



OFFICE OF THE MAYOR

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Critical Incident Policy Statement

Any critical incident involving police and residents or visitors to Missoula piques media and public interest, and the case of Brendon Galbreath is one of those critical incidents.

It's important to understand the City of Missoula's policy in officer-involved shootings and use of deadly force, because it is consistent and relatively standard in the United States.

First, every critical incident is immediately referred to an independent law-enforcement agency for a thorough, unbiased investigation and conclusive report. Based on that report, the Missoula Police Department takes appropriate action with the officer (or officers) involved. If a report concludes that an officer operated outside police policy, that officer is subject to discipline or termination, depending on the nature of the incident.

Secondly, immediately following a critical incident, officers involved are placed on administrative leave under the presumption of innocence until evidence is clear that the officer is fit for duty. Officers involved in critical incidents are provided counseling and a psychological examination. In addition, their equipment is taken into evidence, and the officers are interviewed as part of the independent investigation.

Third, all evidence that is part of the investigation is considered under statute to be confidential criminal justice information and is controlled by the investigating agency. The Missoula Police Department may not release any such information unless the investigating agency allows that release.

Finally, if the investigation shows that the involved officer acted professionally within the policies of the department and the law and that officer returns to duty, any incident involving a death is subject to further investigation through a coroner's inquest, a formal hearing in front of a jury that determines if the incident comported with policy and the law. Those inquests are administered by the Missoula County Attorney's office on their schedule.

As a matter of practice, the Missoula Police Department does not release dashboard or body-worn camera video routinely for two reasons. First, the privacy and security of victims and suspects is at risk during an ongoing investigation. Second, video evidence, if distributed widely, can alter eyewitness recollections that may not comport with video, which is not always conclusive. In some cases, at the discretion of the investigating agency, video may be made

available to victims. Some jurisdictions around the country release all video to the public immediately, but we believe that policy may lead to flawed investigation and conclusion.

In the early morning of August 12, 2021, Brendon Galbreath died in Missoula after a routine traffic stop turned into a high-speed chase through central Missoula. His case, based on the policies and practices outlined here, was immediately referred to the Montana State Department of Criminal Investigation, a division of the Montana Department of Justice, for investigation. At that point, all evidence and decisions about sharing information about the case became the purview of DCI.

Because of the tragic circumstances and community speculation surrounding this incident, in which a Missoula police officer fired a single round, Police Chief Jaeson White and I asked DCI to release any information it could to clarify what transpired and reduce speculation. DCI agreed and released a statement on Monday that preliminary evidence strongly suggests that Mr. Galbreath died from a self-inflicted gunshot wound. As part of that statement, DCI made it clear that it has not concluded its investigation, and its findings are not final.

The Missoula Police Department continues to cooperate fully with DCI. The officer involved is on administrative leave and, again, based on our policies and the law, will return to duty when cleared with DCI and MPD administration.

Missoula police officers deal in human tragedy on an almost-daily basis, and Brendon Galbreath's case is tragic for the young man himself, his family, friends, community and the officers involved. Based on well-established, standard policies and procedures, we are committed, as always, to ensuring that a thorough, independent and unbiased investigation is completed.

Chief White and I have heard pleas from the community for justice and transparency, and we believe that this investigation will result in both. We ask your patience because these investigations can take months. And coroner's inquests can take more than a year to schedule.

In the meantime, we continue to be in direct contact with Mr. Galbreath's family and are working to provide them with as much information as possible in light of their heartbreaking loss. We believe the family has a privacy interest that overrides the interests of the general public at this time, and we're proceeding accordingly.

Any time additional details are made available, we're committed to sharing those details with the family and community.

Missoula Mayor John Engen