

 <p style="text-align: center;">YALE UNIVERSITY POLICE DEPARTMENT GENERAL ORDERS <i>Serving with Integrity, Trust, Commitment and Courage Since 1894</i></p>	ORDER TYPE: NEED TO REFER 401 POST USE OF FORCE PROCEDURES	
	EFFECTIVE DATE: <p style="text-align: center;">05 MAR 2019</p>	REVIEW DATE: <p style="text-align: center;">ANNUAL</p>

PURPOSE

The purpose of this General Order is to establish a uniform procedure for the reporting and investigation of the use of force by members of the Department.

POLICY

All incidents involving the use of force by Department members will be properly reported, documented, investigated and reviewed.

USE OF DEADLY FORCE

The State’s Attorney’s Office is the lead agency in the criminal investigation of the use of deadly force by a police officer which results in serious physical injury or death to a person (51-277a C.G.S.).

PROCEDURES FOR OFFICER-INVOLVED SHOOTINGS

Whenever an officer uses deadly physical force (defined in Sec. 53a-3 C.G.S. as that degree of force likely to produce death or serious physical injury) in the performance of their duties:

- the on-duty supervisor will ensure the New Haven Police Department, the State’s Attorney’s Office, the Chief of Police, Assistant Chief of Police, the Office of Professional Standards, the Investigative Services OIC and the Captain of Operations are notified if the use of deadly force involves injury or death,
- The Office of Professional Standards, Captain of Operations, Investigative Services OIC and the Chief and Assistant Chief of Operations will be notified if the use of deadly force does not involve injury. Other notifications will be made at their direction.
- If an officer is injured, the patrol supervisor will arrange for the notification of the officer's family and their transportation to the hospital. The notification should be made in person, by a supervisor, if possible.

OFFICER RESPONSIBILITIES

Officers involved in a use of deadly force shall provide a public safety statement to the first arriving supervisor. The statement shall include, but not be limited to:

- Type of force used;
- Direction and approximate number of any shots fired by the involved officer(s) and/or suspect(s), if applicable;
- Location of injured persons, including those in need of medical attention, if any;
- Description of outstanding suspect(s) and their direction(s) of travel, time elapsed since the suspect was last seen, and any suspect weapon(s);
- Description and location of any known victims or witnesses;
- Description and location of any known evidence; and,

- Other information as necessary to ensure officer and public safety and assist in the apprehension of outstanding suspect(s).

After providing sufficient information, the officer shall remain separated from other involved/witness officers and shall not discuss the incident with anyone other than the assigned investigators and the officer's representative or attorney.

SUPERVISOR RESPONSIBILITIES AT THE SCENE

A supervisor will respond to the incident scene and assume command insuring appropriate action is taken to:

- Provide first aid to the injured;
- Detain suspects;
- Identify witnesses; and
- Secure evidence.
- The supervisor will "freeze" the scene pending the arrival of New Haven Police Department, Yale Police Department and State's Attorney's Office Investigators.
- The supervisor or a ranking member of the department must assess the physical and emotional condition of the officers involved (if they are not injured) and take appropriate action.
- During any period where the involved officer is required to remain on the scene, but has no immediate duties to fulfill, the officer should be taken to a quiet area away from the scene of the incident.
- A peer counselor or other supportive friend or officer should remain with the officer, but should be advised not to discuss details of the incident.
- The supervisor should arrange for the officers directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting.
- Where possible, the supervisor shall briefly meet with the involved officers.
- No caffeine or other stimulants or depressants should be given to the officers unless administered by medical personnel.
- The officers should be advised about standard investigative procedures that will occur.
- The officers should be advised they may seek legal counsel or union representation.
- The officers should be advised not to discuss the incident with anyone except a union representative or attorney or state's attorney or law enforcement investigator until the conclusion of the preliminary investigation.
- If the mental or emotional state of the officers suggests the need for medical attention, the on duty supervisor shall make such arrangements.

GENERAL PROCEDURES

- All collection of evidence from the involved officer(s) shall be completed in a timely and professional manner.
- The ranking member of the department on scene must insure the officer is treated with dignity.
- Involved officers should never be transported in the rear seat of police vehicles.
- When necessary, the officer's weapon should be retrieved in private, away from the scene and replaced with another weapon, unless the supervisor feels the officer's emotional state makes them a danger to themselves or others.
- Any request for legal or union representation for involved officer(s) will be accommodated.
- Discussion with psychologists or EAP representatives will be considered privileged and will not be disclosed except to the extent the officer is or is not fit for return to duty.

