

# **PROTOCOL**

For The

**Nineteenth Judicial District**

**Critical Incident Response Team (CIRT)**

(as amended July 22, 2016)

## **FORWARD**

This protocol was designed and implemented to assist the law enforcement agencies of the 19<sup>th</sup> Judicial District. Investigations of officer-involved fatal or near fatal incidents present a unique set of circumstances, which make them more complex than routine investigations. It is the intention of this protocol to make these difficult investigations less traumatic for all member agencies. The pooling of resources involved through this protocol should make manpower intensive situations less draining for each individual agency. The talent and experience of all those involved will serve to assure a complete and thorough investigation in the least amount of time, to the benefit of all members. To that end, members will form the Critical Incident Response Team (CIRT).

This protocol should be considered as a guideline. Where investigative techniques are described, they are intended to be used as an aid, to add consistency to investigations. It is not the intent of this protocol to mandate any action that would be contrary to any policy or procedure of any member agency.

When activated, the Critical Incident Response Team (CIRT) will respond, investigate, and present the facts in the most expeditious manner possible. It is intended that this unit will be viewed by both the member agencies and the public as a highly professional, unbiased, fact-finding team, working to resolve difficult investigations.

Team Coordinators, Team Leaders, and Team Members (investigators) shall be drawn exclusively from qualified personnel in the undersigned 19<sup>th</sup> Judicial District law enforcement organizations.

## **POLICY**

It is the consensus of the CEOs of the law enforcement agencies in the 19<sup>th</sup> Judicial District that a team of highly trained and skilled investigators, working in conjunction with the District Attorney and comprised of personnel from each participating law enforcement agency and the District Attorney's Office, shall be formed to investigate incidents in which any law enforcement officer within the District uses deadly force, or attempts to use deadly force, against a human being while acting under the color of official law enforcement duties. The role of the CIRT will be to fully investigate the use of force, typically through the discharge of a firearm by an officer(s) at a human being. At the request of the involved agency's CEO,

the CIRT may investigate other use of force situations resulting in serious injury, as well as in-custody deaths or the death of a peace officer in the line of duty.

This investigation is not intended to take the place of the involved agency's Internal Affairs or Administrative investigation. Both investigations may run simultaneously, but it is not the responsibility of the CIRT to review compliance with departmental policies. All information received by the CIRT investigation will be turned over to the involved agency as well as the District Attorney.

For the purpose of maintaining transparency and to eliminate potential conflict of interest, CIRT members from the involved (requesting agency) shall not be used for critical duties related to the CIRT investigation of that agency. They may be used in a support function, as determined by a CIRT Team Coordinator.

## **DEFINITIONS**

A. Administrative Investigators

Those investigators assigned by the requesting agency to conduct the Administrative Investigation of the incident.

B. CEO

Chief executive officer of a law enforcement entity, such as a sheriff or chief of police.

C. CIRT

Critical Incident Response Team.

D. CSI

Crime Scene Investigator.

E. Deadly Physical Force

Deadly physical force means force, the intended, natural, and probable consequence of which is to produce death, and which does, in fact, produce death.

F. Fatal Injury

Death.

G. Investigators

Those investigators, detectives, and officers assigned by the CIRT agencies and the District Attorney's Office to conduct the criminal investigation of the incident.

H. Involved Agency

The law enforcement agency or agencies employing the officers involved in the incident to be investigated by CIRT.

I. Member Agencies

The law enforcement agencies that are signatories of this protocol.

J. Officer-involved fatal incidents and non-fatal Incidents

An event occurring in the venue of participating agencies involving two or more people, in which a police agency employee is involved as an actor or custodial officer, where a fatal injury or an injury where a substantial risk of death occurs. Such "incidents" include but are not limited to the following:

1. Intentional and accidental shootings of human beings, including police tactical incidents involving specialized response teams.
2. Intentional or accidental use of any other dangerous or deadly weapon.
3. Attempts by police employees to make arrests or to otherwise gain physical control for a law enforcement purpose.
4. Any fatal injury or a death occurring in police custody, including in a jail setting. This does not include vehicle accidents.

