



# OAKLAND COUNTY SHERIFF'S OFFICE

## Policies and Procedures

	<b>NUMBER</b> 331	<b>DATE</b> December 15, 2017
<b>SUBJECT:</b>	<b>RESPONDING TO DEADLY FORCE INCIDENTS</b>	<b>DISTRIBUTION</b> M. – All Sworn Personnel
<b>REFERENCE:</b>	Rescinds & Replaces P & P 214, dated September 26, 2007, P & P 230, dated August 12, 2010 and Rules and Regulations 174, 175, and 176.	

### PURPOSE

The purpose is to provide deputies with policy and procedures for responding to, reporting, and investigating incidents involving the use of deadly force.

### POLICY

It is the policy of the Oakland County Sheriff's Office to respond to, report, and investigate all incidents involving the use of deadly force.

### DEFINITIONS

#### **DEADLY FORCE:**

Any deputy-involved use of force that creates a substantial risk of death or great bodily harm.

### PROCEDURES

#### 1.0 **Individual Responsibilities for an Incident Involving the Use of Deadly Force**

##### 1.1 The deputy involved shall:

- a. Immediately notify the Operations Center of the incident and request additional units.
- b. Immediately report the use of deadly force to their immediate supervisor, or if not available, the Operations Sergeant.
- c. Request medical attention.
- d. Secure the scene.
- e. Provide medical attention.

1.2 **Public Safety Questions**

Deputies involved in the use of deadly force shall answer the following public safety questions, to ensuring the safety of responding deputies and the public:

- a. Are you injured or is anyone else injured?
- b. If you know of anyone who is injured, what is their location?
- c. What was the direction of shots that were fired?
- d. In what direction did you fire your weapon(s)?
- e. If any suspects are at large, what are their descriptions?
- f. What was their direction of travel?
- g. How long ago did they flee?
- h. For what crimes are they wanted?
- i. With what weapons are they armed?
- j. Is anyone under arrest and what is the charge?
- k. Does any evidence need to be preserved?
  - i. Where is it located?
- l. Did you observe any witnesses?
  - i. Where are they?

1.3 The back-up deputy involved shall:

- a. Secure the scene.
- b. Provide medical attention.
- c. Obtain the names and personal information of all potential witnesses.

1.4 The responding supervisor shall:

- a. Immediately report all deadly force incidents, except incidents involving animals, to the Division Commander via the chain of command.

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- b. Respond to the scene immediately and ask the Public Safety Questions.
- c. Determine if the deputy involved is injured and, if necessary, seek appropriate medical treatment.
- d. Notify the Operations Sergeant (if applicable) and Division Captain or Duty Captain.
- e. Have the deputy involved escorted to the substation or medical facility, as appropriate, to remove them from the scene.

1.5 The Division Captain or Duty Captain shall:

- a. Respond to the scene.
- b. Request the Special Investigations Unit to respond.

2.0 **Investigating Use of Deadly Force**

2.1 The Special Investigations Unit will be responsible for the investigation of all deputy involved deadly force incidents.

2.2 The Special Investigations Unit Lieutenant or designee will respond to all deputy involved deadly force incidents and act as a liaison between the detectives and Command staff. The Special Investigations Unit Lieutenant will keep the Division Captain fully informed as to the progress of the investigation.

2.3 The Special Investigations Unit detective(s), as part of a fact-finding mission, will conduct pre-interviews of witnesses and deputies at the scene.

2.4 The Forensic Science Lab supervisor and crime scene investigators will be responsible for ensuring that the location where the use of deadly force occurred is properly and thoroughly processed.

2.5 If a death is involved, the Medical Examiner will be notified by the Special Investigation Unit.

2.6 The deputy involved shall be placed on administrative leave, without loss of pay or benefits, until further notified by the Division Commander.

- a. While on administrative leave, the deputy involved may be required to report for duty to participate in the investigative process.
  - i. Generally, the interview will be scheduled no sooner than 72 hours after the incident to allow for three full sleep cycles.

- b. In the event of a criminal investigation, the deputy involved is afforded the same rights as all citizens under the law.

2.7 The Duty Captain or the Division Commander shall:

- a. Make the appropriate administrative assignment for the involved deputy.
- b. Immediately report all deadly force incidents, except incidents involving animals, to the Sheriff via the chain of command.
- c. Ensure that the Sheriff's Office psychologist or designee evaluates the involved personnel prior to full duty assignment.

3.0 **Deputy Serious Injury/Line of Duty Death**

3.1 The Division or Duty Captain will assign personnel to go to the next of kin's residence to notify him or her of the involved deputy's condition and to transport him or her, if the next of kin so desires, to the medical facility where the deputy involved is located.

3.2 The Division or Duty Captain or his or her designee will notify the on-duty Sheriff's Office chaplain to respond to the family's location.

4.0 **Use of Deadly Force Review Board**

4.1 After the investigation has been completed the Use of Deadly Force Review Board shall convene to review any incident where deadly force was used. The Use of Deadly Force Review Board shall not interfere with any criminal investigation conducted by the Special Investigations Unit or Prosecutor's Office.

4.2 The Use of Deadly Force Review Board shall consist of:

- a. The Law Enforcement Services Major, or his designee, as the Chairperson.
- b. A Captain assigned by the Chairperson.
- c. The Training Unit Lieutenant.

4.3 The Use of Deadly Force Review Board will review each incident where deadly force was used.



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