



LAW ENFORCEMENT AGENCY RESPONSIBILITIES IMMEDIATELY FOLLOWING A POLICE-INVOLVED FATAL OR NEAR FATAL INCIDENT

Immediately upon learning of a police-involved incident, the local law enforcement agency (“LEA”) that employs the officer and/or the local LEA with primary jurisdiction over the location of the incident will notify the MSP Headquarters Duty Officer at **(410) 653-4474**. If a local LEA is uncertain whether an incident qualifies for notification, the local LEA should contact MSP at the above number to inquire. For any other questions, LEAs can reach an on-call IID investigator at (410) 576-7070.

The local LEA will maintain control over the crime scene until the arrival of MSP. The local LEA will also maintain scene security, including traffic control, until the on-scene investigation is complete, and the scene is released.

Personnel from the MSP Forensic Sciences Division (“MSP-FSD”) and Criminal Enforcement Division will oversee the scene of IID investigations and will make every effort to arrive at the scene of IID investigations within one to two hours from notification.

Physical Evidence	
Cases Where There is No Imminent Threat to Evidence	<ul style="list-style-type: none"> • The evidence should be collected by personnel from the MSP-FSD. • Personnel from the LEA will not collect evidence but will locate, identify, and secure it in place until MSP-FSD personnel arrive. • If the LEA has scanning devices, they are encouraged to use them after consultation with the IID.
Cases Where There is an Imminent Threat to Evidence (An imminent threat to evidence exists when evidence will be lost, damaged, or contaminated if personnel on scene do not act. Examples include, but are not limited to, weather—rain, wind, flood, heat, etc.—and potential interference from civilians, medical personnel, animals, etc.)	<ul style="list-style-type: none"> • If there is an imminent threat to any evidence and crime scene personnel from the local LEA are present, then the local crime scene personnel should document, photograph, and collect that evidence per their own procedures prior to the arrival of MSP-FSD crime scene personnel. If the evidence must be processed to preserve it from threat, the local LEA may do so. Evidence that is not subject to an imminent threat will be left for MSP-FSD crime scene personnel to process. • If there are no crime scene personnel (MSP-FSD or local) present, then the sworn personnel on-site should document, photograph, and collect that evidence rather than waiting for crime scene personnel to arrive. If time allows, sworn personnel from the local LEA should contact IID personnel for guidance prior to the collection of evidence. Evidence that is not subject to an imminent threat will be left for MSP-FSD crime scene personnel to process. • If personnel from the local LEA collects evidence, the name of the personnel collecting the evidence and the reason for collection should be documented and provided to the IID as soon as possible. • If personnel from the local LEA collects evidence, they should ask the IID whether to transfer the evidence to MSP-FSD or process it themselves. • The guiding principle for when there is a threat to evidence is that it is always better to collect the evidence in some manner rather than losing the evidence or having it damaged or contaminated.



INDEPENDENT INVESTIGATIONS DIVISION

During the course of an investigation, the IID will interview all witness officers to an incident. The IID will also request to interview each subject officer.

Witnesses	
Subject Officers and Witness Officers	<ul style="list-style-type: none">• The local LEA should identify and separate all subject and witness officers and instruct them not to communicate with each other about the incident under investigation.• When an officer is transported from the scene, he or she should, if possible, be transported in a car with an operating camera and/or with an officer wearing an operating body-worn camera.• The local LEA shall notify the IID of the location where each officer was transported and, if applicable, the location of any weapon that was used in the incident under investigation.
Civilians	<ul style="list-style-type: none">• The local LEA should identify, separate, and maintain all possible civilian witnesses and ask them to remain on scene until the IID arrives to conduct interviews.• In cases where a civilian witness needs to be transported from a scene, the local LEA should, if possible, contact the IID prior to transport for further guidance.• If a witness is unwilling to wait on scene for the arrival of the IID, the local LEA should attempt to conduct an interview of that individual, to collect any video or other evidence they might have, and to obtain the contact information for the witness to include his/her name, date of birth, address, phone number, and vehicle registration information.• If possible, any on-scene interaction with civilian witnesses should be recorded and documented.