

	KANSAS CITY, MO. POLICE DEPARTMENT	DATE OF ISSUE	EFFECTIVE DATE	NO.
	<b>PROCEDURAL INSTRUCTION</b>	4-06-10	4-06-10	10-5
SUBJECT	Police Involved Incident Response			AMENDS
REFERENCE	Firearms Procedures P.I. 07-1	RESCINDS	P.I. 03-2 and 03-2A	

**\*I. INTRODUCTION**

The purpose of this procedural instruction is to establish a process for dealing with police involved incidents. The objective of this procedural instruction is to assure the fair and thorough investigation of any major incident involving a member of the Kansas City, Missouri Police Department while taking necessary precautions to identify and manage potential civil liability and other risks.

**\*II. TERMINOLOGY**

**A. Police Involved Incident – Any incident that:**

1. Involves the death or serious bodily injury of any member of this Department.
2. Involves the death or serious bodily injury of any member of the public as a result of any encounter with a member of this Department.
3. Involves the death or serious bodily injury to any member or any citizen as a result of a vehicular accident wherein a member of this Department is operating a vehicle as part of their assigned duty.
4. Involves the death or serious bodily injury of any member of this department or any citizen as a result of a pursuit of a motor vehicle by a member of this Department.
5. Any other serious or complex incident deemed appropriate for investigation by the Chief of Police and/or the appropriate investigating division commander.

**B. Serious Bodily Injury – Any injury where the person injured is transported from the scene of an incident by an emergency vehicle for the purpose of immediate medical attention and the nature of the injuries indicate the injured person will be admitted to a hospital for treatment.**

C. **Police Incident Team**

1. The commander of the Homicide Unit will act as the overall incident commander and assign investigative personnel for police involved incidents, including member involved shootings. The team will also be responsible for conducting any other investigation at the direction of the Violent Crimes Division Commander. The Office of General Counsel, Internal Affairs Unit (IAU), and the appropriate Prosecuting Attorney may be included in this team.
2. The commander of the Traffic Investigation Unit will act as the overall incident commander and will designate his/her team for any incident that involves a police vehicle. The Office of General Counsel, IAU, and the appropriate Prosecuting Attorney may be included in this team.

- D. **Notable Event Review Panel** - A panel whose duties consist of aiding the continuing evaluation of policy, procedure, and training. The panel will consist of eight (8) members. Seven (7) of the members serve on the panel by virtue of their assignments, and one member is appointed by the Chief of Police.

**\*III. PROCEDURE**

- A. Criminal investigations will take precedence over internal investigations. The Police Incident Team's criminal investigation file will be forwarded to IAU upon completion of an investigation and any subsequent criminal proceedings.
- B. IAU will investigate all non-criminal discharges of firearms such as accidental discharges.
- C. On incidents involving the disarming of a member, a copy of the Violent Crimes Division's criminal investigation file will be forwarded to IAU.
- D. Incidents involving the discharge of a firearm resulting in the death or injury to a person:
  1. In the event a sworn member discharges their firearm causing injury or death to a person, the member will:
    - a. Notify the Communications Unit of the incident and of any medical treatment needed for either the member or the suspect.
    - b. Notify their immediate supervisor.

- c. Establish a crime scene and staging area. Members, including police officers, supervisory and command personnel, who do not have a specific or valid reason for being at the crime scene should be regarded as unauthorized persons. Officers may exercise their authority and prevent unauthorized persons from entering and contaminating or altering the scene, unless their entry is necessary for the preservation of life and safety of victims and first responders.
  - d. Remain at the scene until arrival of the appropriate investigative element(s) and be available for official interviews and statements regarding the incident. Members will be subject to recall to duty at any time. Permission must be obtained from the Chief of Police, or his/her designee, prior to leaving the city.
  - e. Members who are involved in the incident investigated by the Police Incident Team will not give formal statements until instructed to do so by the Police Incident Team supervisor.
  - f. The member's firearm and ammunition will be handled as evidence when the discharge of a member's firearm results in an injury or death of a person, or other incidents where the investigating element considers it necessary to protect the integrity of an investigation.
  - g. Complete a Response to Resistance Report, Form 246 P.D.
2. The sworn member's supervisor or the first supervisor on the scene will:
- a. Be responsible for control and protection of evidence at the scene until the arrival of the Police Incident Team supervisor, who will assume control of the scene and the investigation.
  - b. Ensure the member involved in the incident leaves the firearm and ammunition in the "post shooting/discharge" condition.
3. A commander will place the sworn member on administrative leave. The member will be excused from duty with pay until reinstated by the Chief of Police or his/her designee.

E. Vehicular Accidents

Vehicular accidents involving serious bodily injury and/or fatality are considered crime scenes. Officers should be mindful that if an accident is going to be investigated by Accident Investigation Section personnel, the scene will be treated like any other crime scene. Vehicle parts, debris, contents of the vehicle, etc., are considered evidence and should be protected.

F. Notifications

The Homicide Unit, Accident Investigation Section, Office of General Counsel, IAU, and the appropriate Prosecuting Attorney's Office shall be contacted and will determine their response. Communications Unit personnel will immediately make these notifications as appropriate.

G. Crime Scene Responsibilities

The investigative supervisor or the detective/investigator in charge of the crime scene will assume overall authority of the crime scene. The Crime Scene Investigation (CSI) Section supervisor, or CSI personnel at the crime scene will assume responsibility for the location, preservation, and collection of physical evidence.

H. Notable Event Review Panel

1. The Panel is composed of the following:
  - a. Executive Officer of the Patrol Bureau (Chair).
  - b. Associate General Counsel.
  - c. Commander of the Violent Crimes Division.
  - d. Supervisor of firearms training and/or driving instruction.
  - e. Immediate commander of the subject member.
  - f. Immediate supervisor of the subject member.
  - g. Kansas City, Missouri Police Crime Laboratory Director.
  - h. One police officer currently in a field assignment, appointed by the Chief of Police to serve for one calendar year.
  - i. Any other member at the discretion of the panel Chair.
2. The Panel will be convened as soon as possible following completion of the investigation and after all members of the panel have had an opportunity to read the file.
3. The investigative supervisor or his/her designee who was responsible for conducting the investigation involving a shooting will be responsible for providing an event file summary report to each Panel member and presentation of the event to the Panel.

4. If a member of the Panel is away from the department for an extended period of time (such as vacation, illness, leave) and the Panel is to convene, that member's position will be filled through appointment by the Panel Chair. If possible, the replacement member will be selected from the same element as the absent member.
5. The Panel will review:
  - a. All intentional discharge of firearms, except the shooting of an animal. Those cases will be routed through the affected member's chain of command.
  - b. Officers shot by another individual.
  - c. Any other serious or complex incident deemed appropriate at the discretion of the Chief of Police and/or the appropriate investigating division commander.
6. The Panel will review and evaluate department policy and training.
7. The scope of the review will generally be confined to the written record of the event. Witnesses will be called only when deemed necessary to clarify an issue and only at the discretion of the Panel Chair.
8. IAU will continue to compile statistics on officer involved shootings, disarmings, and uses of force.
9. The Panel Chair will make a report on the panel's recommendations to the Bureau Commanders and the Chief of Police. References to specific policies, procedures, or training will form the basis for the recommendations. The report will not replace or address disciplinary recommendations by the involved member's chain of command.



James D. Corwin  
Chief of Police

Adopted by the Board of Police Commissioners this 23<sup>rd</sup> day of March 2010.



Mark C. Thompson  
President

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