
	Florida State University Police Department	
On-Duty Officer Involved Shooting		
Revision Effective Date: 09/01/17	General Order 605	Attachments: None
Rescinds/Amends: 04D (10/26/16), 14-04D	Distribution: Sworn Officers	CFA Reference: 15.15
	Pages: 6	

Policy - On Duty Officer Involved Shooting

Officers of Florida State University Police Department may become involved in a deadly force incident while on duty. In order to prepare officers for the administrative review that follows a critical event such as an officer involved shooting, it shall be the policy of this Department to prepare officers with an understanding of what is expected from them and what they should expect from the Department.

A. Investigation of Deadly Force Incidents – Officer Responsibilities

Whenever a sworn member uses force likely to cause death or great bodily harm in the performance of a legitimate law enforcement duty, the following protocol will be initiated and followed through the course of the investigation.

1. The officer employing deadly force will remain at the scene of the incident until the arrival of a supervisor, unless the officer requires emergency medical care.
2. The officer will answer a limited number of questions from the Supervisor on scene of a Deadly Force Incident as outlined in Section K of this General Order.
3. The officer will not make any statements or discuss the incident with any other department personnel, including command officers, until the officer speaks with legal counsel.
4. The officer will relinquish the firearm(s) used in the process of employing deadly force when directed by the Deputy Chief or designee and when safe to do so. Until such time it shall be safely retained for evidence.
5. The officer employing deadly force may be transported to a hospital for a medical examination or examined at the scene by Emergency Medical Service (EMS). In the event the officer involved shooting occurred while the officer is in an off-duty status, the officer may be ordered to submit to a blood and/or urine sample for analysis. In some cases it may be necessary to submit such a sample as part of the Administrative investigation. The officer may refer to his/her legal counselor about this issue.
6. An officer witnessing the employment of deadly force, or participating in the event, may be directed to follow these procedures by the on scene supervisor, as determined by the level of their involvement.

B. Investigation of Deadly Force Incidents – Supervisor Responsibilities

1. The supervisor will immediately respond to the scene of the incident and:
 - a. Establish incident command, using the ICS, and secure the area to prevent contamination of the incident scene.
 - b. Secure the scene including any evidence and witnesses to the suspect's and/or officer's actions. The officer's firearm will not be removed from the officer until safe to do so and directed by the Deputy Chief or designee.
 - c. Notify the Chief and Deputy Chief of the application of deadly force.
 - d. Instruct and question the officer employing deadly force according to the guidelines of this policy as outlined in section K on this General Order - "Acquiring Limited Information for public Safety Concerns" protocol. Unless the supervisor determines clarification of an officer's response to the questions is necessary, the supervisor will not ask the officer additional questions.
 - e. Arrange for the notification of the officer's immediate family.
 - f. Assign an officer not directly involved in the incident to remain with the involved officer until relieved. If there are multiple involved officers, they shall be separated and assigned accompanying officers.
 - g. Maintain an incident log.
 - h. Conduct a preliminary field investigation to assist the Investigative Section, the State Attorney's Office, the Florida Department of Law Enforcement or other investigating agency.
 - i. Assist the investigative teams at the scene.
 - j. Ensure the documentation of the precipitating event leading to an officer's use of force is completed by an officer (or supervisor) not directly responsible for the use of force action.
 - k. Submit a supplemental report detailing his/her actions during the investigation of the incident.
 - l. Under circumstances where the safety of the involved officer(s) may be in jeopardy due to a hostile crowd, the on scene supervisor may authorize the removal of the involved officer(s) from the incident scene by the accompanying officers.
 - m. If the on duty supervisor is an involved officer in the shooting, the scene and duties will be relinquished to the first responding personnel of equal or higher rank.
2. The supervisor will ensure the officer employing deadly force is transported to a hospital for a medical evaluation if applicable.
3. Replacement of the firearm - The Support Services Captain or designee shall coordinate the replacement of the officer's firearm as soon as practical. An officer who receives a replacement firearm shall successfully qualify with the firearm prior to returning to active duty.

C. Investigation of Deadly Force Incidents – Pre-Statement Procedures

1. Obtaining a complete statement from an officer involved in a deadly force incident is essential to determining whether the officer responded appropriately to a threat. The department recognizes scientific studies concluding how physiological responses in the body during a traumatic event lead to immediate recall issues, the effects of trauma on event recall, and the benefits of sleep to improving memory of a traumatic event.
 - a. As a result, officers involved in a deadly force incident will not be interviewed until after experiencing a minimum of 2 sleep cycles. Officers may be interviewed sooner than 2 sleep cycles if the officer's legal counsel determines the officer could provide a complete statement.
 - b. Officers will not discuss the deadly force incident with anyone other than their legal counsel or licensed mental health professional prior to making any statements.

D. Investigation of Deadly Force Incidents – Administrative Investigation

1. The Deputy Chief or designee will assign the appropriate personnel to conduct an administrative investigation of the incident.
2. The Chief of Police may direct any officers involved in a deadly force incident to provide a statement during an administrative investigation into the use of deadly force.

