



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

Subject: Officer Involved Shooting (OIS)

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Revised Date:

Rescinds:

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Approved By:

Purpose:

This procedure is designed to assist the Myrtle Beach Police Department during investigations of officer-involved shootings. These incidents present a unique set of circumstances, which make them more complex than routine investigations. It is the purpose of this procedure to make these difficult investigations less traumatic for all involved and provide a framework to ensure that a fair, consistent and complete investigation is completed.

This procedure should be considered a guideline. Where investigative techniques and administrative processes are described, they are intended to be used as an aid and to add consistency to OIS investigations. It is not the intent of the protocol to mandate any action that would be contrary to any other procedure.

Definitions:

1. *Officer Involved Shooting:* An incident in which an Officer of the Myrtle Beach Police Department purposefully discharges a firearm at a human being.
2. *Involved Officer:* An officer of Class 1, 2 or 3 status who fires their weapon intentionally at a human being.
3. *Involved Other:* Any person who is directly involved with an Officer Involved Shooting. This may include Officers who responded as back up, officers who witnessed the incident, Officers who rendered aid to an injured person, Communications Officer who was on duty at the time of the incident, or a ride along who was present during the incident.

1. Objectives:

- A. Establish a protocol to ensure that a fair, consistent and complete investigation is completed.
- B. Ensure scene security and aid is rendered to injured persons.
- C. Establish proper on scene command & proper notifications.
- D. Lesson the traumatic stress to all involved.
- E. Establish a protocol ensuring that each officer involved is being offered services in a consistent and clear manner.
- F. Provide guidelines for officers when assigned to administrative duties.
- G. Ensure that officers as given proper and consistent aftercare and properly reintegrated to full duty.

2. Roles and Responsibilities:

Within this section, the roles and responsibilities for Chief of Police, Division Commanders, Watch Commander, On Scene Supervisor, Involved Officer, Public Information Team (PIT) and Peer Support are defined:

A. Chief of Police (or Asst. Chief as designated)

- 1) Notify City Managers, Risk Manager, City Attorney and other officials as needed.
- 2) Determine the location of a Police Command Post which will be located out of sight and sound of the involved officer(s). The Police Command Post location will be relayed to City Management and other Officials and will be the location where they are received. The purpose of the Command Post being located away from the involved officer(s) is so that conversations regarding the management of the incident don't unnecessarily raise concern or the stress level of the officer(s).
- 3) Notify the State Law Enforcement Division (SLED) of the incident and request they investigate.
- 4) Appoint a liaison officer to each involved officer (and other employees as needed). This liaison will be the sole point of contact and source of information being given to and received by the involved officer.
- 5) Place involved and other officers on Administrative Duty as necessary.
- 6) Request the Office of Professional Standards investigate the Use of Force and conduct a parallel investigation.
 - Note, the investigation conducted by OPS will not be shared with SLED and is to be used for internal use only.

- 7) Chief of Police will confer with the City Attorney to determine the need for attorneys to be hired to represent the involved officer(s). These attorneys will be provided by the City of Myrtle Beach.

B. Division Commander

- 1) All available Division Commanders will respond to the scene or assume command of their divisions after being notified of an OIS.
- 2) Ensure that proper manpower is available to cover all duties and assignments in the immediate and future timeframes.
- 3) Monitors progress of the investigation.
- 4) Ensures evidence gathering, chain of custody, and preservation is appropriate.
- 5) Prepares a written summary and complete after action report of the incident.

C. Watch Commander

- 1) Shall ensure that the scene is secure and medical attention is given to all injured parties.
- 2) Will identify an officer trained in Peer Support or a Supervisor to escort the involved officer(s) from the scene to the Police Department. The escorting officer or supervisor will remain with the involved officer until relieved.
 - a. Should an officer be injured during an incident, they will be escorted by another officer who will offer support and security to the injured officer until relieved or released by a supervisor.
- 3) Will ensure that the involved officer(s) weapon to include other duty gear (magazines, handcuffs, etc) remains in the same condition as it was post shooting. The involved officer(s) should remain armed until their weapon is surrendered to SLED Crime Scene Unit.
 - a. If an officer's weapon has to be removed from them for any reason, the Watch Commander will identify a supervisor who will maintain custody of the weapon until it is surrendered to SLED. This should include the entire duty belt if applicable.
- 4) Ensure notifications have been made to Division Commanders.
- 5) Identify the officer(s) that are involved in the OIS then determine any needs, this includes support personnel. Involved officers should be reported to Division Commanders and Chiefs immediately upon being identified. Additionally, the Watch Commander will identify those officers who may have witnessed the shooting incident or rendered aid and ensure that they are sequestered as well.

D. On Scene Supervisor

- 1) Continuously communicate with dispatch to ensure there is adequate manpower to cover all patrol and ancillary duties. If the supervisor determines there is not adequate manpower available, they shall communicate with the Incident Commander to develop a plan for obtaining additional manpower (call surrounding agencies for assistance and or summon off duty personnel).
- 2) Shall ensure that the scene is secure and medical attention is given to all injured parties.
- 3) Identify and sequester all witnesses and ensure that all evidence is secured.
- 4) Ensure that Involved Officers are following section “E” below.

E. Involved Officer

- 1) Once the scene is secured and the involved officer has been removed from the scene, the involved officer will narrate on their body worn camera that they are no longer actively involved in the incident and are leaving the incident location. At that time, the Officer’s Body Worn Camera may be turned off.
- 2) Officer should make contact with their spouse, partner or significant other and immediate family personally advising their condition and that they have been involved with in a OIS. A trained peer or fellow officer can be present for these notifications as needed.
- 3) Officer should immediately deactivate all personal social media accounts and should suggest that immediate family do the same. The MBPD Public Information Team will be made available to assist as needed.
- 4) Officer will confer with their attorney before giving any statement written or verbal that may be used in a criminal investigation. This will include determining when to be interviewed by SLED which shall occur at the advice of the Officer and their attorney.
- 5) Officer shall be made aware of the condition of the subject as updates become available. These notifications will only come from the Liaison Officer and at the discretion of the Involved Officer.

