

Police Bureau

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0416.00 Critical Incident - Temporary Altered Duty

416.00, Critical Incident - Temporary Altered Duty

Refer:

DIR 210.21, Leaves from Service

DIR 240.00, Employee Assistance Program

DIR 410.00, Injuries/Occupational Illness/Disability/LOS

DIR 1010.00, Use of Force

DIR 1010.10, Deadly Force and In-Custody Death Reporting and Investigation Procedures

Definitions:

- Critical Incident: An atypically traumatic event that may cause physical, emotional, and/or psychological injury or harm
- Critical Incident Stress Debriefing: A process that is designed to prevent or limit the development of post-traumatic stress in people exposed to critical incidents. It is a professionally conducted debriefing that helps members cope with and recover from an incident's aftereffects. It enables participants to process their thoughts and feelings surrounding a critical incident in a controlled, safe environment.
- Involved Member: An involved member is a Bureau member who applies deadly force or directs another to use deadly physical force, or a member who has used physical force against, or a member who assumes control, care or custody of, a subject who dies in police custody.
- Witness Member: A witness member is a Bureau member who observes or has firsthand knowledge of the events surrounding an in-custody death or the use of deadly physical force by another member, and other than observing the incident, did not use deadly physical force. Additionally, a member who observes or has firsthand knowledge of the events surrounding a member's direction to another to use deadly force.

Policy:

1. The Bureau recognizes that critical incidents are extremely complex and can have significant impact on the involved and witness members, the organization, and the community.
2. The Bureau is committed to supporting members who are involved in or witness a deadly force incident. Members directly involved in the use of deadly force (or force resulting in serious injury as determined by the Chief of Police) will be placed on administrative leave and/or provided a structured, temporary altered assignment to facilitate the member returning to their regular duty.

Procedure:

1. Altered Duty for Involved Members:

- 1.1. Involved members in a use of deadly force or in-custody death event will be placed on administrative leave immediately following an event. This work status will stay in place until the involved member attends a session with a licensed mental health professional. If this session occurs prior to one week after the end of the Grand Jury deliberations, the involved member will not return to work until one week after Grand Jury deliberations. This procedure recognizes the difficulty in processing such an event by a member until after the completion of the Grand Jury deliberations.
- 1.2. Members who need more time off work may use vacation or sick leave, if applicable.
- 1.3. If a member feels unable to return to work, they may file a claim under the Fire and Police Disability and Retirement System.
- 1.4. The involved member's Lieutenant will be responsible for keeping the member informed of the details of their temporary assignment. This procedure recognizes the value in the member receiving official communication in a timely, accurate, and regular

manner.

1.5. Involved members will return to work at the conclusion of the administrative leave and after the Critical Incident Stress Debriefing.

1.6. The involved member's return to work will be structured in a manner designed to continue to facilitate the member smoothly returning to their full duty assignment.

2. Return to Work for Involved Members:

2.1. The first week of the structured return to duty assignment will include being paired with another member for a minimum of the first week. This procedure recognizes the benefit of being back with the involved member's usual peers as well as being able to step back into the demands of the job in a progressive manner.

2.2. The first day will be administrative in nature and will include such things as obtaining back the involved member's weapon and equipment, visiting the range if desired, and visiting the scene of occurrence if desired.

2.3. If the involved member is in an operational assignment, the rest of the week will involve working in a two person "beat" car and taking non-priority calls. The intent is for the involved member to not have district responsibilities for the first week and to take calls in a self-initiated and controlled manner.

2.4. If the involved member is in a non-operational assignment, a similar stair step approach assignment will be structured.

2.5. At the end of the first week, the involved member, the Employee Assistance Program (EAP) Coordinator, and the member's supervisor will make a determination if the member is ready for a complete return to unrestricted duty or decide if there would be additional benefit by continuing to be paired with a partner.

3. Witness Member:

3.1. Members that witness (as defined within this Directive) the use of deadly force may be placed on administrative leave and/or placed in a temporary altered duty assignment following such an incident. This may also be referred to the EAP Coordinator and assigned a Traumatic Incident Committee or Peer Support Team member.

3.2. These decisions, as well as the return to work process, will be determined on a case by case basis by the Assistant Chief of the witness member in consultation with the EAP Coordinator, the witness member, and their assigned Traumatic Incident Committee or Peer Support Team member.

3.3. This procedure recognizes that witnessing such an event, though not being directly involved in the use of deadly force, can still have a significant impact on members.

4. Members involved in all other types of critical incidents may be placed on administrative leave with the approval of the Chief or their designee.

5. EAP Coordinator:

5.1. The EAP Coordinator provides support and assistance to members involved in a critical incident by partnering them with peer-support groups; referring them to licensed mental health providers; conducting follow-ups; advocating on their behalf to command staff for additional time off, if necessary; and coordinating their return to work.

5.2. Following the use of deadly force or in-custody death, the EAP Coordinator will:

5.2.1. Ensure that all involved members are assigned a Traumatic Incident Committee team member as soon as practical.

5.2.2. Refer members to licensed mental health providers and ensure the involved member(s) is both scheduled for and attends a session prior to returning to work. The EAP Coordinator will also schedule members' sessions at three, six, and twelve months following the incident.

5.3. The EAP Coordinator is responsible for scheduling the Critical Incident Stress Debriefing following any critical incident.

5.3.1. Critical Incident Stress Debriefings for use of deadly force or in-custody death events will occur as soon as practical following the conclusion of any criminal proceedings (e.g., Grand Jury). This procedure recognizes the value in conducting this debriefing as soon as is procedurally possible.

5.3.2. Critical Incident Stress Debriefings for all other critical incidents shall occur within a week of the event or as soon as practical.

6. Exceptional Circumstances:

6.1. In exceptional circumstances, the Chief of Police or their designee, reserves the ability to have a member remain on administrative leave beyond the time periods outlined in this directive.

6.2. The Chief of Police, also reserves the ability to assign a member to a non-call taking assignment.

6.3. Factors that will be considered in making such determinations include, but are not limited to:

6.3.1. Member concerns,

6.3.2. Threats to members and family members,

6.3.3. Media coverage,

6.3.4. Community concerns,

6.3.5. Grand Jury returning a true bill for a criminal indictment, and/or

6.3.6. There is an objective basis for the Chief of Police to believe that the member may be terminated from employment.

History:

- Originating Directive Date: 04/29/13

- Last Revision Signed: 04/15/19

- Effective Date: 05/15/19

- Next Review Date: 05/15/20