

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 09/28/2017	Supersedes Policy Dated: 09/30/2016	Rescinds:	SOG Number:
Accreditation Index: 4.2.3, 81.2.4, 82.2.1 ¹			103.11
Part Title: Administration		Chapter Title: Standards of Conduct	
Chief of Police:			

Lethal Force Investigations and Follow-up

I Policy

Incidents of homicide involving officers and use of force which threaten or seriously impair normal life processes will be investigated by the Crimes Against Persons Section. All criminal investigative processes will be centralized with the Crimes Against Persons Section and controlled by their supervisors. The department will provide support services for the officer and will also assess fitness for duty. The following procedures will be used to investigate every incident of use of lethal force or unintentional discharge by a department employee.

II Definitions

Lethal Force – Force used upon a person which results in death or serious physical injury.

III Procedure

1 IMMEDIATE RESPONSE

1.1 Involved Officer

1.1.1 When an officer uses lethal force or discharges their firearm, either unintentionally or intentionally, they shall:

1.1.1(a) Determine the physical condition of any injured person and render first aid when appropriate.

1.1.1(b) Request necessary emergency medical aid.

1.1.1(c) Notify Communications of the location and incident.

¹ 5th Edition reference removed from CALEA accreditation index, per Policy Change Order 17-043.

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- 1.2.1(b) Notify the on-duty Watch Commander. If not available, notify the on-call Watch Commander. (CALEA 81.2.4(f))
- 1.3 Patrol Supervisor (CALEA 81.2.4(f))
 - 1.3.1 Notify the on-duty Watch Commander.
 - 1.3.2 Respond to the scene and assume management responsibilities.
 - 1.3.3 Arrange for in-custody medical transport of injured suspects with armed police officers.
 - 1.3.4 Establish crime scene security utilizing personnel, barricades, crime scene tape, or other means.
 - 1.3.5 Assign a non-involved host officer to accompany the involved officer to a secure area. The host officer will remain with the involved officer at all times until dismissed by a supervisor.
 - 1.3.6 Arrange for all involved officers to be sequestered and removed from the scene as quickly as possible.
 - 1.3.7 Brief arriving Watch Commander.
 - 1.3.8 Brief the arriving Crimes Against Persons Section Supervisor and render command assistance to investigators.
 - 1.3.9 In cases of an officer-involved shooting, make arrangements for Crimes Against Persons investigators to take possession of the weapon(s) and ammunition of the involved officer(s).
 - 1.3.9(a) Ensure the officer's magazines and vehicle are inventoried and secured, if appropriate.
 - 1.3.9(b) Weapons shall be collected away from public view. Involved officers should be transported to a secure area (such as police headquarters) before their weapon(s) is collected. Under exceptional circumstances, the weapons(s) may be collected at the scene, hospital, or other locations.
 - 1.3.9(b.1) The host officer will maintain sight of the weapon(s) until collected.
 - 1.3.9(b.2) The weapon(s) will be turned over to the appropriate Crimes Against Persons investigator as soon as practical.
 - 1.3.9(c) Ensure arrangements are made to provide the involved officer with a replacement weapon(s) as soon as practical.
 - 1.3.9(c.1) A replacement weapon can be obtained by contacting Internal Affairs or a Range Officer.
- 1.4 On-Duty Watch Commander

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- 1.4.1 Where serious injury resulted or an officer discharged their firearm at a suspect pursuant to official duty, ensure the following are notified:
 - 1.4.1(a) Investigations and Support Services Bureau if needed;
 - 1.4.1(b) Chief of Police via Chain of Command;
 - 1.4.1(c) Inspections and Internal Affairs Supervisor;
 - 1.4.1(d) Appropriate Bureau Commander;
 - 1.4.1(e) Public Affairs Officer;
 - 1.4.1(f) Critical Incident Response Team.
- 1.4.2 Release supervision of the scene to the Crimes Against Persons Section Supervisor upon their arrival;
- 1.4.3 Provide CID with supplementary manpower, if requested;
- 1.4.4 Ensure continued crime scene security services by patrol until the Persons Section releases the scene.
- 1.4.5 In the event of an unintentional discharge without personal injury the following shall be notified:
 - 1.4.5(a) Chief of Police via Chain of Command;
 - 1.4.5(b) Inspections and Internal Affairs Supervisor;
 - 1.4.5(c) Appropriate Bureau Commander.

