

**Los Angeles Police Department
Officer Involved Incident Investigation
Expanded Course Outline
1850-22457**

Instructional Goal: Designed for law enforcement personnel assigned to investigate shootings and deadly force issues involving officers and some of the crucial items to consider during the investigation.

Day-1

I. OFFICER INVOLVED SHOOTING INVESTIGATIONS

0700-0800 (60 Min)

A. Introduction of Instructor

1. Current assignment, brief job description
2. Categorical Use of Force investigative experience
3. Teaching experience

B. LECTURETTE: Course Overview

1. Expectations of the students
 - a. Learn to recognize what constitutes a Use of Force (UOF)
 - b. Obtaining the Public Safety Statement
 - c. Learn to manage an Officer Involved Shooting (OIS) OIS/UOF scene and investigation
 - d. Having a plan and strategy before the interview to address the tactics, evidence, weapons deployed, and decisions made
 - e. How to manage interviews
 - f. How to document your findings
 - g. Learning to write the summary of an OIS/UOF Investigation Final Report
 - h. How to build the OIS/UOF Case Book
2. Understanding the bifurcated system for investigations
 - a. Student must understand the roles and the limitations of each investigative section
 - b. They will constantly be reminded of the limitations of each section and what information is available to the criminal section

1) The Criminal Investigation Section

(58,59)

- a) Responsibilities and role during the investigation
- b) How the criminal investigators gather their information

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- c) Liaison with Scientific Investigation Division
 - (1) Criminalist
 - (2) Photographer
- d) Liaison with the Justice System Integrity Division (JSID)
 - (1) District Attorney
 - (2) District Attorney Investigator

2) The Administrative Investigation Section (56)

- a) Responsibilities and role during the investigation
- b) How the Administrative Investigators gather their information
- c) Liaison with the Office of the Inspector General
- d) Liaison with Robbery Homicide Division's role at the scene
 - (1) **DISTRIBUTE:** RHD Protocol handout¹: Investigative Protocol for Assaults on Police Officers, August 22, 2007
 - (2) The role of Crimes Against a Police Officer Section (CAPOS) of the District Attorney's Office at scene

3. Employee rights: Los Angeles Police Protective League (60)

- a. Presentation
- b. Police Officer Bill of Rights
- c. Miranda Rights
- d. Compelled statements
- e. Voluntary statements

4. The Review processes

- a. Force Investigation Division
- b. Use of Force Review Board
- c. Office of the Inspector General
- d. Police Commission

¹ LAPD Robbery Homicide Div. Investigative Protocol for Assaults on Police Officers.

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C. *LEARNING ACTIVITY:* Student Introductions

Procedure: Large group activity

1. Students will share with the class the following:
 - a. Current assignment
 - b. OIS experience
 - c. UOF experience
2. Students will be asked to share their experiences related to any of the following roles:
 - a. Investigator
 - b. As an Incident Commander
 - c. First supervisor at scene
 - d. Percipient witness officer
 - e. Involved officer
3. Students will discuss the role they fulfilled, any challenges, and other thoughts
 - a. The staff will have this opportunity to listen to other agency procedures and policies related to OIS/UOF incidents during this exchange
 - b. The staff if appropriate, will offer minor comments related to what the students experienced and what this course can offer to deal with some of these experiences
4. CLOSING: Reinforce key learning points
 - a. The individuals in the class come from many different levels of experience
 - b. Everyone has much to offer to the group

II. RECOGNIZING A USE OF FORCE INCIDENT

0800-1600 (420 Min)

A. *LEARNING ACTIVITY:* Officer Involved Shooting Scenarios

Procedures: Small group activity

1. In this activity students will observe several scenarios and learn how to identify the following:
 - a. A categorical use of force incident is occurring and begin thinking about managing the scene

