



OFFICER INVOLVED SHOOTINGS: AN OVERVIEW



HCDAO CIVIL RIGHTS DIVISION



- Officer Involved Shootings
- In Custody Deaths
 - ▣ When someone dies in police custody
- Non-Shootings
 - ▣ Where force is used but the force is not a shooting
 - ▣ Can be hands, batons, tasers, etc.

WHEN A SHOOTING OCCURS

- Agency notifies DA Intake and Captain Investigator in the Civil Rights Division
- Captain notifies the ADAs and Investigators on call.
 - 12 Attorneys and 5 Investigators are on call on a rotating basis.
 - Shootings can happen anytime, so attorneys and investigators are expected to always be ready to be called out.
 - We respond to EVERY officer involved shooting.

ON THE SCENE

- Multiple agencies and divisions are present on shooting scenes.
 - Internal Affairs Division
 - Special Investigations Unit
 - Police Union Attorneys
 - Forensic Science Center
 - HCDAO Investigators & ADAs
- All scenes are different.
- Agencies work together while working around each other.
- The police agency having jurisdiction where the shooting occurs is in charge of scene and responsible for investigation.
 - We lend support and provide legal advice for investigators.
 - We also document all relevant evidence.

WALKTHROUGHS

- Walkthrough is a unsworn, voluntary, verbal explanation from the shooting officer regarding what happened during the incident.
- Union Attorney, Internal Affairs, Special Investigations Unit, ADAs, and DA Investigators are present.
- Each shooting officer walks or points through the scene and provides a detailed description of their actions.
- Body cameras, dash cameras, and all other available videos are collected by police agency.

WEAPONS CHARTING

- Weapons charting is the process used to document and photograph the shooting weapon(s) and account for each round used. Every firearm discharged is “charted.”
- The purpose is to check the number of rounds of ammunition fired and evaluate the consistency of the statements given by the officer.

AFTER THE SCENE

- Contact Family/Next of Kin
- Police agency with jurisdiction where shooting occurred is in charge of shooting investigation on scene and afterward.
 - ▣ DAO waits for police agency to provide full investigation, including lab results and witness statements.
 - ▣ Can take months to complete
- HCDAO Investigators conduct an independent review/investigation, supplement if necessary, and Assistant District Attorneys present case to grand jury.
 - ▣ In some cases, outside agencies will aid in investigation and review.

GRAND JURY

- Grand Jurors are randomly selected from the community.
 - ▣ “Key Man” system has been replaced.
- We present all the evidence and the relevant law.
- Grand jurors decide which witnesses they will hear from.
- Grand jurors make the ultimate decision whether shooting was justified.
 - ▣ True bill is returned if not justified.
 - ▣ No bill is returned if they believe it is justified.