

OFFICER INVOLVED CRITICAL INCIDENT PROTOCOL

Adopted: 2022



PLACER LAW ENFORCEMENT AGENCIES

Auburn Police Department



Placer County Sheriff's Office



California Parks and Recreation



Placer County Probation



California Highway Patrol – Auburn, Gold Run, Truckee



Rocklin Police Department



Lincoln Police Department



Roseville Police Department



Placer County District Attorney's Office



Table of Contents

FOREWARD	4
A. GENERAL POLICY STATEMENT	5
B. DEFINITIONS	5
1. <i>Officer Involved Critical Incident</i>	5
2. <i>Peace Officer and Custodial Officer</i>	6
3. <i>Venue Agency</i>	6
4. <i>Employing Agency</i>	6
5. <i>Lead Agency</i>	6
6. <i>Proximate Cause</i>	6
7. <i>Critical Incident Investigation Team (CIIT)</i>	6
C. INVESTIGATIVE RESPONSIBILITY.....	7
D. ROLE OF THE DISTRICT ATTORNEY.....	8
E. NOTIFICATIONS.....	8
F. SCENE PROCEDURES AND SECURITY PENDING ARRIVAL OF INVESTIGATORS	9
G. INCIDENT INVESTIGATION VS. ADMINISTRATIVE INVESTIGATION	10
H. INTERVIEWS WITH PEACE OFFICER AND CUSTODIAL OFFICER EMPLOYEES	11
I. INTOXICANT TESTING	12
J. AUTOPSY	13
K. MEDIA RELATIONS.....	13
L. ACCESS TO REPORTS AND EVIDENCE.....	15
M. TRAINING	15

FOREWARD

Investigations related to Officer-Involved Critical Incidents are complex due to their sensitive nature and the need for transparency. The public has a right to expect thorough, objective investigations related to these incidents. Agencies have a responsibility to respect the constitutional and statutory rights of involved officers while balancing the dynamic environment that these incidents bring about.

The potential social, civil, administrative and criminal consequences of officer-involved critical incidents are significant. When multiple agencies are involved, differences in policy, procedure, personnel, resources and interests may conflict, hamper or delay the investigative process.

This protocol has been developed to assist and guide individual agencies conducting investigations of officer-involved critical incidents within Placer County. The goal of this protocol is to help assure that such cases are fully and fairly investigated, and the proper dispositions of such cases are made based upon all the legally available and relevant evidence.

This document represents a consensus of Placer County Law Enforcement member agencies (PLEA) as to how such cases are to be investigated. Agencies represented should review their related policies and make every effort to avoid conflict with this protocol.

A. GENERAL POLICY STATEMENT

1. Investigations of officer-involved critical incidents will be conducted to develop all available relevant information about the incident. They will be performed in a manner that provides for a thorough investigation that is free of conflicts-of-interest. The goals of such investigations are to determine:
 - a. The existence or non-existence of a crime; if a crime does exist, determine:
 - i. The type and degree of the crime.
 - ii. Any legal or factual defenses to the crime.
 - iii. The existence of any factors which would mitigate or aggravate punishment for the criminal conduct.
 - b. The identity of the person(s) involved.
2. The investigation shall adhere to all legal requirements, orders, notifications, and follow appropriate evidence collection and processing standards. Any administrative investigation shall be performed by the involved officer(s) agency and be separate and from the critical incident investigation.
3. The investigation of each critical incident will commence as promptly and practicable after the occurrence.

B. DEFINITIONS

1. *Officer Involved Critical Incident*

An officer involved critical incident is any incident in which a peace officer or custodial officer, as defined in California Penal Code Sections 830 and 831, acting under the color of authority, is directly involved in any of the following:

- a. Discharge of a firearm that results in death or injury to another; whether intentional or unintentional.
- b. Intentional act which causes the death of another or causes such an injury that death is imminent.
- c. Use of force which is either intentional or unintentional and causes the death of another, or causes an injury such that death is imminent.
- d. Death of a person while in custody, or under the control of a peace officer or custodial officer. In custody post-booking deaths that do not involve suspicious circumstances or use of force may be reviewed in consultation with the Critical Incident Team.

