

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson /s/		
General Order No: E-170-04	Issued: January 24, 2009	Revised: July 15, 2020
General Order Title EMPLOYEE INVOLVED SHOOTINGS OR INCIDENTS RESULTING IN DEATH OR LIFE THREATENING INJURY		

I. POLICY

In order to ensure accountability and public trust, the Reno Police Department will ensure an impartial investigation is conducted whenever off-duty or on-duty employees intentionally or accidentally discharge a firearm and/or whenever a non-shooting incident results in death or life threatening injury to a person. To ensure that a fair and impartial investigation is completed, the department will request an outside agency respond to conduct the investigation. The procedures delineated in this policy apply regardless of the location of the incident.

II. EXCEPTIONS

Employee involved crashes that result in death or life threatening injuries will be investigated in accordance with the Traffic Crashes Involving Employees general order.

III. DEFINITIONS

Administrative Investigation – As defined in the Internal Affairs/Employee Rights General Order.

Attendant – An uninvolved officer assigned to an officer that was involved in an incident listed in this General Order.

Criminal Investigation – A criminal investigation is conducted to determine whether a crime has occurred and whether an arrest is appropriate.

Employee – any sworn or non-sworn member of the Reno Police Department.

Incident Resulting in Death or Substantial Bodily Harm – Excluding traffic crashes, any encounter between an employee and citizen that results in either death or life threatening injury to either party, whether force was used or not and regardless of the type of force used.

Officer – For the purpose of this general order, an officer is any sworn personnel who is required to carry a firearm, regardless of rank or assignment.

Public Safety Statement – A statement obtained from an involved employee in response to a Field Admonition given by a supervisor. The details obtained in this statement must be limited to information critical to the preservation of evidence and to officer and public safety.

Regional Officer Involved Shooting Protocol – The inter-local agreement between local police agencies and the Washoe County District Attorney’s Office which dictates procedures for criminal investigations involving officer involved shootings.

Risk Management Appraisal – Internal Affairs will conduct a risk management appraisal to assess potential liability for the incident and, if necessary, to assist the City Attorney's office.

IV. PROCEDURES

A. Involved Officer’s Responsibilities

On-duty employees who discharge a firearm, whether or not intentional (except as directed during training or during legal sporting events) or who are involved in any incident that results in death or life threatening injury (including any incident occurring during training or during legal sporting events) will:

1. Determine the physical condition of any injured person(s), render and/or request medical assistance as soon as practicable.
2. Notify communications immediately and request that a supervisor responds to the scene.
3. Refrain from discussing the case with anyone except the supervisor(s) in charge of the scene, detectives assigned to the investigation, Internal Affairs representative, their representative or with anyone whom their communications would be protected by law.
4. Not become involved in the investigative process, which includes but shall not be limited to, collecting evidence and interviewing witnesses.
5. Deactivate and power-down their Body Worn Camera, in accordance with the Body Worn Camera General Order: a) when he or she is removed from the encounter, or; b) prior to providing a public safety statement subsequent to being given a Field Admonition by a supervisor or; c) as soon as they are assigned an Attendant.

B. Supervisor Responsibilities

Upon notification of an employee involved shooting or of an employee involved incident resulting in death or life threatening injury, the notified supervisor will obtain the known facts and circumstances of the incident and shall consult with an on-duty lieutenant, when available, and Chief/designee, to determine the employee’s duty status. Whenever these incidents involve on-duty employees, the responding supervisor has the following responsibilities:

1. Respond to the scene and take command until relieved.
2. Ensure appropriate medical aid is provided to all those in need.
3. Ensure that another supervisor is also responding to the scene. If there are not two RPD supervisors on duty, or if the incident will likely be investigated in accordance with the Regional Officer Involved Shooting Protocol, the responding supervisor will request a

