

<b>SONOMA COUNTY PROBATION DEPARTMENT</b>			
<b>DEPARTMENTAL POLICY</b>			
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## **POLICY STATEMENT**

It is the policy of the Sonoma County Probation Department to follow the below procedures when there is an incident involving a shooting, or other critical incident resulting in serious injury or death. This policy outlines the procedure for the Probation staff on scene, handling the immediate aftermath, and the notification process immediately following a critical incident.

If a critical incident is in regard to an officer involved shooting, additional procedures and notification processes shall be followed as applicable, and the investigation shall be handled as outlined in the "Law Enforcement Employee-Involved Fatal Incident Protocol". (promulgated by the Sonoma County Law Enforcement Chiefs Association) (see OIS in Section 2.)

If a critical incident involves the death or serious injury of a youth with an active placement order, refer to policy number [3.4 Placement Fatality/Near Fatality](#) for guidance on handling and the notification processes.

### **1. CRITICAL INCIDENT PROCEDURE (NON-OIS)**

**\*\*\*In the event of an Officer Involved Shooting, refer to section 2 of this policy.\*\*\***

- a. Staff responding to, or already on the scene of, a critical incident shall:
  - i. Notify dispatch immediately, noting the extent of injuries and requesting emergency medical personnel.
  - ii. Provide any basic first aid as necessary.
  - iii. Maintain visual observation of officer's weapon and duty belt. Ascertain from the emergency medical personnel where the officer(s) is/are being transported.
  - iv. Arrange for another officer who is immediately available to accompany the injured officer(s) during transport.
  - v. Make any calls per request of the injured officer(s) to family, etc.
  - vi. Contact a member of the Peer Support Team (PST) and advise them of the situation and where the officer(s) in need of support is/are located.
  - vii. Notify the staff's Association Representative.
- b. With due consideration for public safety and the welfare of the officer(s), responding Probation personnel should preserve the scene

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to the extent possible and remain on scene (as long as it is safe to do so) until relieved by local law enforcement or other appropriate investigative personnel.

- c. The incident scene should be protected to the extent possible; no one should be allowed access, or to leave the area (as long as it is safe to remain on site). No evidence should be moved unless leaving items where they are (i.e. a weapon) would pose a threat to officers and/or public safety.
- d. Once staff has secured the scene and handled the emergency needs of the officer(s) involved/injured, notification shall be made to a Supervisor who in turn shall notify the Chief Probation Officer following the chain of command. The staff member making notification should provide the following information:
  - i. Probation staff involved (names and titles)
  - ii. Time and location of incident
  - iii. Synopsis (who, what, when, where, how)
  - iv. Nature and extent of injuries
  - v. Emergency services contacted
  - vi. Other agency(ies) involved (names and titles)
- e. Depending upon the nature and severity of a non-OIS critical incident, the Chief or a designee may follow the notification process to the Board of Supervisors and the Court, etc. as outlined below in the protocol for OIS. (see section 2c of this policy)
- f. Depending upon the circumstances, the investigation of a critical incident, other than an officer involved shooting, may be handled internally by the Probation Department. In the alternative, the Chief may solicit the assistance of a partner law enforcement agency to conduct all or certain aspects of a non-OIS critical incident.
- g. The Chief or a designee will handle all press and public inquiries regarding critical incidents.

## **2. OFFICER INVOLVED SHOOTING (OIS) CAUSING SERIOUS INJURY OR DEATH**

Pursuant to the "[SCLECA Employee-Involved Fatal Incident Protocol](#)", the Chief of the Probation Department will confer with the other agencies that are a party to the above agreement and decide who

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shall be the lead investigating agency. Once that agency has been identified, they will respond to the location of the incident as soon as is practical and begin their investigation.

- a. When an OIS causes serious injury or death to one or more officers, the other uninjured officers on scene shall:
  - i. Notify dispatch immediately, noting the extent of injuries and requesting emergency medical personnel.
  - ii. Provide any basic first aid and, if necessary, trauma aid utilizing the department issued trauma kit.
  - iii. Maintain visual observation of officer's weapon and duty belt.
  - iv. If the officer is able, allow him/her to give a Public Safety Statement to the first peace officer on the scene. These statements are intended to be cursory, for the purpose of public safety, and should not be viewed by the officer(s) as infringing upon an officer's POBR protections.
  - v. Ascertain from the emergency medical personnel where the officer(s) is/are being transported.
  - vi. Arrange for another officer who is immediately available to accompany the injured officer(s) during transport.
  - vii. Make any calls per request of the injured officer(s) to family, etc.
  - viii. Notify the staffs Association Representative Immediately relay to a supervisor that an OIS has occurred and in turn notify the Chief or a Deputy Chief.
  - ix. Contact a member of the Peer Support Team and advise them of the situation and where the officer(s) in need of the team's support is located.
  - x. In the case of the affected employee being transported to the hospital:
    1. The Chief or a designee will provide the family with as much information as possible regarding the incident.
    2. The Chief or a designee will be the contact between the hospital staff and other agency or public inquiries.
- b. The Chief or a designee will handle all press and public inquiries regarding an OIS incident.
- c. When a Probation Officer has been directly involved in a shooting

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where there is injury or death, the Chief or a designee shall relay the below information immediately to the area agency in which the incident has occurred, the Sonoma County Sheriff's Office, and the District Attorney. The District Attorney Investigator can be reached via dispatch. Sheriffs Dispatch can be contacted at (707) 565-2121.

