

23JD CIRT: WITNESS OFFICER/DEPUTY VIDEO INTERVIEW

Date: _____ **Time:** _____ **CIRT Case #** _____

CIRT Interviewer (Name/Badge/Agency): _____

CIRT Interviewer (Name/Badge/Agency): _____

Location of Interview/Interview Room # _____

Involved Officer/Deputy (Name/Badge/Agency): _____

Atty Name/Registration # _____

Atty Name/Registration # _____

This interview concerns an incident occurring:

Location: _____

Date: _____ **Time:** _____

Involved Agency: _____ **Agency Case #** _____

Overview of the Witness Officer Interview

- Interviewing witness officers in an officer-involved shooting (OIS) investigation is crucial for establishing an accurate account of events. These officers provide firsthand observations of the incident, clarify the suspect's and involved officer's actions, and offer context regarding the threat level posed by the suspect and the decision-making process used by the involved officer.
- Witness officer interviews should obtain the officer's objective observations and recollections of the event.
- The witness officer's opinions and subjective feelings should be avoided.
- The interview questions should be confined to the incident in question.

Witness Officer Interview Process-Explain to witness officer

- I will ask you to describe the incident in detail, then we will review it with any follow up/detail questions.
- If you don't understand a question, please ask me to clarify.
- If you don't recall an answer, please say so.
- I may ask you to estimate times or distances. If you are comfortable, please do so but you are not being asked to guess.
- (As Applicable) Photos are available for reference.

Interview

- Describe incident in detail.
- Clarifying/Detail questions
- Ask officer (and attorney if present) if there are any questions not asked that they would like asked, any areas not covered or areas to cover in greater depth?

Example Questions: Ensure that the following, as relevant, are covered in the interview:

~Listed in no particular order~

- How did you learn of the incident?
- What route did you take to get to the scene?
- What additional information did you receive (CAD/Radio)?
- What information did you have about the suspect prior to contact (from radio)?
- Knowledge of any suspect's use of drugs/alcohol?
- Knowledge of any suspect medical problems?
- Were you able to develop a plan prior to contacting the suspect? What was your direction of approach?

- Where did you park your vehicle and why?
- What was your communication with your partner or cover officers when you arrived?
- Identification as Police/Sheriff/Law Enforcement?
- Did you verbally identify yourself as Law Enforcement?
- What communication, verbal/non-verbal, was exchanged between officers?
- How many officers responded? Who were they if you know?
- How did you identify the suspect as the suspect?
- Prior contact with or knowledge of suspect?
- Relative size/age/strength of suspect to officer?
- How did you contact the suspect?
- What was your reasonable suspicion/probable cause to contact/detain/arrest the suspect?
- What commands did you or your partner give the suspect?
- Did you or anyone else give a clear, verbal warning of intent to use a firearm or deadly physical force?
 - If yes:
 - Was the suspect given sufficient time for the warning to be observed?
 - Did the suspect appear to understand the commands?
 - What was the suspect's response and/or action to those commands?
 - Were the commands given in any language other than English?
- Did the suspect make any statements/utterances/noises?
- What was the level of threat the suspect posed to the officer or another (Statute uses term “immediate threat”)
- Articulate suspect’s threatening actions/behaviors.
- Did the suspect make any threats or verbal forecasts of actions?
- Was the suspect armed? (how carried/displayed/used)
- What was the weapon?
- Was the weapon recovered? Who recovered it?
- Was the suspect's weapon moved after the incident?
- Who moved it?
- Where was it moved to?
- Did the suspect pose a danger to the public if they escaped?
- What additional resources/cover did you request?
- Did you broadcast any suspect description/information?
- During the incident, were you aware of your partner's actions?

- What was the lighting like? If it was dark, did you use a flashlight?
- What type of flashlight and how used (weapon-mounted? steady-on/strobe/pulse?)
- What was available for cover/concealment?
- Did the suspect have cover/concealment?
 - Did they use it? How?
- Did you draw your primary duty weapon?
- Did you draw your back up weapon?
- Did you deploy a long gun?
- Who, if anyone, handcuffed/restrained the suspect?
- How was the suspect handcuffed/restrained? (In detail)
- Suspect position after restraint?
- Who removed the handcuffs and why?
- Did you or anyone else search the suspect?
- Was the suspect injured?
- Were any officers injured?
- Who made the request for an ambulance?
- Did a supervisor respond?
- Did you or anyone else give the supervisor a public safety statement? (If you know, what was said?)