

Summary of Focus Group on Officer-Involved Shootings

Nine individuals from the law enforcement community met at the CJIS Division on June 30, 2015 to discuss the creation of a new data collection regarding officer-involved shootings. The purpose of the focus group was to develop a preliminary definition for the term, *officer-involved shooting*, and propose the initial content for the new data collection. Focus group participants were selected based upon their law enforcement experience and their subject-matter expertise on use of force by law enforcement. In addition, the UCR Program ensured that the group had broad regional representation with at least one participant from each of the four regions of the United States, representation from both municipal police departments and sheriffs' offices, and finally variation in the size of communities served.

The day consisted of a series of two focus groups with a final "wrap-up" session to handle remaining questions and discussions regarding the difficulties surrounding the collection of this data. The focus of the two-hour session in the morning concentrated on the definition of officer-involved shootings. The goal was to produce a proposed definition for officer-involved shootings that will clearly delineate what events are within scope of the data collection and what are not. The focus group reconvened in the afternoon for a two-hour session to discuss the potential content of the data collection. The day concluded with a brief opportunity to address any lingering questions for follow-up.

Definition of Officer-Involved Shooting

In general, there were three main suggestions for the data collection from the focus group. The first is a preliminary definition for officer-involved shootings, which is:

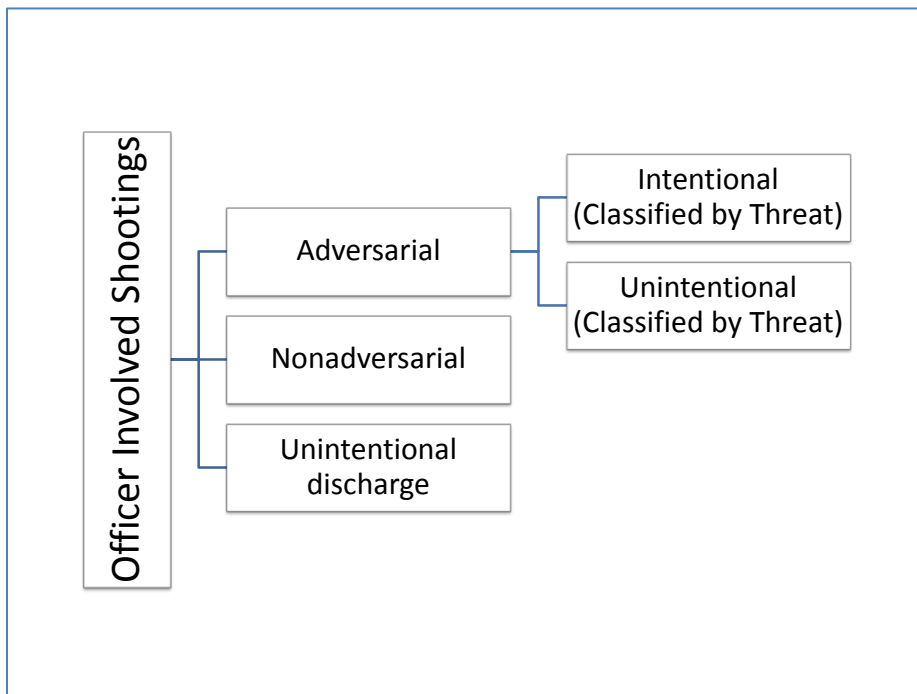
Any incident where an officer, as defined by the Law Enforcement Officers Killed and Assaulted (LEOKA) Program, discharges a firearm at or in the direction of another individual.

The LEOKA Program uses the following criteria for inclusion and exclusion for data collection purposes:

- Victim officers who meet all of the following criteria:
 - Wear/carry a badge (ordinarily)
 - Carry a firearm (ordinarily)
 - Are duly sworn and have full arrest powers
 - Be a member of a public governmental law enforcement agency and be paid from government funds set aside specifically for payment to sworn law enforcement
 - Are acting in an official capacity, whether on or off duty, at the time of incident
 - If killed, death is directly related to the injury(ies) received during the incident
- Exception to LEOKA Program criteria – As of 01/01/2015, the following exception to LEOKA Program criteria became effective:

- Include individuals serving in the capacity of a law enforcement officer at the request of a law enforcement agency whose officers meet the current collection criteria. The individual must be under the supervision of a certified law enforcement officer from the requesting agency at the time of incident, but is not required to be in the physical presence of the officer while he/she is working the assigned duty. Examples include, but are not limited to, reserve officers, correctional officers, certain campus officers who would not already meet the current criteria requirements, etc. This exception will allow for the inclusion of those officers who do not meet all of the LEOKA criteria, but are acting in the capacity of a law enforcement officer who does.
- Examples of job positions not included in the FBI's LEOKA Program's data collection:
 - corrections/correctional officers
 - bailiffs
 - parole/probation officers
 - military personnel/police
 - Federal judges
 - U.S. and Assistant U.S. Attorneys
 - Bureau of Prison officers

The officer-involved shooting incident would also be classified in the following manner:



Two-stage reporting system

Secondly, the focus group proposed a collection system that would occur at two stages. The first stage would focus on enumerating the number of incidents with additional information from law enforcement agencies that could be readily ascertained at the scene of the incident. The group agreed that law enforcement agencies should be comfortable providing this initial information on a monthly basis. Additional detail on the incidents would be added after there was sufficient time to allow for the investigative process to conclude because they may require further investigation to be ascertained or, because of potential litigation, could only be disclosed once the matter was closed.

Examples of preliminary information to be reported monthly

- Date
- Time
- Location type
- ASR&E of officer
- Height and weight of officer
- ASR&E of subject
- Height and weight of subject
- Injury of officer
- Injury of subject
- Weapons/threat type involved
- Other agencies involved
- Years of service of the officer
- Type of call (e.g., radio call, backup, self-initiated)
- Officer assignment
- # of officers involved
- # of subjects involved
- Type of incident (e.g., domestic disturbance, welfare check)

Examples of information to be provided once incident is finalized

- Whether the officer had been involved in another shooting incident
- Shift details (e.g., regular shift or overtime)
- Environmental conditions (e.g., weather, lighting)
- Cause and manner of death
- Decision made by county attorney, DA, or Grand Jury
- Whether training or qualification is current
- Criminal history of subject
- History of drug abuse, alcohol abuse, or mental illness
- Military experience for both officer and subject
- Actions of the officer prior to the incident
- Actions of the subject prior to the incident
- Shots fired
 - Number

- Type of ammunition
- Location of wounds
- Distance between officer and subject

There was some discussion on the idea of what other means of force that the officer(s) may have used prior to the decision to shoot, but some participants were reluctant to go down that path.

Separation of justifiable homicide and officer-involved shootings from the rest of UCR Program's collections on criminal incidents and offenses

Finally, the focus group appeared to recommend a system of collection that would not be tied to the UCR collection on criminal offenses and incidents in preference of a stand-alone collection on justifiable homicide and officer-involved shootings.

Additional issues brought forward by the participants of the focus group included how this collection will work in coordination with *Death in Custody Reporting Act of 2013* and how the APB will be involved before any final determination.