

Fifth Judicial District

Department of Correctional Services



Policy Manual

TITLE: Fugitive Unit Shooting Critical Incident

POLICY

Written policy, procedure, and practice govern the Fifth Judicial District Department of Correctional Services' protocol in critical-incidents.

PROCEDURE

For the purpose of this section, the word "officer" shall encompass the Polk County Sheriff's Office deputies assigned to the Fugitive Unit.

1. An officer may discharge his/her weapon under the following circumstances:
 1. During range practice or competitive sporting events;
 2. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured, however the officer must obtain prior authorization from the unit's Supervisor, when practical. The Supervisor may or may not respond to the scene.
 3. As outlined in the Use of Force Policy.
 4. Any use of a weapon, display or discharge, other than recreational use will require immediate notification of the officer's immediate Supervisor. A detailed written report will follow the oral notification.
 5. No warning shots are permitted!
2. Accidental discharge of a firearm not involving the use of deadly force:
 1. The officer will file a written report detailing the discharge of the weapon.
 2. The Supervisor of the Fugitive Unit will investigate such incidents.
 3. Following the investigation, the findings will be forwarded to the Director of the Fifth Judicial District Department of Correctional Services for review.
 4. Following the review of the case by the District Director, the case will be forwarded back to the Fugitive Unit Supervisor for disposition:
 1. If warranted, the Fugitive Unit Supervisor and the District Director will determine the appropriate disciplinary action; if any.
 2. The officer may be required to undergo firearms certification again, if the shot(s) were the result of negligence.
3. In all shooting incidents in which an officer has used force involving the use of a firearm, the officer shall:
 1. Notify Local Law Enforcement. Local Law Enforcement shall have crime scene control.
 2. If an officer or subject has been injured, ask for rescue.
 3. Notify his/her immediate Supervisor.
 4. Secure the scene.
4. The officer's Supervisor shall immediately notify the following:
 1. Director of the Fifth Judicial District Department of Correctional Services
 2. Assistant Director of the Fifth Judicial District Department of Correctional Services (The Critical Incident Officer)
 3. Sheriff of Polk County
 4. Chief Deputy of Polk County
 5. Chief of the Polk County Jail
 6. Polk County Attorney
5. The Director or his/her designee will notify the Critical Incident Response Team. The Sheriff of Polk County or his / her designee will notify internal affairs.
6. The District Director will notify the Deputy Director of Community Services at the Iowa Department of Corrections as soon as possible and file a written report with him/her after Law Enforcement completes their investigation.
7. The officer(s) shall be placed on paid leave until the investigation has been completed.

CRITICAL INCIDENT PROTOCOL FOR DISTRICT STAFF

1. In the event of a critical incident involving an officer, the Critical Incident Officer (the Assistant District Director), shall be notified.
2. The Critical Incident Officer will:
 1. Obtain the Critical Incident Packet (which contains emergency contact and medical profile information, the Critical Incident Protocol check list, Incident Report Forms and disposable clothing) from the office.

2. Respond to and be in charge of the scene.
3. Remove the affected officer from the scene and provide support, help, medical attention and protection from the media.
3. Notify the officer of:
 1. Access to independent counsel.
 2. Written incident report.
 3. Post critical incident resource team.
 4. Employee Assistance Program.
 5. Worker's Compensation.
 6. Recovery time off, with pay.
 7. A competent, well-structured investigation will be completed.
4. Provide replacement of clothing and equipment, if necessary, in a private non-humiliating manner.
5. Notify the officer's family member(s) or emergency contact person, if necessary.
6. Refer the officer to the Employee Assistance Program.
7. Handle all media contacts.

CRITICAL INCIDENT PROTOCOL FOR POLK COUNTY EMPLOYEES

Polk County Sheriff's Office employees will be under the supervision of the Supervisor of the Fifth Judicial District Department of Correctional Services Fugitive Unit until the Polk County Sheriff's Office Internal Affairs Unit arrives on the scene.

LINE OF DUTY SERIOUS INJURY OR DEATH

Line of duty death includes: any action, felonious or accidental (automobile accidents, training accidents, etc.), which claims the life of an officer who was performing law enforcement functions.

