

10/17/2007



**PoliceOne Exclusive**  
with Rachel Fretz

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## LAPD lessons learned: Use of force investigation tips

By PoliceOne Staff

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Submitting an insufficient or sloppy use-of-force incident report for review can have damaging ramifications down the road in the form of a legal and public relations nightmare.

No department knows this better than the LAPD, whose use of force tactics have been angrily called into question as recently as May of this year, when its handling of protestors captured on video (inset) caused a firestorm of controversy and prompted the public to demand accountability.

(This week, the [LAPD released a mea culpa for the May Day event](#), a document the *Los Angeles Times* calls a "scathing self-critique." [Read the LAPD final report.](#))

At this year's IACP Conference in New Orleans, LAPD Captain Kris E. Pitcher presented "Los Angeles Police Department Use-of-Force Incidents: From Initiation to Conclusion."

Pitcher, Captain of the Force Investigation Division, walked attendees through the detailed matrix of now-regulation standards and tools the LAPD uses to investigate every "serious" (e.g. officer-involved shooting, carotid restraint control hold, in-custody death, impact weapon strike) or high-profile use-of-force incident -- lessons, in other words, the LAPD learned the hard way.

"What you'll see here," Pitcher said, "is an exhaustive process that goes the extra mile. People think we're nuts for going the distance, but we've learned the pitfalls. When you stop all issues of distrust of the community."

Pitcher called "transparency" the goal of any investigation.

To this end, the Force Investigation Division of the LAPD was established to conduct objective, thorough and timely analyses that begin at the scene of the crime, when all evidence and forensics are



"In the wake of the MacArthur Park melee, LAPD Chief William J. Bratton had decided the best way to avoid future problems is for his department to produce its own brand of reality television". . . [Read news report](#)

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intact.

### **Anatomy of an initial incident investigation**

Pitcher detailed the LAPD investigation process, by way of what he called the "anatomy of an officer-involved shooting":

1. The scene is locked down. Both an inner and outer perimeter are established.
2. All evidence is preserved immediately to preclude movement or corruption. Firearms are secured.
3. All involved personnel are separated to make sure there are no accusations of officer collusion down the line. Officers involved are taken to two different locations *within the initial scene*.
4. A field supervisor takes a public safety statement. (This is relayed to investigators once they arrive.)
5. Involved parties are immediately transported to the police facility, where they will be separately monitored and documented.
6. Investigation division personnel come within one hour (significant because the majority of use-of-force incidents take place from Thursday – Sunday after 11 p.m.). The investigators embark on extensive witness canvassing.

### **The Dirty Team**

The LAPD investigation process is bifurcated.

First, said Pitcher, there is the Administrative, or "dirty" team, that reads Miranda rights, asks any questions they deem necessary, and take the evidence.

"This team looks at the legitimacy of use of force itself, as well as specifics of what kind of force was used," said Pitcher.

The dirty team also arrests, books, and presents criminal filings against the suspect to the District Attorney's office. Next, they present the investigation findings to the Use of Force Review Board, and finally, to the Department of Police Investigation.

The Administrative team is responsible for the following:

#### 1. Providing transparency

Outside entities work together to ensure transparency to the investigation from the get-go. The OIS-FID comes out to look at the evidence and sit in on some interviews.

The District Attorney determines the propriety of defense of the officers involved.

Crime scene managers lock down the scene and control access of those coming in and out, even of the command staff. This is done to avoid criticism down the line.

"You have a lot of things going on at a crime scene," Pitcher said. "You have to establish that manager."

#### 2. Securing the Hot Area

The Hot Area refers to the inner perimeter that generally contains the body, the vehicles used, casings, weapons, etc.

#### 3. Securing the Outer Perimeter

It's important to secure the outer perimeter in case any rounds ricocheted and ended up far afield. (This is done in hopes of matching projectiles.) It is critical that these are locked down.

### **The Investigation Support Unit**

This second unit, using highly integrated technologies, is responsible for presenting the incident to the media and review boards.

Through audio, video and digitized (sometimes animated) diagrams, the reviewers are, in effect, put in

the officer's shoes and taken through the entire incident subjectively as it unfolds.

The audio effectively recreates the tactile environment the officers found themselves in at the time of the incident.

Broadcast analysis is also done in order to decipher garbled recording taken during the incident. The inaudible portion is digitally "stretched" to make the words understandable.

Raw footage is an invaluable aid to these investigations.

"You see this raw footage all the time on CNN," Pitcher said. Whether it be dashcam video or footage from neighborhood surveillance cameras, the investigation support unit is advised to use all available footage for use in presentations.

"This gives you excellent visual representation of what happened," Pitcher said.

The investigation unit goes to major lengths to capture every perspective for the officers and for the community.

### **New technologies**

The LAPD investigation unit routinely enlists the help of a laser survey technology called the Total Station Laser Mapping survey, which is similar to what's used in accident reconstruction.

This tool plots points to capture locations of all evidence; it then reproduces this information as a 3D diagram.

This diagram goes to the coroner, the Review Board, and the Board of Police Commissioners.

Computer animated actions are also produced, for instance aerial shots that animate the movement of the vehicles through city streets.

The team can also render digitally animated recreation of the incident scene, using text boxes to show what the officers did and when (e.g., "The suspect exited the vehicle and ran toward the garage.") This gives the narrative a thought-bubble approach that allows the viewer to understand the imperatives of the situation as they arose.

Pitcher touted a product called the [Panoscan](#), which is a camera used to rotate through the scene to give viewers a 360-degree positional perspective. The camera captures ballistic evidence like bullet holes, impacts and trajectories.

"Instead of looking at a series of slides, this will take the viewer through the entire perspective in one fell swoop," said Pitcher.

Another incredible trick of the Panoscan is, using a two-dimensional diagram, it can take the viewer to any room or area of the incident scene with the click of a mouse. It allows the viewer to return to any piece of evidence.

This type of visual enhancement is critical to any incident portrayal.

"Without the use of slides and pictures, a 1,000-page investigation report will fall flat in a simple 30-minute retelling," Pitcher said, which is why the LAPD developed this highly nuanced presentation format.

"It adds transparency and integrity to the investigation," he said.

Finally, the officer involved should, when possible, participate in a walk-through of the incident.

"This is not an interview," said Pitcher, "but a chance for them to tell us where they were when they shot the suspect and when the suspect attempted to shoot back."

The LAPD investigation team does not take the weapons away from officers at the scene of the incident unless there are extenuating issues. Instead, the officer is given a light weapon in exchange for theirs. This allows the team to look at the functionality of the weapon, e.g., the right trigger pulls and registration.

The investigation will receive a published safety statement from the field supervisor at the scene who has conducted the officer walk-through.

A mobile command post is set up on the premise.

“Since we’re out there sometime up to 30 hours in the field, we roll out the mobile command vehicle,” said Pitcher. Inside, a white board, roughly 10’x 6’, is highly recommended.

After all, you’ll need a lot of space to roll up your sleeves and get down to organizing the myriad and sometimes dizzying aspects of a legally and tactically airtight use-of-force investigation.

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As editor of PoliceOne, Ms. Fretz writes on a broad range of topics that affect the law enforcement community, and provides cutting edge tactical tips and techniques straight from our Street Survival seminar experts.

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