


<b>MELROSE POLICE DEPARTMENT</b>		Department Manual: <b>Policy No. 1.05</b>
<b>Post-Shooting Incident Procedures</b>		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.1.5, 1.1.6 a-d, 1.1.7, 1.1.8		<b>GENERAL ORDER</b> <b>1T-001</b>
Effective Date: <b>June 25, 2003</b>  Revised: September 24, 2018 December 09, 2021 January 19, 2024	Issuing Authority <i>Kevin Faller</i> <b>Kevin Faller</b> <b>Chief of Police</b>	

## I. GENERAL CONSIDERATIONS

Police officers are continuously confronted with situations requiring or resulting in the use of force. The degree of force used is dependent upon the facts surrounding the situation the officer's face. Only a reasonable and necessary amount of force may be used. The objective of the use of force is to maintain and/ or reestablish control over a situation.

## II. POLICY

It is the policy of the department that every incident where the use of force by an employee, sworn or otherwise, results in serious bodily harm or death shall require the department to immediately respond to the scene and conduct an investigation as outlined herein.

## III. DUTIES AND RESPONSIBILITIES

### *Officer in Charge*

The Officer in Charge should:

- Ensure medical attention is provided.
- Dispatch a Supervisor to the scene.
- Ensure that the Chief of Police is notified.
- Take control of the firearm or weapon used until the proper reports have been filed and a preliminary investigation has been completed. **NOTE:** This should be done in a discrete manner and out of the public's view.

## 1.05 Post Shooting Incident Procedure

- Notify the Middlesex County District Attorney's Office whenever the use of force results in the death of any person.
- Immediately remove the affected employee from all operational assignments.

### *Chief's Duties*

When the application of force by an employee of this Department results in death or serious physical injury, the Police Chief shall place the involved individual on paid administrative leave pending the completion of an investigation of the incident and administrative review. (S)he may also require any officer(s) involved in an incident resulting in the death or serious bodily injury of another to attend a psychological debriefing.

## **IV. PROCEDURE**

### *Handling of Officers at the Scene of Shooting Incident*

- 1) A supervisor shall be dispatched to the scene of the incident, and shall assume primary responsibility in caring for involved personnel.
- 2) The supervisor shall make appropriate arrangements for all necessary medical treatment.
- 3) During any period where the involved officer is required to remain on the scene, but has no immediate duties to fulfill, the officer should be taken to a quiet area away from the scene of the incident. A peer counselor or other supportive friend or officer should remain with the officer but should be advised not to discuss details of the incident.
- 4) The supervisor should arrange for the officers directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting.
- 5) Where possible, the supervisor shall briefly meet with the involved officers.
  - a) No caffeine or other stimulants or depressants should be given to the officers unless administered by medical personnel.
  - b) Only minimal, preliminary questions should be asked about the incident. The officers should be advised that a more detailed debriefing will be conducted later (but as soon as possible).
  - c) Any standard investigations that will occur concerning the incident should be discussed with the officers.
  - d) The officers should be advised that they may seek legal counsel.
  - e) The officers should be advised not to discuss the incident with anyone except a personal or agency attorney, union representative, or departmental investigator, until the conclusion of the preliminary investigation.

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- 6) The supervisor shall determine whether the circumstances of the incident require that the officer's duty weapon be taken for laboratory analysis. Where the duty weapon is taken, the supervisor shall:
  - a) Take custody of the officer's weapon in a discrete manner; and
  - b) Advise the officer that it will be returned or replaced at a later time, as appropriate.
- 7) Involved officers should notify their families about the incident as soon as possible. Where an officer is unable to do so, an agency official shall personally notify the officer's family, and arrange for their transportation to the hospital.
- 8) At all times, when at the scene of the incident, the supervisor should handle the officer and all involved personnel in a manner that acknowledges the stress caused by the incident.
  - a) Debriefings shall be held as soon as possible after the incident. The department shall ensure that there is a debriefer on call or on-duty at all times so that someone is available shortly after an incident.
  - b) Involved personnel shall be removed from patrol duties and placed on Administrative Leave pending evaluation but shall remain available for any necessary administrative investigations. [1.1.8](#)
  - c) All officers directly involved in the shooting incident shall be required to contact a department designated specialist for counseling and evaluation as soon as practical after the incident. Involved support personnel should also be encouraged to contact such specialists after a shooting incident. After the counseling sessions, the specialist shall advise the agency:
    1. Whether it would be in the officers' best interest to be placed on administrative leave or light duty, and for how long;
    2. Where the officers were relieved of their duty weapons after an incident, at what point they should be returned; and
    3. What will be the best continued course of counseling?
  - d) The department strongly encourages the families of the involved officers to take advantage of available counseling services.
  - e) Any department investigation of the incident shall be conducted as soon and as quickly as practical.
  - f) The department should brief other department members concerning the incident so that rumors are kept to a minimum.

