



POLICY AND PROCEDURE

NO. 501

Officer Involved Shootings, In-Custody Deaths and Serious Uses of Force

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I. PURPOSE

It is the purpose of this policy to provide guidelines for the response to, and the investigation of officer-involved shootings, in-custody deaths and other serious uses of force.

II. POLICY

It is the policy of this department that officer-involved shootings, whether on or off duty, be investigated so as to determine whether officer actions conform with law and this department's policy, procedures, rules, and training. This policy shall also apply to the investigation of situations in which a person dies while in police custody or while an officer is attempting to effect custody and other serious uses of force.

III. DEFINITIONS

Companion Officer: An officer assigned to another officer to provide emotional support and assistance following a critical incident, such as an officer-involved shooting. The *Companion Officer* shall remain with the involved officer until such time as he is officially relieved of his assignment. In addition to the assistance and emotional support, the *Companion Officer* shall act as a custodian of any and all evidence on or carried by the involved officer (including but not limited to blood, fibers, firearms, tasers, batons, capstun, and evidence.) and shall ensure the integrity of that evidence and maintain a chain of custody.

** EXCEPT: body worn camera evidence of an officer involved shooting that camera/ evidence shall be recovered by authorized Detective Bureau personnel. It will not be viewed until downloaded into the system.

Critical Incident: An officer's use of force tactic causes death or serious physical injury; An officer discharges a firearm during the course of duty (or off-duty in an official capacity.) The incident is a significant emotional event that breaks through an individual's normal coping mechanisms and may cause extreme psychological distress.

In-Custody Death: The death of an individual while in custody or while attempts to effect custody are being made.

Involved Officers: Unless otherwise indicated, refers to those sworn personnel in on-duty or off-duty status who discharge their firearm in an incident or unintentionally; arrest or are in the process of arresting an individual who subsequently dies; engage in other serious uses of force; or are present and participate in the incident in any meaningful degree.

Officer-Involved Shooting: A discharge of a service weapon by an officer during an incident or unintentional discharge, while on duty or off-duty, irrespective of injuries to suspects, officers or third parties.

Public Safety Statement: A brief statement that is collected individually from the involved officer(s), covering only information necessary to focus initial police response and direct the preliminary investigation. This statement will equate to a verbal notification of Use of Force per policy 400 section 10-C.

Public Safety Questionnaire

Officer, department policy requires you to answer limited questions regarding the public's safety. This is not an administrative investigation. As such, these questions are not being asked of you as part of an administrative investigation and your answers will not be used against you as part of an administrative investigation.

1. Are you injured?
2. If you know of anyone who was injured, what is his/her location?
3. Did you discharge your firearm? If so, in which direction did you fire your weapon?
4. If any suspects are at large, what are their descriptions?
5. What was their direction of travel?
6. How long ago did they flee?
7. For what crimes are they suspected of committing?
8. Did you believe they were armed with a weapon?
9. Does any evidence need to be preserved?
10. Where is it located?
11. Did you observe any witnesses?
12. Where are they located?

IV. Procedures – The procedures will be broken up into three stages

- A. Initial Response/Primary Considerations
- B. Follow-up/Secondary Considerations
- C. After Action

A. Initial Response/Primary Considerations

- Typically, these types of incidents will be responded to by many different divisions within the police department including, Operations, Investigative Services, Crime Scene, Training and Union Representatives to name a few. For that reason it is essential that each moving part knows exactly what their responsibility is once they arrive.
- First responding Officers and Officials (ranking officer shall assume incident command)
 1. Medical attention to injured parties as necessary
 2. Secure the crime scene

- Inner Perimeter – Including the entire crime scene
 - Outer Perimeter – The buffer zone keeping unauthorized persons a safe distance from the crime scene
- 3. Assign officers to locate and identify potential witnesses
- 4. Notify Investigative Services and Crime Scene Unit
- 5. Obtain **Public Safety Statement** from **involved officers** – This statement may be taken by the Incident Command Official or his designee in situations where there are several involved officers. Involved officer(s) will be subjected to only one Public safety Statement at the scene. Assigned investigators from the Detective Bureau will conduct follow-up interviews at a later time.
- 6. Make appropriate notifications through chain of command
- 7. Assign **companion officers** to all **involved officers**
- 8. Send all **involved officers** to the hospital for evaluation
- 9. Assist in providing scene security for the duration of the incident
- Investigative Services
 1. Incident command shall be transferred to the ranking official from investigative Services upon his/her arrival on scene
 2. Obtain all information from previous incident commander including content of all **Public Safety Statements**
 3. Video Canvas/ Body Worn camera footage
 4. Witness Canvas
 5. Obtain search warrants as needed
 6. Advise Crime Scene Official
 7. Notify the Stress Unit
 8. Notify Training Division/Department Armorer
 9. Make appropriate notifications through chain of command
 10. Notify the Medical Examiner's Office where applicable
 11. Notify the District Attorney's Office
- Crime Scene Unit
 1. The Crime Scene shall respond and process and document the scene and all evidence in their normal manner; adapting their procedures and processes to the specifics of each individual incident.
 2. Recover any and all evidence and potential evidence from **Involved Officers** at the hospital.
 - Ex. If there were four involved officers, but only one firearm was discharged, all firearms will be recovered. If two involved officers present and only one deployed a baton, both officers' batons shall be recovered.
 3. Document and photograph any injuries sustained by the officer, the suspect and/or any other person during the incident
- Training Division/Department Armorer
 1. Respond to the hospital and be prepared to replace/swap out all department issued weapons that will be recovered by the Crime Scene Unit and placed into evidence.

2. All department issued weapons that are recovered as evidence shall be replaced by Training Division/Department Armorer unless the officer has been placed under arrest or criminal charges are pending against him/her.
 3. If circumstances arise where a department issued firearm cannot be immediately replaced under circumstances where it should be, the companion officer shall remain with the involved officer until he is relieved by the Incident Command Official of the involved officer arrives at his home.
- Stress unit
 1. A representative from the Stress Unit shall make contact with each of the involved officers as soon as is reasonably possible; preferably in person or via telephone when circumstances require.

B. Follow-Up/Secondary Considerations

- Reports
 1. Initial Incident Command Official – Shall prepare a report documenting his response to the scene and steps taken including but not limited to:
 - Observations
 - Assignments given
 - The content of any public safety statements taken by him/her
 - Identities of Companion Officers and the officers that they were assigned to.
 2. Any officer directed to take a Public Safety Statement from an involved officer shall prepare a report outlining the content of that statement.
 3. Companion Officers – Shall prepare a report narrowly limited to the chain of custody of any and all evidence on or carried by the involved officer
 4. Investigative Services
 - Witness statements
 - Video analysis reports
 - Suspect interview/interrogation
 - Incident overview to be completed by Investigative Services Official
 5. Crime Scene Unit
 - Shall document the scene in their customary fashion
 6. Involved Officers - Use of Force
 - Reports to be completed and submitted within 72 hours of the incident
- Involved Officers' work Status
 1. All involved officers shall immediately be assigned to the Chief's Office and be placed on Administrative Leave with pay reporting to the Department's Stress Officer.
 2. The officer shall remain on Administrative Leave with pay until the following has been completed:
 - The officer has been evaluated and cleared for duty by the Department's Mental Health Professional
 - The officer has been requalified with the weapon that was deployed during the incident

- The criminal investigation has been completed and reviewed by the District Attorney's Office and the officer has been cleared of any criminal liability during the incident
- The Administrative investigation has been completed and the officer has been cleared of any policy violations.

Per:



Steven M. Sargent
Chief of Police