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- b. See how quickly witnesses and evidence can be lost or missed
 - c. Students will need to consider:
 - 1) Public safety
 - 2) The preservation of evidence
 - 3) Consent Decree mandates including separation and monitoring
 - 4) The required notifications and documentation
 - d. What a good public safety statement does for an investigation
 - e. How vital the first responding supervisor is to all of the above investigative concerns
2. The class will be divided into four groups. Each group will view the video from a different responder's viewpoints and their responsibilities
- a. Group 1 will view the video as a group of first responding supervisors they will be tasked with capturing their various responsibilities
 - b. Group 2 will view the video as the Department managers assessing the policies and procedures that apply
 - c. Group 3 will view the video as the Consent Decree to ensure all of the required mandates are addressed
 - d. Group 4 will view the video as members from FID, they will be asked to provide some general concerns and a basic strategy to manage the scene
3. The groups will share their findings with the class
4. The videos that will be shown:
- a. 77th Street OIS officer down (COPS)
 - A television crew follows an LAPD sergeant into an OIS Scene with an officer down. Watch and listen to how this first supervisor on scene begins to take charge
 - b. Hustler Casino shooting
 - An armed suspect is shot inside the Hustler Casino, imagine that you are a Force Investigator responding to this scene. Think about the involved employees, size of crime scene, witnesses, and evidence

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- c. Mexican Consulate shooting
 - This very dangerous hostage situation is developing before your eyes. As the responding Force Investigator what will you need to consider ensuring a thorough investigation is completed? Would you show the video to the involved officer?
 - d. Off duty officer Shooting
 - As a Force Investigator you will be responding to any on or off duty OIS prepare to discuss your role at his scene within the city limits and outside the city limits. What are your concerns for both scenarios and how will the crime scenes differ?
5. CLOSING: Reinforce key learning points
- a. It is vital that officers be constantly observing for possible crime scenes
 - b. When a crime occurs, and the scene is safe preserving evidence must be done quickly and efficiently

B. LECTURETTE: LAPD Use of Force Policy and Procedures

(117d)

1. What constitutes a Use of Force according to the Los Angeles Police Department?²
 - a. Los Angeles Police Department Use of Force criteria
 - b. Gray area incidents such as incidental strikes and carotid restraint control holds
 - c. Personnel complaints and allegations of excessive force
2. Los Angeles Police Department policies and procedures for: **(61)**
 - a. Obtaining a Public Safety Statement³
 - b. First responders
 - c. Percipient witnesses
 - d. Involved employees
 - e. Other witnesses
 - f. "Heard only" witnesses⁴

² Force Investigation Division - Established.

³ Obtaining a Public Safety Statement and Separating Officers Following a Categorical Use of Force Incident - Established, and OCOB, obtaining a Public Safety Statement Following an Officer-Involved Shooting Incident.

⁴CDB Notice, Procedures for Heard Only Department Witnesses.

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3. CLOSING: Reinforce key learning points **(80g)**
- a. The Los Angeles Police Department has very specific policies and procedures regarding Use of Force reporting
 - b. Obtaining a Public Safety Statement is vital and will protect the Department in the long term

Day-2

**III. LAPD PROCEDURES: MANAGING OIS/UOF SCENE, WALK THROUGHS, REENACTMENTS
0700-1100 (240 Min)**

A. LECTURE: Procedures for Managing an OIS/UOF Scene

1. **SHOW:** Crime Scene Management video
 - This video was produced by the TV and Sound Unit at the scene of an OIS. It shows how the Crime Scene Manager establishes the inner and outer perimeters and uses other resources to at the scene. It shows how the Crime Scene Manager works closely with SID during the investigation
2. It is vital to establish a large enough initial crime scene to encompass all potential sources of evidence
3. It is better to make the initial perimeter too large and make it smaller as the investigation progresses, in order to ensure nothing is lost
4. Establishing an Inner and Outer Perimeter: The difference between the two
 - The crime scene logs
 - 1) The Inner Crime Scene Log
 - 2) The Outer Crime Scene Log
5. Prepare to receive a Public Safety Statement
 - Interview the Public Safety Officer
6. After the crime scene is established all responding personnel must understand his/her responsibilities in regard to gathering intelligence and/or evidence
 - a. Establishing Scene Managers
 - 1) Officer in Charge of the scene: Responsibilities and duties
 - This Criminal Section detective will coordinate the documentation of the scene and the collection of evidence. The Crime Scene manager works hand in hand with SID

