



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 705 – Officer Involved Shooting and Custodial Deaths

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Forms Referenced in Procedure:	SAPD Form #172	Related Procedures:	314, 701, 908

.01 INTRODUCTION

This procedure establishes guidelines to ensure the highest degree of continuity and standardization in the handling of officer involved shootings and custodial deaths. This process not only instills a sense of confidence in the officers themselves, but also satisfies the community's expectations regarding the thoroughness, objectivity, and integrity of such investigations.

.02 POLICY

- A. Officer involved shootings (including apparent accidental shootings) and custodial death incidents involving SAPD Officers or other City of San Antonio Law Enforcement Officers (Airport/Park Police) are investigated by the Shooting Team, regardless of the officer's duty status.
- B. Shootings and custodial deaths involving officers from outside law enforcement agencies occurring within the corporate limits of the City of San Antonio, with the exception of the Bexar County Sheriff's Department, are investigated by on-duty members of the Shooting Team, with additional help from on-duty Homicide Unit and/or Night CID Unit personnel.
- C. The Shooting Team Commander will be notified of all officer involved shootings and custodial deaths and will determine who will conduct the investigation. Whether or not a death is considered "custodial" will be determined by the Shooting Team Commander. Notification to the on-call Shooting Team Commander will be made by the Communications Unit and/or NCID during non-duty hours (1745 – 0745).
- D. A Shooting Team Supervisor, a Command Level Officer (Captain or above), and a member of the Internal Affairs Unit will be sent to the scene of all officer involved shootings and custodial deaths occurring in the City of San Antonio.
- E. An officer is considered to be a witness if he is present at the scene of an officer involved shooting but does not use deadly force himself.
- F. Any officer discharging a weapon, accidentally or intentionally (except on the target range or while lawfully hunting), whether on or off duty, shall immediately verbally notify a supervisor. This is in addition to the written reporting requirement under Subsection 3.31 (D.) of the Rules and Regulations.

.03 TERMINOLOGY *(For specific use within this procedure, see Glossary)*

Administrative Review	Custodial Death	Officer Involved Shooting
Officer Involved Shooting Review Committee	Serious Bodily Injury	Shooting Team

.04 RESPONSIBILITIES

- A. First Officers/UEIDIs at Scene:
 1. Care for the injured;
 2. Apprehend suspects;



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3. Protect the scene;
4. Attempt to locate and identify any witnesses; and
5. Maintain radio contact with the dispatcher, but limit radio transmissions to pertinent information.

B. Communications Unit:

1. A dispatcher, immediately upon the initial broadcast of any information relating to an officer involved shooting or custodial death, ensures:
 - a. Adequate Patrol Division officers/UEDEs are sent to contain and handle the situation;
 - b. A Patrol Division supervisor is assigned;
 - c. Crime Scene Unit Investigators respond to the scene;
 - d. Appropriate Investigations Division personnel are notified;
 - e. The nearest Patrol Shift Director is advised; and
 - f. The nearest Patrol Section Commander is advised, if available.
2. The Communications Unit Supervisor ensures the following personnel are notified:
 - a. Homicide Unit Director or Shooting Team Commander (if not one and the same);
 - b. Police Media Services Officer;
 - c. The appropriate command officer prescribed in GM Procedure 314, *Command Notification*;
 - d. Police Psychologist;
 - e. San Antonio Police Officers' Association Attorney;
 - f. Family Assistance Officer; and
 - g. Internal Affairs Unit.

C. Patrol Division Supervisors:

1. Direct the on-scene investigation until the arrival of the first member of the Shooting Team, who assumes temporary control until the arrival of a Shooting Team supervisor;
2. Limit entry within the cordoned off area of the crime scene to only those persons whose presence is absolutely required;
3. Examine, in the presence of a Crime Scene Unit Investigator, the weapons of all officers who were at the scene at the time of the actual shooting, excluding those weapons known to have discharged, which are processed by the Shooting Team;
4. Relieve an officer involved in a shooting of his weapon at the scene of the shooting only if it is absolutely necessary;



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5. Arrange for the transportation of all involved personnel, witnesses, and/or suspects to Headquarters for statements/interviews;
6. Ensure involved personnel are not questioned or interviewed, except as set forth in this procedure. Witnesses and suspects are cared for and kept separated;
7. Instruct nonessential personnel to return to service as soon as practical;
8. If an officer is transported to a hospital, coordinate the officer(s) security and privacy with hospital security and medical personnel, adhering to all hospital procedures; and
9. Gather reports from all officers under their supervision who were assigned to the shooting or custodial death call and deliver those reports to a Shooting Team Supervisor prior to ending their tour of duty.