K. Participating Agency

Any law enforcement entity within the judicial district which has agreed to have its officer – involved critical incidents investigated by CIRT.

L. Police Employee

This protocol applies to employees and to certain other people affiliated with the law enforcement agencies which are participating members of this protocol agreement, as follows:

1. Full-time and part-time members, whether on-duty or off-duty, engaged in a police function (i.e. part-time job) who become involved in a crime in progress while acting for law enforcement or a private purpose at the time of the incident.

2. Temporary employees and volunteers, whether paid or unpaid, who are on-duty in a law enforcement capacity for a member agency.
3. Volunteer police officers or volunteer deputy sheriffs who are on-duty or who are acting on behalf of a law enforcement agency at the time of the incident.

M. Requesting Agency

The agency that employs the involved police employee(s) and requests the assistance of CIRT. Requesting agency also may be referred to in this protocol as the “involved agency.”

N. Serious Bodily Injury

An injury that poses substantial risk of death.

## **USE OF THE TEAM**

- A. The Team Coordinators (lieutenant, commander, equivalent, or above) or a designee are responsible for the callout notifications to the responding team members upon the request of the requesting agency. The team normally will be assembled as soon as possible at the scene of the incident. However, the Team Coordinators or designee may determine that due to a remote location or difficult surrounding circumstances that the team should be assembled at another location. After the assembly of the team at the designated location, a briefing will be conducted concerning the incident. An employee of the requesting agency that is not directly involved in the incident itself, a Team Coordinator, or a designee may provide the briefing information. At the conclusion of the briefing, the Team Coordinator(s) will assign team members to specific investigative duties, i.e., scene, interviews, evidence collection, etc.
- B. The Team Coordinator(s) will identify to the group one team member (often a Sergeant or a person identified as the “Team Leader”) who will have primary oversight for the crime scene(s) and one team member (often a Sergeant or a person identified as the “Team Leader”) who will have primary oversight of the interviews.
- C. There will always be a minimum of one Team Coordinator who will respond. The Weld County Regional Communications Center has contact information for the Team Coordinators. The Communications Center will contact the on-call Team Coordinator(s) and the District Attorney or his designee when a request for activation of CIRT is received from a member agency. The Team Coordinators will determine among themselves who will take on the primary responsibilities. Additional Team Coordinators, if available, may respond to assist and for training purposes. The

Coordinators will establish an on-call schedule which will be updated as needed and provided to the Communications Center.

## **TEAM NOTIFICATION PROCEDURES (TEAM CALLOUT)**

- A. Requests for CIRT's assistance shall be made by the CEO or designee from the involved (requesting) agency as soon as possible, but no later than one hour after the actual time of the incident.
- B. All requests for assistance shall be made to the on-call Team Coordinator, or if he/she is unavailable, the alternate Team Coordinator will then serve as the Team Coordinator for the incident.
- C. The Coordinator will assess the details of the incident and determine the personnel and equipment needed for the investigation.
- D. Each agency employing CIRT investigators shall maintain their own internal roster of that organization's CIRT personnel. In an effort to maximize call-out effectiveness, the Coordinator will cause a notification to go out to ALL members of the CIRT, regardless of their duty status within their own employing department. Each notified CIRT investigator will then assess, in conjunction with his/her departmental requirements, whether or not they will be able to muster with the team for the incident.
- E. Once the requesting agency CEO or designee determines the CIRT will be called, one of the team's Coordinators will be notified and he/she will begin the call-out process. Members of the team will include detectives, investigators, and criminalists or CSI's who will meet at a point designated by the Coordinator(s).
- F. Once members of the team are assembled, each will receive a briefing by a member of the requesting agency concerning the events leading up to the team's activation. The Team Coordinator(s) will provide each member of the team with an assignment during this briefing. These briefings are crucial to the team members so they can conduct an efficient and productive investigation.
- G. The agency requesting the CIRT shall be responsible to provide a department liaison to the Team Coordinator(s) in charge of the investigation. This liaison will assist with any needs which may arise during the investigation as well as assist with communication between the involved agency and the Critical Incident Response Team.

