See 8.400-TSK-10 Responsibilities of the Sergeant During a Type II Investigation)

The sergeant retains the discretion to refer any use of force to FIT for their determination on whether to take investigatory responsibility over the matter.

### 2. The Sergeant Will Conduct the Investigation as an Impartial Factfinder and Will Not Reach Findings About Whether the Force was Within Policy or Law

### 3. The Sergeant Will Make Appropriate Notifications When They Believe that Criminal Conduct or a Policy Violation May Have Occurred

When a sergeant believes that there may have been criminal conduct or a serious policy violation, the sergeant will consult with an on-duty captain or lieutenant.

### 4. The On-Duty Captain or Lieutenant Will Make the Proper Notifications and Referrals

The on-duty captain or lieutenant will ensure that FIT, the Office of Police Accountability (OPA), and the officer's chain of command are notified, as prescribed by manual sections 5.001 – Standards and Duties and 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations.

If not already identified and the OPA referral has not been made by the investigating sergeant, upon identifying a policy violation, the captain or lieutenant will make the proper notifications/referrals.

The captain or lieutenant will notify the command staff and OPA if information is obtained at any step in the investigation that suggests criminal conduct.

If the situation warrants, a captain or lieutenant may relieve the officer from duty for up to 24 hours pursuant to manual section 5.001 – Standards and Duties.

### 5. Sergeants Will Complete Their Investigation Within the Timeline Established by the Captain, Consistent With the 70 Calendar-Day Investigation Period

(See manual section 8.500-POL-2(4))

When the sergeant requests revisions from the involved sworn employee, they must detail the requested revisions in writing to the involved sworn employee.

Sergeants will summarize their investigation of the incident.

### 6. Each Reviewer in the Chain Will Review the Type II Use-of-Force Within a Reasonable Period to Ensure it is Thorough and Complete

Every reviewer in the chain of command is responsible for ensuring the accuracy and completeness of the use-of-force investigation. Lieutenants and captains will assess the quality of the sergeant's investigation and document their review. The lieutenant's and captain's review will include a clear explanation of their reasoning why the use of force was approved or disapproved.

If any deficiencies are found in the investigation, the reviewer will initiate corrective action where appropriate.

- When it appears to a reviewer that there is additional relevant and material evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, that supervisor will ensure additional investigation is completed.

- When it appears to a reviewer that the findings are not supported by the preponderance of the evidence, that reviewer will consult with the investigating supervisor and previous reviewers to clarify the discrepancy, and document any modifications, including the specific evidence or analysis supporting the modification.

When a reviewer requests revisions from a previous reviewer or the investigating sergeant, the reviewer must detail the requested revisions in writing.

### 7. An Investigation May Be Re-Assigned

At the discretion of the sworn employee's chain of command, or OPA in the case of a policy violation that has been referred to it, a use-of-force investigation may be assigned or re-assigned to FIT or to another supervisor, either within or outside of the precinct in which the incident occurred, or may be returned to the unit for further investigation or analysis.

### 8. When Policy, Training, Tactical, or Equipment Concerns are Identified, the Professional Standards Bureau Chief or Their Designee Will Ensure That Necessary Training is Delivered and that Policy, Tactical, or Equipment Concerns are Resolved

### 9. After the Captain has Reviewed the Use-of-Force and Finds the Investigation Complete and Supported by the Evidence, the Captain Will Forward the Investigation File to the Force Review Unit (FRU)

## 8.400-POL-4 Type III Investigations

### 1. The Force Investigations Team (FIT) Will Conduct All Type III Investigations, With Assistance from the On-Scene Sergeant

FIT will conduct all investigations in accordance with the FIT manual.

## 2. FIT Responses Will Be Tailored to the Circumstances

FIT responses will be tailored to the circumstances but will normally include the following:

- One (1) to six (6) FIT Detectives,
- The FIT Sergeant,
- The FIT Commander,
- An OPA Representative,
- An Office of the Inspector General (OIG) Representative,
- A Representative from the employee(s) labor group, and
- Potentially a Representative from the Prosecutor's Office.

## 3. At Least One (1) Member of FIT Will Always be Available to Evaluate Potential Referrals from SPD Sergeants

## 4. The FIT Captain Will Staff FIT with Employees Who Have the Appropriate Expertise and Investigative Skills

FIT will be staffed with individuals with appropriate expertise and investigative skills to ensure that uses of force that are contrary to law or policy are identified and appropriately resolved; and that its investigations allow the Force Review Board (FRB) to identify trends or patterns of policy, training, equipment, or tactical deficiencies, or positive lessons related to the use-of-force.

## 5. FIT Personnel Will Take Control of the Use-of-Force Investigation Upon Their Arrival

8.400-TSK-15 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge), and

8.400-TSK-16 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge).

8.400-TSK-17 FIT Commander Responsibilities During a Type III Investigation (Not a Firearms Discharge), and

8.400-TSK-18 FIT Captain's Responsibilities During a Type III Investigation (Firearms Discharge),

Once FIT has assumed control of the scene, the patrol sergeant will work at the direction of the FIT Commander.

