



DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 118	USE OF DEADLY FORCE INVESTIGATION AND REVIEW	
	Effective: 05/08/2025	Commissioner Approval: 
	Authorities: AS 11.81.370 ; AS 18.65.670	
	Applicability: OFFICERS	
	Special Instructions: SEE CHAPTERS 107 & 114, Use of Deadly Force Incident Investigation Checklist , Officer Involved Deadly Force Incidents – A Guide ; Commanders OIS Checklist	

118.100 INTRODUCTION

This policy establishes protocol for conducting investigations into an officer's justification for the use of deadly force. Additionally this policy applies to the investigation of Village Public Safety Officers (VPSOs) who use deadly force; however, differences are noted as appropriate.

118.300 POLICY

Whenever an officer uses deadly force or uses force that results in serious injury to a person, the circumstances surrounding the use of deadly force will be thoroughly investigated. Involved officer use of deadly force investigations are generally more complex than similar investigations that do not involve police officers. These events can have profound social, civil, administrative, and criminal consequences, which draw considerable media and public attention and affect many parties. A thorough and timely investigation benefits all parties including the involved officer and the department.

Careful documentation, preservation of evidence, and obtaining all witness statements are essential requirements for providing a just outcome from the criminal, administrative, and/or civil actions that may result from the incident.

If criminal culpability is eliminated, the department still carries an obligation to investigate the circumstances of injury or death for other than criminal purposes, including civil litigation, insurance concerns and to support policy and training review.

118.600 PROCEDURES

A. At the scene. In the immediate aftermath of a deadly force incident, supervisors, officers in charge (OIC), and/or investigators shall ensure that the following actions are taken.

****Each procedure may not be applicable to every event and the procedural order***

may be manipulated to fit event priorities.

1. Evaluate and ensure scene security.
2. Summon medical assistance if needed.
3. Locate, identify, and separate witnesses.
4. Provide for the safety and security of the officer, including accompaniment by another officer during transport.
5. Ensure appropriate department supervisor notifications.
6. General on-the-scene questions to establish an understanding of events and any continuing risk to the public at large may be asked of the involved officer. This may include a brief non-compelled description from the involved officer as to locations, movements, actions of the participants, any necessary information that gives direction to the scene investigator or leads to the recovery of evidence or evidentiary documentation, or recollection of essential details that may be otherwise overlooked or quickly forgotten. The [Public Safety Statement](#) is to be read by the OIC and shall be audio recorded.
7. All involved officers will be advised not to discuss the incident with other involved officers or witness officers.
8. Ensure the officer has an opportunity to contact their family members.

If an involved officer is incapacitated, a command officer should make contact with the officer's family members. If the family member(s) need assistance with transportation to a medical facility, the command officer will require this be accomplished.
9. Evaluate the need for additional support personnel or special equipment.
10. Protect the integrity of the scene(s) and witnesses until the investigative team takes command.
11. The department will attempt to contact the appropriate bargaining unit and allow officer(s) to consult with their bargaining unit regarding resources available through the union, such as legal counsel, without influence from anyone.
12. Seize any weapons used by the officer as evidence and make efforts to replace them, as soon as possible.
13. Coordinate with the investigative team, whether the officer needs to remain on scene or can be transported to an office location.
14. Investigative team to contact the Department of Law Office of Special Prosecutions to assist with applications for search warrants and all other legal considerations.
15. Investigative team to contact the State Medical Examiner's Office if a death is involved.
16. Commander consultation with the officer, then appointment of a support officer to provide information and assistance to the involved officer throughout the investigative and administrative process.
17. Photograph the officer as dressed during the incident.

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18. Photograph any injuries to the officer.
19. The involved officer's clothing, shoes, vest, leather gear, and digital recorder and/or camera will only be seized as needed for evidence. Items will be replaced as soon as possible.
20. If criminal conduct by an officer(s) is suspected, investigators shall apply for a search warrant to seize blood and urine. Samples will be submitted to the SOA Crime Lab for analysis.
21. If no criminal conduct by an officer is suspected, the involved officer will be ordered (by a command officer not connected to the investigative team), to provide blood and urine samples for department internal review. The sample will be sent to the Office of Professional Standards (OPS) for future analysis.
22. Schedule date, time and location for a formal interview with the officer, at least 48 hours after the incident. An involved officer may request an interview at any time prior to 48 hours.
23. An officer will be assigned to administrative leave for seven (7) days. The involved officer may return to work prior to the seven (7) day period, provided all investigative and administrative requirements have been completed, and the employee has been cleared to return to duty. VPSO assignment to administrative leave will be at discretion of the employer based upon their policies.
24. Commander preparation and distribution of a commissioner's notification.
25. Public Information Office's preparation of a press release (officer's name will normally not be released to the media for 72 hours).