- i. Probation staff involved (names and titles)
- ii. Time and location of incident
- iii. Synopsis (who, what, when, where, how)
- iv. Nature and extent of injuries
- v. Emergency services contacted
- vi. Other agency(ies) involved (names and titles)

### **3. RESPONDING/ON SITE OFFICERS' RESPONSIBILITIES**

- a. With due consideration for public safety and the arrest of the suspect(s), responding (or the onsite) Probation personnel shall preserve the scene to the extent possible and shall remain on scene (as long as it is safe to do so) until relieved by local law enforcement or other appropriate investigative personnel.
- b. The incident scene should be preserved to the extent possible; no one should be allowed access nor leave the area, as long as it is safe to remain on site. No evidence should be moved unless leaving items where they are (i.e. a weapon) would pose a threat to officers and/or public safety.
- c. In order to preserve all critical evidence, including the officer(s) account of what happened, the probation officer(s) directly involved in the incident shall be kept separate from each other, and contact, verbal or otherwise, shall be curtailed.
- d. When there has been an injury as a result of the discharge of a firearm, a departmental staff member of the officer's choosing or Peer Support Team member shall be assigned to remain with the probation officer(s) involved in the shooting to provide support and assistance. The staff member will not inquire as to the facts of the incident, but serve to assist the involved probation officer(s) with their physical and emotional needs. The designated staff member will provide transportation to the officer involved in the shooting when s/he is dismissed from the scene by the law-enforcement agency of jurisdiction (investigating agency). The affected officer shall avoid driving.

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- e. If the officer has re-holstered their firearm, it should remain holstered until the officer is escorted back to the Probation Department office. Once the officer has returned to the office, s/he will be issued a replacement weapon after the investigating agency has secured the weapon discharged at the scene. No Probation staff member shall take any steps to secure the weapon. If the officer has not re-holstered their weapon, Probation staff shall wait for the investigating agency to arrive. The investigating agency officer(s) will relieve the officer of her/his firearm in a discreet manner where/when it is safe and reasonable. Unless there is a public safety issue, other responding personnel should avoid touching the firearm as noted above. If touching the firearm is necessary, using gloves, if available, will minimize contamination of the weapon.
- f. The Department Firearms Instructor will issue a replacement firearm to the officer unless directed otherwise by the Chief. The officer must qualify with the newly issued firearm as soon as practicable.
- g. Notification to the staff's Association Representative shall be made before any interviews are conducted.
- h. All Probation staff shall cooperate fully with the investigation of the OIS and the agency having jurisdiction over the investigation (primary/lead agency as selected by the Chief).
- i. Staff involved in an OIS should expect the following things may occur as a regular course of the investigation, including but not limited to; blood tests, gunshot residue tests, relinquishing their duty firearm, weapons collection, clothing analysis, photographs, and taped interviews.

#### **4. NOTIFYING THE FAMILY OF THE AFFECTED OFFICER(S)**

- a. The Deputy Chief of the assigned division or a designee will assume the responsibility for developing a notification plan to the employee's family and/or emergency contacts. In the case of death, the notification:
  - i. Should be made as soon as possible.
  - ii. Should be made face to face.
  - iii. Should be made in pairs.
- b. All media inquiries will be handled by the Chief or a designee.
- c. In the case of the affected employee being transported to the hospital, the Chief or a designee will:

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- i. Provide the family with as much information as possible regarding the incident.
- ii. Be the contact between the hospital staff and other agency or public inquiries.

**5. NOTIFICATION PROCESS TO OTHER COUNTY AGENCIES**

- a. The Chief or a designee should also notify the following individuals:
  - i. Cal-OSHA must be notified within 8 HOURS using the [“Immediate Reporting Notification”](#) form.
  - ii. County Risk Management; as soon as possible by phone, with a follow-up in writing within 24 hours. [AllR](#) and [Supervisors Report](#)
  - iii. Clerk of the Board of Supervisors; by phone, with a follow-up in writing within 24 hours.
  - iv. County Administrator (CAO); by phone, with a follow-up in writing within 24 hours.
  - v. Sonoma County Law Enforcement Employee’s Association (SCLEA) labor representatives; by phone, with a follow-up within 24 hours. In the case of the death of an officer, the Sheriff-Coroner; by phone, with a follow-up in writing within 24 hours.
  - vi. Presiding Judge of the Courts; by phone, with a follow-up in writing within 24 hours.
  - vii. The Sheriff, and in the event additional security is needed at Juvenile Hall, Camp and/or other satellite Probation Department offices.
  - viii. District Attorney; as soon as a member of the DA’s office is on duty, with a written report to follow within 24 hours.
  - ix. Chairperson of the Juvenile Justice Commission, if a minor is involved.
- b. The Chief Probation Officer shall request the investigating agency provide written notification containing the name of the person who was shot, and the date of injury or death, as well as their relation to the Department. It will also include the names of any Department or County employees with knowledge of the event (i.e. other officers present) and a summary of the event.

