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**Critical Incident Investigation:
Assessing the Need for a Critical Incident Investigation Policy**

**A Policy Research Project
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ABSTRACT

Critical incidents are becoming common place in police departments all across the country. No other occurrence has more chance of ruining the reputation of a police department by causing public distrust or ruining the career of a veteran police officer. A police department must have a policy in place that will protect the department and the officer.

The purpose of this research was to examine what should be included in such a policy that would benefit the employee and the department. The critical item for the employee would be to reduce the stress involved in a critical incident and do it in an effective manner. The department would need to know and be able to assure the public that the right thing had been done or would be done.

During the research the effects of the stress associated with a critical incident and the methods of relieving that stress was examined. This was accomplished by examination of writings found in law enforcement journals, training seminars, and various other publications.

The research indicated that a policy dealing with the above issues should be put in place as soon as possible. Once the policy is in place it should be gone over in briefings and in-house training sessions. Everyone in the department should know what to expect when they were ded involved in a critical incident. Just knowing what to expect would help relieve some of the stress. It is recommended that the Sherman Police Department implement policy covering these concerns as soon as possible.

Introduction

Incidents that can be defined as critical incidents are occurring at an alarming rate in police departments all across the nation. Proof of this can be found by simply reading a newspaper or by turning the TV on any news channel. Officer's involved in these incidents need to know that their departments are concerned about their well being and are going to take care of them in justifiable incidents. The department that is involved in a critical incident needs to know that the incident has been properly investigated and documented, and that their officer did what was right or necessary at the time.

A department should have a written policy in place that would satisfy both of these needs. Currently, the Sherman Police Department does not have a critical incident policy in place, exposing the department to potential litigation and negative publicity.

A critical incident policy should define what type of incident the department would consider as critical incidents and what procedures would be followed every time a critical incident occurs. Critical incidents should include any incident where an officer or citizen dies or is seriously injured as a result of a police action. Examples would be shootings, in custody deaths, police related traffic accidents, or any other use of force that results in death or serious bodily injury.

The purpose of this research paper is to create a critical incident policy for the Sherman Police Department. The policy will address the specific steps that are to be taken, or put in motion, as soon as possible after the incident occurs. The policy will be designed to quickly relieve as much stress as possible, from the involved officer. The policy will also assure the department that the criminal and administrative investigations

have been thoroughly conducted in case some criminal indictments or civil litigation stem from the incident.

Research will be conducted on critical incidents and the material will then be examined. Research material will include examination of writings found in law enforcement journals, training seminars, and various other publications. Model policies dealing with critical incidents will also be examined.

The intended outcome of the research that the Sherman Police Department will have a policy to effectively deal with critical incidents, and that the department will see the need to implement the policy before another critical incident occurs.

Historical and Theoretical Context

Incidents that could be defined as critical incidents have been occurring in law enforcement as long as police officers have existed. There are few incidents that have a greater potential to destroy careers, tarnish the reputation of the law enforcement agencies, spark civil unrest and bankrupt public entities (Wright, 1999). For these reasons it is imperative that a law enforcement agency handle the incident properly.

Richard Conroy noted Mitchell's research showing that most emergency responders have a ninety- percent chance of being involved in a critical incident (Conroy, 21). Research indicates that two thirds of the officers exposed will have mild to moderate reactions to critical incidents. One third of officers exposed to critical incidents will have a severe reaction to the event (Soloman and Horn, 389).

When a critical incident occurs, the involved officer knows that their actions are going to be scrutinized by his department, the courts, the media, and the public. This may cause the officer to second guess themselves and doubt if they did the right thing. When

this happens it causes a great deal of stress for the officer. Although stress has been around forever it has only been within the past twenty-five years that police stress has become the most talked about issue in police work. Police administrators began to realize that police work was a highly stressful job that exacted a high emotional toll on its officers (Bonifacio, 125).

A police department knows that their professional reputation is on the line each time a critical incident takes place. They must do a criminal investigation to assure that the involved officer did not violate the law and an internal investigation to assure that the employee did not violate department policies or procedures.

It has been estimated that a police department has over \$1 million invested in an officer at the end of his or her first year (Zavaras 1991). When a department makes that kind of investment in a person they do not want to lose that person. This is a budgetary issue that police departments must look at even though it may sound a little harsh. The department also has to be concerned about public concerns and be able to assure the public that the proper thing has been done or will be done. The riots of years past should be a grim reminder to police departments that public opinion is a critical issue.

At the same time the department must be concerned about the welfare of the officer and their family. As noted earlier two thirds of the officers involved in a critical incident will experience some stress. The officers that experience stress will go through three phases of reaction following the event: the impact phase, the recoil phase, and the post-traumatic phase (Wells, Getman, and Blau, 72). These officers need to have professional help available to them as soon as possible.