## **CIRT PROCEDURES**

- A. The CIRT investigative team is responsible for the following:
- Still or video photography is done by, or under the direction of, the investigative team members.
  - Sketching or diagramming of the scene is done by, or under the direction of, the investigative team members.
  - The collection of physical evidence is done by, or under the direction of, the investigative team members.
  - Conducting interviews with any involved officers.
  - Conducting interviews with any witnesses.
  - Transcribing of any recorded interviews.
  - Providing updates to the CEOs and District Attorney.
  - Preparing final investigative reports.
  - Delivering the case presentation to the pertinent CEOs and District Attorney's Office.
- B. The determining factor of being assigned to CIRT shall not be based on an individual's current assignment within their respective department. Consideration will be made of the individual's desire, aptitude, and their ability to demonstrate the necessary skill set to perform effectively with the team.
- C. Law enforcement agencies providing a Team Coordinator shall provide a letter including the individual's qualifications and their relative job experience to the District Attorney. The agency CEO shall include recommendations for the named individuals along with the letter. The District Attorney shall determine the composition of the Team Coordinators and shall communicate with the agency CEO if there are any concerns regarding the appointment of the individuals to the team.
- D. Coordinators will be responsible for identifying members of their agency to act as Team Leaders and investigators and maintaining a current roster of team members. Team leaders and investigators must have the approval of their agency's CEO as well as the District Attorney.
- E. Team Leaders will primarily be of the rank of sergeant or above; however, exceptions can be made by the Team Coordinators (i.e. no sergeants available, multiple shootings in short amount of time, etc.). The CIRT will include up to six Team Leaders. At least two will be furnished by the Weld County Sheriff's Office, at least two by the Greeley Police Department and the remaining two by any 19<sup>th</sup> Judicial District law enforcement agency.

- F. The number of investigators shall be limited to facilitate team cohesion. The size of the team may be increased by the Team Coordinators to allow for unusual circumstances or multiple incidents.

## **TEAM TRAINING**

- A. Team Coordinators are responsible for ensuring all Team Leaders and CIRT investigators have received standardized training relevant to their assignment on CIRT. They also shall ensure that team members' training records are maintained and that training continues on a regular basis.
- B. Agencies within the judicial district which currently do not have a member on the CIRT may request that personnel from their agencies be permitted to "shadow" CIRT investigators for training purposes. Such requests shall be made to the Team Coordinators.

## **TEAM COORDINATORS**

- A. Officers with command rank (Lieutenant, Commander, equivalent or above), will be appointed to serve as a Team Coordinator. The District Attorney and the officer's CEO shall determine the Coordinator's suitability for the team. Team Coordinators will have the following shared, additional responsibilities:
- It is incumbent for the group of Coordinators to communicate with each other to ensure that at least one Coordinator responds to the call-out. This does not preclude the opportunity for multiple Coordinators to respond to the same critical incident. Determination must be made at the beginning of the investigation as to who will have overall control. This should be a rotating process so as not to burden any one Coordinator or one agency. There may be other determining factors that can change who will be in charge, such as the agency involved in the critical incident, vacations and other agency and individual commitments. Additional Coordinators who elect to respond can be utilized for various tasks. In most cases, they will provide support and utilize this as a training opportunity to enhance cohesiveness and consistency as to how these investigations will be conducted.
  - All of the Team Coordinators assigned to CIRT will be responsible for maintaining the CIRT roster and ensure accurate call-out lists are available to the District Attorney's Office, Communications Center and all law enforcement agencies which are members of CIRT. All agencies that participate in CIRT will be responsible to see that the list of their

respective personnel is accurate. If there are changes to the list, a representative from the agency must make immediate notification to the CIRT coordinators and the District Attorney or his designee.