- Detectives will be assigned to handle the Department's investigation of related crimes and may be assigned to work with investigators from the State's Attorney's Office.
- Detectives may also be assigned to separately handle the investigation of any related crimes not being investigated by the State's Attorney's Office.
- Officers will be given an opportunity to either be interviewed by criminal investigators or to submit a written statement to the investigators.
- Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative investigation.
 - Supervisors and Professional Standards personnel should not participate directly in any voluntary interview of officers by criminal investigators.
 - Officers will be permitted a reasonable amount of time (up to 24 hours) to complete the statement to the University. Additional time may be allotted if the officer is injured or for other unusual circumstances.
- In the event suspects remain outstanding or subject to prosecution for related offenses, the department shall retain the authority to require involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.
 - Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved suspects.
 - Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting.
- If the shooting involves injury or death to a person, the involved officer(s) will be placed on administrative duty pending a mandatory interview with a department-recognized psychologist and until an internal review of the incident is completed. **CTLEA 1.1.5**
- All officers who may have fired their weapons during the incident under investigation will be required to submit their weapons for examination and testing by range and/or crime laboratory personnel.
 - Officers will also turn in all ammunition (expended and unexpended) carried by the officer for use in the weapon in question.
 - The Department Armorer will maintain at least one of each department authorized handgun as replacement weapons in the event an officer's weapon is retained as evidence and will ensure the replacement weapon and appropriate ammunition are issued to the officer in a timely manner.

ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer involved shooting, the department will conduct an internal administrative investigation to determine conformance with department policy.

- This investigation will be conducted by the Office of Professional Standards, or a supervisor assigned by the Chief.
- If an officer has voluntarily provided a statement to criminal investigators, the Office of Professional Standards, should review that statement before proceeding with any further interview of the involved officer.
- If the Office of Professional Standards, believes further information or clarification is necessary, the officer may be interviewed or written questions may be submitted to the officer for written responses.

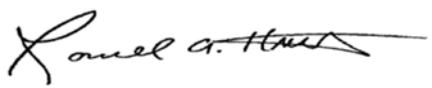
- The involved officer shall be provided with a copy of his or her prior statement before beginning any subsequent interview.
- If an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - Although this interview should not be unreasonably delayed, care should be taken to ensure the officer's physical and psychological needs have been addressed before commencing the interview.
 - If requested, the officer shall have the opportunity to select a union representative or attorney to be present during the interview.
 - The administrative interviews should be recorded by the department (the officer may also record the interview).
 - The officer shall be informed of all constitutional "Miranda" rights and, assuming no voluntary waiver, will then be given an order to provide full and truthful answers to all questions.
 - The officer shall be informed the interview will be for administrative purposes only and the statement cannot be used criminally (Garrity admonishment).
- The administrative interview shall be considered part of the officer's confidential personnel file.
- The Office of Professional Standards, shall compile all relevant information and reports necessary for the department to determine compliance with applicable policies.
- The completed administrative investigation shall be submitted to the Chief of Police, who will determine compliance with the department's Use of Force Policy.

USE OF PHYSICAL FORCE

Whenever an officer uses physical force in the performance of their duties:

- A supervisor shall be notified as soon as possible when an injury is sustained or medical assistance is requested by the officer or by the person on whom the force was used.
- Officers will ensure persons injured by a police use of force receive prompt medical attention.
- All uses of less than lethal force will be fully documented in a case-incident report.
- If the officer involved is unable to prepare a report due to injury or incapacity, the Shift Commander or Shift Supervisor will assign another officer to investigate and prepare a report.
- Supervisors will review reports to ensure they are complete and accurate and will make appropriate notifications depending on the nature and seriousness of the incident.

PER ORDER OF



RONNELL A. HIGGINS
DIRECTOR OF PUBLIC SAFETY AND CHIEF OF POLICE

THIS GENERAL ORDER SUPERSEDES GENERAL ORDER 40-91-03, DUTIES AND RESPONSIBILITIES OF YALE POLICE DEPARTMENT IN A USE OF FORCE SITUATION, AND GENERAL ORDER 401 POST USE OF FORCE PROCEDURES, ISSUED ON 6/2/2009.