**This protocol does not apply to post-booking deaths of prisoners occurring in jails, medical facilities, or hospitals when the prisoner is under the care of a medical provider for a diagnosed medical disorder, disease, or other condition.*

- e. Any other incident, which based upon the facts and circumstances known to the venue agency, requires an activation of this protocol.

2. *Peace Officer and Custodial Officer*

- a. Local law enforcement officers as defined by Penal Code, § 830.1 et seq. (e.g., Municipal Police, Sheriff, D.A. Investigators, Coroner Investigators). Welfare Fraud Investigators and Probation Officers as defined by Penal Code § 830.35
- b. Custodial Officers as defined by 831.5 PC (e.g. Sheriff Correctional Officers).
- c. State Officers (e.g. CHP, DOJ, Park Rangers, Parole Officers).
- d. Federal Law Enforcement Agents

3. *Venue Agency*

Agency(s) with geographic jurisdiction over the incident. The venue agency assumes primary responsibility for conducting the investigation.

4. *Employing Agency*

The agency which employs the involved officer(s).

5. *Lead Agency*

Agency not having geographic jurisdiction over critical incident, but to which the venue agency has relinquished the primary responsibilities of the criminal investigation.

6. *Proximate Cause*

A cause which, in a natural and continuous sequence, produces the injury.

7. *Critical Incident Investigation Team (CIIT)*

The CIIT consists of investigators from participating Placer County Law Enforcement Agencies, as well as an investigator and Supervising District Attorney Investigator from the Placer County District Attorney's Office. Members of the CIIT will be appointed by their agency's administration and will receive specialized training related to the investigation of officer involved critical incidents.

Agencies should provide investigators assigned to the CIIT response with appropriate training for the investigation of these incidents (e.g. POST ICI Homicide, POST OIS Investigations, etc). See Appendix A for suggested courses. The District Attorney's Office will lead quarterly

meetings consisting of training, debriefs, and or case law / statutory law updates for participating agencies and their investigators.

C. INVESTIGATIVE RESPONSIBILITY

1. The responsibility for conducting the incident investigation lies with the venue agency. The venue agency's assigned investigator will take the lead in the investigation with the assistance of the CIIT. The venue agency may voluntarily relinquish their lead to another PLEA agency, or to the Placer County District Attorney's Office upon mutual agreement (referred to after as the Lead Agency in such cases).
 - a. Scene: Once the scene is safe, initial officers shall make all reasonable efforts to preserve and secure the scene, pending the arrival of the CIIT and representatives from the venue agency's investigative team.
 - i. The venue agency and the CIIT should work with the assigned evidence team to identify evidence to be collected. All evidence collection shall be documented, to include the manner in which it was collected and location where it will be stored.
 - ii. Prior to final release of the scene, members of the CIIT and the venue agency, should conduct a final examination of the scene to assure all evidence has been collected.
 - iii. The venue agency may request the California Department of Justice (DOJ), or the crime scene unit of another agency, for assistance with evidence collection. In the event that an agency other than the venue agency is responsible for evidence collection, it is the responsibility of the venue agency to collect supplementary reports and evidence documentation to attach to the final report.
 - b. In incidents requiring investigators with specific expertise, another agency or outside resource may be requested to provide assistance. In incidents that require specialty testing and/or processing, outside agency or private testing/analysis may be used.
 - c. In instances where multiple agencies write supplemental reports documenting investigative steps, interviews, procedures, etc., it shall be the responsibility of the venue agency, or lead agency, to collect supplemental reports and assure their inclusion in the final investigative report. The venue agency, or lead agency, shall be considered the primary record holder for purposes of report and records requests.

