

Longmont Police Department Policy - 613

County-Wide Investigation Teams

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Boulder County Investigation Team

613.01 Policy

The Boulder County law enforcement Chief Executive Officers developed the Boulder County Investigation Team as a resource available to all Boulder County law enforcement agencies. The Boulder County Investigative Team (BCIT) consists of skilled investigators from county agencies and serves as a resource to conduct unbiased, objective investigations in cases where officers use deadly force, or for other incidents involving in-custody deaths. The team is made available to conduct an investigation at the request of the Sheriff or Chief of Police of the agency with jurisdiction.

613.02 Definitions

CEO: The Chief Executive Officer of a Boulder County law enforcement agency. Used in this policy to refer to the Sheriff, Chief of Police, or Marshall of the respective law enforcement agency.

Requesting Agency: The law enforcement agency that has jurisdiction over the investigation into the officer-involved shooting or in-custody death, and requested the activation of the Boulder County Investigation Team to conduct the investigation.

613.03 Procedure

- I. Team Personnel
 - A. The Boulder County Investigation Team (BCIT) consists of law enforcement personnel who are designated by the Sheriff, Police Chiefs, and District Attorney (hereinafter referred to as the Chief Executive Officers, or CEO's).
 - B. The BCIT consists of a coordinator, an alternate coordinator, team supervisors, team members, and a legal advisor from the District Attorney's Office.
 - C. The CEO's select a team coordinator and alternate coordinator.
 1. The coordinators serve as the initial contact person for investigations and as the liaison between the team and the requesting agency.
 2. Coordinators provide overall direction and management of each investigation, and are responsible for completing the investigative summary and presenting the investigation to the appropriate CEO and DA's Office.
 - D. Team supervisors are responsible for oversight and management of assigned investigations and also serve as a secondary contact person.
 - E. Team members conduct the investigation and perform those duties assigned to them by a team supervisor.
 - F. A deputy district attorney is appointed to serve as an advisor to the team and provides legal guidance and information to members of the team.
 - G. The CEO's review the team make-up on an annual basis.
- II. Activation and Use of Team
 - A. The BCIT is available to all law enforcement agencies within Boulder County to assist in those aspects of an investigation deemed necessary by the requesting agency.
 - B. The BCIT can be activated upon the request of the CEO, or the CEO's designee, of the agency with law enforcement and investigative jurisdiction for the incident.
 - C. The BCIT will operate under the direction of the requesting agency's CEO or the CEO's designee.
 - D. The team coordinator will keep the requesting agency's CEO or the CEO's designee apprised of the status of the investigation throughout all phases.
 - E. The BCIT performs designated functions and presents fact-finding reports to the CEO of the requesting agency.
 1. Unless otherwise directed by the requesting agency's CEO, or their designee, and upon approval of the team coordinator, this is the sole responsibility of the team.

- F. In cases involving the use of deadly force, the BCIT is responsible for conducting the criminal investigation into the facts and circumstances giving rise to the use of deadly force. The requesting agency is responsible for any internal or administrative reviews.
- G. Members of the BCIT are not to respond to media requests for information on specific investigations. Media inquiries concerning investigations are the responsibility of the requesting agency.
- H. The completed investigative report and summary generated by the investigative team becomes the custodial property of the requesting or home agency, subject to criminal justice records laws and agency policy. Any release of these reports becomes the responsibility of the agency that requested the investigation.

III. Team Call-Out

- A. The CEO, or the CEO's designee, of the agency having primary jurisdiction for the investigation makes the request for assistance of the BCIT.
- B. All requests for assistance are made to the team coordinator, or if unavailable, the alternate coordinator, who will then serve as the Investigation Team coordinator for the incident.
- C. The coordinator is provided the details of the incident and determines what personnel and equipment are needed for the investigation.
- D. The coordinator contacts the necessary members of the BCIT with response instructions and an assembly location. The coordinator, or designee, ensures team members are briefed on the event and receive investigative assignments.

IV. Responsibilities of the Requesting Agency

- A. The requesting agency responsibilities for on-scene management include, but are not limited to, the following:
 - 1. General security, preservation of the scene, and evidence storage.
 - 2. Rendering aid to injured people.
 - 3. Establishment and maintenance of a perimeter.
 - 4. Identifying all witnesses and, whenever possible, detaining them for interviews by the investigative team members.
 - a. If that is not possible, the full names, address, phone number and other particular information about the witness will be collected.
 - 5. Facilitate the briefing of members of the Boulder County Investigative Team.
- B. In the case of an officer-involved shooting, weapons of all involved officers

should be identified at the scene by a supervisor of the involved agency who will relay this information to a BCIT supervisor. The involved officer(s) will remain armed until they are in a safe location (e.g. a police station), where a BCIT investigator can collect the weapons as evidence, unless extenuating circumstances or safety dictate otherwise.