- The assigned Team Coordinators will be responsible for developing the less experienced detectives assigned to the team. There must be a conscious effort to plan for succession and develop additional investigators.
- The Team Coordinators will be responsible for setting up meetings/training for those assigned to the team. The training can consist of reviewing past shootings, debriefing past call-outs to discuss procedures, guest speakers from other departments who have handled recent officer-involved shootings, legal updates from the DA's Office or formal instruction classes designed to enhance skills on these types of investigations. Team Coordinators are responsible for ensuring team members from their respective agencies attend as many trainings as possible.
- There will be three Team Coordinators. One will come from the Weld County Sheriff's Office, one will come from Greeley Police Department and a third will come from another law enforcement agency in the Nineteenth Judicial District.

## **COMMAND RESPONSIBILITIES**

One CIRT Team Coordinator will have overall command of a given incident and all other involved CIRT personnel handling the case shall be subordinate to him or her.

## **TEAM COMPOSITION**

- A. The Critical Incident Response Team will consist of law enforcement personnel who are designated by the Sheriff and Police Chiefs of the participating agencies (hereinafter referred to as the Chief Executive Officers or "CEOs") and the District Attorney.
- B. The Team Leaders serve as the secondary contact point for investigations and as supervisors overseeing the conduct of the investigation.
- C. Team members conduct the investigation and perform those duties assigned to them by a Team Leader.
- D. An Assistant District Attorney or Chief Deputy District Attorney will be appointed to serve as advisor to the team, to provide legal guidance and information to members of the team.

- E. Each participating agency shall be responsible for assigning appropriate personnel to the team. It is also the responsibility of each participating agency to review its assigned personnel on a yearly basis or as necessary to ensure there are qualified and highly motivated personnel assigned. It is each participating agency's responsibility to ensure its team members assigned understand when the team is activated, every effort must be made to respond and assist with the investigation when called upon by the Team Coordinator(s). In addition to the original callout response, members of the team who assisted in the original investigation must understand that follow-up meetings and additional investigative work may be needed to achieve the team's investigative mission. It is again the responsibility of the participating agency to ensure every effort is made by their employees to attend these follow-up meetings and complete the additional investigative work in a timely manner.

### **SELECTION/REMOVAL OF TEAM PERSONNEL**

- A. The CEO of an agency participating as a member of the CIRT shall provide to the District Attorney and the other participating agency CEOs a list of the personnel he/she has determined to place on CIRT. It is understood only a portion of the team normally will be called out by a Team Coordinator for a given incident.
- B. Any team member may be removed upon the recommendation of the Team Coordinator(s) with the approval of the District Attorney. A team member also may be removed from the CIRT by his/her agency's CEO.

### **REQUESTING AGENCY RESPONSIBILITIES**

- A. The requesting agency is responsible for the following:
- General scene security and preservation of the scene
  - Rendering aid to injured people
  - Establishment and maintenance of a perimeter
  - Identifying all witnesses and, whenever possible, detaining them for interviews by the investigative team members. If that is not possible, the full names, addresses, phone numbers and other particular information about the witnesses shall be collected.
  - In case of an officer-involved shooting, the scene will be secured and all officers who discharged a weapon shall be taken to an agreed upon location to meet with members of the investigative

team. Each officer shall be assigned an officer to accompany him/her to the designated location and stay with him/her until relieved by a member of the CIRT. Any weapon used by an officer during the incident must be collected as soon as possible and secured by a supervisor in accordance with the requesting agency's policy.

- Shotguns or rifles in the possession of an involved officer(s) should be left in their original condition, with the exception of making sure the weapon's safety is engaged, and secured in a supervisor's vehicle. A member of the CIRT will meet with the supervisor and collect the weapon at the scene and/or the designated location. The weapon will be photographed by a CIRT investigator.
- As soon as staffing allows, officers that were on scene and witnessed the event or portions of the event (but did not discharge a weapon) will be taken to the agreed upon location to meet with the team.

B. Beyond scene responsibilities, the requesting agency is also responsible for:

- Conducting any internal or administrative reviews
- Providing necessary equipment, materials or supplies
- The costs of any special tests or procedures, if previously approved by the requesting agency.