1. Survivors:

Survivors include immediate family members of the deceased officer: spouse, children, parents, siblings, fiancée, and/or significant other.
2. Death notification:
 1. This procedure is followed in cases of critically injured officers with poor prognosis or obvious line of duty death.
 2. Timeliness takes precedence over protocol in the death notification process. The on scene ranking officer is responsible for ensuring a timely notification to the surviving family shortly after or coincidental with normal command notifications. The District Director should designate an officer as the notification officer and at least one other officer to make the notification. If the District Director is not immediately available to make this designation, the responsibility remains with the Assistant District Director.
 3. Notification must always be made in person and never alone. The Fifth Judicial District Department of Correctional Services chaplain, psychologist, and the District Director or his/her designee, should appropriately accompany the notification officer. Do not delay the notification if these persons are not accessible. The surviving family should hear of the death from a Fifth Judicial District Department of Correctional Services representative first, not from the press or other source.
 4. If possible, get the family to the hospital prior to the death of the officer. Do not wait for the appropriate delegation to gather.
3. The notification officer should be aware of the following:
 1. As soon as the family sees you, they will know something is wrong. Ask to be admitted to the house. You should avoid making a death notification on the doorstep. Gather everyone in the home and ask them to sit down, inform them slowly and clearly of the information you have on the incident, making sure you use the officer's name during the notification.
 2. If the officer has died, relay that information using words like "died" and "dead," rather than "gone away" and "passed away." Do not spark a false sense of hope.
 3. The notification officer will be seriously affected by the death; he/she should understand that showing emotions is perfectly acceptable, but remember you are the messenger and you must deliver the message in a timely manner.
 4. Reactions of the family may include hysteria, anger, fainting, physical violence, shock, etc.
 5. If the family wants to go to the hospital, they should be transported via a Fifth Judicial District Department of Correctional Services vehicle. The family should not drive themselves to the hospital. Should the family insist on driving, an officer should accompany them in the family car.
 1. Communications regarding a line-of-duty death notification among law enforcement and employees of the Fifth Judicial District Department of Correctional Services should be restricted to the telephone wherever possible, not via police radio. The name of the deceased officer must never be released to the media before immediate survivors living in the region are notified. If the media already has the officer's name, they should respond to a request to withhold this information, pending notification of the next of kin.
 2. The notification officer shall notify the ranking officer at the hospital that the family is enroute (by phone if possible).
 3. Any notification of immediate survivors beyond the Polk County area should be made through personal notification by the local law enforcement agency in that area. The notification officer shall provide the Communications Center with the necessary information for a teletype message to the jurisdiction or the notification officer may contact the jurisdiction by phone. Logistical arrangements should include telephone number for the notification officer.
 4. The notification officer shall submit a written report to document any notifications made.

ASSISTING THE FAMILY AT THE HOSPITAL:

1. The first ranking officer to arrive at the hospital becomes the hospital liaison officer. This officer is responsible for coordinating the arrival of immediate survivors, police officials, the press, and others. These responsibilities include:
 1. Arrangements with hospital personnel for appropriate waiting facilities. There should be segregated areas reserved for survivors.
 1. Immediate survivors, the District Director, the notification officer, and only others as requested by the immediate survivors.
 2. A separate area or room for fellow officers and friends.
 3. A press staging area.
 2. Ensuring that medical personnel communicate pertinent information on the officer's condition to the family first.
 3. Notifying the appropriate hospital personnel that all billing for medical services shall be directed to the Fifth Judicial District Department of Correctional Services. The family should not receive any of these bills at their residence. The hospital liaison officer should also contact the hospital during normal business hours to ensure that proper billing takes place.
 4. Arranging transportation for the immediate survivors and others from the hospital to their residence.
2. If possible the family should be allowed to see the officer prior to death. Medical personnel should make the family aware of hospital policy about visiting a trauma patient or viewing the body of the deceased. Medical personnel should also explain why an autopsy is required.
3. Those present at the hospital should be aware of the following when dealing with the immediate survivors:
 1. Do not be overly protective of the family. This includes the sharing of specific information concerning the death, as well as allowing the family time to view the body of the deceased.
 2. Idle promises should not be made to the family at this time; i.e., "We'll promote him/her posthumously" or "we'll retire his/her badge".
 3. Do not suggest a survivor be sedated unless medication is requested by that survivor.
4. The District Director or his/her designee should be present with the family the entire time at the hospital to arrange assistance for the family.

SUPPORT FOR THE FAMILY DURING THE WAKE AND FUNERAL

1. Within twenty-four (24) hours of death, the District Director may designate a funeral liaison officer, a benefits coordinator, a family support advocate, and a Fifth Judicial District Department of Correctional Services liaison. These designations shall be announced to employees in writing, if possible. All referrals will be made according to areas of responsibility.
2. The District Director or his/her designee should personally notify the surviving family of the designated choices.
3. The District Director may require additional employees or overtime to handle incoming phone calls. A record should be made of all calls coming in and callers should be directed to the appropriate liaison, according to responsibility.
4. Within twenty-four (24) hours, the District Director or his/her designee should make appropriate referrals under the Employee Assistance Program for critical incident stress debriefing for officers close to the incident and referrals for the surviving family if they wish.

FIFTH JUDICIAL DISTRICT LIAISON

1. This position should be filled by a Supervisor because of the need to make expedient provisions of all the District's resources and delegation of tasks.
2. The Fifth Judicial District Liaison will work closely with the funeral liaison officer to ensure the needs and requests of the family are fulfilled regarding the funeral arrangements.
3. The Fifth Judicial District Liaison directs the funeral activities of the District and visiting law enforcement agencies, according to the wishes of the family. The Fifth Judicial District Liaison is also responsible for:
 1. Oversight of arrangements for travel and lodging for out of town family members.
 2. Expedient provisions for all District resources.
 3. A comprehensive survey of alternate churches and reception halls with seating capacities able to accommodate attendance of a law enforcement funeral. This information is given to the family as soon as possible to help them decide a location. The choice remains with the family.
 4. Coordinating all official law enforcement notifications and arrangements for the funeral, including honor guards, pallbearers, traffic control, and liaison with visiting law enforcement agencies.
 5. Liaison with media relations. In the unlikely event that the family decides to accept an interview, a supervisor should attend and "screen" all questions presented to the family, so as not to jeopardize upcoming legal proceedings.
 6. Arranging routine residence checks of the survivors' home for 6-8 weeks following the tragedy. This service is necessary since large amounts of money may pass through the residence and the survivors may be spending much time away from the home with legal matters. This may require outside liaison with other jurisdictions.