8.400-TSK-11 Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge), and

8.400-TSK-12 Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge).

### 6. An OPA Representative Will Have Certain Responsibilities During a Type III Investigation

The OPA representative will not have investigative roles at the scene of a use-of-force but will attempt to identify any potential policy violations, or serious misconduct.

(See 8.400–TSK–21 Role of the Office of Police Accountability Representative During a Type III Investigation and the OPA Manual)

### 7. For Type III Investigations, All Involved Sworn Employees Will Provide a Recorded Statement as Directed by the FIT Commander

### 8. Within 60 Days (or 90 Days for Firearm Discharge Case), the FIT Commander Will Present the Completed Investigation to the FRU for Referral to the FRB Calendar

### 9. Involved Sworn Employees and Witness Sworn Employees Who had Significant Involvement in any Lethal Force Incident May Not Return to Work for at Least 24 Hours and May Be Required to See a Mental Health Professional for a Post-Incident Debrief, Per FIT Protocols

The on-scene FIT Commander, in consultation with involved sworn employee's Bureau Commander, and Peer Support, will determine which witness sworn employees had significant involvement in a lethal force incident.

Examples of significant involvement include, but are not limited to:

- Serving as a cover sworn employee.
- Administering any medical aid to the suspect or a victim.
- Being the victim of violence from the suspect.
- Using any reportable force during the incident immediately prior to the firearms discharge.

All witness sworn employees identified as having had significant involvement in a lethal force incident will not return to work for at least 24 hours. This leave will take the form of release time unless the sworn employee has regular furlough the following day.

The witness sworn employee's bureau chief may authorize up to four (4) days of release time for sworn employees having had significant involvement in a lethal force incident and may require such sworn employee to see a mental health professional for post-incident debrief. The bureau chief will consider any requests for release time by such sworn employees.

If desired, witness sworn employees who witnessed any portion of a lethal force incident may contact a department-approved mental health professional or their own mental health professional for a psychological post-incident debrief. Department-approved mental health professionals are specially trained in debriefing law enforcement incidents.

- The department will provide as many visits as the mental health professional recommends with an additional visit provided six (6) months after the incident.

- The witness sworn employee may bring a family member along at no extra charge to any or all covered visits.

## 10. The FIT Captain Will Notify the Professional Standards Bureau (PSB) Assistant Chief if Information is Obtained at any Stage of the Investigation That Suggests Either a Serious Policy Violation or Criminal Conduct

The assigned FIT Sergeant will continue to complete the use-of-force investigation.

## 11. The FIT Captain Will Take the Following Actions when Possible Criminal Conduct is Revealed:

- Consult with the Professional Standards Bureau Assistant Chief.

- Refer the investigation to OPA.

    - If OPA agrees that a criminal investigation is appropriate, they will refer the investigation to the Homicide Unit or another investigative body for assignment to an uninvolved sergeant for bifurcated criminal and administrative investigations using a "clean team" and "exposed team" approach.

    - Screen all information through a case master, who will see to it that no information that would compromise the criminal investigation is passed on to the sergeant who is supervising the criminal investigation.

    - Consult with a representative of the King County Prosecutor's Office or the City Attorney's Office when necessary.

The criminal investigation will have priority access to witnesses and evidence.

## 12. The FIT Captain Will Take Action when a Policy Violation is Discovered

The FIT Captain will advise the OPA director and refer the serious policy violation investigation to the OPA, when required by 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations.

### 13. The FIT Captain May Re-Classify a Use-of-Force Incident

The FIT Sergeant and FIT Lieutenant may recommend re-classification.

This policy recognizes that a Type III investigation may be initiated for an incident where a sworn employee did not use Type III force.

Once an investigation is completed, the FIT Captain may re-classify each involved sworn employee's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

**Example of re-classification:** When it appears that a sworn employee's actions caused a subject to break a bone a Type III investigation would be completed. If the investigation then showed that the subject's bone was broken prior to the incident, and that the sworn employee used only a Type I level of force the investigation would be reclassified and completed as a Type I.

## 8.400-POL-5 Crowd Management, Intervention, and Control

This policy applies to the reporting and investigation of uses of force that occur during crowd management, crowd intervention, or crowd dispersal events.

This policy recognizes that there may be extraordinarily long events where the reporting and investigation processes set forth in this policy are not feasible in a reasonably timely manner. In such instances, the Chief of Police will consult with the Director of OPA, and the Inspector General for Public Safety to determine whether department's goals of critical review, transparency, and accountability are better and/or more timely achieved through alternative process(es), within SPD or in coordination with the OIG.

OIG Sentinel Event Review

(See manual section 8.500-POL-6 for more information)

(For more information about crowd management, see manual section 14.090 – Crowd Management, Intervention, and Control).

### 1. Any Commander Directing the Use of Type I Force is Responsible for Reporting Such Force

For reporting purposes, use of a police line to move crowds where contact occurs will be assumed to involve at least Type I force.

Involved sworn employees do not submit statements for Type I force ordered during crowd management.

