

OFFICER INVOLVED SHOOTINGS

(and other incidents of force resulting in death or serious bodily injury)

POLICY AND LAW

The Eureka Police Department policies regarding the use of deadly force are consistent with the California Penal Code Section 835a, which states, "The authority to use physical force...is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer. The decision by a peace officer to use force shall be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by peace officers. Officers may use deadly force if, under the circumstances, the officer reasonably believes based on the totality of the circumstances, that such force is necessary for either of the following reasons; the suspect poses a threat of death or serious bodily injury, either to the officer or to others or to apprehend a fleeing suspect for any felony that threatened or resulted in death or serious bodily injury and the officer reasonably believes the person will cause death or serious bodily injury to another unless immediately apprehended."

PROCESS

When an officer deploys lethal force in the course of their duties, or uses force which results in a serious injury or death, an extensive and thorough investigation takes place. The Eureka Police Department's Command Staff and Investigations Section respond to the scene to stabilize the scene. At the direction of the Chief of Police, the Humboldt County Critical Incident Response Team (CIRT) responds to the scene and assumes responsibility for the investigation. CIRT is comprised of members from local law enforcement agencies, District Attorney Office Investigators and the Department of Justice.

Once the investigation is completed by CIRT, it is forwarded to the District Attorney's Office which reviews the case to determine if the officer(s) actions were lawful. After the District Attorney's investigation and review, a written report is issued which details factual and legal findings.

The Chief of Police assigns a supervisory officer to oversee an investigation into the incident to determine if the actions of our employee(s) were in compliance with department policy. The Chief of Police may also convene a Use of Force Review Board or utilize assistance from an outside agency such as the Attorney General's office or another independent consultant, depending on the situation.

It is vital note policies are modified due to legislative mandates and the constant development of law enforcement standards and best practices.

Investigations of Officer Involved Shootings and other incidents of for resulting in serious injury or death are publicly released documents in accordance with SB 1421.

[Policy 300 - Use of Force Policy](#)

[Policy 302 - Use of Force Review Board Policy](#)

[GO 2017-09 – Shooting at or From Moving Vehicles \(Revision to Policy 300\)](#)

[December 22, 2016 PowerPoint presentation of December 6, 2016 officer involved shooting](#)

[Executive Summary of September 16, 2014 Officer Involved Shooting](#)