- supervisor from a neighboring agency.
4. Ensure command notification occurs.
 5. Notify the on-call Robbery/Homicide supervisor.
 6. Ensure that the crime scene is secured until detectives arrive, or in the event detectives are not responding, ensure that the scene is processed in accordance with the Crime Scene Investigations G.O.
 7. Separate and remove involved employees from the situation and assign each an Attendant.
 8. Ensure involved officers deactivate and power-down their Body Worn Cameras in accordance with Body Worn Camera G.O. as soon as they are removed from the situation or are assigned an Attendant, but before they provide a Public Safety Statement in response to a Field Admonition.
 9. Ensure Attendant officers deactivate and power-down their Body Worn Cameras in accordance with Body Worn Camera G.O.
 10. Direct Attendants to maintain close proximity with the involved to ensure they only speak with on-scene supervision, investigators and/or their representative about the details of the incident. Attendants will complete a follow-up report.
 11. Ensure a supervisor provides involved employees with the Field Admonition, in accordance with the Internal Affairs G.O. to obtain a Public Safety Statement and only after deactivating and powering-down their Body Worn Camera. The supervisor that gives the Field Admonition and obtains a public safety statement from an involved employee, shall assign others to follow up on the information provided, whenever necessary. Other than ensuring information is followed up on, said supervisor has no other duties except to complete a report.
 12. If drug or alcohol use and/or impairment is suspected in the involved employees, ensure further investigation and/or tests are conducted in compliance with Code of Conduct G.O. and Internal Affairs G.O.
 13. Refer to the "Officer Involved Shootings and Incidents Resulting In Death or Life Threatening Injury Death Checklist" (Appendix A).

C. Command Responsibilities

1. In cases involving on or off duty officer(s) who have discharged their firearm and one or more bullets make contact, however slight, with a human being, the Washoe County Officer Involved Shooting Protocol will be followed. In all other cases, the Chief/designee will decide who will conduct the criminal investigation.
2. In cases where an employee, suspect, or citizen dies or receives a life threatening injury, the Support Division Deputy Chief/designee will respond to the scene.
3. In cases Involving death or life threatening injury, the involved employee(s) will be placed on administrative leave with pay pending a mandatory fitness for duty evaluation with a department-approved psychologist.
4. The Support Division Deputy Chief/designee will ensure that any available body cam footage from the involved officer(s) will be released to the public no later than 14 days after the incident, unless the size and scope of the investigation necessitates more time and in those cases the footage will be released to the public no later than 30 days after the incident. The Support Division Deputy Chief will also ensure any image or information that could identify any officer(s) and/or witnesses is redacted prior to release.

D. Internal Affairs Responsibilities

For cases involving on-duty employees, Internal Affairs has the following responsibilities:

1. Conduct an administrative investigation which is separate and independent from the criminal investigation.
2. In accordance with the Internal Affairs G.O., interview involved employees, review reports, documents, and evidence relating to the incident, upon request, to determine if departmental policy, rules, and procedures were followed by departmental personnel before, during, and after the shooting/incident.
3. Make a risk management appraisal and assist the City Attorney's Office.
4. Report their findings to the Chief of Police.



Officer Involved Shootings and Officer Incidents Resulting in Death or Life Threatening Injury Supervisor Checklist

- Ensure medical attention is being given to anyone injured, as soon as it is safe to do so.
- Assign a uniformed officer to each suspect and/or employee transported to hospitals.
- Notifications: Command, on-call Robbery/Homicide detective sergeant.
- Inquire through chain of command about how incident will be investigated: OIS Protocol or RPD Detectives.
- Ensure OIS Protocol is followed when Protocol is enacted. Preserve investigation for RPD Detectives in cases when Protocol will not be enacted.
- Remove involved officers from the encounter/incident.
- Separate involved from each other and assign each of them their own Attendant. Advise all involved to refrain from discussing the incident with anyone other than supervisors, investigators and/or their representatives and ensure Attendants monitor their assigned employee.
- Ensure involved officers deactivate and power-down their Body Worn Camera as soon as they are removed from the encounter, prior to the supervisor soliciting a public safety statement and as soon as they are assigned an Attendant.
- If necessary, ensure involved officers are given the Field Admonition before they are asked for information which is critical to the preservation of evidence and officer and public safety.
- Remove the supervisor who gave a Field Admonition and obtained a public safety statement, from the criminal investigation once tasks related to the retrieved information have been assigned.
- Make observations of employees involved to determine if there any indication of alcohol or drug use and ensure further investigation and/or tests are conducted when indications are present.
- Crime Scene preservation in accordance with Crime Scene Investigation G.O.
- Ensure a preliminary statement is given to any on scene media acknowledging the incident, without providing details of the incident.
- Ensure applicable employee association is notified.
- Allow involved to contact family, so long as details are not shared by the involved.
- Ensure all involved are informed of the process to follow (Criminal, Administrative, Admin Leave, Fitness for Duty and whatever other processes may be applicable)
- Coordinate with IA and Detectives before releasing assisting officers.