FUNERAL LIAISON

1. The funeral liaison works closely with the Fifth Judicial District Liaison.
2. The funeral liaison does not need to be a Supervisor, but the assignment is critical.
3. The funeral liaison is not a decision making position. The funeral liaison acts as facilitator between the decedent's family and the District

during the wake and funeral. The position requires the assigned person to have a good knowledge of the family relationships, but not be so emotionally involved with the loss, that he/she would become ineffective. The funeral liaison is responsible for:

1. Meeting with the family and explaining the responsibilities of a funeral liaison.
2. Being constantly available to the family throughout the wake and funeral.
3. Ensuring the needs of the family come before the wishes of the District.
4. Meeting with the family and funeral director regarding funeral arrangements. Since most officers have not prearranged their wishes for the handling of their own funeral, these decisions should remain with the family. The funeral liaison should only make the family aware of what the District may offer in the way of assistance and resources, according to the Fifth Judicial District Liaison.
5. Relaying all available information to the surviving family concerning the circumstances of death and any continuing investigation. Law enforcement traditionally is "tight lipped" with this type of information, particularly in sensitive homicide cases. The funeral liaison should coordinate with investigating officer/agency and prosecutors to ensure that the family receives as much allowable information during the first few days. Being "kept in the dark" is a common complaint of surviving families.
6. Determining the travel arrangements needed for out of town family members or other special needs during the funeral. This information must be forwarded to the Fifth Judicial District Liaison.
7. Briefing the family on the law enforcement funeral procedure; i.e. twenty one gun salute, presentation of flag, playing of taps, etc.

BENEFITS COORDINATOR

1. The District Director or his/her designee may designate a person to act as benefits coordinator. The benefits coordinator is responsible for:

1. Filing Worker's Compensation claims and related paperwork.
2. Gathering information on benefits/funeral payments available to the family, including the Public Safety Officers' Benefits Act provided by the Justice Department.
3. Fielding all phone calls and inquiries regarding the establishment of any special trust funds or educational funds.
4. Making a clear distinction between benefits, (which are financial payments made to the family to ensure financial stability following the loss of a loved one) and funeral payments, (which are funds specifically earmarked for funeral expenses).
5. Preparing a printout or other documentation of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit.
6. Filing all benefit related paperwork and following through with the family to ensure that these benefits are being received. Private consultants/attorneys should not be used for this purpose if they intend to bill the family for services.
7. Visiting with the surviving family within a few days following the funeral to discuss benefits. A prepared printout and other documentation should be made available to the family at that time.
 1. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children will be receiving.
 2. Special attention should go to problems with possible revocation of health benefits. The vast majority of survivors are given a 30-day grace period before being canceled from the coverage or of being responsible for monthly payments for the coverage.
8. Advising the surviving family of the role of law enforcement associations and organizations such as Heroes, Inc. In making their attorney/financial counselor available to the surviving family for whatever legal/financial counseling is necessary, i.e. establishing trust funds, educational funding, etc. This attorney should not be affiliated with the District and should work as an avid advocate for the family's interest.

FAMILY SUPPORT ADVOCATE

1. The District Director may designate a family support advocate.
2. The family support advocate acts as a long term liaison with the surviving family. The family support advocate should have extensive experience dealing with crime victims and witnesses. The notification officer or funeral liaison may also serve as family support advocate. This person should not be a principle witness in the criminal trial.
3. The family support advocate's responsibilities include:
 1. Constant contact with the surviving family to keep them abreast of criminal proceedings. The family should never learn of developments in the case from the press prior to learning them from the District.
 2. Accompanying the surviving family to any criminal proceedings. Introducing them to prosecutors, and answering any questions they may have concerning the criminal trial.
 3. Cooperation with outside peer support groups.
 4. Ensuring that the surviving family does not feel totally isolated by the District.
 5. Encouraging others to make visits or help with family needs of the surviving family. Care should be used that idle promises are not made to the surviving family.
4. The family support advocate should not set time limitations on when the family should "recover" from this traumatic event. The grief process has no timetable. Survivors may experience a complicated grief process.
5. Survivors should continue to feel a part of the "law enforcement family" for which the officer gave his/her life. The family support advocate should keep in touch with the family with at least monthly phone calls through the first year, dwindling off as necessary. The needs of the survivors usually dictate the frequency of contact.

6. The District Director, family support advocate, and others ensure that the anniversary date of the officer's death is observed with a note to the family and/or flowers sent to the grave; and that adequate support is given to the family during the holidays, particularly during the first year.