B. Homicide Investigation Procedures. An Alaska Bureau of Investigations (ABI) investigator is assigned to the case. The on-scene questions will not become an in-depth interview and will only include enough information to give direction to the scene investigation, enhance scene security, and protect the public. The on-scene questioning may not be necessary if other adequate information from the scene or other witnesses/officers is available. The solicitation of specific details shall be reserved for the formal interview. The on-scene questions may be audio-recorded for the investigator's notes. The ABI investigator will not conduct video re-creations or "walk-through" with the involved officers. While it may be a fine line to walk, the investigator will keep in mind that involved officers have all the rights of any citizen and shall be treated, unless the investigation indicates otherwise, as a victim and witness.

Some of the investigative steps in this section may require waivers or search warrants to assure the legal admissibility of any evidence obtained. If the investigator has any questions concerning the search and seizure implications of an investigative step, the Department of Law Office of Special Prosecutions will be contacted for advice before proceeding.

1. Ensure an adequate number of investigative personnel are at the scene, or are on the way.
2. Ensure the Office of Special Prosecutions is informed of the incident.
3. Ensure State Medical Examiner is advised if required.

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4. Ensure notification of next of kin.
5. Ensure legality of scene search by written waiver or search warrants.
6. If a suspect and/or victim is shot or injured, have an officer respond to the medical facility with the suspect and/or victim and seize the suspect and/or victim's clothing.
7. Ensure the suspect and/or victim has blood and urine drawn through medical procedures, written waiver, or search warrant for blood alcohol and toxicological screen.
8. If the officer discharged a weapon, seize and replace it with another weapon as soon as reasonably possible. Maintain custody of the seized weapon, protecting it for forensic testing. Document the condition of the weapon when seized.
9. Photograph injuries sustained by any party.
10. Ensure immediate area and neighborhood canvass is conducted.
11. All witness interviews shall be recorded.
12. Ensure the scene is photographed and video recorded.
13. Ensure any vehicles involved are seized and secured pending consent or search warrant.
14. Ensure physical evidence at the scene is identified, collected, and the chain of custody is maintained.
15. Ensure all original radio recordings and dispatch logs are seized, secured, and transcribed.
16. Ensure all original 911 recordings and logs are seized, secured, and transcribed.
17. Ensure the scene is measured and a diagram constructed.
18. Coordinate on-scene media relations. Release of any information to the media will be coordinated and approved by the Director.
19. Coordinate on-scene briefings and inform supervisors of case progress.

C. *Involved officer investigation procedures.* All officers directly involved in a use of deadly force incident will be treated in the following manner:

1. After other officers secure the scene, any involved officers will be removed from the scene as soon as possible to a designated location.
2. The involved officers will be photographed in the clothing and equipment worn during the use of deadly force.
3. If possible, photograph any injuries to the involved officers at the medical facility and/or the office.
4. Seize the involved officer's clothing, shoes, vest, leather gear, and digital recorder

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and/or camera but only if deemed necessary for evidentiary value and retain until released by the Division Director in cooperation with the Department of Law. This may include weapon, badge, audio recorder, etc. The reason for the seizure shall be explained to the involved officer.

- a. If probable cause exists suggesting criminal wrongdoing on the part of the involved officer, investigators shall apply for a search warrant for blood and urine. A search warrant will not be sought for the involved officer's blood and urine if there is no indication of criminal wrongdoing. In cases where blood and urine is seized by search warrant, the samples will be submitted to the SOA Crime Lab.
 - b. Involved officers will be required by the Department, to provide samples of blood and urine for the Department's internal administrative review. This collection will not be ordered or supervised by criminal investigators. This blood and urine draw is mandatory. If an employee refuses to provide a blood and urine sample they may be subject to appropriate discipline under OPM 111. The blood and urine will be seized by a qualified person and will be sent to OPS. OPS will facilitate the testing of the blood and urine at a licensed medical facility. The blood and urine will be tested in every instance of administrative seizure. Positive results will be provided to the Director's Office.
5. Any seized uniform part, weapons, or equipment will be replaced as soon as possible. The designated support officer (See D below) will liaise with the involved officer's chain of command to ensure this occurs in an expeditious manner. The duty weapon will be replaced at the scene as soon as possible; however, the officer will not leave the scene unarmed unless medically necessary.

