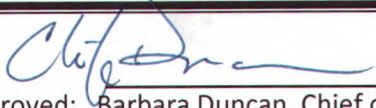
	SALISBURY POLICE DEPARTMENT
	Written Directive: Critical Incident Management
	Publication Date: September 23, 2019
	 Approved: Barbara Duncan, Chief of Police
Related CALEA Standards: 4.2.3, 11.3.4	<u>Critical Incident Management</u> Section #1006

Critical Incident Management

1. Policy:

It is the policy of the Salisbury Police Department that when department personnel are directly or indirectly involved in a critical incident the department will provide direct access to behavioral health services under emergency conditions and will take the necessary measures to ensure the physical and psychological well-being and safety of all department personnel and their families. If the critical incident has occurred while on duty, a thorough and transparent investigation surrounding the details of the critical incident will be completed, while respecting the confidentiality of protected healthcare information. Involved officers and civilians alike will be treated with dignity and respect throughout the process.

2. Purpose:

The purpose of this policy is to establish operational and administrative protocols which will be initiated in the event that a department employee is directly or indirectly involved in a critical incident. This policy outlines how the Salisbury Police Department will respond to sworn and non-sworn employees activating behavioral health services due to a critical incident along with the investigation of the critical incident.

3. Definitions:

Serious Injury: A bodily injury or perceived imminent threat of bodily injury that creates a substantial risk of death, causes permanent disfigurement, or results in the long term loss or impairment of the function of any bodily member or organ.

Officer-Involved Shooting (OIS): The intentional discharge of a firearm by a police officer directed at another person, regardless of whether or not injury occurs.

Critical Incident: any situation faced by employees and their family members that could possibly cause them to experience unusually strong emotional reactions which have the potential to interfere with their ability to function, either at the scene of the incident or at a later time, (i.e. internal investigation, mass casualty, suicide by copy or involved in or a witness to a serious or fatal motor vehicle crash).

Crisis Concern Telephone Call: The first step in the critical incident response process when the department assigned police psychologists elects to handle the initial consultation with the affected S.P.D employee(s) by telephone.

Critical Incident Response Team: (CIRT): small groups of professionals and employees who assist employees and their families who are experiencing a critical incident.

Initial Critical Incident Stress Intervention: a mandatory individual or group meeting held shortly after a critical incident aimed to educate, inform and assess the needs of the employees exposed to the incident. It is a brief process that assists the employee in coping with the aftermath of a critical incident. An initial critical incident stress intervention ideally involves the attendance of at least two CIRT members.

Follow up Critical Incident Stress Intervention: a mandatory confidential meeting conducted between 24 and 72 hours after a critical incident. It will be conducted by a police psychologist and may include peer support team members at the discretion of the employee. Such interventions include discussions of involvement, thoughts and reactions resulting from the incident. Discussion of typical stress-related symptoms will also be included. This is not an operational critique of the incident or an investigation into the incident. The purpose is to facilitate effective processing of the incident to enhance leadership skills.

Individual Intervention: One on one confidential intervention for any topic that is a concern to the initiating employee and is available at any time through the police psychologist or peer support member with whom an employee agrees to consult.

Peer Support Team (PST) Members: consists of specially trained employees who will provide psychological support to those affected by a critical incident.

4. Initial Response to an Officer Involved Shooting (OIS) or an incident involving a serious injury or death:

- A. Personnel responding to a serious injury/death or OIS (Officer Involved Shooting) incident should immediately undertake the following actions:
- a) Preserve and protect the lives of all involved parties;
 - b) Seek to apprehend outstanding suspects involved in the incident;
 - c) Locate and separate witnesses to ensure independent statements; and

d) Preserve the scene through appropriate measures and document items that may change or degrade prior to the arrival of a trained evidence technician.

B. Responding officers should understand that these serious incidents will be highly scrutinized by the judicial system as well as the public. As such, officers are reminded to remain professional at all times and limit on scene conversation to that which is necessary to accomplish the tasks at hand. The inadvertent recording of opinions, conjecture or other unnecessary discussion could potentially jeopardize or negatively impact the outcome of any investigation or prosecution arising from the incident.