### **REQUESTING AGENCY RESPONSIBILITIES AT THE SCENE**

- A. The involved (requesting) agency shall follow its policy and procedures related to the handling of a major crime scene.
- B. The scene will be secured and sealed by the requesting agency as soon as it is determined the situation is safe. As in all situations of a similar nature, care of the injured is paramount and all efforts will be made to preserve human life. However, requesting agencies must understand the preservation of the crime scene is essential for a proper investigation. If there is an instance when evidence is disturbed, the officer(s) involved must advise their supervisor and the Coordinator of the CIRT.
- C. Any weapon used by an officer during the incident must be collected as soon as possible and secured by a supervisor or his/her designee in accordance with the requesting agency's policy.

## **REQUESTING AGENCY LIAISON**

- A. Upon callout of the CIRT, the involved (requesting) agency will designate an officer with supervisory rank who will act as a liaison between the CIRT Coordinator and the involved agency, and assist in facilitating the CIRT investigation process.

## **SCENE MANAGEMENT AND SECURITY**

- A. All critical incident scenes will be treated as a crime scene and investigated accordingly. All equipment and weapons of directly involved officers must be secured. The officers directly involved in the incident are the primary focus of the investigation. Secondary officers will be interviewed as peripheral witnesses.
- B. Team members assigned to investigate the scene will respond as soon as possible after receiving a briefing. These members will be responsible for conducting a thorough scene investigation which includes, but is not limited to, collecting, photographing and recording evidence. The Crime Scene Investigators (CSI's) assigned to the scene shall conduct an extensive investigation and ensure their investigation provides detailed information on the evidence located.
- C. The Team Coordinator(s) will make a determination on where evidence will be maintained during the original briefing. The Team Coordinators(s) also will direct any disposition of evidence.
- D. Upon final disposition by the District Attorney on the legality of the involved officer(s) actions, the District Attorney shall notify the CEO of the involved agency the evidence may be returned or disposed of pursuant to the involved agency's departmental policies and procedures.

## **OFFICER ADVISEMENT**

- A. The use of deadly physical force does not necessarily constitute a criminal act. Therefore, a Miranda advisement may not be warranted in all situations in which an officer uses such force. The designated CIRT Coordinator will use his/her professional judgment and experience to determine whether a situation requires a Miranda advisement. The legal advisor from the District Attorney's Office will be available to consult on this issue.
- B. Although Miranda advisements may not be warranted, the involved officer shall be advised at the outset of the interview that:

*This is a criminal investigation, as opposed to any administrative investigation your agency may conduct. The DA's office is conducting this investigation in conjunction with the \_\_\_\_\_ Police Department. The purpose of this investigation is to determine whether the shooting was justified.*

*Have you had sufficient time to speak with an attorney?*

*Are you agreeing to submit to this interview voluntarily?*

*Do you have any questions about this at all?*

- C. Involved officers may on occasion request a sleep cycle prior to submitting to an interview with CIRT Investigators. In order to ensure that the statements obtained are based on the involved officer's memory and observations rather than based on third hand information, CIRT Investigators will advise the involved officer, on either video or audio recording, of the following:

*You have requested a sleep cycle prior to participating in an interview with CIRT Investigators, is that correct? While that will be permitted, I need to advise you not to review any media reports about this incident, including television media, the newspaper, online articles, or social media accounts or comments regarding the same. You may not speak with anyone about the events of this shooting except for your attorney, should you have one, or a peer support officer. Do not return to the scene of this incident. Do not attempt to view any of the evidence collected regarding this investigation, and do not view any body-worn camera footage of the incident, either your own or that of another officer present on scene, if such footage exists. The interview must be based on your observations and memories of the event, and not based upon information that you hear or read from other sources. Do you have any questions about this advisement? Are you in agreement with the conditions of this advisement?*