**Exception:** If a sworn employee uses force that deviates from training, or what was directed by the commander, the sworn employee who used the force must report the force using established use of force reporting and investigation protocols. The level of force reporting will be based on the nature of the force used and any injury sustained.

Regular Type I reporting and investigation protocol applies for individualized Type I force that occurs separate from crowd management tactics.

### 2. Any Commander Who Directs or Authorizes the Use of Type II Force Will Complete a Use of Force Report

The Use-of-Force Report will correspond with the highest level of force used by any individual sworn employee during the directed use of force.

The commander directing the use of Type II force will articulate their considerations of the CMIC Matrix in a statement.

Individual sworn employees will justify and document all reportable uses of force.

A supervisor who merely relays an order to use force from a higher-ranking supervisor is not considered to be ordering the force.

### 3. Investigation of Force During Crowd Management Events

The Crowd Management Force Investigation Team (CM FIT) will be selected by the incident commander. The CM FIT will be responsible for investigating all Type II uses of force that occur during crowd management.

**Exception:** Type III use of force will be investigated by regular FIT.

Review of Type II Use-of-Force Reports will be completed by a captain or above who was not involved with the event as designated by the Deputy Chief or their designee.

The reviewing captain will submit approved Type II Use-of-Force Reports to the FRU.

## *Involved Officer Use of Force Reporting Responsibilities*

## 8.400-TSK-1 Involved Officer Responsibilities During a Type I Investigation

Upon being involved in a use-of-force that will be investigated at Type I, the **involved officer** (see manual section 8.050 – Use of Force Definitions for the definition of involved officer):

1. **Provides** basic first aid, if necessary.

2. **Notifies** an on-duty sergeant.

3. **Uploads** and **flags** ICV and body-worn video (BWV) with the incident number before going off shift.

4. **Documents** the incident, as appropriate.

5. **Completes** a Type I Use-of-Force Report by the conclusion of the current shift, unless the sergeant approves an extension.

## 8.400-TSK-2 Involved Officer Responsibilities During a Type II Investigation

Upon being involved in a use-of-force that will be investigated as a Type II, the **involved officer** (see manual section 8.050 – Use of Force Definitions for the definition of involved officer):

1. **Requests** medical attention for any injured persons.

2. **Notifies** an on-duty sergeant.

3. **Reviews** the incident with the sergeant, unless unreasonable under the circumstances.

4. **Uploads** and **flags** ICV and BWV with the incident number before going off shift.

5. **Completes** report and supplements, as appropriate.

6. **Completes** a Type II Use-of-Force Report by the conclusion of the current shift, unless the sergeant approves an extension.

   The statement will include the following elements:

   - The name and serial number of the officer who used force.

   - The names of other officers, whether they used force and identified witnesses present.

   - A detailed description of the circumstances, and the valid law enforcement objective, that led up to the contact with the subject, to include legal authority and lawful purpose, tactics and decision-making, and de-escalation techniques.

- A detailed description of the words, actions or behaviors of the subject that precipitated the need to use force.

- A detailed description of any force and non-force actions used, how those actions furthered the intended law enforcement objective, and the observed results.

- A detailed description of any force clearly observed being used by other officers during this incident.

- A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided.

- The name and serial number of the sergeant who screened the incident.

## 8.400-TSK-3 Involved Officer Responsibilities During a Type III Investigation (Not a Firearms Discharge)

Upon being involved in a use-of-force that will be investigated at Type III, and does not involve the discharge of a firearm (including, but not limited to, great bodily harm, substantial bodily harm, deadly force, loss of consciousness, criminal conduct by officers, and a serious policy violation by officers), the **involved officer** (see manual section 8.050 – Use of Force Definitions for the definition of involved officer):

1. **Requests** medical attention for any injured persons.

2. **Notifies** an on-duty sergeant for a response.

3. **Answers** questions posed by the first arriving sergeant from the Use of Force Public Safety Statement Card (Form 24.3), when directed.

4. **Stands by** at the scene until the arrival of the FIT Sergeant or the FIT Commander.

   **Exception:** When the officer has sustained an injury that requires treatment, biohazard exposure, or when there are hazardous conditions at the scene.

5. **Continues** recording with BWV and ICV until directed by the FIT Commander.

6. **Responds** to the FIT Office when directed.

7. **Completes** a Use of Force Report when directed.

8. **Participates** in an audio-recorded Type III Use-of-Force interview with the FIT Case Sergeant and FIT Detectives, if requested to do so, by the conclusion of the current shift, unless exigent circumstances require an extension. The interview will include the following elements:

- The name and serial number of the officer who used force.

- The names of other officers or identified witnesses present.

- A detailed description of the circumstances that led up to the contact with the subject.

- A detailed description of the words, actions or behaviors of the subject that precipitated the need for force.

- A detailed description of any force and non-force actions used to achieve the law enforcement objective, and the observed results.

- A detailed description of any force clearly observed being used by other officers during this incident.

- A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided.

- The name and serial number of the sergeant who screened the incident.

