

Critical Incidents

302.1 POLICY STATEMENT

It is the policy of the Sonoma County Probation Department to follow the below procedures when there is an incident involving a shooting, or other incident resulting in serious injury or death. This policy outlines the procedure for the Probation staff on scene, handling the immediate aftermath, and the notification process immediately following a critical incident.

For the purposes of this policy, a critical incident is an event or situation that involves crisis, disaster, trauma, or emergency where Probation Staff and/or other individuals are involved.

If a critical incident is in regard to an officer involved shooting or death in custody, additional procedures and notification processes shall be followed as applicable, and the investigation shall be handled as outlined in the "Law Enforcement Employee-Involved Critical Incident Protocol 93-1" (promulgated by the Sonoma County Law Enforcement Chiefs Association, see OIS section)

If a critical incident involves the death or serious injury of a youth with an active placement order, refer to Juvenile Services policy number 3.4 Placement Fatality/Near Fatality for guidance on handling and the notification process.

If the critical incident involves the death or serious injury of a youth in Juvenile Hall, refer to Juvenile Hall policy 5.1.14 Death and Serious Illness or Injury of Youth in Custody. If the critical incident involves a youth in Probation Camp, refer to Camp policy 5.7 Death and Serious Illness or Injury of Youth in Custody.

302.2 CRITICAL INCIDENT PROCEDURE (NON-OFFICER INVOLVED SHOOTING)

Probation Staff responding to, or already on the scene of, a critical incident shall:

- (a) Notify dispatch immediately describing the type of critical incident and noting, if any, the extent of injuries and requesting emergency medical personnel. If involving injuries proceed with the following
 1. Provide any basic first aid as necessary.
 2. If an officer is involved, maintain visual observation of officer's weapon (if applicable) and/or duty belt/vest. Ascertain from the emergency medical personnel where the officer(s)/staff and/or involved individual(s) are being transported.
 3. Arrange for another officer who is immediately available to accompany the injured officer(s)/staff/involved individual(s) during transport and/or follow the emergency vehicle.
 4. Make any calls per request of the injured officer(s)/staff to family, etc. and if the incident involves a juvenile, promptly notify their family. If available, contact will be made by the officer's preselected designated department staff member.

With due consideration for public/facility safety and the welfare of the officer(s) and involved individual(s), responding officers should preserve the scene to the extent possible and remain on

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scene (as long as it is safe to do so) until relieved by other officers, local law enforcement or other appropriate investigative personnel.

The incident scene should be protected to the extent possible; no one should be allowed access, or to leave the area (as long as it is safe to remain on site). No evidence should be moved unless leaving items where they are (i.e. a weapon) would pose a threat to officers/staff/or public safety.

Once officers have secured the scene and handled the emergency needs of the officer(s)/staff/or individual(s) involved/injured, notification shall be made to a supervisor, who in turn shall follow the chain of command to notify the Chief Probation Officer. The officer making notification should provide the following information to the supervisor:

- (a) Probation staff involved (names and titles)
- (b) Time and location of incident
- (c) Synopsis (who, what, where, when, how)
- (d) Nature and extent of injuries
- (e) Emergency services contacted
- (f) Other agency(ies) involved (names and titles)

A supervisor or above shall notify the staff's Association Representative.

A supervisor or above should contact the Peer Support Team (PST) and advise them of the situation and where the officer(s)/staff in need of support is/are located.

Depending upon the nature and severity of a non-OIS critical incident, the Chief or a designee may follow the notification process to the Board of Supervisors and the Court, etc. as outlined below in the protocol for OIS. See section 3c of this policy.

Depending upon the circumstances, the investigation of a critical incident, other than an officer involved shooting, may be handled internally by the Probation Department. In the alternative, the Chief may solicit the assistance of a partner law enforcement agency to conduct all or certain aspects of a non-OIS critical incident.

- (a) Fatal injury, while in custody at the Juvenile Justice Center shall be investigated by the Santa Rosa Police Department.
- (b) Fatal injury, while in custody at the Sonoma County Juvenile Probation Camp shall be investigated by the Sonoma County Sheriff's Office.

The Chief or a designee will handle all press and public inquiries regarding critical incidents.

302.3 OFFICER-INVOLVED SHOOTING (OIS) CAUSING SERIOUS INJURY OR DEATH

Pursuant to the "Law Enforcement Employee-Involved Critical Incident Protocol 93-1" (Sonoma County Law Enforcement Chiefs Association), the Chief of the Probation Department will confer with the other agencies that are a party to the above agreement and decide who shall be the lead investigating agency. Once that agency has been identified, they will respond to the location of the incident as soon as is practical and begin their investigation.

