

**EXAMPLE OF
NARRATIVE DECLARATION OF OFFICER INVOLVED IN A SHOOTING**

This example is provided to demonstrate the level of detail which needs to be provided to the investigator and the topics which need to be addressed when submitting a written narrative instead of going in for a traditional interview. Remember, when an officer is involved in a shooting, he/she is a suspect in a possible crime. Therefore, the protections of the 5th amendment of the Constitution apply as long as you invoke that right immediately following the shooting. Any statement or interview is voluntary, and the officer and his/her attorney can choose when they will be interviewed, or if they will submit a voluntary narrative declaration like this one, or if they will be interviewed at all.

Disclaimer- *This is not intended to be legal advice to anyone, but instead is presented to demonstrate different legal options an officer may have following a shooting. If you are involved in an officer involved shooting you should seek legal counsel from an attorney in your jurisdiction who is experienced in representing police officers in use of force cases.*

Re: Officer Involved Shooting, occurred (date)
Location: Address: XXXX S. XXX City of _____, County of _____, State of _____
Date of Suspect's Offense: (date)
Suspect: DXX EXXXXXX
Offense: Assault on Police Officers With A Deadly/Dangerous Weapon (Knife)
REPORT No.: 20__ - _____

I, (OFFICER'S NAME) have been employed by the City of Calibre as a sworn Officer with the Calibre Police Department since January of 20XX, badge #XXXX. Since approximately November 20XX I have been assigned to the Special Operations Division as a K9 handler.

On XX/XX/20XX I woke up around 08:00 after getting around 7-7.5 hours of sleep that is typical for me. Upon going on duty at 14:45 hours, I went on the radio (Channel 9A) and advised dispatch "K9303 I am 10-8" notifying the Calibre Police dispatch that I was on duty and ready for assignment for the day. I then drove my marked Calibre Police vehicle (20xx Ford Explorer Unit #xxxx) the grounds of the Calibre Police Academy to let my K9 partner out to go to bathroom. After that was done, I drove to the K9 center located at the rear of the Academy grounds. Once at the K9 center, as part of my duties I signed in for the day on our time sheet, and checked to see if there were any kenneled dogs at the K9 center that needed to be let out or fed. Once that was done, I checked the Calibre PD intranet to see the past daily activity and checked my email.

Around 16:00 hours I was contacted by the VCTF (Violent Crimes Task Force) to see if I could assist the members in apprehending a fugitive. Suspect Exxxxxx was currently in the area of the apartments located on the Northwest corner of xxxx South

xx Street. I believe that the apartments are called "The Xxxxx". I received information that the suspect was Dxx Exxxxxx DOB: xx/xx/198x, and was sent a picture of the suspect's Department of Corrections picture. Mr. Exxxxxx was said to have and be in a white 199x Buick 4-door car bearing tag XXXX parked at the location. I then was sent a copy of the felony arrest warrant for case (CF-2017-XXX) out of XXXX County. The felony warrant had the following counts and charges:

Count 1: First Degree Rape AFCF

Count 2: Rape by Instrumentation AFCF

Count 3: Kidnapping AFCF

Count 4: Domestic Assault and Battery Resulting in Great Bodily Harm AFCF

Count 5: Possession of a Controlled Substance AFCF

Count 6: Possession of a Firearm After Former Felony Conviction AFCF

I left the K9 Center and drove to the Division to get gas while monitoring the Warrants radio channel (10F). Detectives were already in the area in unmarked vehicles and had eyes on Exxxxxx who was sitting in his vehicle. Detectives stated that Exxxxxx had been talking to a friendly, and he was threatening "suicide by cop", and that he had been suicidal for a while. Detectives also stated that they conducted a search warrant on his house, and they were unable to locate an AR-15 and several handguns that he owned. I assumed that since the weapons were not located during the search warrant there was a significant possibility that they could be with Exxxxxx in his vehicle.

