

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 21

November 16, 2020

SUBJECT: OBTAINING A PUBLIC SAFETY STATEMENT – REVISED;
OFFICER’S PUBLIC SAFETY STATEMENT – CATEGORICAL USE
OF FORCE INCIDENTS; AND, FIELD OFFICER’S NOTEBOOK,
FORM 15.03.00 – REVISED

PURPOSE: This Order revises Department Manual Section 3/795, *Obtaining a Public Safety Statement*, and 4/245.02, *Officer’s Public Safety Statement – Categorical Use of Force Incidents*, in order to clarify when a public safety statement is required. This Order also revises the Verbatim Public Safety Statement (PSS) on the Field Officer’s Notebook, Form 15.03.00, in order to be consistent with the revised Department Manual Sections.

PROCEDURE:

- I. OBTAINING A PUBLIC SAFETY STATEMENT – REVISED.** Attached is the revised Department Manual Section 3/795, *Obtaining a Public Safety Statement*, with the revisions indicated in italics.
- II. OFFICER’S PUBLIC SAFETY STATEMENT – REVISED.** Attached is the revised Department Manual Section 4/245.02, *Officer’s Public Safety Statement – Categorical Use of Force Incidents*, with the revisions indicated in italics.
- III. FIELD OFFICER’S NOTEBOOK – REVISED.** The Field Officer’s Notebook, Form 15.03.00, has been updated to be consistent with the revised Department Manual Sections.

FORM AVAILABILITY: The revised Field Officer’s Notebook will be available for ordering from the Distribution Center, Department of General Services, in approximately 90 days. In the interim, a copy of the PSS portion of the Field Officer’s Notebook has been attached for immediate use and duplication.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.


MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION “D”

**DEPARTMENT MANUAL
VOLUME III
Revised by Administrative Order No. 21, 2020**

795. OBTAINING A PUBLIC SAFETY STATEMENT. Following an *officer-involved shooting incident (OIS)*, and when appropriate for other categorical uses of force where information is necessary in order to quickly identify immediate public safety concerns, a public safety statement (PSS) shall be obtained individually from as many *substantially involved employees as necessary in order* for the supervisor to immediately determine:

- *The type of force used;*
- *The direction and approximate number of shots fired by the involved employee(s) and/or suspect(s);*
- *The location of each involved employee when he or she fired their weapon;*
- *The location of any injured persons, including those in need of medical attention;*
- *The description of outstanding suspect(s) and direction(s) of travel, the mode of travel, time elapsed since the suspect(s) was last seen, and any suspect weapon(s);*
- *The description and location of any known victims or witnesses;*
- *The description and location of any known evidence; and,*
- *The other information as necessary to ensure officer and public safety and/or assist in the apprehension of any outstanding suspect(s).*

Note: Officers and supervisors shall stop recording of their Body-Worn Video (BWV) and Digital In-Car Video (DICV) prior to asking for a PSS. Supervisors shall ensure that each officer gives his or her PSS separately and apart from any involved officers. In accordance with current Department procedures, an employee shall be allowed to view his or her own BWV and/or DICV video footage prior to being interviewed by Force Investigation Division (FID).

The supervisor shall separately and individually obtain a PSS from the substantially involved employees using language from the Verbatim Public Safety Statement, Form 15.03.00. After obtaining sufficient information, the supervisor shall continue to maintain the separation and monitoring of involved witness employees, and order them not to discuss the incident with anyone other than the assigned investigators and the employee's representative. The supervisor shall direct each involved/witness employee not to view any media coverage, recordings, or reports of the incident to include television, DICV, BWV, social media, or any video or audio from any source; or, to communicate information regarding the incident via email, phone, text, Mobile Data Computer or social media until authorized by the assigned Force Investigation Division (FID) investigator or representative.

Note: Supervisors involved in the separation, transportation, and monitoring of an involved/witness employee following an *OIS or other relevant Categorical Use of Force* incident, shall **not** discuss *the specifics of tactics used in the incident* with that employee.