## **INTERVIEWING LAW ENFORCEMENT EMPLOYEES**

- A. Interviews will be conducted with all involved officers. A team of two Critical Incident Response Team investigators will be assigned to interview each involved officer. All interviews will be audiotaped and videotaped. If the involved agency does not have the necessary equipment, the involved officer(s) will be transported to the nearest agency equipped for such interviews. The location(s) of these interviews will be at the discretion of the designated Team Coordinator. If the involved officer(s) or their agency has requested psychological counseling prior to interviews, the designated Team Coordinator or his/her designee shall request that the counselor not discuss any facts regarding the shooting with the involved officer(s) prior to the Critical Incident Response Team interview. The involved officer(s) has the right to an attorney at all times during the CIRT investigation.
- B. As the investigation into a critical incident is a criminal investigation, neither the involved officers, on-scene eye- or ear-witness officers, nor their attorney shall be permitted to review any body worn camera footage of the incident, if it exists, nor shall they be permitted to review any other surveillance video relevant to the investigation prior to the interview with CIRT Investigators.

## **OTHER WITNESS INTERVIEWS**

- A. Interviews with non-police witnesses also will be audio and video recorded whenever possible. If a witness can't respond to the nearest agency, the Team Coordinator(s) will attempt to locate portable videotaping equipment to be used for the interview. If video equipment cannot be located, the interviewing investigator shall at a minimum utilize a voice-recording device during the interview. The investigator interviewing the witness will make every effort to interview the witness at the nearest agency where video equipment could be utilized.
- B. The requesting agency will be responsible for providing the audio tapes, video tapes, DVDs, and CDs used to record the interviews. The audio tapes, video tapes, DVD's, and CD's will be collected by an assigned team investigator or CSI and placed into evidence with the other items of evidence collected.

## **EVIDENCE HANDLING/PROCESSING**

- A. The Team Coordinator will determine which of the investigating agencies will store evidence collected during the CIRT investigation. Evidence processing will be handled by the Northern Colorado Regional Forensic Laboratory. If necessary, the lab may request assistance from such entities as the FBI or CBI crime lab. CIRT member(s) assigned to evidence collection will oversee and coordinate the evidence collection and packaging. This CSI or CIRT member will prepare a report detailing his/her role in this process and his/her observations. It is imperative that all evidence collected either by requesting agency personnel immediately following a critical incident, or by CIRT personnel, be consecutively numbered for tracking.
- B. When possible, all involved officers or potentially involved officers will be photographed as they appeared at the time of the shooting incident. Special attention will be given to photographing any and all injuries sustained by all involved officers, as well. All weapons(s) collected will be photographed with a name placard of the officer next to the weapon(s). All rounds will be collected and accounted for from all officers involved. Furthermore, should the designated Team Coordinator deem it necessary, all involved weapon(s) will be tested by the Northern Colorado Regional Forensic Laboratory.
- C. Body worn camera recordings shall be turned over to CIRT Investigators by the affected agency CEO or his or her designee. The recordings shall not be deleted, modified, redacted or altered prior to being provided to the CIRT.

## **EQUIPMENT**

- A. Investigators assigned to CIRT will be responsible for bringing their own equipment to the incident.
- B. Should specialized equipment not readily available to CIRT be required, obtaining and paying for it shall be the responsibility of the requesting agency.

## **DRUG AND ALCOHOL TESTING**

- A. Criminal Investigation – If any involved officer will not consent to a voluntary blood test pertinent to the incident, a search warrant ordering the test may be sought by CIRT if probable cause exists to believe that the involved officer is impaired by drugs and/or alcohol.

- B. Administrative Investigation – The administrative or command personnel employing the involved officer(s) will be given the opportunity to compel the officer(s) to submit to intoxicant testing under their respective departmental guidelines. If results are obtained under the administrative employment relationship, the results will not be made available to the CIRT investigators.
- C. Voluntary drug or alcohol testing of officers involved in a critical incident shall be subject to the rules, directives, and orders of the involved officer’s agency. However, CIRT investigators shall encourage all incident-involved officers to undergo voluntary drug and alcohol testing.

