



Use of Force Recommendation 01

Guidance for
Concurrent Investigations



Agenda

- Recommendation Highlights
- Gap Analysis
- Discussion Points
- Committee Feedback
- Final Guidance



Recommendation Highlights

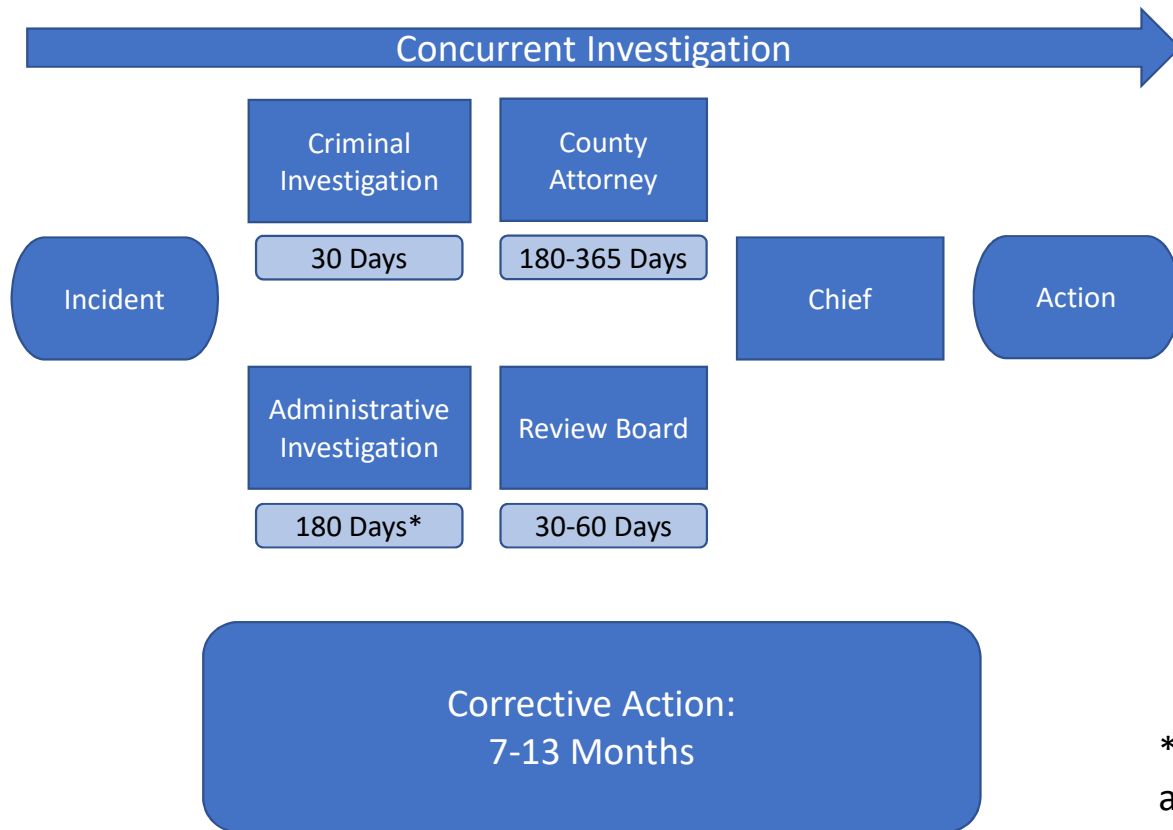
- Form a dedicated team comprised of multi-disciplinary investigators from Training and Professional Standards to conduct administrative investigations, identified as Force Investigation Team.
- Conduct administrative and criminal investigations concurrently for ALL qualified use of force incidents.
- Attain timely resolution of deficiencies identified during the administrative investigation relative to policy, training, and risk management implications.

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Gap Analysis- Current Process



Gap Analysis- Recommended Process



*Internal goal to address administrative investigations deadlines to 60 days

Discussion Points

Pros

- Scene response by the administrative investigator provides a valuable insight into the details of the investigation.
- Faster resolution facilitates greater public trust in the department
- Timely administrative interview of the involved officers.
- Both the criminal and administrative investigation can be provided to the Use of Force Board.
- Correct employee and department deficiencies with timely feedback.
- Minimizes any delay having a negative impact on the memory and availability of witnesses.

Cons

- There is a risk that an officer can reasonably believe they are required to answer questions during a criminal investigation when concurrent investigations are conducted simultaneously.
- Requires specific measures be put in place to ensure separation between the criminal and administrative investigations in order to avoid any commingling.



Committee Feedback

Topic	Recommendation
Training	Training Sergeant or supervisor should be included among the FIT team.
Training	Training member should have the opportunity to rely on instructors and subject matter experts for recommendations.
Oversight	A separate and independent civil service entity with oversight on the thoroughness of a critical use of force investigation.
Oversight	Comprised of a member from another law enforcement agency with oversight on the thoroughness of a critical use of force investigation.
Oversight	Administrative investigation should not be completed by the same agency as the involved member. Recommend the creation of an agency with regional investigative authority.
Team Composition	Diversify the team composition among more units within the Department and not solely based on the three proposed units.



Force Investigation Team vs. Role Based Investigations

- Multiple committee members voiced approval for concurrent administrative investigations, but stressed the need to distinguish the investigator's role and responsibilities.
- FIT investigators are more adept in agencies with a dedicated full-time team.
- Discussion among the committee and sub-committee members consisted of avoiding an investigative team concept and establish clearly delineated responsibilities between the criminal and administrative investigators.

Final Guidance

- It is the recommendation of the committee to conduct concurrent administrative and criminal investigations for all qualified use of force incidents.
- Investigations shall be completed by the individual units under their respective discipline or area of expertise.



Questions