



Use of Force Recommendation 02

Guidance for
Concurrent Investigations- Notification



Agenda

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



Recommendation Highlights

- The Mesa Police Department should identify the use of force incidents that require an automatic administrative investigation, regardless if a criminal investigation is required or not.
- In addition the Department should identify the administrative investigations that require unit notification, and prompt scene response or post scene review.

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Police Assessment Resource Center (PARC)

Gap Analysis

- Recommendation
 - A concurrent administrative investigation will begin automatically on critical incidents as qualified by the Department.
 - Immediate notification will be made to the Professional Standards Lieutenant immediately a critical use of force incident.
- Current Policy
 - The current policy does not mandate an administrative investigation be conducted
 - An administrative investigation is started under the following circumstances: concern from a use of force review by a supervisor, a citizen complaint, or a public records request.
 - Per Policy, the Professional Standards Lieutenant is notified:
 - Hospitalization Occurs
 - Allegation of excessive force



Discussion Points

Incident Types Requiring Administrative Investigation

An incident involving deadly force*

An incident involving serious injury/death to Officer*

Use of force incident resulting in death*

In-custody death*

Application of carotid control technique**

Use of force resulting in serious bodily injury*

Intentional head strikes with an impact weapon or device*

Unintentional (inadvertent or accidental) head strikes that results in serious bodily injury**

Department canine deployment resulting in serious bodily injury**

Officer-involved animal shootings**

Unintentional firearm discharges**

Driving Operations that result in death to driver or other party*

Allegation of Excessive Force resulting in serious bodily injury or hospitalization*

*Category 1 Subcommittee recommendation for a prompt scene response to initiate an investigation.

**Category 2 Subcommittee recommendation to complete a post scene review.

Category 3- Continues with current practice of Supervisor review

Committee Feedback

- Appropriate Staffing
 - If the LAPD model will be followed, the adequate staffing and dedicated full-time team should be implemented.



Further Analysis

- Request to quantify the number of incidents in 2018 based on the recommended incident types recommended for administrative review.
 - 54 Total Incidents (34 Incidents identified for prompt scene response)
 - 17 Deadly Force*
 - 3 Carotid Applications
 - 2 In-Custody Death*
 - 2 Intentional Head Strikes with Impact Weapon*
 - 2 Unintentional Head Strikes resulting in Hospitalization
 - 13 Applications of Force Resulting in Serious Injury*
 - 14 K9 Deployments with Injuries
 - 1 Precision Immobilization Technique Resulting in Injuries
- Request to define serious injury. It is recommended policy consider the definition in Arizona Revised Statutes.
 - ARS 13-105; includes physical injury that creates a reasonable risk of death, or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb.



Further Analysis

- Maricopa County Attorney's Office Law Enforcement Liaison was contacted to discuss their agency's perspective on concurrent investigations and any potential issues that may arise.
 - Advised extreme care must be taken by the administrative investigators not to discuss or share anything they have learned with the criminal investigators.
- Estimate for implementation of overtime and standby pay for concurrent administrative investigations is approximately \$117,619.00, excluding vehicles.
 - Based on 34 total callout investigations per year



Final Guidance

- It is the recommendation of the committee the following incidents will require an administrative investigation with a scene response by the investigator:
 - An incident involving deadly force
 - Use of force incident resulting in death
 - In-custody death
 - Use of force resulting in serious bodily injury
 - Intentional head strikes with an impact weapon or device
- It is the recommendation of the committee the following incidents will require an administrative investigation with a post scene review by the investigator:
 - Application of carotid control technique
 - Unintentional (inadvertent or accidental) head strikes that results in serious bodily injury
 - Department canine deployment resulting in serious bodily injury
 - Officer-involved animal shootings
 - Non-tactical unintentional firearm discharges
- The Professional Standards Lieutenant should be notified immediately following a qualified critical use of force incident and will coordinate with remaining members for scene response or post scene review.



Questions