C. Officers directly involved in a serious injury/death or OIS (Officer Involved Shooting) incident may be asked a series of questions by the responding supervisor(s) in order to establish the level of danger that may still exist, aid in the effort to locate suspects and focus the initial stage of the investigation. Due to the need for officer and citizen safety, these "Public Safety Statements" may be immediately compelled by a supervisor without waiting for the involved officer's attorney. Once these urgent questions are asked, the primary focus will shift to providing the necessary cognitive intervention of the affected employee.

a) Questions and related public safety statements may include (but not limited to):

- i. Type of force used by the officer
- ii. Threat presented by suspect(s) or other parties
- iii. Direction and number of shots fired by the officer or suspect(s)
- iv. Location of any weapons
- v. Location of any injured persons
- vi. Suspect description and mode/direction of travel
- vii. Description and location of any witnesses or victims
- viii. Any other information that will ensure public safety and assist in apprehension of the suspect(s)

b) Prior to ending their tour of duty, the supervisor initiating questioning under this directive will document the responses of the officer in a memorandum to their division commander. The memorandum will be forwarded to the internal affairs investigator to become part of the IA file.

c) An officer may not refuse to answer public safety questions under this policy. Any officer refusing to answer questions under this policy will be subject to discipline up to and including termination.

5. Investigation:

- A. The Maryland State Police or other allied law enforcement agency shall be requested to investigate any serious injury, death or OIS (Officer Involved Shooting).
 - a) Upon the completion of the investigation, the associated reports and investigative details will be submitted to the state's attorney's office for review; and
 - b) The state's attorney will decide whether the officer's actions were lawful or unlawful, and whether to initiate criminal action against officers whose actions are deemed unlawful.
 - c) Following an (OIS) officer involved shooting the officer will be placed on paid administrative leave for (5) five working days. During this time period the officer will attend the first of two follow up critical incident stress interventions.
- B. An internal investigation will be conducted by an internal investigator of the Salisbury Police Department. This investigation will be conducted in accordance with departmental policy section #603 (Internal Investigations). At no time will the internal investigation undertake actions that have the potential to interfere with an ongoing criminal investigation into the incident. The police psychologist intervening with the involved employee following a critical incident will provide no information in an internal investigation.

6. Public Information Plan

- A. The chief of police assisted by the public information officer (PIO) will collaborate with the appropriate officials from the agency conducting the criminal investigation and the state's attorney's office in order to provide important information to the public as appropriate.
 - a) The names of officers and citizens involved will generally be made public within a timely manner of an incident barring a necessary delay due to family notifications, safety concerns, investigative processes or other articulable cause;
 - b) Photographic and/or video evidence, to include body camera and in-car camera footage, will be released to the public on a case by case basis with the understanding that investigative and prosecutorial integrity will always outweigh the strong desire to be transparent to the public. Once all investigative and prosecutorial authorities conclude that public release of evidence will not jeopardize ongoing investigations, the evidence will be released at the discretion of the chief of police in accordance with the law.

- c) At the conclusion of a criminal investigation into an incident involving serious injury or death, the chief of police in conjunction with the state's attorney's office will make a public statement detailing the findings and any actions to be taken.