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- 2) Force Investigation Division: Responsibilities and duties
 - Administrative and Criminal Section detectives will restate their duties related to the investigation and discuss the compelled information they are able to receive
 - 3) Scientific Investigation Division: Responsibilities and duties
 - a) Firearms, photographers, latent prints and others from SID are responsible for the documentation of the scene and collection of evidence. They coordinate the movement through the scene and work hand in hand with the Criminal Section crime scene manager
 - b) CSI syndrome
 - A short discussion on the truth about the CSI syndrome and how to defend against it during times in the investigation
- b. Preparing for the walk through
- 1) Understanding the reason for a walk through and why the walk through is conducted in a specific order
 - a) Refresh memory
 - b) Establish positions
 - c) Locate evidence
 - d) Prepare for formal interview
 - 2) Equipment needed for a walk through
 - a) Placards
 - b) Photographs
 - c) Cones
 - (1) Positional perspectives
 - (2) Officers attire
 - (3) Injuries, uniform condition, leather gear
 - d) Magazine or cylinder count
 - e) Weapon exchange

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f) Less lethal weapons seizure and examination

7. CLOSING: Reinforce key learning points

- a. Establishing the personnel's duties quickly is important to not losing witnesses and evidence
- b. It is better to make a perimeter larger initially and reduce the size as the investigation progresses

B. LECTURETTE: Conducting Walk Through Investigations and Reenactments

- 1. Police officer rights⁵ **(60)**
 - a. Compelled statements versus voluntary statements
 - b. Garrity explanation
 - c. Legal representation
- 2. The involved employee's rights to representation
 - a. Learn from employee representatives and attorneys
 - 1) How they prepare for a walk through
 - 2) What they expect at a walk through
- 3. District Attorney's role at the scene
 - a. Justice System Integrity Division (JSID)
 - 1) Criteria for JSID response
 - 2) Responsibilities and duties
 - 3) Interviewing witnesses, viewing the scene and evidence
- 4. Office of the Inspector General
 - Inspector General's role at the scene
- 5. Other concerns at the scene
 - a. Coroner
 - b. Media relations
 - c. Crowd control

⁵ CA Gov. Code 3300, Police Officers' Right to Representation.

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- d. Weather concerns
- 6. CLOSING: Reinforce key learning points
 - a. There are many individuals involved in an OIS investigation
 - b. It is important understand their roles and duties

C. LEARNING ACTIVITY: Crime Scene Management

Procedure: Small group activity

1. A crime scene will be staged out of the students' view
 - a. The players in the scene will have scripted lines which will be adhered to
 - b. Video and digital photographs of the investigation will be taken by instructors and used as a learning tools during the periodic debriefs and the following day
 - c. The investigation will be critiqued, and the students' actions will be reviewed
2. Students will receive limited information about the OIS that has just occurred
 - a. The groups will respond to the location and as a group approach the scene in order to set the inner and outer perimeter
 - b. Students will enter the scene and begin to coordinate the activities associated with the OIS/UOF investigation
 - c. The groups will receive the Public Safety Statement and begin to manage the scene
3. The class will be assigned to groups with different responsibilities within the scene
 - Each group will provide a task list and a plan to accomplish the tasks
4. The class will develop a walk-through path that does not disturb the scene
 - a. As a class they will participate in the walk-through process and have an opportunity to see and hear the statements of the officers and FID investigators
 - b. They will also observe a positional photograph session with FID, ISU and SID photographers
 - c. Instructors will shadow the student groups to answer any questions or to provide advice. This will be the students' scene; however, the staff and instructors will insure it is managed properly