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- (a) When an OIS causes serious injury or death to one or more officers, or involved individual(s), the other uninjured officers on scene shall:
 - 1. Notify dispatch immediately, noting the extent of injuries and requesting emergency medical personnel.
 - 2. Provide any basic first aid and, if necessary, trauma aid utilizing the department issued trauma kit.
 - 3. Maintain visual observation of officer's weapon and duty belt/vest if they are the injured individual.
 - 4. If the injured Deputy Probation Officer (DPO) is able, compel him/her to give a Public Safety Statement to the first peace officer on the scene. These statements are intended to be cursory, for the purpose of public safety, and should not be viewed by the officer(s) as infringing upon an officer's POBR protections.
 - 5. Ascertain from the emergency medical personnel where the injured DPO(s) is/are being transported.
 - 6. Arrange for another DPO who is immediately available to accompany the injured DPO(s) during transport or follow the emergency vehicle.
 - 7. Make any calls per request of the injured DPO(s) to family, etc.
 - 8. Once DPO(s) have secured the scene or been relieved by another responding law enforcement agency, or as soon as practically possible, notification shall be made to a supervisor, who in turn shall follow the chain of command to notify the Chief Probation Officer.
 - 9. A supervisor or above shall notify the staff's Association Representative Immediately and relay to a supervisor that an OIS has occurred and in turn notify the Chief or a Deputy Chief, following the chain of command if possible.
 - 10. A supervisor or above should contact the Peer Support Team (PST) and advise them of the situation and where the DPO(s)/staff in need of support is/are located.
 - 11. In the case of the affected employee being transported to the hospital:
 - (a) The Chief or a designee will provide the family with as much information as possible regarding the incident.
 - (b) The Chief or a designee will be the contact between the hospital staff and other agency or public inquiries.
- (b) The Chief or a designee will handle all press and public inquiries regarding an OIS incident.
- (c) When a DPO has been directly involved in a shooting where there is injury or death, the Chief or a designee shall relay the below information immediately to the area agency in which the incident has occurred, the Sonoma County Sheriff's Office, and the District Attorney. The District Attorney Investigator can be reached via dispatch. Sheriffs Dispatch can be contacted at (707) 565-2121.
 - 1. DPO(s) involved (names and titles)

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2. Time and location of incident
3. Synopsis (who, what, when, where, how)
4. Nature and extent of injuries
5. Emergency services contacted
6. Other agency(ies) involved (names and titles)

302.4 RESPONDING/ON-SITE DPO'S RESPONSIBILITIES

With due consideration for public safety and the arrest of the suspect(s), responding (or the onsite) DPOs shall preserve the scene to the extent possible and shall remain on scene (as long as it is safe to do so) until relieved by local law enforcement or other appropriate investigative personnel.

The incident scene should be preserved to the extent possible; no one should be allowed access nor leave the area, as long as it is safe to remain on site. No evidence should be moved unless leaving items where they are (i.e. a weapon) would pose a threat to officers/staff and/or public safety.

In order to preserve all critical evidence, including the DPO(s)' account of what happened, the DPO(s) directly involved in the incident shall be kept separate from each other, and contact, verbal or otherwise, shall be curtailed.

When there has been an injury as a result of the discharge of a firearm, a departmental staff of the DPO's choosing or if unavailable, a Peer Support Team member may be assigned to remain with the DPO(s) involved in the shooting to provide support and assistance. The staff member will not inquire as to the facts of the incident, but serve to assist the involved DPO(s) with their physical and emotional needs. The designated staff member will provide transportation to the DPO involved in the shooting when they are dismissed from the scene by the law-enforcement agency of jurisdiction (investigating agency). The affected DPO(s) shall avoid driving

If the DPO has re-holstered their firearm, it should remain holstered until the DPO is escorted back to the Probation Department office. Once the DPO has returned to the office, they will be issued a replacement weapon after the investigating agency has secured the weapon discharged at the scene. Probation staff shall not take any steps to secure the weapon. If the DPO has not re-holstered their weapon, Probation staff shall wait for the investigating agency to arrive. The investigating agency officer(s) will relieve the DPO of their firearm in a discreet manner where/when it is safe and reasonable. Unless there is a public safety issue, other responding personnel should avoid touching the firearm as noted above. If touching the firearm is necessary, using gloves, if available, will minimize contamination of the weapon.

A Department Firearms Instructor will issue a replacement firearm to the DPO unless directed otherwise by the Chief. The DPO must qualify with the newly issued firearm as soon as practicable.

Notification to the staff's Association Representative shall be made before any interviews are conducted.

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All Probation staff shall cooperate fully with the investigation of the OIS and the agency having jurisdiction over the investigation (primary/lead agency as selected by the Chief).

DPOs involved in an OIS should expect the following things may occur as a regular course of the investigation, including but not limited to: blood tests, gunshot residue tests, relinquishing their duty firearm, weapons collection, clothing analysis, photographs, and recorded interviews (consistent with POBR).

Officer-involved shootings, or use of force resulting in serious injury or death, involve several separate investigations. These investigations may include:

- (a) A criminal investigation of the suspect's actions.
- (b) A criminal investigation of the involved officer's actions.
- (c) An administrative investigation as to policy compliance by involved officers.
- (d) A civil investigation to determine potential liability.

The employer agency makes a determination at the time of a Law Enforcement Employee-Involved Critical Incident as to which member agency will be requested to be the lead agency of the criminal investigation regardless of venue.

