

SANTA ANA POLICE DEPARTMENT

OFFICER INVOLVED SHOOTING/IN-CUSTODY DEATH INVESTIGATION PROTOCOL

The purpose of this protocol is to conduct complete, thorough and defensibly objective investigations.

Multi-Jurisdictional Response Three Independent Parallel Investigations

SAPD HOMICIDE SECTION

- Investigates possible criminal conduct committed by person(s) involved in the incident prior to, during, or at immediately after OIS/In-Custody Death.
- Submits case to OCDA to file criminal charges against suspect.

FIELD OPERATIONS

- · Renders crime scene safe
- Facilitates medical care
- Cordons off area to preserve and identifies witnesses, victims and suspects

WATCH COMMANDER **NOTIFIES**

- Detective Sergeant of Crimes Against Person Division
- Homicide Section
- Commander Internal Affairs Division
- OCDA Special Assignment Unit
- SAPD Legal Advisor

*Involved Officer placed on administrative leave as per department policy.

** Peace officers are afforded POBRA rights (Gov. Code Section 3303 et.seq.). Officers may refuse to provide voluntary statement about the OIS but can be compelled by Internal Affairs inspectors to provide a statement that can be used for the internal administrative investigation and will not be admissible in court during a criminal investigation.

PIO

• Provides public information thru media outlets.

SAPD CRIME SCENE INVESTIGATION UNIT

Respond to photograph the scene

SAPD LEGAL ADVISOR/CAO OFFICE

Responds to scene to evaluate civil liability

SAPD & OCDA INVESTIGATORS

- Identify crime scene
- Interview all available witnesses
- View surveillance & BWC footage
- Canvass crime scene for evidence
- Collect firearms of involved officers for ballistic analysis

OFFICER INVOLVED SHOOTING/IN-CUSTODY **DEATH***

Orange County District Attorney's Office (OCDA)

SPECIAL ASSIGNMENT UNIT

 Investigates potential criminal culpability of SAPD personnel involved in OIS/In-Custody Death

OC CRIME/FORENSICS LAB

- Identifies, preserves and collects evidence at the scene
- Tests fired weapons involved to ensure functionality

Renders conclusion regarding criminal culpability of involved officer.

Files criminal charges against involved officer(s) Declines to file criminal charges against involved officer(s)

SAPD INTERNAL AFFAIRS DIVISION

- Investigates the involved officer's compliance with policy and procedure
- Responds to the scene to prepare for administrative investigation and interviews of involved officer(s)
- Prepares Administrative Report documenting facts of case and information provided during involved officer(s) compelled statement**
- Administrative report forwarded to Chief to convene Shooting Review Board

SHOOTING REVIEW BOARD

- Reviews OIS/In-Custody Death facts and circumstances.
- Makes recommendations to Chief whether involved officer complied with policy.
- Makes recommendations regarding department functions or personnel leading up to OIS/In-Custody Death.
- Does not make any findings regarding criminal culpability.
- Chief makes final determination whether involved officer complied with department policy and when appropriate, imposes discipline.