## 8.400-TSK-4 Involved Officer Responsibilities During a Type III Investigation (Firearms Discharge)

Upon being involved in a firearms discharge, and after the scene is secure, the **involved officer** (see manual section 8.050 – Use of Force Definitions for the definition of involved officer):

1. **Facilitates** medical attention for any injured persons (RCW 36.28A.445).

2. **Notifies** their sergeant.

   If off-duty, **calls** Communications to request that an on-duty SPD lieutenant be notified.

3. **Preserves** the condition of their discharged weapon.

4. **Answers** questions posed by the first arriving sergeant from the Public Safety Officer Involved Shooting Card (Form 18.5), when directed.

5. **Remains** at the scene until the FIT Sergeant or FIT Commander arrives.

   **Exception:** When the officer has sustained an injury that requires treatment, biohazard exposure, or when there are hazardous conditions at the scene.

6. **Continues** recording with BWV and ICV until directed by the FIT Commander.

7. **Relinquishes** their discharged weapon to CSI, when directed by FIT personnel.

8. **Conducts** a scene walk-through, if directed.

   - This can occur at any time during the investigation and will be preceded by reasonable notice to the officer. The officer has the option of bargaining unit and legal representation at this walk-through.

9. **Responds** to the FIT office, when directed.

10. **Provides** an audio-recorded statement.

    - An audio-recorded statement will be provided by the involved officer as soon as practicable, considering the totality of the circumstances, including, but not limited to, the psychological, physiological, and medical condition of the officer, and the complexity of the scene processing.

11. **Completes** a Use of Force Report and any other necessary documentation required by Fit protocols, at the direction of a FIT supervisor.

12. **Contacts** an SPD Firearms Training Unit Sergeant to arrange for a function test of the replacement firearm, as soon as practical.

    - When the involved officer is notified that the involved firearm has been cleared to be released from the Quartermaster Unit for duty purposes, the officer will function test the weapon at the SPD Range prior to deploying it again for field duty.

13. **Selects** a mental health professional from the list of department-approved providers or their own mental health professional and schedules a post-incident appointment within 72 hours of the incident.

    - This visit must occur before the officer returns to work.

    - The involved officer may bring a family member along at no extra charge to any or all covered visits.

## *Witness Officer Use of Force Reporting Responsibilities*

## 8.400-TSK-5 Witness Officer Responsibilities During a Type II or Type III Investigation (Not a Firearms Discharge)

A **witness officer** (see manual section 8.050 – Use of Force Definitions for the definition of witness officer):

1. **Protects** the scene and related evidence.

2. **Stands by** at the scene until released by the sergeant (for a Type II investigation) or the FIT supervisor (for a Type III investigation).

3. **Uploads** and **flags** ICV and BWV with the incident number before going off shift.

4. **Provides** a Use-of-Force Witness Officer Statement (form 24.5), as directed by the sergeant (for a Type II investigation), or a written or audio recorded statement as directed by the FIT supervisor (for a Type III investigation). If a witness officer is aware that reportable force was used but not reported, the witness officer will provide the witness statement to their supervisor.

## 8.400-TSK-6 Witness Officer Responsibilities During a Type III Investigation (Firearms Discharge)

A **witness officer** (see manual section 8.050 – Use of Force Definitions for the definition of witness officer):

1. **Protects** the scene and related evidence.

2. **Answers** questions posed by a supervisor without being compelled.

3. **Conducts** a scene walkthrough and briefings with the FIT detective, if directed.

4. **Remains** at the scene until directed to respond to the FIT office by FIT personnel.

5. **Completes** a written or audio recorded statement prior to the end of shift, as directed by FIT personnel.

6. If desired, witness officers who witnessed any portion of the firearms discharge may **contact** a department-approved mental health professional or their own mental health professional for a psychological post-incident debrief.

# *Sergeant Use of Force Reporting Responsibilities*

## 8.400-TSK-7 Sergeant Responsibilities During a Type I Investigation

When conducting a Type I investigation, the **sergeant**:

1. **Ensures** basic first aid is provided when necessary.

2. **Screens** the incident in-person with the involved officer, when feasible. If an in-person screening does not occur, the sergeant will document the reason.

- If there is any uncertainty or concern about the reason or nature of the force used, or the existence of any injury, **immediately responds** to the scene, unless impractical in the circumstances.

- If the sergeant responds to a scene in which there is a complaint of injury or pain, or an actual injury requiring basic first aid, **photographs** the bodily area at issue including an overall photo of the subject.

- When a subject is not in custody, **requests** permission before taking photographs.

- When a subject is in custody, **takes** photographs, unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail.

3. **Determines** if the use-of-force is appropriately classified as a Type I incident.

   - If unable to make that determination, the sergeant will consult with a lieutenant or FIT to assist in the determination.

4. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

   - If it appears that a serious policy violation may have been involved with the use-of-force, **ensures** that OPA is contacted, and **consults** FIT regarding reclassification of the incident as Type II or Type III.

5. **Addresses** any concerns with the involved officer and initiates corrective action, as necessary.

6. **Directs** the involved officer to complete a Type I Use-of-Force Report.