1. Other weapons at the scene related to the shooting that were not in the possession of the involved officer(s) should not be moved or disturbed.

C. Beyond scene responsibilities, the requesting agency is also responsible for the following:

1. Conducting any related internal or administrative reviews.
2. Handling all media inquiries and general media relations.
3. Providing event related equipment, material or supplies.
4. The costs of any pertinent investigatory tests or procedures when the tests or procedures were previously approved by the requesting agency.

V. Responsibilities of the Investigative Team

A. The investigative team's responsibilities include, but are not limited to, the following:

1. On-scene photography and video.
2. Sketches or diagrams related to the incident.
3. The collection and preservation of physical evidence.
4. Interviews of involved officers.
5. Interviews of any witnesses.
6. Transcription of any recorded interviews.
7. Updates to the CEO of the requesting agency.
8. Compilation of final investigative reports.
9. Case presentation to the affected CEO and District Attorney's Office.
10. Collection and submission of data to the Colorado Division of Criminal Justice, as required by §24-33.5-517, CRS.

VI. Costs

- A. Equipment needed for the investigation may be supplied by the requesting agency and/or the member agencies of the BCIT. If additional or specialized equipment is needed, the cost of obtaining the equipment is the responsibility of the requesting agency.
- B. The costs related to specialized tests are the responsibility of the requesting agency. Therefore, the team coordinator, or designee, secures agency approval prior to ordering any specialized testing.
- C. Personnel costs, including overtime, are the responsibility of the agency providing the team member, and not the responsibility of the requesting agency.
- D. BCIT team members are deemed to be on-duty, and responding to a mutual aid request from another law enforcement agency, when responding to a callout.

Nineteenth Judicial District Critical Incident Response Team (CIRT) WELD COUNTY

613.04 Policy

- I. It is the consensus of the CEOs of the law enforcement agencies in the 19th Judicial District that a team of highly trained and skilled investigators, working in conjunction with the District Attorney and comprised of personnel from each participating law enforcement agency and the District Attorney's Office, shall be formed to investigate incidents in which any law enforcement officer within the District uses deadly force, or attempts to use deadly force, against a human being while acting under the color of official law enforcement duties. The role of the CIRT will be to fully investigate the use of force, typically through the discharge of a firearm by an officer(s) at a human being. At the request of the involved agency's CEO, the CIRT may investigate other use of force situations resulting in serious injury, as well as in-custody deaths or the death of a peace officer in the line of duty. All information received by the CIRT investigation will be turned over to the involved agency as well as the District Attorney.

- II. For the purpose of maintaining transparency and to eliminate potential conflict of interest, CIRT members from the involved (requesting agency) shall not be used for critical duties related to the CIRT investigation of that agency. They may be used in a support function, as determined by a CIRT Team Coordinator.

613.05 Team Composition

- I. The Critical Incident Response Team will consist of law enforcement personnel who are designated by the Sheriff, Police Chiefs, and the District Attorney of the participating agencies.

- II. The Team Coordinators (lieutenant, commander equivalent, or above) or a designee are responsible for the callout notifications to the responding team members upon the request of the requesting agency. One CIRT Team Coordinator will have overall command of a given incident and all other involved CIRT personnel handling the case shall be subordinate to him or her.

- III. The Team Leaders (Sergeant or equivalent) will serve as the secondary contact point for investigations and as supervisors overseeing the conduct of the investigation.

- IV. Team members (Investigators/detectives) conduct the investigation and perform those duties assigned to them by a Team Leader.

- V. The Assistant District Attorney or a Chief Deputy District Attorney will be appointed to serve as advisor to the team, to provide legal guidance and information to

members of the team.

- VI. Each participating agency shall be responsible for assigning appropriate personnel to the team. It is also the responsibility of each participating agency to review its assigned personnel on a yearly basis or as necessary to insure that there are qualified and highly motivated personnel assigned.

613.06 Presentation of Investigative Findings

- I. When the investigation is completed, it will be presented by the CIRT members designated by the Team Coordinators to the District Attorney to determine whether or not the officer was justified in using force. The Team Coordinators are responsible for notifying and scheduling the presentation with the District Attorney and CEO of the involved agency. The CEO of the involved (requesting) agency may request that the Team Coordinators make a separate presentation to the involved agency's Command Staff.
- II. In addition to the District Attorney, the presentation will be attended by Chief Deputies, the Assistant District Attorney, and any other individuals designated by the Team Coordinators or District Attorney.
- III. No one involved in the critical incident from the requesting agency or agencies may attend the DA presentation.