F. Public Information Team

- 1) Communicate critical information to the public using existing social and traditional media platforms immediately following the incident.

- 2) Prepare a press release and information for distribution to media outlets, this will include informing the media that SLED is conducting a criminal investigation and will release any information regarding the incident as applicable.
- 3) Respond to all requests for information from media outlets and be the sole source of information to any and all media requests.
- 4) Monitor social and traditional media outlets for any information that may help with the investigation. Additionally, monitor for any information that may be of concern.
- 5) Will be available to meet with the involved officer(s) or involved other(s) concerning any media issues or questions.

G. Peer Support:

- 1) At the direction of the Chief of Police (or designee), South Carolina Law Enforcement Assistance Program (SCLEAP) shall be notified of the incident. A needs assessment will then be completed and appropriate resources deployed. This may include an immediate response, ancillary support or support in the future.
- 2) A member of the MBPD Peer Support team should talk with the involved officer about any immediate needs of the officer or their family. As needs arise the Peer is expected to relay those needs to the Peer Support Team leader or Division Commander as applicable. These needs may include arranging for family to see the officer, arranging child care - pick up, subsistence, change of clothing or other needs.
- 3) Peers along with Command Officers (as applicable) will ensure that the involved officer is made aware of what will occur as part of an Officer Involved Shooting Investigation. This may include:
 - a. Several members of the department as well as City Leaders will come to see them and offer support.
 - b. Attorneys hired by the City of Myrtle Beach will respond and meet with the officer. These attorneys will provide all legal advice and answer any questions. These attorneys are solely hired to represent the officer and not the department or City of Myrtle Beach.
 - Note, nothing in this or other procedures prevents an officer from hiring legal counsel on their own.
 - c. Involved Officers will be placed on Administrative Duties by the Chief of Police and Chief will order MBPD Office of Professional

Standards to investigate the Use of Force as a parallel investigation.

- d. Involved Officers will be the subject of a criminal investigation by SLED. Officers should expect to be photographed, uniforms may be collected as evidence and any weapons or equipment used may be seized as evidence by SLED.

3. On Scene Response:

A. Designation of an Incident Commander

The on duty Watch Commander (or Patrol Supervisor the absence of a Watch Commander) shall be considered the Incident Commander until relieved by a Police Captain or other Command Officer. Due to the potential of an OIS to be rapid expanding and evolving, the Incident Commander has complete authority to request and manage any and all resources available to bring the event to a successful conclusion. The Incident Commander has overall control of the incident and is responsible to ensure that all incident activities are addressed. The Incident Commander exercises control over the incident and directs the efforts of the personnel across all Police Department Divisions.

4. Administrative duties

- A. Involved Officer(s): Division Commanders will assign each involved officer to an administrative assignment. Involved officers will report directly to the Division Commander during their administrative assignment. Schedule will also be determined by the Division Commander. While the intent of this assignment is to limit the officer's integration with the public, the officer shall still have full arrest powers and may be armed unless otherwise stated by the Chief of Police.
- B. Dress and weapons: Officers assigned to Administrative Duties will wear a Class A or B uniform to include vest, gun belt and weapon. Involved officers who are normally assigned to a plain clothes assignment may remain in plain clothes unless directed otherwise by their Division Commander.
- C. Overtime and Extra Duty assignments: Officers assigned to Administrative Duties may work overtime upon approval of their Division Commander however they will not be able to work any extra duty assignment. The Special Events coordinator shall be advised of the change in duty status and will get any existing assignment covered.
- D. Court Attendance: The involved officer's Division Commander shall be responsible to contact the Municipal Court and the Solicitor's Office advising the officer's change in status to administrative duties. The officer's pending cases should be continued until such time as the officer is reinstated to full duty. It should be noted that this in no way alleviates the defendant's obligation to the courts or should infer any wrong doing by the officer.

5. Reintegration to full duties

A. Mental Health Counseling

Officers will be required to meet with a licensed mental health professional within 3 days of the incident. This visit will be compensated by the City of Myrtle Beach. Officers can be afforded the opportunity to attend additional mental health counseling compensated by the City of Myrtle Beach at the discretion of the Chief of Police. Officers will meet with a member of the Peer Support Team to learn about other mental health resources available to them and their family.

B. Critical Incident Stress Debriefing

Division Commanders will identify the impacted officers who will be given the opportunity to attend a Critical Incident Stress Debrief. This debrief will be led by SCLEAP and will be mandatory for involved officers and Communication Officer assigned to "Police Radio" at the time of the incident. Officers may elect or be ordered to attend a future SCLEAP Post Critical Incident Seminar (PCIS) at the expense of the department.

C. Incident Location Visit

Involved officers will visit the incident location before returning to full duty. This visit is to benefit the officer by desensitizing them and gaining a better understanding of the incident. The officer should visit the location with a member of the Peer Support Team or another officer chosen by the involved officer.

D. Qualification with reassigned duty weapon

Officers will qualify with their newly assigned duty weapon before returning to full duty. Additionally, while assigned to administrative duties, the involved officer(s) will practice at the shooting range with a firearms instructor at least 3 times.

E. Psychological assessment

At the direction of the Chief of Police (or designee) the involved officer(s) and those determined to be necessary, will have a psychological assessment completed before returning to full duty. Assessments will be conducted by the Medical University of South Carolina or other provider at the discretion of the Chief of Police.