I arrived in the area and parked to the south of the store located in the area of xxxx East XXst Street, in the area of the Xxxx business complex, out of site. Detectives that were in the area had eyes on the suspect stated that he (Exxxxxx) started driving around the apartment complex and eventually backed his car in and parked in the southwest part of the complex. I heard detectives call for Captain Xxxxxx over the radio, I assumed to make him aware of the situation and request more officers. A brief time later I heard Captain Xxxxx come on radio channel (9D) and ask for some officers to respond to the area of xxxx South Xxxx Drive. He also asked if there were any Officers on the Radio (9G) channel to help. Next, Detectives advised that Exxxxxx was starting to move in his vehicle towards the exit of the complex. Exxxxxx did end up leaving the complex out of the south entrance (facing East XXst Street). Detectives relayed that Exxxxxx had made his way to the south side of East XXst Street and was driving around in front of a Crabby Patty restaurant, and Steak 'n Shake. At this point I was still in my parking spot out of sight of Exxxxxx.

Exxxxxx then got back out onto East XX Street and drove west through XXth EA. Myself, and several marked patrol vehicles got behind Exxxxxx's vehicle and attempted a traffic stop by activating our emergency equipment, which activated my in-car camera, and the body microphone that I was wearing. When the pursuit started, I believe that I was the number 3 car in the pursuit. Being in the Special Operations Division and having a K9 partner, I am often called to the locations to assist or be ready to assist in the apprehension of felony suspects. In this situation I

was in the area assisting the Violent Crimes Task Force with Exxxxxx. Per Calibre Police policy two cars and a K9 unit can be involved in a pursuit unless a supervisor authorizes more officers. During the pursuit Captain Xxxxx came on the radio and authorized more officers to be involved in the pursuit.

During the pursuit I got on Channel (9D) and directed the dispatcher to patch radio channels with the Warrants channel (10F) so that all officers working in that division could hear what was going on. Exxxxxx continued to ignore several Officer's lights and sirens as he drove around southeast Calibre. During the pursuit one of the officers near the front stated that it appeared that he kept reaching towards the passenger side of the vehicle. The officer then stated that it appeared that he had an object in his hand and was cutting on himself. At different points in the pursuit Exxxxxx would cut through parking lots and sometimes leave the road. During one of those actions, I became the second car in the pursuit and began calling the pursuit. The duties of the second car in the pursuit is to call the pursuit and put out the location, direction of travel, speed, driving conditions, traffic, as well as any other pertinent information out over the radio, so that the first officer in the pursuit was able to keep an eye on the suspect vehicle. I remained second car in the pursuit so that if a situation arose where the suspect fled unarmed, my K9 partner could be deployed to apprehend the suspect. During the pursuit I could see that Exxxxxx did have something in his hands and broadcasted that information over the radio. The pursuit continued in southeast Calibre as Exxxxxx drove west on East XXst Street from South Xxxxxxx Road, and then north onto South Xxxxx Road from East 51st Street.

I could see at least one marked vehicle with its lights on to the north of us on South Xxxxx Road. I could see an Officer get out of that vehicle and place stop sticks in the street ahead of Exxxxxx's car. It appeared to me that Exxxxxx saw the same thing that I did because he slowed his vehicle and turned towards the west into a parking lot around XXXX South Xxxxx to try and avoid the stop sticks. I relayed that information over the radio while keeping a visual on the vehicle. I followed Exxxxxx, and number one officer in the pursuit vehicle into the parking lot. Once in the parking lot Exxxxxx's vehicle immediately stopped and the driver's door opened. I stopped my vehicle to the northeast of Exxxxxx's vehicle. Upon Exxxxxx stopping his vehicle, he immediately got out of the driver's seat, turned towards officers, and began charging us. At this point I could see that he had a large knife in his right hand. I ordered the suspect to get down and get on the ground. This was at approximately 17:30:42 on the recording from my dash camera. Exxxxxx then pointed his left arm and hand towards Officer Xxxxxxx (who was to the west or right of me) while still holding the knife in his right hand threatening all of us. At the same time, I could see that Exxxxxx's face appeared to be angry and snarled up while he was yelling something directed at us. His demeanor was hostile. I could see that Exxxxxx's car as well as a storefront that appeared to be closed was in my backdrop. Exxxxxx was quickly closing in on officers and, fearing for their lives as well as mine, I acquired a site picture and fired 3-4 rounds towards Exxxxxx to stop the threat with my city issued duty weapon (Glock 22, .40 cal). After the shots were fired Exxxxxx fell to the ground, and I could clearly see that he was still holding onto a large knife with his right hand.