7. **Reviews** the Use of Force Report, related documentation, including reports and supplements and directs the officer to supply more information, if needed.

8. **Orders** the officer to provide additional information or clarification if the Use of Force Report is unclear.

9. **Completes** a summary of their investigation.

10. **Forwards** the Use of Force Report to the lieutenant for review.

## 8.400-TSK-8 Sergeant Responsibilities During a Type II Investigation

When conducting a Type II investigation, the **sergeant**:

1. **Responds** to the scene.

2. **Examines** the subject of the force for injury.

- When feasible, **assesses** the subject's injuries and **determines** whether the subject's injuries are consistent with the force reported by the officer(s).

3. **Interviews** the subject (for juvenile arrests, see manual section 6.290 – Juvenile Investigations and Arrests).

   - The sergeant will record the interview (see manual sections 7.110 – Recorded Statements and 16.090 – In-Car and Body-Worn Video).

   - The interview of an adult should include:

     - Miranda Warning

     - The reason for the subject's arrest

     - Asking if the subject needs medical treatment

     - A visual inspection of any alleged injuries, if possible

     - Asking for the subject's version of events

4. **Confirms** that appropriate medical aid is offered to any injured party.

5. **Obtains** basic information and determines if the incident requires screening with a FIT supervisor.

6. **Identifies** and **secures** evidence to enable them to summarize the use of force and the facts and circumstances surrounding it, including:

   - Physical evidence.

   - Audio and video recordings.

   - Photographs - Documentation of the presence or absence of injuries see #12 below.

7. **Attempts** to locate relevant civilian witnesses and **arranges** for witnesses to be interviewed.

   - If the investigating sergeant delegates witness interviews, they will have other sergeants conduct witness interviews, whenever possible. If none are available, **selects** officers that have been trained in conducting use-of-force witness interviews.

     - An officer who was involved in or witnessed the use of force will not conduct witness interviews.

     - If witnesses do not want to be interviewed, **records** their contact information.

- Where practicable and warranted in the circumstances, **arranges** for all interviews with civilian witnesses to be audio recorded. Civilian witnesses will be interviewed separately, unless unreasonable under the circumstances.

- Interviews of the subject, or the subject's refusal to be interviewed, will be audio recorded via digital audio recording (preferred) or via BWV, if feasible.

- **Documents** all efforts to locate and interview civilian witnesses.

- If no civilian witnesses were located, **documents** that none were found.

8. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force.

9. **Reviews** the incident with each involved officer separately, unless unreasonable under the circumstances.

- **Asks** whether force was used.

- **Determines** the proper level of reporting.

- When unreasonable, **documents** the circumstances in the investigative summary.

10. **Directs** the involved officer(s) to complete a Type II Use-of-Force Report and the witness officer(s) to complete a Use-of-Force Witness Officer Statement.

**Exception:** Whenever there is an indication of possible criminal conduct by an officer, the officer will not be compelled to provide a statement. In such instance, the sergeant will **screen** with FIT/refer to OPA.

11. **Canvasses** the area for privately-owned video that may have captured the incident and attempts to obtain copies voluntarily.

- If the owner of the video refuses or the video is unavailable, **documents** the location and/or owner.

- If no privately-owned video is discovered, **documents** that none was found.

- **Documents** all efforts to obtain private video.

12. **Photographs** the following:

- The location where the incident occurred, to document damage and to make sure that relevant evidence is collected.

- Any officer injuries or areas of complained injury, and any damaged government or private property.

- When a subject is not in custody, **asks** for permission to photograph injuries.

- When a subject is in custody, **photographs** the subject unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail.

- **Takes** a minimum of three (3) photos, per subject:

    - Overall photo of the subject.

    - Photo of the general area of the injury (arm, neck, etc.).

    - Close-up photo of the injury.

- **Uploads** photos to Evidence.com as appropriate for the camera used.

- **Documents** refusal, as appropriate.

13. **Reviews** the officer's Use of Force Report to make sure the account is full and accurate.

    - **Verifies** that the officer has thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, de-escalation, minor policy violations, training, etc.).

    - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will ensure that OPA is contacted, and consult FIT regarding reclassification of the incident as Type III (see manual section 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations).

15. **Advises** their lieutenant of the incident by the end of the shift during which the incident occurred.

16. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift.

    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

    - When an administrative lieutenant is not utilized, the sergeant **reviews** and **bookmarks** all relevant and material ICV, BWV, private video, and/or holding cell video (HCV) related to the incident.

- When an administrative lieutenant is utilized, the sergeant may, but is not required to review any video during their investigation.

17. If a Taser was deployed, **arranges** for the Taser data to be downloaded and confirms that data analysis is included in the Use-of-Force Report via the Training Unit.

18. **Attaches** primary supporting documents (witness statements, etc.) to the Use of Force Report.

19. **Provides** an appropriate summary of their investigation of the incident.

    - The Use-of-Force Report will include a narrative description of the incident. The narrative will summarize the force used by the officers and the subject, injuries sustained by the subject and the officer, and will describe the sequence of events. Additionally, it will document the supervisor's actions in reviewing or screening the incident.