D. *Employee support procedures.*

1. DPS will ensure the involved officer(s) have an opportunity to contact their family or offer to make notifications for them in such a way that the family is not traumatized by the notification. If the officer is injured and cannot make the notification or give direction as to notification, a command officer will determine the best method of family notification. Command will make family notifications a high priority to ensure that the family is notified by the department and not through the media or other well-intentioned friends or representatives. There will be efforts to have a department representative remain with or transport family to the medical facility. Personal notification is the preferred method of the department.
2. Support officer. As soon as reasonably possible, the commander of the involved officer(s) or supervisor in the absence of the commander will designate a department employee to function as a support officer. The involved officer shall be consulted and have input as to the selection of the support officer. If multiple officers are involved, the commander will determine the best option for either a single or multiple support

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officers. The support officer's primary mission will be to explain procedures and to provide support. The support officer will act as liaison when needed between the involved officer and command. Command will impress upon the support officer the importance of this assignment. The support officer will not have any authority as to the direction of the investigation so as to remain completely neutral and support, but will be able to provide suggestions to Command and Investigators regarding timing of actions and requests as well as the physical and mental condition of the involved officer. Command will provide the involved and support officer with a [pamphlet](#) outlining this chapter so the officer will understand the investigative process.

3. A commander will assign the involved officer to administrative leave per 118.600 (A)(23). See 118.610 (A). VPSOs assignment to administrative leave will be at discretion of the employer based upon their policies.
4. The names of involved officers will not normally be released to the media by the Department for a 72-hour period following the incident. After 72 hours the name of the involved officer(s) will be released by the Director's office. For VPSOs the name will be released in consultation with the employer. The Director's office may release the name of involved officers internally before 72 hours; the information is not for public release. Prior to release, the involved officers and/or their support officer will be consulted to determine if the department will proceed with internal notification.
5. An officer involved in the use of deadly force may wish to meet with other individuals, counselors, chaplain, or stress debriefing groups; however, at no time shall such meetings interfere with the on-going investigation. No guarantees can be made that such conversations will remain confidential outside of the context of a privileged conversation.
6. A commander or higher ranking officer will attempt to communicate face to face with the officer for the purpose of demonstrating departmental support for the officer. The administrator will not comment on the situation or make any premature statements regarding the legal or internal affairs matters but may show concern and empathy for the officer and/or family during the very stressful experience.
7. The support officer must reside in the same geographical area as the involved officer/family and must not be on personal leave or involved in training or other duties that would prohibit them from being able to serve in this capacity.
8. All department employees involved in the incident, either at the scene or in support roles (dispatchers, supervisors, etc.) will be encouraged to attend a critical incident stress debriefing (CISD) within 72 hours (See OPM 114). The CISD may include the officers that used deadly force in the incident if their formal investigative interview has already been conducted (See 118.610 (D)). Whenever possible, consideration should be made into assigning command staff personnel from outside the involved detachment to help facilitate the CISD to allow involved detachment command staff to focus on other priorities.

E. *Duties of the support officer.*

1. The support officer will read and be familiar with the relevant contents of OPM 118 and the pamphlet.
2. The support officer will not have any authority as to the direction of the investigation.
3. During the first 72 hours following the incident, the support officer will be available 24/7 to meet the needs of the involved officer and/or their family. This includes the use of department vehicle(s) to provide transportation, if necessary, to the involved officer and/or family members. Standby pay for the support officer is authorized during this time.
4. The support officer will remain completely neutral and supportive but will be able to provide suggestions to command and investigators regarding timing of actions and requests as well as the physical and mental condition of the involved officer/family.
5. The support officer will not bar direct communication with the involved officer/family that is initiated by the involved Trooper's Detachment Commander or a commissioned officer bearing the rank of Major or higher.