Stress after a traumatic event (critical incident) and the need for quick help for the involved person is not new. During and after the Vietnam conflict soldiers coming home began to suffer from a disorder that was diagnosed as Post Traumatic Stress Disorder. This was not a new problem to war veterans. In World War II, P.T.S.D. was called "shell shocked." In World War I it was dubbed "battle fatigue" (Jeter, 2).

Review of Literature and Practice

Critical incidents can be defined as: "A law enforcement event involving the discharge of a firearm during the apprehension or attempted apprehension of a subject, or any other incident involving the death of, or serious injury to, a departmental employee or another person as a direct result of the action of a departmental employee." (Wright, 38).

Many studies have been done on the effects of the stress associated with a critical incident. Research indicates that stress can lead to many problems, including psychological and physical disorders. Critical incident stress affects up to 87 percent of all emergency service workers at least once during their careers (Ayres, 7).

While many law enforcement managers quickly acknowledge the need to provide services to an officer involved in a shooting situation, they have been slow to acknowledge or encourage the need for emotional or psychiatric help for officers or any other employee's involved in other types of critical incidents (Lillian, 2).

Even though the time immediately following a critical incident is a very delicate one for the involved officer, most departments still do not consider the officer and continue to conduct their investigations in ways that are virtually guaranteed to cause more stress than is necessary.

In general, law enforcement agencies do a poor job of preparing officers mentally for the investigation that follows a critical incident. The officers do not know what to expect during the investigation, and do not understand why each step is taken. Fear of the unknown takes over, and each new unexpected twist or turn makes it worse. Almost every officer involved in a critical incident will tell you that if they had known beforehand how the investigation would proceed, much of the stress they felt could have been avoided. (Record, 13)

Many officers' voice concerns about the way they are treated during the investigation of a critical incident, and suggest that changes in investigative procedures might have helped them when they went through the ordeal and could help others through a very difficult time (Wright, 1999).

Critical Incident Stress Debriefing (CISD) is now a very widely used technique to deal with the stress associated with a critical incident. The process allows an individual to discuss emotions and thoughts regarding an event, which was disturbing to them. **XXXX**

Early "CISD" was used in World War I and World War II. Relying on limited research done on war veterans as far back as World War II it was determined that early intervention helped. Studies indicate that soldiers who received immediate psychiatric support were more likely able to return to combat than those soldiers who received treatment at a later time in a hospital setting. These early debriefings were often conducted in the field, during a lull in a battle, giving soldiers a brief opportunity to talk about the situation (Lillian, 5).

The Fort Worth, Texas Police Department uses a combination of psychological services and peer counselors that make up their Critical Incident Support Team (CIST).

The Fort Worth CIST responds to situations such as (1) the discharge of a department employee which results in a wound to any person, (2) an employee involved in non traffic incidents resulting in death or serious injury to any person, including employees, (3) the death of any person in department custody, or (4) at the instruction of the Chief of Police or his designee.

When a critical incident occurs that affects a Fort Worth police officer, the peer counselor responds first. The peer counselor has received up to 48 hours of training on dealing with critical incident stress. The counselor will stay with the involved officer until the psychologist arrives.

When the psychologist arrives they will do a walk through with the involved officer and the peer counselor. After the walk through, the officer is taken to officer where the psychologist will make a cursory determination of the officers psychological fitness for duty. A debriefing is also done at that time (Nelson, 6).

Public Agency Training Council puts on a excellent seminar on critical incident investigations. The seminar addresses the police department concerns as well as the officers concerns. They suggest that a trained Critical Incident Investigative Team investigate and collect all the information necessary to complete both the criminal and administrative investigations on all aspects of the incident. The internal affairs unit would monitor the investigation. One reason for this is that police departments must anticipate that critical incidents will lead to some form of litigation.

The involved officer would be assigned a "Companion Officer" of their choosing to accompany them. As soon as practical the involved employee should be removed from

the scene. The employee would be required to meet with the agency's psychological counseling service before he would be allowed to return to duty (Wright, 20).

All programs in use today express the need to relieve as much stress as possible from the involved employee as soon as possible. Keeping in mind that after resolution of most critical incident investigations the involved employee will continue to be a productive member of the department it makes sense to write that protection into the policy (Wright 1999).

Discussion of Relevant Issues

There are two broad categories of law enforcement agencies in the nation today those that have experienced a police shooting and those that will (Wright, 1999). The same could be said of any critical incident involving any police department.

When you look at critical incidents in that light and then think of the damaging effect that the incident has on the police department and the involved employee it only makes sense that a policy would be in place to deal with the incident.

A survey conducted in 1993 by Terry Constant discovered that over 67 percent of police agencies had no established guidelines for line of duty deaths or the traumatic effect that this has on their department. (Constant, 76)

Currently the Sherman Police Department does not have a policy in place to deal with critical incidents. They do have some items in the Internal Affairs Policy and the Use of Force Policy that would deal with part of the issues (Sherman, 1996).

