



# Department of State Police

## General Order

Effective Date: <b>April 8, 2025</b>	Number: <b>UOF-02</b>
Subject: <b>Use of Deadly Force Response</b>	

### 1. Policy.

The Department shall immediately respond to the scene and investigate when a use of force results in:

- a. Death;
- b. Serious bodily injury; and/or
- c. Any reportable discharge of a firearm per UOF-03 Reporting.

Firearm discharge not requiring an investigation:

- a. Authorized testing in a properly controlled environment (e.g. Armorer, Ballistician); or
- b. A firearm is discharged at a range, specifically designed for training and using only Department authorized ammunition; or
- c. Rendering harmless an animal that is seriously injured and suffering.

The term “member” shall apply to sworn members of the Department; the term “employee” shall apply to civilian non-sworn members of the Department.

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### 2. Definitions.

Deadly Force: Use of force intended to inflict, or reasonably be expected to cause, death or serious bodily injury.

Less-Lethal Force: Any physical use of force, other than deadly force, to control, restrain, or overcome the resistance of another. 550 CMR 6.03.

Serious Bodily Injury: Injury that results in or involves a substantial risk of death, permanent or protracted disfigurement, or extended loss or impairment of the function of a body part or organ.

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### 3. Officer Involved Use of Deadly Force Investigation.

When a Department member is involved in a use of deadly force resulting in a fatality, the District Attorney’s Office or State Police Detective Unit (SPDU) of jurisdiction shall direct the investigation.

When a Department member is involved in a use of deadly force **not** resulting in a fatality, the Division of Investigative Services (DIS) Major who oversees the area where the incident occurs shall assign a Commissioned Officer from DIS to investigate.

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## **4. Force Investigation Response and Support Team (FIRST).**

The Force Investigation Response and Support Team (FIRST) shall:

- a. Be comprised of Commissioned Officers designated by the Colonel / Superintendent;
  - b. Be assigned to regional teams; and
  - c. Assist the DIS Commander.
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## **5. FIRST Activation.**

Upon notification of an incident resulting in the use of deadly force, the Communications Section shall notify:

- a. The DIS Commander or designee; and
- b. The SPDU Commander of jurisdiction.

The DIS Commander or designee shall dispatch the FIRST.

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## **6. FIRST Duties.**

The DIS Commander or designee shall determine the duties of the FIRST which may include:

- a. Verify that the following has occurred:
    - 1) The scene is safe and secure;
    - 2) A perimeter has been established;
    - 3) Threats have been eliminated; and
    - 4) Any suspect(s) have been secured.
  - b. Verify that all proper notifications are made, through channels to the Colonel / Superintendent;
  - c. Identify a controlled area for on-scene interviews and conduct interviews where appropriate;
  - d. Verify that individuals are advised of their rights; and
  - e. Coordinate with the assigned DIS investigator to notify next of kin of all law enforcement and/or civilian victims in accordance with ADM-12 Serious Injury/Death of a Member, if necessary.
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## **7. Weapons Seizure.**



The first responding Supervisor shall:

- a. Immediately seize or take custody of involved weapons and magazines (if applicable);
  - b. Transfer custody of the seized weapon to the Firearms Identification Section (FIS); and
  - c. Assist the FIS and Crime Scene Services personnel evidence processing.
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## **8. Crime Scene Services.**

Crime Scene Services shall:

- a. Respond to the scene and coordinate all Crime Scene Services activities with the assigned DIS investigator;
  - b. Gather all evidence at the scene in accordance with INV-10 Evidence Collection/Preservation; and
  - c. Map, photograph, and videotape the scene, if necessary.
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## **9. Interviews.**

Interviews with involved Department members shall be conducted by a Commissioned Officer, as directed by the assigned DIS investigator.

Interviews with civilian witnesses may be conducted by Commissioned and/or Non-Commissioned Officers as directed by the assigned DIS investigator.

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## **10. Troop/Section Commanders.**

The Troop/Section Commander of jurisdiction shall establish intra-agency cooperation in conjunction with the assigned DIS investigator.

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## **11. Firearms Identification Section.**

If a firearm is involved, a member of the FIS shall:

- a. Respond to the scene, take custody of any involved firearms, and begin a firearms related investigation; and
- b. Notify the Armorer when a Department firearm is removed from service.

If appropriate, a temporary firearm shall be issued by the Armorer or designee, as specified in ADM-20 Weapons Management.

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## **12. Members Using Force.**



A member involved in a use of force incident resulting in death or serious bodily injury shall:

- a. Surrender use of force equipment **only** to a Department Supervisor;
  - b. Absent an injury, incapacitation, or other exigent circumstances:
    - 1) Report the incident in accordance with UOF-03 Use of Force Reporting; or
    - 2) Submit to an interview by a Commissioned Officer involved in the investigation, in lieu of a written report, subject to all rights under applicable laws and collective bargaining agreements.
  - c. Submit to a follow-up interview, if necessary; and
  - d. Be allowed to contact a union representative and/or attorney, if desired.
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## **13. Temporary Relief From Duty.**

A sworn member whose action(s) or use of force in an official capacity results in death or serious bodily injury shall be placed on administrative leave with pay in accordance with Article 6. A duty status board shall be convened to review the members actions and recommend the appropriate duty status. The Employee Assistance Unit shall be contacted by the Duty Status Board and provide services and/or referrals to the involved member(s).