    - The Use-of-Force Report will include documentation of all evidence that was gathered, including physical evidence; photographs; and names, phone numbers, addresses, and summaries of statements by all civilian witnesses to the incident.

    - In situations where there are no known witnesses, the Use-of-Force Report will specifically state this fact.

    - In situations in which witnesses were present but the author of the report did not determine the identification, phone number or address of those witnesses, the Use-of-Force Report will state the reasons why.

    - The Use-of-Force Report will include the names of all other SPD employees witnessing the use-of-force and summaries of their statements.

    - The Use-of-Force Report will include the sergeant's evaluation of the evidence, including any material inconsistencies that the sergeant perceives in the evidence or statements.

20. **Forwards** the investigation to the next reviewer.

    - The sergeant forwards the investigation to the administrative lieutenant when one is being utilized.

    - The sergeant forwards the investigation to the unit lieutenant when an administrative lieutenant is not being utilized.

21. **Reviews** and **approves** all associated reports and supplements.

**Exception:** Another sergeant may review the documentation if it is impractical for the initial sergeant to do so. The screening sergeant will locate an alternate to perform the review and will inform the reporting officer of the change.

22. **Forwards** a completed Use-of-Force Report along the chain of command, consistent with the timeline established by the section captain.

## 8.400-TSK-9 Sergeant Responsibilities During a Type III Investigation (Not a Firearms Discharge)

The **sergeant**:

1. **Responds** to the scene.

2. **Confirms** that appropriate medical aid is rendered to any injured party.

   - If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges** for hospital guard, if necessary.

3. **Ensures** all BWV and ICV recording continues until directed otherwise by the FIT Commander.

4. **Notifies** an on-duty watch lieutenant of the incident.

   - **Maintains** control of the scene until the lieutenant arrives.

   - **Briefs** the lieutenant.

5. **Obtains** basic information and determines if the incident requires screening with FIT personnel.

   - This may include completing a Use-of-Force Public Safety Statement (PSS) Card (form 24.3). If necessary, the sergeant may administratively order any officer to immediately provide public safety information to secure the scene and pursue subjects.

6. **Ensures** the scene is contained and evidence is preserved.

7. **Supports** the involved officer.

   - **Does not isolate** the involved officer.

   - **Does not allow** the involved officer to talk to other personnel about the incident.

   - **Confirms** that the involved officer has access to the following:

     - Food and drink

- Restroom facilities

- Telephone

- Representative from the officer's collective bargaining unit

- **Does not allow** the involved officer to sit in the back seat of a police vehicle.

- **Avoids** making the involved officer feel like a suspect.

- **Assigns** a companion officer to standby with the involved officer, if appropriate. Preferably this officer is a peer support officer.

    - **Ensures** companion officer did not use nor witness force.

8. **Attempts** to locate and identify civilian witnesses and request that they stand by to be interviewed by FIT personnel.

    - If witnesses do not want to be interviewed, the sergeant will record their contact information.

9. **Turns** the scene over to the arriving FIT personnel.

10. **Gives** any Use-of-Force Public Safety Cards to the FIT Sergeant or FIT Commander upon their arrival.

11. **Complies** with directions from the FIT Commander.

12. **Assigns** an officer to complete the report and supplements.

13. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift.

    - If any video appears to be missing, **screens** with FIT Commander.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation may have been involved with the use-of-force, **ensures** that OPA is contacted.

15. **Advises** the FIT Commander of any other concerns noted.

## 8.400-TSK-10 Sergeant Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **sergeant**:

1. **Responds** to the scene.

2. **Advises** communications of their assumption of command.

3. **Ensures** the scene is contained and evidence is preserved.

4. **Confirms** that the necessary medical aid requests have been made.

5. **Ensures** all BWV and ICV recording continues until directed otherwise by the FIT Commander.

6. **Completes** a Public Safety Statement Officer Involved Shooting Card (form 18.5) for the involved officer, if safe and feasible.

7. Immediately **broadcasts** the information obtained from the Public Safety Statement Card to enhance public safety and assist with the capture of outstanding suspects.

8. **Initiates** Incident Command System (ICS).

9. **Attempts** to locate and identify civilian witnesses and **requests** they stand by to be interviewed by FIT personnel.

    - If witnesses do not want to be interviewed, the sergeant records their contact information.

10. If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges** for hospital guard.

11. **Notifies** an on-duty lieutenant.

12. **Maintains** control of the scene until the lieutenant arrives.

13. Upon the arrival of the lieutenant, **relinquishes** command of the scene, after an in-person briefing.

    - **Coordinates** with the lieutenant to make sure that, at a minimum, notification is made to the captain in whose precinct the incident occurred and the section captain for the involved officer(s).

14. **Requests** the response of FIT.

15. **Relieves** the involved officer of any scene-related duties.

    - If it becomes unsafe for the involved officer(s) to remain at the scene (an injury requiring medical attention or an unruly crowd, etc.) the sergeant arranges for the involved officer to be transported to a hospital or to the FIT office, as appropriate.