E. Investigation of Officer's Use of Deadly Force Incidents

1. The Deputy Chief or designee will make the following notifications and request an independent investigation of the officer's use of deadly force as well as an investigation into the offender's criminal activity.
 - a. Florida Department of Law Enforcement
 - b. State Attorney's Office
 - c. Other Law Enforcement Agency as deemed appropriate
2. The Deputy Chief or designee will serve as the department's liaison with the Florida Department of Law Enforcement, State Attorney's Office or other investigating agency.
3. The Deputy Chief or designee will assign an investigator to assist the external agency with criminal investigation of the offender(s), if such an investigation is necessary.
4. No actions shall be taken by any member of the department to interfere with the investigation conducted by an outside agency.

F. Administrative Leave of Absence and Administrative Duty

The assignment of an officer to an administrative leave of absence or administrative duty after a deadly force incident is made in the best interests of the officer to allow for counseling, statement preparation, and availability during the investigative process. In addition, an officer's administrative leave of absence or administrative duty serves the agency during the investigative process. An assignment to an administrative leave of

absence or administrative duty is not to be interpreted to imply or indicate the officer acted improperly.

1. The Chief of Police will place any officer involved in a deadly force incident resulting in death or great bodily harm on an administrative leave of absence. Absence while on administrative leave will be without loss of pay or benefits pending the result of the investigative process.
2. An officer assigned to administrative leave of absence will:
 - a. Remain available for official department interviews and statements regarding the application of deadly force.
 - b. Refrain from public discussion of the incident.
 - c. Be subject to recall for duty at any time by the Chief of Police.
3. An officer assigned to administrative duty will:
 - a. Refrain from the routine exercise of police arrest and intervention powers.
 - b. Retain responsibility for compliance with all laws and departmental rules, regulations, and directives except those which he has been specifically exempted by this order.

G. Trauma Counseling

Officers involved in deadly force incidents may experience mental or emotional strain resultant of the incident. Trauma counseling services will be provided to an officer involved in a deadly force incident resulting in death or significant injury to another person or significant injury to the officer.

1. An officer involved in a deadly force incident will attend a trauma counseling session with a psychologist or psychiatrist selected by the Chief of Police. The initial counseling session will be as soon as practical after the event, preferably within twenty-four hours of the incident.
2. The department recognizes symptoms of post-traumatic stress may not become apparent until sometime after a traumatic incident. An officer involved in a deadly force incident will complete trauma counseling at 6 and 12 months after the incident with the psychologist or psychiatrist selected by the Chief of Police. The Operations Lieutenant will coordinate appointments and verify attendance.
3. The department will pay for trauma counseling services for a minimum of 12 months. The department will incur expenses past the 12 months as needed and approved by the Chief of Police.
4. The psychologist or psychiatrist conducting the trauma counseling will only be required to make recommendations to the Chief of Police pertaining to the officer's duty status, assignment, or the need for further counseling.

H. **Fitness for Duty Evaluation**

The Chief of Police may direct an officer involved in a deadly force incident for a fitness for duty evaluation if circumstances warrant.

I. **Public and Media Liaison; Public Commentary by Department Personnel**

1. The Deputy Chief, as the primary Public Information Officer, or in his absence, other designated Public Information Officer, will respond to the scene, if necessary. The Public Information Officer will staff the media command post, if one is established.
2. The assigned Public Information Officer will prepare all press releases for review by the Chief or Deputy Chief.
3. Department personnel will not discuss the facts of the case nor the condition of the officer(s) or suspect(s) involved in the case with members of the public or the media without authorization of the Chief of Police.

J. **Reviewing Use of Force Incidents**

1. Upon conclusion of the external and administrative investigations and receipt of the Response to Resistance Form and all police reports related to the use of force by a member of this department, the Deputy Chief or designee will complete a thorough review of the facts and circumstances of the case to determine if the use of force complied with department policy and law. The review will be completed by utilizing the facts and circumstances as known to the officer at the time he/she decided to employ force; and not including information the officer should have known or became apparent after the use of force.
2. After the review, the Deputy Chief or designee will forward a written recommendation to the Chief of Police on whether the officer used appropriate force against the resistance encountered.
3. The Chief of Police will make the final determination of the appropriateness of the force. A determination of non-compliance with policy and/or law will be referred to an Administrative process.
4. The Support Services Captain and Training Coordinator will review all use of force case reports for the purpose of identifying remedial training concerns, trends, and compliance with current training practices.

K. **Acquiring Limited Information for Public Safety Concerns**

Inform the Officer, we are required by policy to complete a public safety statement. Due to the immediate need to take action, you do not have the right to wait for legal or union representation before answering these limited questions.

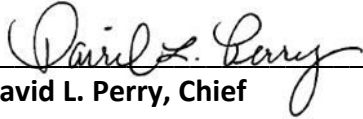
1. Are you injured?
2. If you know of anyone who was injured, what is his or her location?

3. In what direction did you fire your weapon(s)?
4. If any suspects are at large, what are their descriptions?
5. What was their direction and mode of travel?
6. How long ago did they flee?
7. For what crimes are they wanted?
8. With what weapons are they armed?
9. Does any evidence need to be preserved?
10. Where is it located?
11. Did you observe any witness(s)?
12. Where are they?

Inform Officer, in order to preserve the integrity of your statement, I order you not to discuss this incident with anyone, including other supervisors or staff officers. You are directed to speak to your legal representative prior to making any further statements regarding this incident.

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MTC 8/27/17	Filed: General Order 605
Title: On-Duty Officer Involved Shooting	
Approved: 	_____
David L. Perry, Chief	
Date: 08/27/17	_____