2 IMPLEMENTATION OF INVESTIGATION PROTOCOL

2.1 Crimes Against Persons Section

- 2.1.1 Crimes Against Persons investigators will direct the crime scene and investigative response as provided in [SOG 402.2 – Crime Scene Management](#) under the following circumstances:
 - 2.1.1(a) An officer has taken the life of a person;
 - 2.1.1(b) An officer has injured a person using lethal force;
 - 2.1.1(c) Incidents involving the use of any less lethal weapon causing life-threatening injury;
 - 2.1.1(d) By direction of a command officer.
- 2.1.2 In these instances, Patrol personnel will provide support to the Crimes Against Persons investigators.

2.2 Internal Affairs Unit

- 2.2.1 The Internal Affairs Unit shall conduct an administrative investigation in the following cases:
 - 2.2.1(a) Firearm discharge by a department employee except for destruction of animals, marksmanship training, firearms training, ballistic tests, and sporting events;
 - 2.2.1(b) When an officer has taken the life of a person or a person

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dies while in custody;

2.2.1(c) Incidents involving the use of any less lethal weapon causing life-threatening injury;

2.2.1(d) Any other use of force incident as directed by the Chief of Police.

3 RESPONSE BY CRIMES AGAINST PERSONS SECTION

3.1 Crimes Against Persons Section Commander

3.1.1 Direct overall management of the investigation.

3.1.2 Supervise follow-up investigation team.

3.1.3 Coordinate with the crime scene supervisor.

3.1.4 Coordinate with the Public Affairs Officer.

3.1.5 Update the appropriate Bureau Commander, Investigations and Support Services Bureau Commander, Internal Affairs Sergeant, and Chief of Police.

3.1.6 Implement the major case management process.

3.2 Violent Crimes Unit Sergeant

3.2.1 Expedite arrival on-scene.

3.2.2 Assign investigative personnel at the scene.

3.2.3 Determine need for and notification of Homicide Response Team personnel.

3.2.4 Coordinate crime scene activities with the follow-up investigation team and Persons Section Commander.

3.2.5 Notify the medical examiner, if homicide.

3.2.6 Notify the Greene County Prosecutor's Office and maintain a close liaison with them throughout the course of the investigation.

3.2.7 Notify family of the victim, if not an officer.

3.2.8 Release the scene when all evidence collection is complete.

3.3 Crimes Against Persons Section Crime Scene Investigation Team

3.3.1 Expedite arrival on-scene.

3.3.2 Conduct preliminary field investigation.

3.3.3 Execute search warrant(s), if needed.

3.3.4 Conduct neighborhood canvass.

3.3.5 Process the crime scene. Collection and preservation of physical evidence should include, as relevant to the case:

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- 3.4 Crimes Against Persons Section Follow-up Team
 - 3.4.1 Interview witnesses and suspects.
 - 3.4.2 Apply for search warrant(s), as needed.
 - 3.4.3 Continue investigation and prepare criminal case report.
 - 3.4.4 Attend autopsy if necessary and document/collect physical evidence.

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5 CRIMINAL CASE REPORT

- 5.1 The Crimes Against Persons investigation team shall complete a thorough criminal case report and submit it to the Greene County Prosecutor’s Office for review. (CALEA 82.2.1(a)) ²
 - 5.1.1 A copy of the case report shall also be given to the Inspections and Internal Affairs Unit.

6 LETHAL FORCE REVIEW PANEL ³

- 6.1 Upon completion of all criminal and administrative lethal force investigations and prosecutor review, the Chief of Police will hold a Lethal Force Review Panel.
- 6.2 The purpose of the panel shall be non-disciplinary in nature. It will review the lethal force incident and the department’s response with a focus on identifying aspects of policy, tactics, training, and involved equipment that worked well and/or could be improved.
- 6.3 The panel will consist of the Chief of Police, commanders from UOB and ISSB, the IIAU Sergeant (or representative), and anyone else appropriate as determined by the Chief of Police.
- 6.4 Convening of the panel will be documented in memorandum format.
- 6.5 Any changes to policy or training as a result of the panel’s review will be submitted through the affected Bureau’s chain of command or policy change order process.

7 INVESTIGATION OF OFFICER-INVOLVED INCIDENTS REQUESTED BY OTHER LAW ENFORCEMENT AGENCIES

- 7.1 Prior to acceptance of a request for investigation from another law enforcement agency, the Chief of Police will determine the precise nature, scope, and authority of the request.

