



**Maryland-National Capital Park Police
Prince George's County Division**



DIVISION DIRECTIVE

TITLE DEADLY FORCE INVESTIGATION PROCEDURES			PROCEDURE NUMBER PG607.0
SECTION Investigative Procedures	DISTRIBUTION A	EFFECTIVE DATE 05/01/17	REVIEW DATE 05/01/21
REPLACES New Directive			
RELATED DIRECTIVES PG400.0, 401.0, 406.0, 1500.0	REFERENCES CALEA 1, 16, 46	AUTHORITY <i>S.R. Johnson</i> Chief Stanley R. Johnson	

I. PURPOSE

This directive establishes procedures for the investigation of all instances where an officer uses deadly force or discharges a firearm, either on or off-duty.

II. POLICY

It is the policy of this Division that the following procedures shall be used to conduct a criminal investigation of every incident of an officer's use of deadly force or the intentional or negligent discharge of a firearm, not occurring during approved, non-confrontational situations, such as: range practice, and destroying injured animals while on park property. Investigations of accidental discharge's and misconduct shall be handled according to Division Directive PG1500.0 - "Law Enforcement Officers' Bill of Rights/Internal Affairs Procedures", whether the incident occurs on or off park property.

III. PROCEDURES

- A. The investigation of firearm discharges not resulting in serious injury, death, or severe property damage will be handled in accordance with Division Directive PG401.0 – "Firearms". All incidents of firearm discharges that result in serious injury, death, or severe property damage will be investigated by the Internal Affairs Section.
- B. All Other Incidents
 - 1. Whenever an officer, while in the performance of law enforcement duties, discharges a firearm, either accidentally or intentionally, or is involved in

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the use of deadly force against another person, on or off duty, that officer shall:

- a. Determine the physical condition of any injured person and render first aid as necessary.
 - b. Request any necessary emergency medical assistance.
 - c. Notify communications of the incident and the exact location.
 - d. Unless injured and transported to a hospital, remain at the scene until the arrival of an Investigative Operations Investigator or the Investigative Operations Assistant Chief or designee, as applicable. If the continued presence of the officer at the scene may cause a more hazardous situation to develop, the senior investigator/officer at the scene shall have the authority to instruct and see to it that the officer is taken to another more appropriate location. Another officer will remain with him/her at all times.
 - e. Protect any weapon used in the incident for examination and give the weapon to the Investigative Operations Investigator or, if necessary, senior officer on the scene who will forward it to the Investigator.
 - f. Prepare a detailed written statement of the incident as soon as practical.
 - g. Not discuss the incident with anyone other than Division personnel assigned to the investigation, representatives of the State's Attorney's Office, FBI, Justice Department, Union Official's, personal attorney, clergy, appropriate medical personnel and immediate family.
2. All officers directly involved in a deadly force incident or whose actions result in a death or serious physical injury shall be routinely placed on Administrative leave with pay by the Chief, Park Police Division upon completion of the preliminary phase of the investigation. (See Division Directive PG400.0 - "Use of Force".)
- a. The officer shall be available for investigative and administrative interviews and statements regarding the incident and shall remain subject to call at any reasonable time.
 - b. Upon returning to duty, involved officers may be temporarily assigned to administrative duties for a reasonable period of time, if deemed appropriate by appropriate medical personnel or the Chief, Park Police Division.
3. In all cases where any person(s) have been injured or killed as a result of the use of deadly force or a firearms discharge by an officer or officers of this Division, the officer(s) shall be required to discuss the incident with a Division furnished psychologist, or other appropriate person, within five days of the incident. This will allow the officer an opportunity to express

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his/her feelings and to discuss the moral, ethical and psychological after-effects of the incident.

4. In all cases where any person(s) have been injured or killed as a result of the use of deadly force or a firearms discharge by an officer or officers of this Division, the officer's family shall have available to them the services of a Division furnished psychologist, other appropriate medical personnel or chaplain to provide them with a source of professional consultation to aid them in dealing with the incident. These discussions shall be in no way related to any investigation and the contents of the discussions are protected by the doctor/patient privilege and shall not be reported to the Division.
5. Once notified of the incident, Communications personnel shall:
 - a. Request medical aid from Fire and Rescue Services, as necessary.
 - b. Notify the Operations Duty Officer (ODO) and on-duty shift supervisor.
 - c. Notify Internal Affairs Services
 - d. Initiate Division Directive PG406.0 - "Notifications".
 - e. Notify the Investigative Operations Assistant Chief or designee and on-call Investigator.
 - f. Notify the Public Information Officer.
6. Once notified of the incident the Operations Duty Officer (ODO)/Shift Supervisor shall:
 - a. Respond immediately to the incident scene.
 - b. Take such measures as necessary to secure the scene pending the arrival of an Investigator or the Investigative Operations Assistant Chief or designee, if the incident occurred on park property.
 - c. Render any necessary assistance to the involved officer(s), Investigators or other Division personnel.
7. Investigative Operations Section
 - a. The Investigative Operations Assistant Chief or designee shall be responsible for conducting a thorough investigation of every use of deadly force by Division officers resulting in injury or death to any person which occurs on park property. If the incident occurs outside of park police jurisdiction, the Investigative Operations Section shall assist the investigating agency as necessary and submit a full report per B.9., below.
 - b. The investigation shall include the following minimum procedures:
 - Proceed immediately to the scene upon notification.
 - Secure the scene.
 - If any shots were fired, examine the weapons of all officers'

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- present at the time, including any weapons in vehicles.
 - Collect samples of unfired ammunition.
 - Identify, separate and interview all witnesses still at the scene.
 - Photograph and diagram the scene.
 - Secure all physical evidence.
 - Collect all communications tapes.
 - Obtain all hospital, autopsy, lab, evidence reports
- c. Any Investigator or other officer, prior to interviewing or requesting written statements from involved officers, shall advise them of their rights under LEOBR and Miranda, if necessary.
8. The Investigative Operations Assistant Chief or designee shall review the case with the State's Attorney's Office and prepare the case for the Grand Jury, if necessary.
9. The Investigative Operations Assistant Chief or designee shall prepare a detailed Criminal Investigative Report of the incident and submit the report, via the chain of command, to the Chief, Park Police Division.
10. The Internal Affairs Section shall conduct a thorough internal investigation of all shootings to determine if the officer complied with Division Policies and Procedures. A detailed report will be forwarded to the Chief, Park Police Division, for his/her review and/or actions.

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