



# *San Diego Community College District Police Department Policy and Procedures*

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## 1.21 OFFICER-INVOLVED SHOOTING INVESTIGATIONS

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EFF. 10/01/19

### **I. PURPOSE**

This Department procedure establishes guidelines for the investigation of officer-involved shootings.

### **II. SCOPE**

This procedure applies to all members of the Department.

### **III. BACKGROUND**

The San Diego Community College District Police Department recognizes and respects the value of human life and the dignity of every individual. It further recognizes that the primary duty of our officers is to preserve human life.

The decision to use deadly force in response to an immediate threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. The Department deeply values community trust, and knows that this trust in law enforcement must be based on the community's belief that officers will act fairly.

An officer's use of deadly force will be evaluated and reviewed in accordance with criteria contained in the law and Department policies.

### **IV. SAN DIEGO COUNTYWIDE PROCEDURES FOR POLICE-INVOLVED SHOOTING INCIDENTS**

A. When an officer of any local, state or federal law enforcement agency becomes involved in a shooting incident, wherein injury or death results, an investigation shall be conducted by, and under the control of, the agency within whose jurisdiction the shooting occurred. Within the City of San Diego, the San Diego Police Department Homicide Unit will have the responsibility of conducting these investigations.

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- B. The agency that employs the officer involved in the shooting may participate in the investigation of the shooting. This investigation may be conducted jointly with full participation by designated investigators from the agencies involved.
- C. The agency in whose jurisdiction the shooting occurred shall have the responsibility for presenting the facts of the case to the District Attorney or any other appropriate prosecutorial agency for evaluation. Any information or reports developed by an investigator shall be made available to all concerned agencies in accordance with Constitutional and contractual guarantees.
- D. Upon approval of the Homicide Unit supervisor in charge of the scene, risk management personnel from the involved agency may be permitted access to the scene of a shooting incident and be provided with the information necessary to fulfill their responsibility.

V. **NOTIFICATION AND PROCESSING OF POLICE-INVOLVED SHOOTING INCIDENTS**

Officers who discharge a firearm on-duty, except at a target range, or discharge a firearm off-duty causing potential or actual injury to a person or property damage shall immediately notify the on-duty College Police supervisor directly or via Communications Division. The on-duty supervisor shall initiate any required investigation.

- A. If the discharge of the firearm was on-duty, not directed at a person, and did not result in death or injury, the on-duty supervisor shall respond to the scene to conduct an investigation. The supervisor shall prepare an Officer Involved Shooting report and a Shooting Incident Report (PD-128).
- B. Under circumstances when the shooting was intentionally directed at a person or resulted in death or injury, Communications will contact the SDPD Watch Commander, who will make the appropriate notifications to SDPD investigative and command staff personnel.

The College Police dispatcher shall immediately notify the following personnel:

1. The Chief of Police;
2. The on-duty or on-call Lieutenant.
3. The Chancellor;
4. The Vice-Chancellor of Facilities Services;

5. If the incident occurred on a Community College campus, the President of the involved campus;
  6. Risk Management.
  7. The on-call POA attorney or legal representative;
- C. The ranking supervisor responding to the shooting incident shall be responsible for controlling the scene and ensuring the following:
1. The officer involved should be isolated as soon as possible. When more than one officer is involved, they should be isolated from one another as soon as possible. A peer support officer should be assigned to accompany each officer involved.
  2. Officers involved in a shooting incident shall not discuss the situation at the scene with anyone other than the first arriving supervisor, Homicide investigators, Internal Affairs investigators or the officer's legal representative.
  3. When interviewing the involved officer(s), the first arriving supervisor will be responsible for developing sufficient information to ensure public safety for a tactical response and provide investigators with an overview of the incident. All inquiries concerning the involved officer's actions are subject to the Police Officers Bill of Rights.
  4. Only Homicide and/or Internal Affairs investigators, whichever is appropriate under the circumstances, will conduct in-depth interviews of involved officers. All inquiries concerning the involved officer's actions are subject to the Police Officers Bill of Rights.
  5. The Chief of Police, SDPD Investigations II Captain, or a Homicide Lieutenant shall coordinate the release of information or statements regarding the incident.
- D. Any Department member who is fired upon, whether wounded or not, shall have a Supervisor's Injury/Assault Investigation Report completed by the field supervisor in charge of the incident. This is in addition to any other required reports.
- E. Officers involved in traumatic events, such as shootings or in-custody deaths, may need critical incident debriefing. Refer to Department Procedure 5.11, Critical Incident Debriefing Protocol, for the appropriate protocol.
- F. The involved officer(s) will be relieved of all field duties and given other assignments pending an investigation. The officer(s) will remain in that status until notified by the Office of the Chief of Police to return to normal duty.

G. An incident involving the discharge of a Bean Bag Impact Weapon system, within the guidelines of Department Procedure 1.19, Bean Bag Impact Weapon, is generally exempt from the investigation and reporting requirements outlined in this procedure, except in cases resulting in death.

**VI. INVESTIGATION AND REVIEW OF POLICE-INVOLVED SHOOTING INCIDENTS**

**A. SDPD Homicide Unit**

The Homicide Unit investigates when death or injury occurs as a result of an officer firing his/her weapon, or when an officer intentionally shoots at a person and misses. The role of the Homicide Unit is to investigate the incident for criminal violations.

The completed investigation will be submitted to the District Attorney's Office for review.

**B. Internal Affairs**

After the shooting incident investigation has been completed, the Office of the Chief of Police will direct the Internal Affairs Unit to conduct a review of all investigative reports to ensure that the investigation is sufficiently thorough and complete. The Internal Affairs Unit will make a determination as to whether Department policies and procedures were followed regarding the use of firearms.

1. After completing its review, the Internal Affairs Unit shall submit a written report of its findings to the Office of the Chief of Police.
2. The Internal Affairs Unit shall be the central repository for reports on all police shooting incidents and shall maintain appropriate statistical records.

Refer to SDPD Procedure 1.43, Officer-Involved Shooting Investigation Procedures for further information.