- i. In the event the venue agency, or lead agency, receives a lawful request for records relating to the critical investigation they should communicate it to all CIIT agencies prior to the release of any information. (832.7 PC)
 - ii. Agencies involved in the incident or the investigation that receive a lawful request for recordings of a critical incident pursuant to state or local statute should communicate the request to all involved agencies (venue agency, employing agency, etc.) prior to the release of the information, in order to ensure that release does not substantially interfere with the investigation. Releasing of department produced recordings (e.g. body worn cameras, in car cameras, etc.) is the duty of the employing agency. Agencies will not be considered the custodian of record for any other agency's body worn camera. (6254 GC)
 - d. In instances where it is determined by the venue agency that the entire CIIT is not needed for investigation, the venue agency may request a limited call out of the CIIT. The response will be determined by the venue agency and the Supervising District Attorney Investigator assigned to the CIIT.
2. It is the responsibility of the venue agency to notify the California Department of Justice for qualifying events pursuant to Government Code §12525.3

D. ROLE OF THE DISTRICT ATTORNEY

1. The District Attorney has the following roles in an incident investigation:
 - a. Assist and advise the incident investigators on the various legal issues that may arise, including search and seizure, Miranda, identification procedures, arrests, and elements of crimes.
 - b. Assign a minimum of two District Attorney Investigators (DAI), one of which is a supervising DAI, acting in their capacity as members of the CIIT.
 - c. Following the completion of the criminal investigation, analyze the facts, evidence and relevant law to determine if any criminal statutes were violated. If so, prosecute as appropriate.
 - d. The District Attorney has their own separate investigative authority per California Statute. When deemed appropriate by the District Attorney, the District Attorney's Office may perform an investigation separate from the Task Force. In those events, DAIs assigned to the CIIT shall not participate in the separate investigation.

E. NOTIFICATIONS

1. Upon identifying a qualifying event the venue agency shall make the following notifications as promptly as possible:
 - a. Intra-department, as required by that agency's procedures;
 - b. Employing agency (If different from the venue agency);
 - c. District Attorney's on-call investigator (via PCSO Dispatch);
 - d. California Department of Justice for qualifying events pursuant to Government Code §12525.3
 - e. The Coroner's Office, upon confirmation of a fatality.

F. SCENE PROCEDURES AND SECURITY PENDING ARRIVAL OF INVESTIGATORS

1. Emergency life saving measures have the first priority. If a person is transported to a medical facility with injuries, an officer should accompany that person in the same vehicle for the following purposes:
 - a. Preserve, safeguard and maintain the chain of evidence.
 - b. Obtain a dying declaration if appropriate.
 - c. Witness and document any spontaneous statements made to medical staff.
 - d. Maintain custody if the person is under arrest, ensuring the preservation of his/her clothing and possessions.
 - e. Provide information to, and receive information from, medical personnel. (If airlifted, immediate response to hospital is required)
2. Pending arrival of the venue agency investigators and CIIT investigators, the scene(s) should be secured immediately, with an inner and outer perimeter to safeguard evidence.
 - a. Access should be limited to only those who must enter for official reasons.
 - b. When not needed for life saving efforts, entry by fire and ambulance crew-members should also be limited to those whose presence is necessary.

- c. A log should be started as soon as possible and should record the identities of all persons entering the scene, the time of their entry and exit, and the reason for the entry of each.
3. Whenever possible, all witnesses and involved officers should be separated as soon as practical after the incident to ensure that statements and recollections of events are independent.
 - a. In cases of a death in a jail or detention facility, all persons, including prisoners, who may have witnessed events leading up to the death shall be identified and separated, if circumstances allow, pending interviews by investigators.
4. Ultimately, the venue agency has the responsibility for securing and processing the crime scene.
 - a. Evidence collection, witness coordination and general crime scene processing will be under the authority and follow the procedures of the venue agency.
 - b. Physical evidence at the scene which is in danger of being contaminated, destroyed or removed must be promptly and effectively observed, recorded and collected.
 - c. The venue agency, in conjunction with the CIIT and the employing agency, should coordinate the collection of an officer's firearm and ensure that a replacement weapon is exchanged at the time of collection.
5. The venue agency should conduct a briefing for responding investigators, evidence technicians, PIO staff, DOJ CaPSIT investigators, and any other relevant staff. The briefing should provide an overview of known facts, assigned roles, identify involved officers, and the case agent.

