15-27 - Avoiding Delays in Use of Force Interviews by Supervisors

Los Angeles County Sheriff's Department

NEWSLETTER

Field Operations Support Services, (323) 890-5411

AVOIDING DELAYS IN USE OF FORCE

INTERVIEWS BY SUPERVISORS

Scenario: An incident occurred where force was used upon a suspect by deputies amounting to a level of Category 2 use of force. The suspect was transported to a hospital for medical evaluation and treatment pending an "okay to book." The Watch Commander waits until the suspect is cleared for booking so they may interview the suspect upon arrival to the station jail. The medical evaluation revealed further injury to the suspect which amounts to a category 3 use of force. Based upon the injury and level of force used, the Watch Commander notifies the Internal Affairs Bureau (IAB) so IAB can assume the investigation.

Issue: In the above scenario, several hours passed before the medical evaluation determined the suspect injuries rose to a Category 3 use of force and no one interviewed the suspect regarding the use of force investigation. If the suspect's condition deteriorates, loses consciousness, or the suspect becomes uncooperative, then no one has recorded a statement from the suspect about the incident.

Thorough use of force investigations include a recorded interview from the suspect to illustrate the suspect's fresh recollection of the events as well as the suspect's state of mind. A large lapse in time may give the suspect an opportunity to fabricate a story, therefore, potentially complicating the case.

Recent case reviews involved similar circumstances and there were delays in interviewing the injured suspect. The Manual of Policy and Procedures (MPP) section 3-10/110.00 *Use of Force Review Procedures* states:

"The Watch Commander or Supervising Lieutenant shall, *with extreme priority* personally examine any suspect upon whom force has been used and, except in Category 3 Force incidents, interview the suspect regarding the incident."

Since Watch Commanders are responsible for interviewing suspects for Categories 1 and 2 use of force incidents, they shall interview and investigate these incidents until confirmed as a Category 3 uses of force. If there is any question or indication the suspect's injuries might rise to a Category 3 use of force, Watch Commanders should not delay conducting the recorded interview pending the outcome of the medical evaluation.

Information regarding the content of this newsletter may be directed to Field Operations Support Services.

References:

LASD Manual of Policy and Procedures MPP Sections

3-10/100.00 USE OF FORCE REPORTING PROCEDURES

3-10/130.00 ACTIVATION OF THE IAB FORCE/SHOOTING RESPONSE TEAMS