F. *Detachment commanders to follow investigation.* Detachment commanders are to remain briefed on the status and developments of the ongoing ABI investigation. Commanders are expected to be closely aware of the essential details of the incident and the investigation through its conclusion.

G. *Departmental Administrative Force Review.* The Office of Professional Standards (OPS) will conduct an administrative force review of the incident.

1. This review is limited in scope to a review of departmental policy, procedures, and rules in relation to the incident. It is not intended to be a separate or parallel investigation.
2. If any potential policy violations are identified, the appropriate Division Director will be notified and the Department complaint process may be followed in accordance with the employee's collective bargaining agreement. [Ref [OPM Chapter 111 Department Investigations and Disciplinary Procedures](#)]
3. OPS investigators will have access to the ARMS incident and will obtain through ARMS copies of statements, reports, and other findings. Requests for copies of videos, audios, and/or photos will be made by OPS through the appropriate property manager.

118.610 POST-INCIDENT OFFICER SUPPORT

A. *Administrative leave.* The involved officer will immediately be afforded seven (7) days of administrative leave from regular duties in order to seek support and/or counseling services to

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adjust to the circumstances of the deadly force incident on a personal and familial level. During the administrative leave period the officer(s) will be required to provide the Department with contact information; however, may participate in a formal interview, may participate in a CISD event, and may participate in a mental health consultation. The Department will make every effort not to contact the officer regarding any routine case work or assignments. VPSOs assignment to administrative leave will be at discretion of the employer based upon their policies.

B. *Post-incident intervention and education session.* The involved officer will be required to attend a post-incident intervention and education session with a mental health professional within seven (7) days if at all possible. The department will provide the officer with an appointment for the [post-incident intervention and education session](#). The department will pay for this session. The post-incident session is a privileged communication between the mental health professional and the officer involved. This will not be a complete psychological battery of tests as during the hiring process. The only requirement from this session will be a notification to the department that the session occurred or if it is determined the officer may not be ready to return to duty in the aftermath of the deadly force event. The department will pay for a follow-up session; if additional appointments are needed the supervisor should consult with DPS Human Resources. The officer may also be advised of other mental health assistance services through the DPS Wellness app, the DPS Staff Clinician with the Advanced Training Unit, and the State of Alaska [Employee Assistance Program \(EAP\)](#) and will be encouraged to seek out any services the officer feels is necessary for their mental health. The decision to seek further mental health assistance is a sign of maturity and the professional recognition that the use of deadly force can cause unseen stresses upon an officer. VPSOs requirement under this section will be at discretion of the VPSO employer based upon their policies.

C. *Fit-for-duty evaluations.* Mandatory fit-for-duty evaluations will only be required if the involved officer exhibits signs of stress or behavioral actions that affect their performance or cause concern for the officer's safety. Supervisory and command staff will be required to justify this action to the Director's Office. The Director's Office and VPSO Coordinator will consult with the VPSO employer before requiring a fit for duty evaluation. If justified, the officer will be required to see a doctor of the department's choosing and the department will pay for the exam. The doctor will let the department know, in writing, if the officer is fit for duty. If the doctor determines the officer is not fit for duty, the doctor will provide the following additional information to the department:

1. The prognosis of when the officer will be able to return to full duty.
2. Whether the officer is able to perform limited duty on a temporary basis.
3. A determination that the condition is or is not work related.
4. A recommendation for re-integration to the workforce.

D. *Critical incident stress debriefing.* A critical incident stress debriefing (CISD) will be conducted by qualified and trained personnel after investigators have conducted initial formal interviews. All efforts will be made to conduct the CISD within 72 hours. This is a voluntary participatory action and

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is not the same as a tactical debrief. The CISD may not include the officers that used deadly force in the incident unless their formal investigative interview has been conducted. Specific detailed information about the event will not be disclosed. The purpose of the CISD is to allow all involved employees to express and share feelings and emotions about the incident in general as they cope with the aftermath. (See OPM 114)

118.620 FORMAL INVESTIGATIVE INTERVIEW

A. Interview. In most cases, a formal in-depth interview will not be conducted with the involved officer for at least 48 hours, unless the involved officer desires an earlier interview. The involved officer may also request that the formal interview take place later than 48 hours following the incident. The involved officer will be afforded all the constitutional rights and privileges of any citizen.