G. INCIDENT INVESTIGATION VS. ADMINISTRATIVE INVESTIGATION

1. This protocol is an interagency agreement to provide procedures and guidelines concerning the criminal investigation of officer involved critical incidents within Placer County. This protocol does not offer direction and is unrelated to any administrative investigation by the employing agency.
 - a. The administrative investigation is the function of the agency employing the involved officer and will include administrative and non-criminal matters that are not within the scope of the incident investigation.

- b. At the onset of the investigation of a critical incident, there must be an immediate and clearly defined distinction between the criminal investigation and the administrative investigation.
- c. The agency employing the involved officer, whether it is the venue agency or not, has an interest in the outcome of the incident investigation and may utilize the results of that investigation for its own non-criminal purposes (e.g., determination of possible violations of departmental regulations; establishing suitability for duty; training; for use in civil suits or administrative claims brought by or against the agency, etc.).

H. INTERVIEWS WITH PEACE OFFICER AND CUSTODIAL OFFICER EMPLOYEES

Interviews with Peace Officers and Custodial Officers

1. Interviews of intimately involved officers should take place within 72 hours of the incident. Scheduling of the interviews should provide sufficient sleep cycles to allow for recovery and to enhance recall. Generally, interviews will not be scheduled sooner than 48 hours following an incident.
2. The venue agency will conduct interviews with involved officer(s), custodial officer(s). It is the responsibility of the venue agency, or lead agency, to determine involved officers. Employing agencies will be responsible for separating involved officers, transporting involved officers from the scene of the incident, and providing peer or other support following a critical incident.
3. Interviews of the involved officers should be audio recorded. If an employing agency's policies prohibit the audio recording of the interview it should be documented in the lead investigators report.
4. During the interview there should be no more than two investigators conducting the interview. Other involved parties (e.g. internal affairs, representatives from the employing agency, CIIT investigators, DOJ CaPSIT) may monitor the interview in another room, via a live, unrecorded, feed when feasible. Investigators may elect to use a sample questionnaire to guide their questions (Refer to Appendix B for sample), but it is important to remember that no questionnaire can contain all the appropriate questions for these dynamic events.
5. In accordance with employing agency policy, involved officers and primary witness officers may review:
 - a. Video recordings which may have captured the events witnessed by the officer(s). Recordings include: In-Car Camera, Body Worn Camera, Taser Cameras, or any video recordings of the scene which captured the event from an angle the involved officer reasonably may have seen.

- b. Audio recordings which may have captured the events leading up to the incident including: dispatch recordings, audio recordings from an activated recording device which captured the events immediately prior to and during the incident.
 - c. Photographs and digital renderings of the scene.
 - i. *Prior to the review of any audio, video, photographs, etc., investigators should provide the involved officers with a written admonition regarding the viewing of video and audio evidence. **See Appendix C***
6. If prior to, or during the interview, it is deemed the officer may be charged with a criminal offense, and the interview becomes custodial, the involved officers shall be immediately informed of their constitutional rights pursuant to *Miranda v. Arizona* (1966) and §3303h GC.
7. Involved Officers will be allowed to have counsel present during the interview. The following should be considered when managing interactions during the interview:
- a. Counsel should be permitted to consult with only one involved officer at a time- if they represent more than one involved officer.
 - b. To ensure the integrity of each interview, it is important that statements about the incident not be relayed through representatives/counsel, rather the involved officers and witnesses should answer the questions directly even if they need to consult with counsel prior to answering.