Having investigated critical incidents for the Sherman Police Department from both the criminal side and from the administrative side it was found that there is a need of a policy that will deal with as many of the issues that come out of a critical incident as

possible. While investigating critical incidents from the criminal investigator view officers have stated that at times they felt like they were the criminals.

Many investigations are conducted "by the book" and the officers get little human compassion. This occurs naturally because of the nature of the business. Sometimes more damage is done by the investigation than the incident itself. The research has shown the need for stress reduction for the involved employee.

The field of law enforcement has been slower to recognize the need for critical incident debriefing on a scale that other emergency services has. Tom Pierson noted, "The law enforcement community has been rather slow to accept the fact that critical incident stress can seriously affect police officers in both their work and their private lives" (Pierson, 33).

Police work is one of the top rated professions for job related stress, next to air traffic controllers and dentists (Goldfarb, 1999). When an officer is involved in a critical incident on top of the already high amount of stress he or she has, it is amazing that the stress can be handled at all.

The importance of not waiting until another critical incident occurs before putting a policy in place cannot be stressed enough. A single critical incident can destroy the reputation of the police agency and an officer with years of training and valuable experience. With a policy in place the process of the investigations, both criminal and administrative, will be the same every time. Safe guards for the involved officer and the agency should be built into the policy.

Administrators have an obligation to their employees, who are the most valuable assets of any organization. Reducing their stress during the time following a critical incident, without jeopardizing the integrity of the investigation, is well worth our efforts.

Agencies need to provide their officers with training that teaches them the procedures involved in the critical incident investigations. Let the officers know what to expect during the investigations, and why certain steps are taken. The officer may not agree with management's position on every issue, but at least they will know what to expect should they ever be the subject of a critical incident investigation.

Once the pertinent facts have been obtained by a supervisor, the officer should be transported to the station or to another location out of public view. The officer should not be treated as though they have some highly contagious disease. The officer should be encouraged to call home so their family does not learn about the incident through the media or the "rumor mill."

Seizing the officer's firearm is sometimes an important step in the investigation. The gun and the badge represent the trust and authority that society has placed in the officer's hands. More than anything else, the officer associates these symbols with his or her position as a peace officer. When an officer's gun is seized during the investigation, it should be replaced immediately (Wright 1999).

It is very important that the involved officer be kept informed during the days immediately following the incident. When officers have to wonder what is going on it increases the stress that they are feeling.

If the involved officer experiences stress following an incident there are now many options available. Some of the common techniques for relieving post-traumatic stress

include attentive listening, being there with empathy, reassurance, supportive counseling, group grief sharing, interpretive counseling, and clinical exploration. Interventions should be immediate, brief, private, respectful and supportive.

Help should be available at the scene of the event, during the investigation, during the first 24 hours, and in the first six months after the event. Dr. Goldfarb explains that after the initial debriefing and counseling and the incident is officially over the "second wave" may occur. It could be several weeks later when signs of stress start to show and the employee starts experiencing sleeplessness, nightmares, or just crying (Goldfarb and Keesee, 1999).

Conclusion and Recommendations

The purpose of this research paper was to provide information that would be necessary to draft and propose a Critical Incident Policy for the Sherman Police Department. The policy needs to address the management concerns as well as the employee concerns. After review of the research it has been determined that the best approach would be to modify and adopt the suggested policy put out by the Public Agency Training Council.

The policy addresses the concerns of the police department by making both the criminal and administrative investigations consistent. Criminal investigators would lead the investigation and Internal Affairs investigators would have access to any information uncovered by them. The Internal Affairs investigator would then do the administrative investigation to address any policy issues. The Sherman Police Department at this time is already doing this.

The involved employee would be assigned a companion officer who would respond to the scene. If requested by the employee legal representation should be call to the scene for him/her. The employee should be taken away from the scene as soon as possible and encouraged to call home. If the employee's weapon is taken from him it should be done after he has left the scene and if practical a replacement should be given to him/her at that time.

The involved employee should not be required to do any written reports right after the incident. The reports can be done at a later time after the employee has had a chance to relax. The employee may be compelled to provide a brief summary of the incident to the investigators and may be required to submit to photographs or provide a blood sample for investigative purposes or for his/her own protection.

The involved employee will be put on administrative leave for a minimum of three working days. As soon as possible after the incident the involved employee will be required to meet with psychological services for debriefing/evaluation.

When the policy has been drafted and put into effect it should be covered in briefings or in-service training classes. Every employee should know what to expect when they are involved in a critical incident. If all employees know what is going to happen and why it should relieve some of the stress associated with the incident.

Sherman Police Department is currently doing a lot of the above listed items. The only additional cost associated with putting a policy that would cover what has been listed in place would be the overtime cost of the "companion officer." That would appear to be a small cost for the benefits that would be received.

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