When involved in a shooting, a sworn member shall be placed on Administrative Leave with pay for up to five (5) work days.

Civilian employees of the Department whose actions, in an official capacity, have resulted in death and/or serious bodily injury of another party may be removed from their assignment and placed on administrative leave with pay pending an administrative review and/or investigation conducted in accordance with the Commonwealth Human Resources Division's regulations and policies and any applicable collective bargaining agreement. The Employee Assistance Unit shall be contacted by the employee's supervisor and shall provide appropriate services and/or referrals to the involved member(s).

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## **14. Medical Evaluations.**

A member shall undergo a medical evaluation by the State Police Surgeon prior to returning to duty from any period of Administrative Leave following a shooting, or when a member's actions result in a death.

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## **15. Employee Assistance Unit.**

Members and employees shall meet with the Employee Assistance Unit (EAU) prior to returning to duty from any period of Administrative Leave following a shooting, or when their actions result in a death and or serious bodily injury. Follow-up counseling and assistance shall be provided by the EAU as needed.



The EAU shall also assist members and employees in obtaining support resources outside the Department.

## 16. Responsibilities.

Position	Responsibilities
Colonel / Superintendent	Notify Executive Office of Public Safety and Security (EOPSS).
Division Commander of Member(s) Involved	Appoint a Commissioned Officer to conduct an Administrative Review of the final report issued by the assigned DIS Supervisor responsible for the investigation. <u>Note:</u> The Administrative Review is to ensure that members followed Department procedures during the incident.
Troop Commander of Jurisdiction	<ul style="list-style-type: none"> <li>• Notify Division Commander of involved member(s);</li> <li>• Proceed directly to scene in incidents of death or serious bodily injury; and</li> <li>• Assist the media pending arrival of the Media Relations Section.</li> </ul>
Troop Duty Officer	<ul style="list-style-type: none"> <li>• Dispatch to the scene a Supervisor who is at least one rank higher than the involved member;</li> <li>• Notify Troop Commander;</li> <li>• Notify appropriate DIS on-call representative;</li> <li>• Notify GHQ Communications Duty Officer;</li> <li>• Make appropriate ACISS entries; and</li> <li>• Refer media inquiries to the Media Relations Section or the District Attorney's Office.</li> </ul>
Lead DIS Investigator	<ul style="list-style-type: none"> <li>• Assume control of the scene;</li> <li>• Coordinate actions with the Troop Commander and/or DIS Commander or designee;</li> <li>• Before interviewing or requesting written statements, advise the involved member(s) of their rights, if the member is suspected of violating the law; and</li> <li>• Review and submit an SP 376.</li> </ul>
GHQ Communications	<ul style="list-style-type: none"> <li>• Notify Colonel / Superintendent;</li> <li>• Notify DIS Commander or designee;</li> <li>• Ensure appropriate DIS on-call representative has been notified;</li> <li>• Notify Media Relations Section; and</li> <li>• Notify Employee Assistance Unit.</li> </ul>



Supervisors	<ul style="list-style-type: none"><li>• Ensure EMS has been notified and determine the condition of all members and civilians at the scene;</li><li>• Ensure involved weapon(s) have been seized and secured;</li><li>• Ensure the area has been secured and limit entry to the scene;</li><li>• Record and document all members present at the scene in the on-scene access control log;</li><li>• Keep Troop Duty Officer informed; and</li><li>• Refer media inquiries to the Media Relations Section or the District Attorney's Office.</li></ul>
Desk Officer	<ul style="list-style-type: none"><li>• Dispatch necessary assistance to the scene;</li><li>• Notify Troop Duty Officer and Station Commander;</li><li>• Create and assign an ACISS call; and</li><li>• Refer media inquiries to the Media Relations Section or the District Attorney's Office.</li></ul>
All Members at Scene	<ul style="list-style-type: none"><li>• Administer and secure medical aid after any use of force, to individuals who are exhibiting signs of, or complaining of, injury or illness when safe and tactically feasible;</li><li>• Protect and secure the scene;</li><li>• Ensure the Desk Officer has been notified;</li><li>• Speak only to Department investigators, unless otherwise ordered by a member of the Command Staff; and</li><li>• May consult an attorney.</li></ul>

## 17. References.

- a. M.G.L. Part I, Title II, Chapter 6E, Sections 14 & 15;
- b. 550 CMR 6.09;
- c. ADM-12 Serious Injury/Death of a Member; ADM-20 Weapons Management; INV-10 Evidence Collection/Preservation; SUP-04 Employee Assistance Unit; UOF-01 Use of Force; UOF-03 Use of Force Reporting;
- d. SP 376 Use of Force Report;
- e. SPAM Collective Bargaining Agreement, Article 6;
- f. MPAC: 1.1.2; 1.1.6, 1.1.7, 1.1.8.

**Promulgated by:**

**Geoffrey D. Noble  
Colonel / Superintendent**