I. INTOXICANT TESTING

1. If the incident investigators determine that a peace officer's state of sobriety is relevant to the Incident Investigation, they shall proceed as they would with any civilian person in a similar situation. Their options are to:
 - a. Obtain a blood sample for alcohol testing, and/or urine sample for drug testing, with the officer's valid consent;
 - b. Obtain the blood sample for alcohol testing, and/or urine sample for drug testing, pursuant to a search warrant.
2. In the event appropriate physiological samples are not obtained from a peace officer as part of the incident investigation, the employing agency (whether or not it is also the venue agency) may wish to obtain such sample(s) for administrative employment-related purposes.
3. If the employing agency asks for a physiological fluid sample for administrative purposes after the Incident Investigators have either been unable to obtain a sample or have

decided against obtaining one, the employing agency will be accommodated as much as possible. The employing agency's efforts to obtain a sample should not interfere with the incident investigation.

4. An involved officer may volunteer to provide a physiological fluid sample for intoxicant testing even if not requested/required by incident investigators and the employing agency. In cases where an involved officer volunteers to provide a physiological sample, investigators should consider requesting a secondary sample for independent testing. Similarly, a person from whom the incident investigators or the employing agency has taken a sample may wish to have a second sample taken for independent testing.

J. AUTOPSY

1. At least one of the venue agency's investigators shall attend the autopsy. One of the assigned CIIT District Attorney Investigators should also attend the autopsy. Representatives from employing agencies, and other involved law enforcement agencies may also be present.
2. The venue agency's evidence team has the responsibility for the collection and documentation of physical evidence at the autopsy, unless that responsibility has been relinquished to another agency.
3. The pathologist should receive a full and complete briefing prior to the post-mortem examination. The briefing should include all information known at that time which may be relevant to the establishment of the cause, manner and means of decedent's death.
4. The venue agency's investigator(s), District Attorney Investigator and a member of the evidence collection team should be present at the briefing.

K. MEDIA RELATIONS

1. Officer Involved Critical Incidents may generate intense public interest and media inquiries. In releasing information, agencies must balance the public's right to know with the requirements of the investigation, the rights of the involved individuals, and if applicable, the right of an accused to receive a fair trial. The guidelines set forth within this protocol are not intended to impede a Sheriff or Chief from their responsibility to provide timely and relevant information to the community that they serve.
2. A representative from the venue agency is in the best position to comment about the facts of the case and the progress of the investigation. When multiple agencies are involved in the incident and/or the investigation, the following should be considered:
 - a. The venue agency should assign a specific individual to be the sole contact with the media. In instances where the venue agency has relinquished the

investigation to a lead agency, the venue agency is still in the best position to comment about the critical incident. Inquiries related to the investigation should be jointly addressed by the employing agency and the venue or lead agency.

- b. Members of the critical incident team should not provide any comment or statement to the media.
 - c. In cases involving officers from multiple employing agencies, media inquiries, agencies should communicate with the venue agency's media representative. Employing agencies and the venue agency should jointly address media issues, impacts and timelines for release of information to the media.
 - d. To encourage interagency cooperation and accurate release of information, it is recommended that all involved parties to an investigation be apprised, in advance, of any formal press release or press conference- via an email, or phone call, detailing the content of the proposed release, or content of the proposed press conference.
3. The Office of the District Attorney is not responsible for providing news media release information unless there is an inquiry relevant to the District Attorney's Statutory Authority. Once the District Attorney receives the completed investigation for filing consideration, press releases related to possible prosecution and investigative outcomes will be the responsibility of the District Attorney.
4. The Coroner's Office
 - a. Information obtained from the Critical Incident Team Investigators or from the involved agencies will not be released by the Coroner's Office without prior clearance from those agencies. Release of information will generally be limited to the following:
 - i. Autopsy findings, including the condition of the deceased, the cause of death, and toxicology test results, after the involved agencies have received this information.
 - ii. The identity of those present at the autopsy, including the identity and affiliation of the pathologist(s).
 - iii. The general nature of further medical testing or medical investigation to be done.
 - iv. Information obtained by Coroner's investigators directly from medical sources, the deceased's family members, or witnesses, except where prohibited by statute (56.10 Civil Code)