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## **6. DEPARTMENTAL FOLLOW-UP ON AN OFFICER INVOLVED SHOOTING**

- a. A probation officer involved in the discharge of a firearm resulting in the injury or death of another person shall immediately be relieved of field duties.
  - i. The officer should expect to be placed on paid Administrative Leave of Absence, usually between 2-3 days, until authorization to return to work has been granted by the Chief.
  - ii. Upon returning to duty, the officer shall be reassigned to other duties within his/her classification and will in most cases remain in that assignment until the Chief clears the officer to return to their regularly assigned duties.
  - iii. While on Administrative Leave, the officer must remain available for investigative interviews.
- b. A probation officer involved in the discharge of their firearm causing injury or death of another person shall be required to undergo a Critical Incident Stress Debriefing (CISD) with a licensed therapist:
  - i. Within 24 hours of the incident, the Deputy Chief or a designee will contact the department-designated licensed mental health professional to schedule a debriefing and will specify the reason for the referral.
- c. Other officers involved in the incident may volunteer to undergo a Critical Incident Stress Debriefing (CISD) with a licensed therapist.
- d. A group debriefing may be facilitated by the department-designated licensed mental health professional for all other staff involved in the incident. This debriefing will be kept confidential by the staff involved and will focus on officers discussing their thoughts and feelings, and dealing with the aftermath of an OIS.
  - i. If a group debriefing takes place, the Deputy Chief or a designee will confirm the above debriefing has occurred.
  - ii. All communications between the involved officer(s) and the therapist are privileged and cannot be disclosed without the express written permission of the officer(s) unless the officer directs or authorizes the therapist to make certain disclosures to specified persons.
  - iii. All other information must continue to be held in confidence by

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the therapist, unless:

1. The services of the therapist are sought or obtained to enable anyone to commit or plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or tort; or
  2. The therapist has reasonable cause to believe an officer is in such an emotional or mental condition as to be dangerous to him/herself or the person or property of another.
- e. A probation officer involved in the discharge of their firearm causing injury or death of another person, shall be required to undergo a psychological evaluation, before the officer returns to work from Administrative or other leave resulting from a shooting incident. That psychological evaluation should be conducted by the department-designated mental health professional as directed by the Chief. The results of this evaluation will be shared with the Chief before the officer is cleared to return to duty, either in his/her previous assignment or a new assignment.
- f. When possible, the department will provide the opportunity for a tactical debriefing after all investigations and/or civil matters regarding the incident have been completed.

## **7. PEER SUPPORT TEAM (PST)**

- a. In the event of any critical incident, the Peer Support Team (PST) will respond to the scene, or to wherever the affected staff is located, for the purpose of supporting their peer staff. PST members may enlist the assistance of other staff, agencies, or services (i.e. EAP) deemed appropriate to ensure the timely and effective management of the incident with regard to the affected staff.
- b. The PST is responsible for ensuring the affected staff is supported by seeing that their basic needs are met. For example, in the event of staff being sequestered subsequent to an OIS, a PST member is responsible for assisting the officer(s) with access to basic necessities such as food and water, contacting the officer's family, and making the officer as comfortable as possible under a stressful and abnormal situation. PST members also serve to provide emotional and psychological support for their peer officers.
- c. PST members are prohibited from discussing any aspect of the OIS. It is imperative these discussions not take place in order to preserve the

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integrity of the investigation and the officer's POBOR protections.

- d. Upon request from affected staff, the PST member(s) will make contact with the employee's union representative, the department designated therapist, and/or any other appropriate service(s) staff may request in the immediate aftermath of a critical incident. The PST member will provide ongoing support for staff involved in such an incident to the extent the officer desires their assistance.
- e. The PST will consist of:
  - i. Staff specially trained in PST
  - ii. The Department Safety Director, who will oversee the functions and deployment of PST members.

## **8. REPLACEMENT HISTORY:**

APPROVED BY:

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DAVID KOCH  
Chief Probation Officer

### References:

1.4.24 Placement Fatality/Near Fatality  
Sonoma County Law Enforcement Employee Involved Fatal Incident Protocol (MOU)  
Cal OSHA Immediate Reporting Notification  
AllR and Supervisors Report forms