302.5 NOTIFYING THE FAMILY OF THE AFFECTED OFFICER(S) WHEN THERE IS SERIOUS INJURY OR DEATH

The Deputy Chief of the assigned division or a designee will assume the responsibility for developing a notification plan to the employee's family and/or emergency contacts. In the case of death, the notification:

- (a) Should be made as soon as possible.
- (b) Should be made face to face.
- (c) Should be made in pairs.

All media inquiries will be handled by the Chief or a designee.

In the case of the affected employee being transported to the hospital, the Chief or a designee will:

- (a) Provide the family with as much information as possible regarding the incident.
- (b) Be the contact between the hospital staff and other agency or public inquiries.

302.6 NOTIFICATION PROCESS TO OTHER COUNTY AGENCIES

The Chief or designee should also notify the following agencies:

- (a) Cal-OSHA must be notified within 8 HOURS using the "Immediate Reporting Notification" form.
- (b) County Risk Management; as soon as possible by phone, with a follow-up in writing within 24 hours. AIIR and Supervisor's Report must be completed.
- (c) Clerk of the Board of Supervisors; by phone, with a follow-up in writing within 24 hours.

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- (d) County Administrator (CAO); by phone, with a follow-up in writing within 24 hours.
- (e) Sonoma County Law Enforcement Association (SCLEA) labor representatives; by phone, with a follow-up within 24 hours.
- (f) Sheriff-Coroner, in the case of the death of an officer; by phone with a follow-up in writing within 24 hours.
- (g) Presiding Judge of the Courts; by phone, with a follow-up in writing within 24 hours.
- (h) The Sonoma County Sheriff and/or Chief of Police of Santa Rosa Police Department (depending on location) in the event additional security is needed at Juvenile Hall, Camp and/or other satellite Probation Department offices.
- (i) District Attorney; as soon as a member of the DA's office is on duty, with a written report to follow within 24 hours.
- (j) Chairperson of the Juvenile Justice Commission, if a youth is involved.

The Chief Probation Officer shall request the investigating agency provide written notification containing the name of the person who was shot, and the date of injury or death, as well as their relation to the Department. It will also include the names of any Department or County employees with knowledge of the event (i.e. other officers present) and a summary of the event.

302.7 DEPARTMENTAL FOLLOW-UP ON AN OFFICER-INVOLVED SHOOTING AND OTHER CRITICAL INCIDENTS

A DPO involved in the discharge of a firearm resulting in the injury or death of another person shall be relieved of field duties as soon as is safe and practical.

- (a) The DPO should expect to be placed on paid Administrative Leave of Absence, usually between 2-3 days, until authorization to return to work has been granted by the Chief.
- (b) Upon returning to duty, the DPO shall be reassigned to other duties within his/her classification and will in most cases remain in that assignment until the Chief clears the officer to return to their regularly assigned duties.
- (c) While on Administrative Leave, the officer must remain available for investigative interviews.

A DPO involved in the discharge of their firearm causing injury or death of another person shall be required to undergo a Critical Incident Stress Debriefing (CISD) with a licensed therapist:

- (a) Within 24 hours of the incident, the Deputy Chief or a designee will contact the department-designated licensed mental health professional to schedule a debriefing and will specify the reason for the referral.

Other officers/staff involved in an OIS or any other critical incident may volunteer to undergo a Critical Incident Stress Debriefing (CISD) with a licensed therapist.

A group debriefing may be facilitated by the department-designated licensed mental health professional for all other staff involved in the incident and should not include management. If managers are directly involved in the incident, a separate debriefing will be held for those individuals. This debriefing will be kept confidential by the staff involved and will focus on officers/

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staff discussing their thoughts and feelings, and dealing with the aftermath of an OIS or other critical incident.

- (a) If a group debriefing takes place, the Deputy Chief or a designee will confirm the above debriefing has occurred.
- (b) All communications between the involved officer(s)/staff and the therapist are confidential and privileged and cannot be disclosed without the express written permission of the officer(s)/staff unless the officer/staff directs or authorizes the therapist to make certain disclosures to specified persons, or as may be required by applicable law.
- (c) All other information must continue to be held in confidence by the therapist, unless:
 - 1. The services of the therapist are sought or obtained to enable anyone to commit or plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or tort; or
 - 2. The therapist has reasonable cause to believe an officer/staff is in such an emotional or mental condition as to be dangerous to him/herself or the person or property of another.

An armed Peace Officer involved in the discharge of their firearm causing injury or death of another person, shall be required to undergo a psychological evaluation, before the officer returns to work from Administrative or other leave resulting from a shooting incident. That psychological evaluation should be conducted by the department-designated mental health professional as directed by the Chief. The results of this evaluation will be shared with the Chief before the officer is cleared to return to duty, either in his/her previous assignment or a new assignment.

When possible, the department will provide the opportunity for a tactical debriefing after all investigations and/or civil matters regarding the incident have been completed.

302.8 PEER SUPPORT TEAM (PST)

In the event of any critical incident, refer to Department policy and procedure 2.17, Peer Support Program, for further details on how the Peer Support Team (PST) will respond to the scene.