² Section 5.1 revised, spelling and CALEA standard reference correction, per Policy Change Order 17-043.
³ Section 6 added ref. Lethal Force Review Panel, subsequent sections renumbered accordingly, per PCO 17-043.

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- 7.2 Request for "review" will involve a non-participatory assessment of the incident against commonly accepted practices and standards of criminal investigation.
- 7.3 Request to "investigate" will involve a complete, thorough, and active criminal investigation of the incident against standards presented in this policy. Standards will not be negotiated with agencies.
 - 7.3.1 Investigations will be conducted with the Crimes Against Persons Section staff as the lead and primary investigators. The agency must agree to subordinate administrative investigations to the criminal investigation or the Chief of Police will deny acceptance of the case.

8 NEWS MEDIA

- 8.1 Release of information.
 - 8.1.1 All investigative information pertinent to an officer-involved shooting or other use of force is protected from disclosure under the Sunshine Law (RSMo Chapter 610), as an open criminal investigation or as a personnel record.
 - 8.1.2 All releases of information must be approved by the Chief of Police or designee.

9 EMPLOYEE SUPPORT SERVICES

- 9.1 In cases where an employee uses force which causes death or life-threatening injury to another person, all employees directly involved in the incident will be required to undergo emotional debriefing with a qualified, department-furnished psychologist within five days of the incident, or as soon as practical.
 - 9.1.1 The purpose of this debriefing is to allow the officer to express his feelings and to deal with the moral, ethical, and/or psychological aftereffects of the incident.
 - 9.1.2 The psychologist will make a recommendation to the Chief of Police as to the employee's fitness for duty.
- 9.2 In cases where an employee uses lethal force, the involved employee(s) will have available to them the services of a police chaplain or a department-furnished psychologist.
 - 9.2.1 The purpose of this is to provide the officer with a source of professional consultation to aid them in dealing with the potential moral and ethical aftereffects of a lethal force incident.
 - 9.2.2 The services shall not be related to any department investigation of the incident and nothing discussed will be divulged to the department.
 - 9.2.3 The consultation sessions will remain protected by the privileged relationship.
 - 9.2.4 Counseling is also recommended for the spouse of the officer.

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- 9.2.4(b) The department will provide for transportation and counseling for the employee and spouse.
 - 9.2.5 The Chief of Police and the Director of Human Resources shall determine the duration of psychological services provided by the City.
 - 9.3 The Critical Incident Response Team will also be available to provide peer support and assist the involved officer(s).

- 10 **EXTRA-JURISDICTIONAL USE OF FORCE**
 - 10.1 Springfield officers who use lethal force outside of their jurisdiction shall immediately report the incident through their chain of command as provided in SOG 101.3 – Limits of Authority and [SOG 103.5 – Resistance Response](#).
 - 10.1.1 Unless unforeseen jurisdictional issues arise, the Chief of Police will request that a qualified agency with jurisdiction conduct the investigation.
 - 10.2 The Inspections and Internal Affairs supervisor shall conduct a standard use of lethal force investigation, coordinating with the appropriate law enforcement agency and ensuring compliance with Springfield Police Department policy.

- 11 **CIVIL RIGHTS INVESTIGATIONS**
 - 11.1 The Department will respect the rights of the federal government to conduct an independent investigation.
 - 11.2 The Department shall respect the right of the employee not to talk to federal investigators without advice of counsel.

- 12 **ADMINISTRATIVE LEAVE (CALEA 4.2.3)**
 - 12.1 Any employee directly involved in the use of any force which results in death or life threatening injury shall be placed on administrative leave. This leave shall be without the loss of pay or benefits, pending the results of the investigation. Assignment to administrative leave shall not be interpreted to imply that the employee has acted improperly.
 - 12.2 While on administrative leave, the employee shall remain available for official department interviews/statements regarding the incident and will be subject to recall to duty at any reasonable time. The employee shall not discuss the incident with anyone except prosecutors assigned to the case, personnel assigned to the investigation, the employee's private attorney, the employee's chosen clergy, the employee's immediate family, or members of the Critical Incident Response Team (CIRT).
 - 12.3 Upon returning to duty, the officer may be assigned to administrative duty for a period of time as deemed appropriate by the Chief of Police.

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IV Attachments