Substantially Involved – Defined. The term “*substantially involved*” includes the employees(s) *applying force or who had a significant tactical or decision making role in the incident.*

**DEPARTMENT MANUAL
VOLUME IV
Revised by Administrative Order No. 21, 2020**

245.02 OFFICER'S PUBLIC SAFETY STATEMENT – CATEGORICAL USE OF FORCE INCIDENTS. Employees involved in an *officer-involved shooting incident (OIS)*, and when appropriate for other categorical uses of force where information is necessary in order to quickly identify immediate public safety concerns, shall provide a public safety statement to the first arriving supervisor *using language from the Verbatim Public Safety Statement, Form 15.03.00*. The statement shall include, but not be limited to the following:

- *The type of force used;*
- *The direction and approximate number of shots fired by the involved employee(s) and/or suspect(s);*
- *The location of each involved employee when he or she fired their weapon;*
- *The location of any injured persons, including those in need of medical attention;*
- *The description of outstanding suspect(s) and direction(s) of travel, the mode of travel, time elapsed since the suspect(s) was last seen, and any suspect weapon(s);*
- *The description and location of any known victims or witnesses;*
- *The description and location of any known evidence; and,*
- *The other information as necessary to ensure officer and public safety and/or assist in the apprehension of any outstanding suspects(s).*

Note: Officers shall stop recording of their Body-Worn Video (BWV) and Digital In-Car Video (DICV) prior to giving a PSS. Each officer shall give his or her PSS separately and apart from any involved officers. In accordance with current Department procedures, an employee shall be allowed to view his or her own BWV and/or DICV video prior to being interviewed by Force Investigation Division (FID).

Each substantially involved employee shall provide an individual PSS separately and apart from any involved employees.

After providing sufficient information, the employee shall remain separated from other involved/witness employees and shall not discuss the incident with anyone other than the assigned investigators and the employee's representative.

Each involved/witness employee shall be ordered not to view any media coverage, recordings, or reports of the incident to include television, DICV, BWV, social media, or any video or audio from any source; or, to communicate information regarding the incident via email, phone, text, Mobile Data Computer or social media until authorized by the assigned Force Investigation Division (FID) investigator or representative.

After providing sufficient information, the employee shall remain separated from other involved/witness employees and shall not discuss the incident with anyone other than the assigned investigators and the employee's representative.

Substantially Involved – Defined. The term “substantially involved” includes the employees(s) applying force or who had a significant tactical or decision making role in the incident.

Verbatim Public Safety Statement (PSS)

“Officer, I am ordering you to give me a Public Safety Statement. Due to the immediate need to take action, you do not have the right to wait for representation to answer these limited questions.”

Note: Officers and supervisors shall stop the recording of their Body-Worn Video (BWV) and Digital In-Car Video (DICV) prior to conducting a PSS. Supervisors shall ensure that each officer gives his or her individual PSS separately and apart from any involved officers. In accordance with current Department procedures, an employee shall be allowed to view his or her own BWV and/or DICV video prior to being interviewed by Force Investigation Division (FID).

- Were you involved in an officer-involved shooting or other *Categorical Use of Force*?
 - (If not an officer-involved shooting) What type of force was used?
- Approximately where were you when you used force?
- Is anyone injured? If so, where are they located?
- Are you aware of any witnesses, or victims? If so, what is their *description and* location?
- Are there any outstanding suspects? If so, what is their description, direction, and mode of travel? How long have they been gone? What crime(s) are they wanted for? What weapons, if any, are they armed with?
- Are there any weapons or evidence that need to be secured/protected? Where are they located?

Note: the following four bullets pertain to OIS:

- Approximately how many rounds did you fire and in what direction did you fire them?
 - Do you know if any other officers fired any rounds?
 - Is it possible the suspect fired rounds at you, and if yes, what direction were those rounds fired?
 - Approximately where were you when you fired the rounds?
- Is there any other information available that would ensure the safety of officers and the public, and/or assist in the apprehension of any outstanding suspect(s)?

After obtaining sufficient information, the supervisor shall continue to maintain the individual separation and monitoring of involved witness employees and order them not to discuss the incident with anyone other than the assigned investigators and the employee's representative. The supervisor shall direct each involved/witness employee not to view any media coverage, recordings, or reports of the incident to include television, DICV, BWV, social media, or any video or audio from any source; or, to communicate information regarding the incident via email, phone, text, Mobile Data Computer or social media until authorized by the assigned Force Investigation Division (FID) investigator or representative.

Additionally, supervisors should obtain the public safety statements of all substantially involved personnel before they are transported from the scene. The supervisor, absent exigent circumstances, shall remain at the scene to provide the Public Safety Statements to responding investigators. The information shall be provided, either voluntarily or with representation, to the investigators upon their request. *Supervisors responding to a Categorical Use of Force incident should also consider providing any critical officer and/or public safety information relative to the suspect(s) description or his or her actions to responding personnel.*

Officers/Supervisors shall refer to Department Manual Section 3/795, *Obtaining a Public Safety Statement*, for additional Public Safety Statement Procedures.

Substantially Involved – Defined. The term “substantially involved” includes the employees(s) applying force or who had a significant tactical or decision making role in the incident.