The ABI investigator will conduct a recorded interview with the involved officers regarding the circumstances surrounding the use of deadly force. To ensure the voluntariness of an interview with the officers involved, the investigator shall make the following advisement to the officers:

1. "Do you understand that you are not in custody, and are free to discontinue this interview at any time?"
2. "Do you understand you are not obligated to talk to me, and you are free to leave at any time?"

B. Statement. The involved officer will not be compelled to provide an interview or to write a report during the criminal investigative stage. The involved officer will not be asked or directed to sign a "Garrity" waiver. The involved officer will be advised that they can contact and/or have an attorney or bargaining unit representative present or seek outside advice.

Unless the involved officer is in custody, they will not be given a Miranda Warning. If subsequent interviews or questioning is required by the investigators, notification will be made to the officer in writing (including email with receipt) with at least 48 hour notice, unless probable cause has been established that the officer may have committed a crime.

The use of deadly force is a traumatic event for the officer(s) and their family. The department will do everything possible to prevent any feelings of anxiety or unease. During the investigation and interview, the involved officer will be treated professionally, respectfully, and with regard due to one who has had to use deadly force while carrying out their professional responsibilities. The involved officer will be allowed an opportunity for reasonable rest periods and will not be interviewed under stress or fatigue. The officer will be treated with the same professional demeanor as any other victim and/or witness.

C. Interview Techniques. If the investigation reveals that the involved officer has committed a crime or has deliberately lied, other interview techniques may be employed. This change in interview techniques requires notification and permission of the Alaska Bureau of

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Investigation commander or their designee. The Alaska Bureau of Investigation commander will make notification to the Director's Office if this is considered necessary.

D. *Departmental Administrative Force Review Interview.* The involved officer will not be interviewed by OPS as part of the Force Review. OPS will review the criminal investigation interview and, if necessary, speak to the ABI investigators. In the event potential policy violations are identified, the applicable Director's Office will be notified and Administrative Investigation initiation procedures should be considered in accordance with [OPM Chapter 111 and the Department Investigations Manual](#).

118.630 DIRECTOR'S OFFICE REVIEW

A thorough investigation is in the best interest of the involved officer and the department and is expected by the public. Investigators and Command will ensure that a complete and professional investigation is conducted of the involved officer's actions. This portion of the criminal investigation will be completed as soon as possible and is not contingent upon the conclusion of the entire criminal investigation.

A. *Office of Special Prosecutions review.* After the homicide investigation of the involved officer's action is completed, the information will be submitted to the Office of Special Prosecutions for review to determine the legality of the officer's actions. The involved officer may be exonerated, may be charged with a crime(s), or not charged due to lack of evidence.

B. *Administrative Force Review Memorandum.* At the conclusion of the OPS Force Review, a memorandum will be authored by the OPS Supervisor and presented to the applicable Director. If an AI is conducted, the case will be presented to the Force Review Board after the review and conclusion of the AI. If no potential policy violations are identified the memorandum will request permission to convene a force review board as described in section 118.640.

C. *Detachment commander's review and analysis.* Detachment commanders are expected to be closely aware of the essential details in the ABI use of deadly force investigation as it is ongoing and provide review and analysis to the Director's Office when necessary. Unless extenuating circumstances exist, all components of the written report will be made available to the appropriate commander for timely review.

D. *Timeline and notification.* Absent unusual circumstances, it is expected that the Director's Office review should be completed within 30 days from the receipt of the written Office of Special Prosecutions review. The employee will be formally notified as to any outcomes, decisions, or determinations to date. If the officer involved is charged with a crime or suspected of a crime or policy violation, an Administrative Investigation (AI) will be opened and may be held in abeyance until the criminal investigation is completed. The AI may also be held in abeyance if prosecutorial action is being taken against another party involved in the case.

118.640 FORCE REVIEW BOARD

A. *Convening a force review board.* The review board is not an investigative entity to uncover policy violations by the involved officer(s). A review board will be convened at the request of the Division Director in every line of duty incident involving the use of deadly force. Review boards may also be convened in line of duty incidents involving other discharge of firearms, with the exception of training or to dispatch an injured animal. The review will be the responsibility of OPS. The review board is separate and distinct from any criminal or administrative investigation. The intent of the review board is to determine if procedures, policies, tactics, training, and equipment were appropriate.