7. Administrative Assignment/Counseling:

- A. Department personnel directly involved in critical incident shall be placed on administrative leave pending an administrative review of the incident. This assignment will not result in loss of pay or benefits pending the results of the investigation and will not be in a position or role that will expose the employee to contact with the public. The assignment shall not be interpreted to imply or indicate that the department member acted improperly. The employee will be assigned meaningful job tasks; however, their police powers may be suspended during this administrative assignment at the discretion of the chief of police.
- B. An officer on administrative assignment under this policy may not be returned to active police duties until a criminal investigation has been completed and the state's attorney has determined that the officer's actions were lawful and not subject to prosecution. This shall be detailed in a formal declination letter which will be supplied to the officer involved and maintained in the internal investigation file.
- C. Department personnel (sworn or non-sworn) directly or indirectly involved in a critical incident will meet with the police psychologist and/or the CIRT (Critical Incident Response Team) as soon as practical after the incident and at no cost to the employee. The employee will then meet for two follow up intervention sessions within 10 days of the incident and again with the police psychologist at six months after the incident to ensure that latent issues are not becoming problematic for the employee. Additional interventions will be provided at the discretion of the officer and/or police psychologist. All meetings with the police psychologist prescribed above are mandatory and intended to augment leadership skills and to ensure the health and well-being of the employee.
- D. Department personnel (sworn or non-sworn) directly or indirectly involved in a critical incident wishing to seek contact with the police psychologist will be provided the opportunity.

8. OIS (Officer Involved Shooting) Weapon Replacement:

- A. OIS (officer involved shooting) incidents require that the firearm(s) used in the incident be seized for investigative purposes. The firearm(s) are considered evidence and can be held by investigators or courts for lengthy periods of time.

- B. In the case of an agency owned firearm being seized during an OIS (Officer Involved Shooting) investigation, the following protocols will occur:
- a) At the discretion of the chief of police, the quartermaster will issue a replacement firearm to the involved officer(s). Upon issuance, the officer will immediately qualify with the weapon pursuant to existing firearms training standards prior to being authorized to carry it. An officer who fails to qualify with the weapon will not carry the weapon and it will be returned to the quartermaster by the firearms instructor supervising the qualification attempt. The officer will receive additional firearms training at a later date prior to future qualification attempts. Failure to qualify with the weapon on the first attempt after issuance under this policy will not justify a suspension of police powers. Subsequent failures will be handled per existing policy under Section #1005 (Lethal Weapons).
 - b) If the departmental weapon involved is a patrol rifle, shotgun or firearm other than the standard issued handgun, the weapon will not be immediately replaced. Arrangements will be made at a later date to have the officer qualify with a new weapon in conjunction with regularly scheduled firearms training sessions.
- C. In the case of a personally owned but agency approved firearm being seized during an OIS (officer involved shooting) investigation, the following protocols will occur:
- a) The weapon will not be replaced immediately.
 - b) At the conclusion of all criminal and administrative investigations if the officer's actions are deemed legal and within policy, the Salisbury Police Department will reimburse the officer for the value of the firearm if it remains in the custody of investigators or the court.
 - c) The officer will be eligible to qualify with any new personally owned weapon in conjunction with regularly scheduled firearms training sessions.
- D. Nothing in this policy prevents an officer continuing to carry a personally owned and departmentally approved "off-duty" firearm so long as their qualification with the weapon is current and their police powers or departmental authorization to carry are not suspended.

9. Departments Response to Critical Incidents (Serious injury or death, officer involved shootings):

- A. Background
- a) Traumatizing incidents can have a deep and prolonged emotional impact on those involved. Symptoms of post traumatic incident stress can include nightmares, anger, fear, sleeplessness, lethargy, acute anxiety, morbidity, loss of appetite, etc.
 - b) To address this problem, health care professionals serving law enforcement and the military are now a regular part of intervention programs after traumatizing events.

- c) Emotional situations may have a negative impact on personnel performance and, in extreme instances, may present a danger to the welfare and safety of the employee, the employee's family, the general public and fellow employees.
- d) CIRT's (critical response team members) provide professional psychological services and peer support to S.P.D. employees and their families following a critical incident.
- e) All employees affected by a critical incident are encouraged to participate in critical incident stress interventions. Participation will not be considered a determining factor in their fitness for duty.

