DSI Consulting, LLC – Internal Affairs Investigations/Policy Compliance Flowchart

- **1. Reconstruct Event(s)**
  - **Officer's account from his or her perspective**
    - **Narrative with clarifying Q&A**
    - **Don't ask ultimate issue Qs (e.g., "Did you comply with this policy?" Catch 22)**
  - **Physical evidence**
  - **Documentary evidence (report, dispatch logs)**
  - **Human evidence (witnesses)**
    - **Clear line of sight, close enough, enough light, visible/conspicuous, attentional & cognitive factors**
  - **Digital media (photos, video, audio)**
    - **Forensic analyst to verify, examine, prepare, and interpret**
    - **Do not substitute viewer's perceptions for officer's perceptions**
  - **Digital Data (GPS/EDR)**
  - **Subject-matter expert (SME) assistance**
    - **Provide all reports and videos**
    - **Ensure SME is competent to use the video**
  - **ID relevant time intervals for situations that are volatile, uncertain, complex, ambiguous, time-bound/under threat (VUCA-T).**

- **2. Identify rule(s) at issue**
  - **Law (Avoid legal conclusions)**
  - **Policy (Identify language)**
    - **Purpose/Objective**
    - **Philosophical**
    - **Aspirational**
    - **Definitions**
    - **Rule-based**
      - **"Should"/"May"**
      - **"Shall"/"Must"**

- **3. Analysis (Weave facts with rules)**
  - **Reasonable officer standard: Another officer, with training and experience, facing similar circumstances**
  - **Totality of the circumstances officer faced at the time**
  - **Accurate reading of the policy**
  - **Consult with policy SME**
  - **Was officer in a VUCA-T situation?**

4. Findings (Conclusion)

- **Conduct comported with policy (Not Sustained)**
  - **Coaching appropriate?**
- **Conduct did not comport with policy? (Sustained)**
  - **Was the policy clear/Did it give adequate notice of the rule for the situation?**
  - **Was the training regarding the policy subject adequate? (Reading may not be enough)**
  - **Was the policy uniformly applied?**
    - **Actual custom & practice vs. written policy**
    - **Applied to some but not others**
  - **Did members at all ranks interpret the same way and reach the same conclusions?**
- **Was non-comporting conduct in good faith or bad faith? (Mistake of the heart vs. mistake of the head) (Iannone & Iannone, 2001)**
- **Can the performance issue(s) be improved with additional coaching and training?**