### **CORONER**

- A. It is recognized that the Coroner’s Office having jurisdiction at the scene of a fatal incident being investigated by CIRT may wish to conduct its own on-scene inquiry into the circumstances of the death.
- B. Members of CIRT will make all reasonable efforts to work in coordination and collaboration with the Coroner and his/her designated personnel.
- C. Movement of the deceased or removal of any items from the body or clothing of the deceased will be done or supervised by Coroner’s Office personnel.

### **AUTOPSY**

- A. At least one member of the CIRT investigative team will attend the autopsy, as well as CSI’s or criminalists who will collect any evidence.
- B. The autopsy pathologist will receive a complete briefing by a CIRT investigator prior to the post mortem examination.
- C. A CSI or CIRT investigator will photograph the autopsy and receive custody of any pertinent physical evidence.

### **REPORTS BY TEAM MEMBERS**

- A. All CIRT investigators will write reports documenting their participation in the investigation. Each agency employing CIRT investigators may use their own established report writing system and format.

- B. The lead investigator has the ultimate responsibility for report writing and for collecting reports from other investigators. All reports shall be reviewed by a Team Coordinator.
- C. Prompt completion and distribution of reports is essential.
- D. Reports completed by CIRT members will be typed by the team member's agency. This is to relieve the requesting agency of the burden and allow for the prompt transcription of interview tapes so the information may be gathered and presented for review as expeditiously as possible. CIRT members are responsible for delivering all reports to the Team Coordinator(s) at a time or date specified by the designated Team Coordinator.

### **VICTIM ADVOCATE RESPONSE**

It is recognized that in the majority of critical incidents that are investigated by the CIRT, the services of victim advocates is essential. These victim services may be required for the involved officers, for the individuals involved in the critical incident with law enforcement, or the family members of those individuals involved in a critical incident with law enforcement. In order to avoid any conflict or appearance of impropriety for the victim advocates, every effort will be made to utilize a neutral victim services employee for a particular investigation. By way of example, victim advocates from Weld County Victim Services shall not be utilized in a critical incident involving one of the agencies that they serve on a normal basis. Similarly, the Greeley Police Department Victim Advocates shall not be utilized in a critical incident involving one of the agencies that they serve on a normal basis. In the event that both victim advocate groups have a conflict with a particular investigation, the Team Coordinator shall be responsible for identifying a neutral victim services program or individual who shall be requested to provide the necessary services.

### **LABORATORY SERVICES**

- A. Necessary crime laboratory support to CIRT shall be provided by the Northern Colorado Regional Forensic Laboratory.
- B. The forensic laboratory may call on the specialized assistance of other subject matter experts, as required.

- C. The crime lab's normal evidence handling, processing and storage procedures will be in effect for incidents involving CIRT.

### **INVESTIGATIVE AND EQUIPMENT COSTS**

- A. Any specialized tests must be approved by the requesting agency which will be responsible for any costs pertaining to these tests.
- B. Personnel costs, including overtime, will be the responsibility of the agency providing the member to the team and not the requesting agency.
- C. All investigative team members while responding to a callout, regardless of jurisdiction, will be deemed to be on-duty and responding to a call for mutual aid.

### **NEWS MEDIA RELATIONS**

- A. All releases of information to the news media regarding the CIRT-involved incident shall be made jointly by the appointed CIRT media representative and the Public Information Officer of the involved (requesting) agency or agencies. It is recognized that in some agencies, the agency CEO may serve as the Public Information Officer.
- B. To maintain the integrity of the investigation, all media releases shall be reviewed with the Team Coordinator, who will appoint a member of the team as the media representative for the investigation.
- C. Coroner's Office – Release of information regarding identity of the deceased will follow the policy and procedures of the Coroner's Office, as well as applicable Colorado statutes.

### **PRESENTATION OF INVESTIGATIVE FINDINGS**

- A. When the investigation is completed, it will be presented by the CIRT members designated by the Team Coordinators to the District Attorney. The Team Coordinators are responsible for notifying and scheduling the presentation with the District Attorney and CEO of the involved agency. The CEO of the involved (requesting) agency may request that the Team Coordinators make a separate presentation to the involved agency's Command Staff.
- B. In addition to the District Attorney, the presentation to the District Attorney will be attended by Chief Deputies, the Assistant District Attorney, and any other individuals designated by the Team

Coordinators or District Attorney. No one involved in the critical incident from the requesting agency or agencies may attend the DA presentation.