16. **Assigns** an officer to standby and accompany the involved officer.

    - If there are multiple involved officers, **assigns** each an officer.

- The officer(s) assigned to the involved officer(s) will not be witness officer(s) nor union representative(s).

- The assigned officer(s) will preferably be a Peer Support Officer.

17. **Confirms** that the involved officers understand they are not to change the condition of their weapon or appearance of their uniform, except at the direction of FIT.

    **- Exceptions** to the uniform requirement include but are not limited to an officer's uniform being contaminated with bio-hazard material and FIT will be notified in a timely manner.

18. **Supports** the involved officer.

    - **Confirms** that the involved officer has access to a representative from the officer's collective bargaining unit.

    - **Confirms** that the involved officer has access to food and drink, restroom facilities, and a telephone.

    - **Does not allow** the involved officer to talk to other personnel about the incident.

    - **Does not seat** the involved officer in the back seat of a police vehicle.

    - **Avoids** any action that may make the involved officer feel like a suspect.

19. **Remains** at the scene to coordinate scene security.

20. **Gives** the Public Safety Statement Card(s) to the FIT Sergeant or FIT Commander upon arrival.

21. **Confirms** that the necessary reports and supplements have been completed and approved/delivered before involved personnel go off shift.

22. **Identifies** Witness officers and **relays** the information to the FIT Commander.

23. **Confirms** that all officers who responded to the incident upload their ICV and BWV before going off shift.

    - If any video appears to be missing, **screens** with FIT Commander.

24. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation or criminal conduct may have been involved with the firearms discharge, the sergeant **contacts** the OPA representative on-scene.

- **Advises** the FIT Commander and OPA of any other concerns noted.

## *Lieutenant/Captain Use of Force Reporting Responsibilities*

### 8.400-TSK-11 Watch Lieutenant Responsibilities During a Type III Investigation (Not a Firearms Discharge)

Upon notification of a Type III investigation, the **watch lieutenant**:

1. **Responds** to the scene.

2. **Advises** Communications that they have assumed command.

3. **Confirms** that the involved officer's bargaining unit is made aware of the incident.

4. **Notifies** a Wellness Unit representative of the incident, if appropriate.

5. **Ensures** that the Use of Force Public Safety Statement Card (Form 24.3) has been read and questions have been answered.

6. **Relinquishes** control of the inner perimeter of the scene to the FIT Sergeant or FIT Commander upon their arrival.

7. **Maintains** control of the outer perimeter until the scene is cleared by FIT.

8. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

   - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the lieutenant **ensures** that OPA is contacted, and the FIT Commander is consulted.

   - **Advises** the FIT Commander of any other concerns noted.

### 8.400-TSK-12 Lieutenant or Captain Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **on-scene lieutenant** or **captain**:

1. **Responds** to the scene and **ensures** FIT has been contacted.

   - If the discharge occurred in another jurisdiction, responds to the location if it is within a reasonable distance.

2. **Advises** communications of their arrival and assumption of command.

3. **Confirms** that incident command has been established and the proper duties have been delegated.

4. **Ensures** that the correct Public Safety Statement Officer Involved Shooting Card (Form 18.5) has been read and questions have been answered.

5. **Provides** the appropriate level of command and command structure to achieve scene preservation and crime scene integrity.

6. **Maintains** command of the scene until the FIT Sergeant or FIT Commander arrives.

7. Upon arrival of the FIT Sergeant or FIT Commander, **relinquishes** the inner perimeter of the scene.

8. **Confirms** that all officers directly involved in the firearms discharge respond to the FIT office, when directed to do so by the FIT Sergeant or FIT Commander.

9. **Confirms** the involved and witness officers are accompanied by companion officers, if appropriate.

10. **Notifies** the duty captain and the officer's captain(s).

11. **Confirms** that a representative of the appropriate collective bargaining unit is notified of the incident.

12. If appropriate, **assists** with coordinating a Crisis Management Briefing, through the Wellness Unit, for officers who are not involved officers in the firearms discharge, as recommended by the CISM team leader.

13. **Coordinates** with the FIT Commander to make sure that all existing reports, documents, and officer statements are immediately routed to FIT.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation or potential criminal conduct may have been involved with the firearms discharge, **contacts** the OPA representative on-scene, screens with FIT.

    - **Advises** the FIT Commander of any other concerns noted.

## 8.400-TSK-13 Duty Captain Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **duty captain**:

1. **Verifies** the following notifications are made:

- Section captain of the involved officer(s),
- Assistant Chief of the involved officer(s)'s bureau,
- Office of the Chief, and
- Public Affairs Unit.

# *FIT Use of Force Reporting Responsibilities*

## 8.400-TSK-14 FIT Detectives Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT Detective**:

1. **Responds** to the scene.
2. **Arranges** for a canvass for any witnesses and privately-owned video.
3. **Ensures** the download of any ICV or BWV download.
4. **Conducts** the compelled in-person interview of the involved officer(s).
5. **Attends** any interview or statement review of the witness officers.
6. **Directs** CSI**,** FIT Sergeant, or FIT Commander to take custody of the weapon used by the involved officer in the condition it was in after being fired and performs a round count.
7. **Confirms** the involved officer's firearm is placed into evidence.