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5. Throughout the process there will be periodic debriefs in order to share the students' experiences with the class
 - During the debriefing sessions the instructors will offer recommendations that will assist the class in conducting a more thorough investigation
6. CLOSING: Reinforce key learning points
 - a. The real-time aspect of this learning activity underscores the importance of setting up a large outer perimeter;
 - b. As well as quickly organizing personnel to contact witnesses and gather evidence
 - c. Additionally, the walk-through plan and receiving the Public Safety Statement are good practice for field work

IV. LAPD PROCEDURES: FORMAL INTERVIEWS OF INVOLVED EMPLOYEES AND WITNESSES **1200-1600 (240 Min)**

A. LEARNING ACTIVITY: Administrative and Criminal Section Interviews **(61)**

Procedure: Small group activity

1. Preparing for a formal interview of witness involved in an OIS/UOF investigation
 - a. Developing a strategy
 - b. Policies and procedures
 - c. Criteria for deployment of various force options
 - d. Other information FID investigators need for conducting formal interviews
2. The class will be divided into small groups
 - a. The groups will interview players who have been given scripted lines which will be adhered to
 - b. Each student in the group will take part in the interview
3. The interviews will be monitored and critiqued immediately afterwards, such as leading questions, line of questioning as well as other suggestions that will increase the quality of the interview
 - a. The interviews will be videotaped, and audio taped **(80a)**
 - b. Portions of the videos may be shown to the class if the instructor determines there is instructional value in them
4. Types of interviews **(80 b-e)**

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- a. Administrative Section interviews
 - 1) Involved employee(s)
 - 2) Percipient witness(s)
 - 3) Critical witness(s)
 - 4) Suspect(s)
 - b. Criminal Section interviews
 - 1) Percipient witness(s)
 - 2) Critical witness(s)
5. CLOSING: Reinforce key learning points
- a. The interview process is vital to a successful investigation
 - b. Policies and procedures must be followed, or the evidence may be lost in court
 - c. This is a perishable skill and investigators must constantly update their knowledge of current law and policy

Day-3

V. DOCUMENTATION

0700-1600 (480 Min)

A. LECTURE: Use of Force Summary

- 1. What to look out for and how to deal with:
 - a. Suggestive and biased language
 - b. Conflicts; recognizing them
 - c. Qualifying statements
 - d. Department concerns
- 2. Drafting the summary
 - a. A summary of the scene will be provided so the students can see how it should be written
 - b. The summary will be thoroughly reviewed, and question/answer session will address any of the students' concerns

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3. CLOSING: Reinforce key learning points
 - a. Maintaining the integrity of the bifurcated investigative system for the OIS investigation
 - b. Managing the scene to insure a thorough investigation is completed

B. GROUP DISCUSSION: Guest Speaker Panel

1. The class will be addressed by several guest speakers and will have an opportunity to ask questions
 - a. Behavioral Science Services
 - b. Discovery Motions/Vella Motions
 - c. Commanding Officer, Use of Force Division
 - d. Chief of Police
 - e. Attorney for the involved officer
 - f. Public Information Officer
 - g. Scientific Investigation Division
 - h. Investigative Support Section, FID
2. CLOSING: Reinforce key learning points
 - a. It is important to work within employees' rights and the Department's policies
 - b. It is vital to complete an investigation that will represent the Department during the criminal and civil litigation process

C. LEARNING ACTIVITY: OIS/UOF Book

1. Complete an OIS/UOF Book **(117d)**
 - a. Chronological Log with dictated entries from the instructors
 - b. Inserts and related handouts
 - c. Summary
2. Required for the practical application/test
3. Will be graded pass/fail
4. Will eventually be returned to the student to be used as reference

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5. CLOSING: Reinforce key learning points
 - a. The OIS/UOF Book is the culmination of the investigation and is, therefore, vital to the process
 - b. It must be thorough and organized properly
6. Final comments
7. **DISTRIBUTE:** Certificates