### **DISTRICT ATTORNEY'S RESPONSIBILITIES**

- A. When the CIRT is activated, as part of the callout procedure, a Team Coordinator will consult with the District Attorney or designee from the District Attorney's Office. After discussion between a Team Coordinator and the District Attorney's office, a determination will be made regarding the necessary response from the District Attorney's Office. The DA or his designee will be responsible for notifying the Assistant District Attorney and the on-call Chief Deputy District Attorney. Both will be available to provide legal consultation.

### **INVESTIGATIVE TIMELINE**

- A. Recognizing there are unexpected circumstances which can cause delays with any criminal investigation, every effort will be made to complete investigations and reviews in a timely manner. In an effort to be expedient and complete with regard to all involved agencies and affected personnel, the Team Coordinator(s) and their designees will strive to present the facts of a critical incident to the District Attorney's Office within three weeks of the event. This includes the collection of all necessary paperwork, transcriptions and other information. The District Attorney's Office will strive to complete the review of the facts and determine if further investigation is required or if a decision can be rendered within three weeks after receiving the information and the presentation by the Team Coordinator(s) and their designees.
- B. A time extension may be requested by Team Coordinators for good cause. Such requests shall be made to the District Attorney.

### **REQUESTING AGENCY'S ADMINISTRATIVE/INTERNAL INVESTIGATION**

The requesting department's administrative or internal investigation will be conducted independent of the Critical Incident Response Team investigation. The Critical Incident Response Team investigation will have priority over the involved agency's internal process.

## **DEBRIEFING**

- A. At the conclusion of an investigation, there will be a debriefing and critique of CIRT actions taken. The purpose of this debriefing will be to ensure a thorough and complete investigation has taken place. This meeting also will serve as a way to evaluate and make suggestions to improve the performance of this multi-jurisdictional investigative team. An effort will be made to have the debriefing prior to submission of documents to the District Attorney's Office.
- B. This debriefing will enable the Critical Incident Response Team's Coordinators to make additional assignments, if deemed necessary by the critique. It is important to have members from the District Attorney's Office, the investigating agencies, the Coroner's Office, and the crime lab in attendance. The debriefing will be open to all CIRT members and all are encouraged to attend for training and familiarization. The debriefing will be closed to the media and public.

By the signatures of their agency CEOs on this document, the following agencies agree to fully participate in the operations of the Nineteenth Judicial District Critical Incident Response Team and adhere to the provisions of the CIRT Protocol:

\_\_\_\_\_  
AULT POLICE DEPARTMENT

\_\_\_\_\_  
COLORADO STATE PATROL

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EATON POLICE DEPARTMENT

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EVANS POLICE DEPARTMENT

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FT. LUPTON POLICE DEPARTMENT

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GREELEY POLICE DEPARTMENT

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JOHNSTOWN POLICE DEPARTMENT

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LASALLE POLICE DEPARTMENT

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LONGMONT POLICE DEPARTMENT

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NUNN POLICE DEPARTMENT

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TIMNATH POLICE DEPARTMENT

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WELD COUNTY CORONER'S OFFICE

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WELD COUNTY SHERIFF'S OFFICE

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BRIGHTON POLICE DEPARTMENT

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DACONO POLICE DEPARTMENT

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ERIE POLICE DEPARTMENT

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FIRESTONE POLICE DEPARTMENT

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FREDERICK POLICE DEPARTMENT

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HUDSON TOWN MARSHAL

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KERSEY POLICE DEPARTMENT

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LOCHBUIE POLICE DEPARTMENT

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MILLIKEN POLICE DEPARTMENT

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PLATTEVILLE POLICE DEPARTMENT

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UNC POLICE DEPARTMENT

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WELD COUNTY DISTRICT ATTORNEY

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WINDSOR POLICE DEPARTMENT