B. *Selection of board members.* The Review Board members may include the following:

1. The OPS Supervisor or designee, who will chair the board;
2. One (1) DPS commissioned personnel assigned to the Public Safety Academy;
3. One (1) DPS commissioned personnel selected by the Division Director (if possible, from a different detachment);
4. One (1) DPS commissioned personnel assigned to the Advanced Training Unit; and
5. One (1) DPS commissioned personnel selected by the involved officer. If more than one officer is involved, all involved officers must select the fifth member of the board. If the officers under review cannot agree, each officer shall select one DPS commissioned officer. The selected officers will then consult to select a representative to serve on the board. VPSOs may select a DPS commissioned personnel or another certified VPSO;
6. For VPSOs the Division Director will work with a VPSO grantee to select a representative for the grantee to sit on board;
7. Additional personnel may be considered on a case by case basis when approved by the Director's Office or OPS.

The OPS will be responsible for official notification to personnel selected to serve on the board and for informing the officer(s) involved as to the names of chosen Review Board members.

C. *Review of incidents involving multiple officers.* A single board may review an incident involving multiple officers. The board shall specify if findings and recommendations are based on a particular officer's actions rather than all officers involved.

D. *Board responsibilities.* The review board will determine if the officer under review discharged a weapon or deliberately used deadly force, and shall review existing department policies, procedures, tactics, equipment, and training that may have affected the incident under review and shall make its conclusions known in its final report.

If at any point during the review board process, a policy violation is uncovered, the review board

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will return the case to the Director with an explanation. The Director's Office will determine a course of action. (See OPM 118.630)

The board may make recommendations for commendation in accordance with OPM 112.

E. *Notices required prior to hearing.* The OPS shall notify the involved officer(s) and witnesses in writing at least 24 hours before the time set for appearance at the review board.

F. *Review board hearing protocol.* The following rules will apply to hearings conducted by the Review Board:

1. The technical rules of evidence do not apply to board proceedings. The chairman shall rule on questions of evidence and determine whether documents, testimony, or other evidence will be excluded because of lack of reliability, delay, waste of time, or because it is cumulative.
2. The chairman will read into the record:
 - a. The appropriate section(s) of the OPM and/or SOP that may apply to the circumstances;
 - b. Each board member's name and method of appointment; and
 - c. The names of any other person(s) present.
3. All witnesses:
 - a. May be questioned by members of the board;
 - b. May not be asked off-the-record questions;
 - c. Will be excluded except while giving testimony;
 - d. Shall remain available for recall;
 - e. Will normally be called to appear in person before the board; however, the chairman may allow a witness to testify telephonically or by deposition to avoid delay or undue expense; and
 - f. Non-DPS employees will be required to swear or affirm that the testimony given in the proceeding is the truth.

G. *Review board deliberations.* Review Board will use a deliberative process to reach its conclusions.

1. After hearing testimony and reviewing documentary evidence, the board will meet in closed session to discuss the incident.
2. Each member of the board will candidly discuss their observations and assessments with the chairman, so that a single memorandum can be prepared containing their findings and conclusions, supported by testimony and evidence, as to procedures, policies, tactics, training and equipment employed by the

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involved officer(s) and recommendations regarding the same as well as any commendations for action during the incident.

H. *Review board report.* The chairman will compile a final report to the Division Director containing:

1. A summary of the review process leading up to convening the board;
2. A summary of the incident based on the testimony and evidence considered by the board;
3. Any recommendations by the board to examine or change procedures, policies, tactics, equipment, or training; and
4. Any commendations for actions during the incident.

I. *Director's actions following review of board report.*

1. The Director will review the board's report and determine the appropriate action based on the board's recommendations. For VPSOs the Director will review and discuss the report with the grantee representative.
2. Upon completion of the Director's review, the director will notify OPS to release a confidential copy of the report to the board participants.
3. The review board report, along with the Director's action, will be filed with OPS.

J. *Timeline.* Absent unusual circumstances, it is expected that this review will be completed within thirty (30) days from the date of assignment.

K. *Dissemination of lessons learned.* The Director will take actions to disseminate lessons learned to appropriate command staff and command personnel as necessary. At director's discretion, a presentation from OPS regarding the force review board may be requested to be given to command personnel.