## 1.05 Post Shooting Incident Procedure

- g) All personnel involved in a shooting incident should be advised that they are not permitted to speak with the media about the incident.

### ***V. Reporting Use of Force Incidents***

In any situation in which an officer is required to use force against another person, the officer shall contact a supervisor to come to the scene. If the circumstances make such action impractical, the supervisor must be contacted as soon as possible following the incident.

Any Officer who points a firearm at another person under any circumstances will notify their supervisor of the incident and complete a Use of Force Report Form and detailed police report/statement to document the event.

It is the responsibility of the immediate supervisor to make a thorough investigation of the incident, complete an Incident Report, and forward the investigative file to the Chief of Police.

If the immediate supervisor is directly involved in the incident, he/she shall complete all required reports and the Chief of Police or his/her designee shall conduct the preliminary investigation.

#### **1.1.7**

When an arresting officer strikes or injures a person, the officer will write a complete, detailed Incident Report and complete a Use of Force Report Form as soon as possible and forward it to his or her immediate supervisor. The statement must be completed within 48 hours of the Incident. Off-duty officers involved in use of force situations are subject to the same reporting procedures as on-duty officers. Off-duty officers will notify an on-duty supervisor.

### ***VI. Incidents Requiring an Internal Investigation***

The following are examples of situations where completion of an Internal Investigation Report may be required:

- a) When an officer discharges a firearm for other than training or recreational purposes.
- b) When the officer takes an action that results in, or is alleged to have resulted in, injury or death of another person.
- c) When an officer applies force through the use of lethal or less lethal weapons
- d) If an officer applies weaponless physical force at a level that requires medical attention, even if treatment is refused, or there is a claim of injury.
- e) When an officer applies physical force that involves striking or hitting another person.
- f) When an officer points a firearm at another person.

When an arrestee in custody is accidentally injured or claims to have been injured, or claims to be sick, the officer must immediately notify his supervisor.

Photographs will be taken of all subjects and officers involved. As many photographs as necessary will be taken to accurately depict the extent of injuries or disarray of the persons involved to include close-ups and full body photographs.

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A statement from arrestees and/or citizens will be included in the file. If the subject refused to give a statement, it will be noted in the narrative of the file. The investigative file must be forwarded through the chain of command.

### ***VII. Incident Review***

Pending an administrative review, an internal investigation may not be required if the following situations occur:

- a) A suspect sustains an injury that is not the result of a use of force or alleged use of force.
- b) A suspect injures himself while fleeing from the officer prior to being taken into custody.
- c) A suspect in custody sustains a minor injury not due to or caused by the officer's actions or intentionally inflicts injury to himself.
- d) A suspect complains of wrist and/or ankle soreness as a result of being restrained.
- e) An animal is destroyed for defensive purposes OR as a humanitarian measure because the animal is seriously injured or sick.

However, when one or more of the above situations does occur, a summary file including the following documentation is required:

- a) Completed Incident Report and any required supplemental reports.
- b) Completed Use of Force Report Form.
- c) A Supervisor will respond and ensure the scene is photographed.
- d) A Supervisor will attempt to obtain a statement from the suspect.
- e) A CAD report.
- f) Medical forms, if available.
- g) A Supervisor's written narrative detailing his/her findings concerning the Use of Force.

### ***VIII. Department Response to Use of Force***

All documentation will be forwarded through the Chain of Command as detailed in **4.14 Use of Force Reporting**.

An employee, whose actions or use of force results in a serious injury or death shall, at the direction of the Chief of Police, be placed on administrative leave with pay pending an administrative review of the incident. The administrative review will be conducted by a supervisor that was not involved in the incident under review.

The employee will remain on administrative leave/duty until such time that they have been cleared of any department-initiated proceedings and a contracted psychologist determines that the employee is able to return to regular duty.