L. ACCESS TO REPORTS AND EVIDENCE

1. Material created or collected by the venue agency's incident investigators, as well as by any other assisting agencies and members of the CIIT, will be made available in a timely manner to those agencies which have a "need to know" and are legally authorized to receive the information. The material may include:
 - a. Reports written and collected.
 - b. Physical evidence obtained.
 - c. Photographs and diagrams.
 - d. Audio/video recordings.
2. Agencies that may "need to know" include:
 - a. Investigating agencies.
 - b. The employing agency of any involved peace officer.
 - c. The District Attorney.
 - d. The Crime Laboratory.
 - e. The Coroner's Office.

M. TRAINING

1. All affected agencies are strongly encouraged to provide training to their employees regarding this protocol, including:
 - a. The responsibilities of the critical incident investigators and first responders to the scene of an officer-involved fatal incident.
 - b. The investigative process of an involved-officer critical incident.
 - c. Attendance of CIIT members at quarterly trainings hosted by Placer County District Attorney
2. The employing agencies are further encouraged to develop additional guidelines that emphasize the well being of the involved officer(s), both during and after the investigation.



Appendix A

Sample Classes for Investigators participating in CIIT

- POST ICI Officer Involved Shootings
- POST ICI Homicide Investigations
- POST ICI Core – Investigations
- POST Catalog Use of Force and De-escalation – Online/CPT/AO versions available
- Implicit Bias and Racial Profiling – Online/CPT/AO versions available
- Quarterly trainings/reviews with CIIT
- Trainings provided by the Force Science Institute

**This is a sample list of suggested courses, no course is required, nor are additional courses relevant to the subject matter discouraged.*



Appendix B

Interview Guideline for Officer Involved Critical Incident Involved/Witness Officers

**This represents a general guideline for officer involved interviews. Each situation is dynamic and involves unique details. This is not a comprehensive list of questions, nor are any of these questions mandatory for an Officer Involved Critical Incident Interview.*

Introduction

- Begin Recording (If applicable)
- Note recording, date, time, location of the interview
- Introduce all parties present
- Confirm voluntariness of statement, that involved officer has not been ordered to provide statement
- When applicable, have you reviewed any audio, video, photographs, and/or reports regarding this incident prior to speaking today?
- Have you spoken to any other individuals about this incident besides counsel?

Background

- Officer's name, agency, badge number
- How long have you been in law enforcement?
- Did you attend a police academy? Which police academy did you attend?
- Employment at any other agencies? How long for each?
- What assignments have you worked? Currently, in the past?
- Have you worked in any Specialty units (Including Field Training Officer, Use of Force Instructor, SWAT, etc.)
- Have you acquired any specialized training or certifications outside of employment? (eg EMT, martial arts, etc.)
- Prior military experience?
- Have you attended crisis intervention training?
- Have you attended any formal training in de-escalation/tactical communication?

Personal Traits

- Are you right or left handed?
- Do you have any vision or hearing impairments? (Glasses)
- Did you have any ailments or injuries prior to the incident?

Pre-Incident - Personal

- Prior to the incident, when did you last sleep? How long did you sleep?
- Prior to the incident, when did you last eat? What did you last eat?
- Have you taken any medication in the 24 hours prior to this incident?
 - If yes, how much? When?
 - Is the medicine prescribed or OTC? How often do you take it?
 - Could you feel the effects of the medicine at the time of the incident?

Pre-Incident – Professional

- Prior to incident, when was your last work shift? What were the hours/ assignment?
- Anything out of the ordinary, or important to note, occur during this shift?