B. Responsibilities

- a) The department will maintain CIRT's (critical response team members) and strive to keep four to eight trained members on each team.
- b) The department will retain and maintain a police psychologist, trained in critical incident interventions, who will provide services to the CIRT (critical response team members).
- c) The police psychologist will coordinate all psychological and peer support for employees affected by a critical incident.
- d) A team leader will be designated by the police psychologist and will be responsible for performing administrative duties for the team and for managing the team's activities, on-call schedule and training. The team leader will report to the department psychologist.
- e) Peer support Team (PST) Members must be:
 - i. A non-probationary employee;
 - ii. willing to respond to calls on an as-needed basis; and
 - iii. trained in the management of critical incidents and re-trained annually.
- f) Team members will:
 - i. for critical incident stress defusing's, assist the police psychologist in understanding the policies of the department and will help facilitate the timely meeting of the affected personnel;
 - ii. for critical incident stress interventions, serve as the link between the employee and the police psychologist.

C. Confidentiality

- a) CIRT (critical incident response team) members are obligated to maintain strict confidentiality regarding interventions, including the names of those employees who attend.
- b) Any information disclosed will be considered confidential with no bearing on fitness for duty or internal investigations, except as enumerated elsewhere in this policy.
- c) CIRT (critical incident response team) members will sign a confidentiality agreement.
- d) CIRT (critical incident response team) members are prohibited from making notes or recordings while providing support.

- e) Other department employees will not question CIRT (critical incident response team) members regarding an intervention, or inquire as to which individuals attended.
- f) The department will not seek any clinical information from CIRT (critical incident response team) members regarding their role as CIRT members.
- g) Department employees who violate confidentiality will immediately be removed from the CIRT (critical incident response team) pending an investigation, and may be subject to disciplinary action.
- h) Peer support team exceptions to confidentiality that must be immediately reported to the police psychologist are:
 - i. threats of suicide or injury to others;
 - ii. admissions or threats of serious unlawful conduct;
 - iii. admissions of child abuse or domestic violence; and
 - iv. other situations as required to do so by law.

D. Procedures

- a) During or following a critical incident, when an employee may be experiencing challenges with the emotional aftermath of the incident, the police psychologist will be contacted by the on scene commander or the employee's respective division commander. The police psychologist may also be contacted by any employee. The police psychologist, Dr. Michael Finegan can be contacted at his office (410)546-2322 or on his cellular telephone at (443)735-8888.
- b) Mandatory call-out of the CIRT (critical incident response team) is required in S.P.D. officer involved shootings, the traumatic or unexpected death of an employee or any incident of a sufficient magnitude that may affect the well-being of employees and/or their families.
- c) Upon being notified, the police psychologist will obtain details of the incident from the on scene commander or his/her designee. The on scene commander or his/her designee should be prepared to give a brief history of the event and explain any behavior noted in the affected employee.
- d) Depending upon the information obtained, the police psychologist may elect to institute the first level of intervention, a crisis concern telephone call.
- e) Should the incident be of a sufficient scope and magnitude to require a CIRT (critical incident response team) response, the police psychologist will notify the CIRT leader and the team leader will activate the team. The CIRT team will respond within two hours after being notified and will include:
 - i. the police psychologist;
 - ii. a Chaplin; and
 - iii. at least two (PST) members.
- f) When appropriate, the department will provide an area free of distraction for an initial and brief critical incident stress intervention.
- g) The CIRT (Critical Incident Response Team) team leader will contact the police psychologist within 48 hours to report on the effectiveness of the intervention.

- h) When responding as a CIRT (Critical Incident Response Team) member, employees may not be used for staffing at the scene, but will otherwise follow the directions of the incident commander.
- i) Special requests for activation of the CIRT (critical incident response team) will be at the discretion of the chief of police and may include cross-jurisdictional response or a response outside the State.

10. Training:

- A. Both sworn and non-sworn personnel will receive awareness training as to the departmental process of handling a critical incident. As needed, training will be provided for agency personnel who are responsible for managing such incidents and will generally occur during the annual firearms qualification sessions.
- B. Four 90-minute peer support training and review sessions will be conducted each year in addition to as needed support and training provided by the police psychologist to peer support team members.