2024-02 Watch Commander Interviews

Los Angeles County Sheriff's Department
INFORMATIONAL BULLETIN
Custody Operations

Custody Support Services

2024-02

WATCH COMMANDER INTERVIEWS

INTRODUCTION

The purpose of this informational bulletin is to advise custody watch commanders and designees on how to conduct a watch commander's interview following a use of force incident.

PROCEDURES

In accordance with Custody Division Manual (CDM) 7-07/000.00, *Use of Force ReviewProcedures*, "the watch commander/supervising lieutenant shall, with extreme priority, personally examine any inmate upon whom force has been used and, except in category 3 force incidents, interview the inmate regarding the incident."

As with every investigation, involved persons and witnesses should be isolated from one another and interviewed separately and privately. The interviews of non-sworn witnesses and other involved persons (suspects, persons assisting deputies, etc.) should be video recorded. The camera should be operated by a person other than the supervisor conducting the interview or by use of a stand or tripod for the camera.

When interviewing person(s) involved, the watch commander or their designee should, at the minimum, ask the following questions:

1. What happened?
2. What did you do?
3. What did the deputy(ies) do?
4. Are you injured? If so, where? How did you get that injury (nature of injury)?
5. Have you been medically treated?
6. Do you have any pre-existing injuries? If so, explain.
7. Have you consumed any alcohol or taken any drugs? If so, what and when?
8. Are you taking any medications? If so, what and when?
9. Do you have any history of mental illness?

When interviewing witnesses, the supervisor should ask the following questions:

1. Tell me what you saw.
2. What did the suspect do?
3. What did the deputy(ies) do?
4. Did you hear the deputy(ies) give commands?
5. How far away were you when you witnessed the incident?

If the witness exhibits obvious signs of intoxication or impairment, the supervisor should also ask the following questions:

1. Have you consumed any alcohol or taken any drugs? If so, what and when?
2. Are you taking any medications? If so, what and when?
3. Do you have any history of mental illness?

The interviewee should be allowed to provide a statement without interruption. If the interviewee's statement is unclear, the supervisor should prompt them to explain their statement. If the statement remains vague or incomplete, the supervisor should ask clarifying questions. Specific questions should be asked to identify each deputy and their respective actions. The purpose of the interview is to obtain a voluntary and complete statement that establishes the interviewee's observations and actions, NOT to argue with the interviewee and attempt to point out inconsistencies. All questions asked should:

- be open-ended, not leading or showing any predisposition towards a specific conclusion.
- be non-accusatory or implying any wrongdoing on part of the interviewee.
- not be given in a coercive manner or in a manner that could imply coercion.
- be asked from a neutral perspective and not delivered in a manner suggesting a particular bias or preference on the part of the interviewer.
- prioritize professionalism.
- be asked for the sole purpose of establishing the events that occurred during the force incident (questions asked for the purpose of establishing facts for a criminal investigation must be asked in the context of a criminal investigation and be clearly distinguished as such. These questions may, depending on the circumstances of the interview, require a Miranda advisement).

If there is any doubt regarding the above, please contact CSS Policy Review at [REDACTED TEXT].