Day of Incident

- Day of Incident:
 - Shift scheduled to work
 - Assignment/ beat / sector / assigned area for shift
 - Time arrived at work
 - Time shift started
- How did you prepare for your shift? Describe the start of your shift.
- How did you feel (mentally physically) at the beginning of your shift?
- Were you in an assigned vehicle? Describe your vehicle, markings, numbers, etc.
- Did you have a partner working with you?
- Call sign for the day
- Assigned supervisor for the day?
- Describe your uniform of the day, starting from the outside in (jacket, coat, exterior vest, etc.)
Markings, badge placement, etc.
- Please list all equipment you had on your person:
 - *Firearm (manufacturer, caliber) Radio*
 - *OC Spray*
 - *Taser*
 - *BWC (Activated?)*
 - *Handcuffs*
 - *Magazines*
 - *Baton*
 - *Flashlight*
 - *Tourniquet*
 - *Knife*
 - *Other?*
- *If applicable:*
 - *Firearm*

- Make and model of firearm (Duty weapon, backup firearm, assigned rifle, etc.)
- *How many rounds were loaded, including in the chamber*
- *When did you last qualify?*
- *Has firearm been modified in any way?*
- Taser:
 - *Make and Model*
 - *How many cartridges?*
 - *When did you last train with it?*
- Other less lethal:
 - *When did you last train/qualify with it/them?*

Incident

- Prior to the incident, describe the nature of any calls for service.
- Describe the first notification of the event.
- Describe any CAD, or audio communications you received or heard.
- Have you had prior contacts with this individual? Please describe if yes.
- Have you had prior responses to this address/location for any other calls for service or contacts?
- Do you recall any previous bulletins, alerts, department notifications, or other information received about this person and/or location?
- If applicable: What route did you take when responding?
 - While responding, describe any additional information/details received or heard.
 - Describe any radio traffic, or details read on your MDT
- Who and what did you see when you first arrived?
 - Describe lighting, location, and what you first observed.

Now, using your own words please provide a complete and detailed account of everything that happened from the beginning to the end. Interviewers will do their best not to interrupt you, but your counsel may any time they deem it necessary.

Follow Up Questions

**Many of these questions may be answered in the involved/witness officer's original narrative, or may not be applicable to the situation. It is important to note that these questions provide additional follow up information that may or may not be relevant to the incident*

- What attempts were made to de-escalate the situation?
- How did the involved subject respond to attempts to de-escalate?
- Did it appear the subject knew you were a peace officer? (If yes, describe why)
- Did you identify yourself as a peace officer?
- How did you feel during incident? Describe your mindset during the incident.
- Were you injured during the incident? Photographed?

- Was your uniform/equipment damaged during the incident? Photographed? Collected?
- Was there anything about the topography of the location that is important to note?
- Do you recall any other individuals (witnesses, family members, bystanders, etc) in the immediate area?
- Was medical aid rendered to the subject during the incident? By who (if EMS who called in)?
- Is there anything else about this incident that you would like interviewers to know, other than what we have previously discussed?
- Do you have any questions for us?
- Allow counsel opportunity for follow up questions.
- Orally note the time for the ending of the interview



Appendix C

Sample Admonition for Audio/Video Evidence

In this case, there is video evidence that you will have an opportunity to view prior to providing your statement. Video evidence has limitations and may depict the events differently than you recall and may not depict any or all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The “frame rate” of video may limit the camera’s ability to capture movements normally seen by the human eye. Videos are a two-dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. Remember, the video evidence is intended to assist your memory and ensure that your statement explains your state of mind at the time of the incident. You should not feel in any way compelled or obligated to explain any difference between what you remember and acted upon and what viewing the additional evidence provides you. If listening to audio recordings or viewing video recordings provides additional clarity to what you remember, that is fine; if it doesn’t, that is fine too.