D. Crime Scene Unit Investigators:

1. Cordon off the immediate area of the crime scene;
2. Preserve and protect perishable or unsecured evidence until the arrival of the Shooting Team;
3. Process all evidence if the Shooting Team Crime Scene Specialist is unavailable or when evidence must be moved or recorded;
4. Process any evidence obtained from weapons examined by supervisor; and
5. Assist the Shooting Team in accordance with GM Procedure 701, *Crime Scene Duties*.

E. Shooting Team:

1. Upon arrival at scene, assume primary responsibility for investigation of all officer involved shootings and custodial deaths in accordance with the Homicide Unit SOP; and
2. Provide Police Media Services Office personnel with information on the investigation that can be made available to the media.

.05 INVESTIGATIVE PROCEDURES

- A. The Shooting Team Commander shall designate an area at Headquarters to continue the investigation. This area becomes a restricted zone for Shooting Team personnel only.
- B. A separate command post area is established for personnel not directly involved in the investigation, but whose position requires them to be kept informed.
- C. A Shooting Team member coordinates interviews or questioning of the injured officer at the hospital. Other officers present at the hospital, including supervisors, refrain from discussing details of the case with the injured officer unless authorized by a Shooting Team member.
- D. An officer is read the "Miranda Warning" only if under suspicion for a criminal action. Any officer suspected of a criminal action, who has been read the "Miranda Warning," is not required to make any statement, oral or written.
- E. Officers involved in a shooting or a custodial death incident has a departmental member, assigned by a supervisor or the Shooting Team Commander, remain with them until the completion of all interviews.
 1. This member's primary concern is for the welfare of the officer involved in the incident, and



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2. Officers shall refrain from discussing the facts of the incident or interfering with any legal or clerical relationships.
- F. When two (2) or more officers are involved in a shooting or a custodial death incident, they are:
1. Isolated from one another at the scene by a supervisory officer; and
 2. Separately transported to and sequestered within the restricted zone at Headquarters.
- G. If one or more of the officers desire to consult with counsel prior to giving a statement or answering any questions, one is provided for him.
1. Officers meet separately with the attorney(s); and
 2. After the meeting, each officer will again be sequestered for interviews.
- H. An officer involved in a shooting or custodial death incident should not be required to unnecessarily repeat an account of the event.

.06 REPORT RESPONSIBILITIES

- A. It is the responsibility of each officer involved in the shooting or custodial death incident to present all factual information necessary to conduct a thorough investigation. Each officer involved in the incident should briefly inform the supervisor of the circumstances surrounding the event.
- B. All officers who witness an officer involved shooting or custodial death incident are required to submit a written report describing the event.
- C. Every officer, regardless of rank, who is assigned to an officer involved shooting or custodial death incident prepares a written report documenting the reason for responding and the actions performed and submits it to a Shooting Team Supervisor prior to the end of their tour of duty.
- D. The officer designated to handle the overall reporting responsibilities, upon completion of the offense report, submits it to the Shooting Team Commander for review.
- E. A preliminary report of the occurrence is forwarded by the Shooting Team Commander to the following:
 1. Chief of Police;
 2. Operations Support Bureau Commander;
 3. Investigations Division Commander;
 4. Homicide Section Commander;
 5. Bureau and Division Commander of officer(s) involved;
 6. Internal Affairs Unit; and
 7. Police Media Services Office.
- F. After the investigation is finished, a complete report of the incident is forwarded by the Shooting Team Commander upon request to the following:
 1. The District Attorney's Office;



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2. The Internal Affairs Unit; and
3. The Training Academy.

.07 OFFICER INVOLVED SHOOTING (OIS) REVIEW COMMITTEE

- A. The OIS Review Committee will be responsible for the following objectives:
 1. A review of the case file for policy and procedural deficiencies;
 2. A review of the incident for training and tactical aberrations; and
- B. All recommendations will be forwarded to the Office of the Chief for review.
- C. All recommendations are advisory in nature and not binding on the Chief of Police. As such, the Chief of Police may elect to initiate action or discard any/all recommendations.

.08 POST EVENT PROCEDURES

- A. Each officer involved in a shooting shall be placed on administrative duty or administrative leave in accordance with GM Procedure 908, *Mandatory Reassignment*.
- B. An injured officer, if or when able to return, is placed on limited duty until SAPD Form #172, *Physician Authorization for Injury Status*, is completed, and authorizes the member's return to regular duty.
- C. All officer involved shootings and custodial death incidents are reviewed by the Internal Affairs Unit for evidence of non-criminal misconduct and forwarded to the Chief's Advisory Action Board for an administrative review.
- D. A city issued weapon used in an officer involved shooting is reissued to the officer after the case is cleared by the District Attorney's Office.
 1. The Homicide Unit notifies the Armory and Supply Office to retrieve the weapon from the Property Room; and
 2. The Armory and Supply Office reissues the weapon to the officer.