

RECEIVED

MAR 17 1997

OFFICE OF OPERATIONS

PLANNING AND RESEARCH
DIVISION

NOTICE NO. 11

March 11, 1997

TO: All Concerned Personnel, Office of Operations

FROM: Director, Office of Operations

SUBJECT: INVESTIGATIVE RESPONSIBILITY FOR LAW ENFORCEMENT
INFLUENCED INJURIES RESULTING IN HOSPITALIZATION

EFFECTIVE: Immediately

PURPOSE

This Notice transfers the investigative responsibility for all law enforcement related injuries by influence which result in a suspect being hospitalized, from the Law Enforcement Related Injury (LERI) Investigation Unit, Detective Headquarters Division (DHD), to the Area or Specialized Division of the involved officer(s).

NOTE: This Notice amends Office of Operations (O.O.) Notice No. 28, June 24, 1996, entitled, "Law Enforcement Related Injuries Use of Force Notifications."

INFORMATION

Currently, the LERI Investigation Unit, DHD, is responsible for investigating all law enforcement related injuries by influence and use of force incidents which result in the hospitalization of any suspect. In addition, the LERI Investigation Unit also investigates all officer-involved animal shootings and non-tactical accidental shootings without injuries. However, due to considerable workload problems and personnel shortages, the procedures for investigating officer-influenced injuries are being amended.

Investigative Responsibility for
Law Enforcement Influenced Injuries
Resulting in Hospitalization

Page 2

1.2.1

PROCEDURE

Effective immediately, the Area or Specialized Division of the involved officer(s) shall now be responsible for investigating all officer-influenced injuries (except traffic collisions which are handled by the concerned traffic division), which result in a suspect being hospitalized.

NOTE: An officer-influenced injury is classified as any law enforcement action that indirectly causes a suspect to be injured and admitted to a hospital for treatment or observation.

Example: Officers in foot pursuit of a suspect who falls and sustains an injury; or officers serve a search warrant and a suspect jumps out of a second story window to avoid arrest and sustains an injury.

Supervisor's Responsibility

All officer-influenced injuries shall be thoroughly investigated by a supervisor from the involved officer's Area or Specialized Division to ensure that Department policies and procedures were properly adhered to. Additionally, in accordance with existing policy, if training, personnel, or other Department-related issues arise during a supervisor's investigation of an officer-influenced injury incident, supervisors shall take the appropriate action and document the incident in the appropriate Department report (e.g., Employee's Comment Sheet, Employee's Report Form, Personnel Complaint Form, etc.).

If no unusual circumstances exist and the facts surrounding an officer-influenced incident are accurately documented in another report, such as an arrest and/or crime report, no other documentation may be necessary. However, in instances where no arrest/crime report, etc. is prepared which clearly documents the facts surrounding the officer-influenced injury, an Injury Report Form No. 3.15 shall be completed. Area watch commanders and Specialized Division supervisors shall be responsible for making the final determination regarding the need for additional reports.

Note: As outlined in O.O. Notice No. 37, 1995, confidential personnel issues such as training needs, duty performance, etc., are governed by California Penal Code Section 832.8. As a result, a supervisor's assessment of tactics, compliance with Department policy, etc. shall not be included in Injury Reports, supervisors' logs, etc.

Detective Headquarters Responsibilities

As outlined in Office of Operations Order No. 15, 1995, the LERI Investigation Unit, DHD, shall retain the following investigative responsibilities:

- * All officer-involved use of force injuries (except officer-involved shootings investigated by Robbery-Homicide Division) resulting in the suspect being hospitalized;
- * All officer-involved animal shootings; and
- * All officer-involved, non-tactical, accidental shootings without injuries.

NOTE: Department personnel are reminded that in accordance with Department Manual Section 4/210.28, Injury or Death Due to Police Action, "When any person dies, is seriously injured, or receives a gunshot wound due to action by a member of this Department, the officer involved shall...notify, or cause to be notified, the Watch Commander, DHD."

A Special Order is currently being drafted which will incorporate the appropriate changes into the Department Manual. Any questions concerning this Notice should be directed to the Officer-in-Charge, LERI Investigation Unit, Detective Headquarters Division, at (213) 893-8128.



BAYAN LEWIS, Assistant Chief
Director
Office of Operations

DISTRIBUTION "A"