## 8.400-TSK-15 FIT Unit Sergeant Responsibilities During a Type III Investigation (Not a Firearms Discharge)

During a Type III investigation, the **FIT Sergeant**:

1. **Confirms** that the scene is photographed and processed either by FIT detectives or CSI detectives.
2. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift.
    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

3. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force and confirms they wrote a statement.

4. **Arranges** for all involved officers to provide an audio-recorded use-of-force statement as directed by the FIT Captain.

    - The FIT Captain **directs** officers who used Type I or Type II force to complete a Use of Force Report or provide an audio recorded statement.

    - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application.

5. **Arranges** for all witness officers to provide a statement.

6. **Oversees** the FIT investigation, per the FIT manual.

    - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, FIT supervisor will **contact** OPA and the FIT Commander.

## 8.400-TSK-16 FIT Unit Sergeant Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT Sergeant**:

1. **Responds** to the scene.

2. **Arranges** for documentation of the scene and evidence collection by crime scene investigation personnel.

3. **Coordinates** with the on-scene sergeant to make sure that offense reports and supplements are immediately approved.

    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

4. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift.

5. **Reviews** CAD to make sure that all officers at the scene provide statements.

    - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force.

6. **Verifies** the involved officer is placed in a conference/soft interview room at the FIT office.

7. **Participates** in and **reviews** the compelled in-person interview of the involved officer(s).

8. **Completes** and provides all involved officers with an Officer Involved Shooting Post-Incident Checklist. Supervises the investigation of the incident, per the FIT manual.

    - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation, on the part of the officer, the FIT supervisor will **contact** OPA and the FIT Commander.

## 8.400-TSK-17 FIT Commander Responsibilities During a Type III Investigation (Not a Firearms Discharge)

The **FIT Commander**:

1. **Responds** to the scene.

2. **Assumes** control of the inner perimeter of the scene.

3. **Compels** officers who used force to provide an in-person interview if necessary and consistent with the requirements of the FIT manual.

4. **Arranges** for an OPA representative to respond to the investigation and **notifies** the OIG of the incident, as well as the Wellness Unit, appropriate collective bargaining units, and the Office of Independent Investigations (OII), if appropriate.

5. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, as well as the FIT Unit chain of command.

6. **Monitors** the investigation.

7. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will consult with the PSB Assistant Chief, and they will coordinate with OPA. for any further action.

8. **Presents** the complete investigation to the FRB.

9. **Conducts** any briefings or presentations to Command Staff regarding the incident.

## 8.400-TSK-18 FIT Captain's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT Captain**:

1. **Responds** to the scene.

2. **Assumes** control of the inner perimeter of the scene.

3. **Contacts** the Wellness Unit, Media Unit, OPA, OIG, OII, and Prosecutor's office to coordinate a response, **arranges** for an OPA representative to respond to the investigation and **notifies** the OIG of the incident.

4. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, and the FIT Unit chain of command.

5. **Monitors** the investigation.

6. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

   - If any tactical or threat assessment issues are found, the Chief of the Professional Standards Bureau will be contacted for further action.

   - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will

   consult with the PSB Assistant Chief, and they will coordinate with OPA. for any further action.

7. **Presents** the complete investigation to the FRB.

   - **Ensures** the involved officers are provided a CISM Lethal Force Incident booklet.

8. **Ensures** the officer has access to:

   - Food and drink

   - Restroom facilities

   - Telephone

   - Bargaining unit representative

   - Legal representative

9. **Provides** the involved officer(s) with a copy of the Police Officers Bill of Rights during their in-person interview and **compels** their participation, consistent with the requirements of the FIT manual.

10. **Coordinates** with CSI who will provide the involved officer(s) with a replacement weapon.

- This will normally occur at the scene if the involved officer is still on scene when FIT arrives, and otherwise will occur at the FIT office.

- No immediate replacement will be provided for a department-issued long gun.

11. **Maintains** overall responsibility for the investigation.

12. **Facilitates** return to work plan for involved officer.

- **Notifies** the involved officer's captain when the involved officer has been approved through their post-incident debriefing to return to work.

- Together with the involved officer's captain, **briefs** the Chief of Police and command staff at next scheduled command staff meeting for a decision regarding return to work.

# *OPA/OIG Role During Type III Investigation*

## 8.400-TSK-19 Role of the Office of Police Accountability (OPA) Representative During a Type III Investigation

The **OPA representative** will have no investigative role at the scene but:

- **Consults** with the FIT Captain overseeing the investigation to identify any serious policy violations.

- **Functions** as a liaison to the FIT Unit.

## 8.400-TSK-20 Role of the Office of Inspector General (OIG) Representative During a Type III Investigation

The **Inspector General representative**:

**- Consults** with the FIT Captain overseeing the investigation.

**- Functions** as a liaison to the FIT Unit.