



DE-ESCALATION, RESPONSE TO RESISTANCE, AND USE OF FORCE



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I. PURPOSE

This directive sets forth Department policy regarding sworn members' and detention aides' de-escalation, response to resistance, and use of force.

II. DEPARTMENT POLICY

A. Sanctity of Human Life. The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved.

B. Public Cooperation. A strong partnership with the public is essential for effective law enforcement. Inappropriate or excessive uses of force damage that partnership and diminish the public trust that is a cornerstone of policing in a free society. Department members will act:

1. with a high degree of ethics, professionalism, and respect for the public.
2. in a manner that promotes trust between the Department and the communities that it serves.

C. Core Principles. The Chicago Police Department seeks to gain the voluntary compliance of persons, when consistent with personal safety. The Department expects its members to develop and display the skills and abilities to act in a manner to eliminate the need to use force and resolve situations without resorting to force. Department members will only resort to the use of force when required under the circumstances to serve a lawful purpose.

1. All Department members will act in accordance with the Constitution of the United States of America, including the Fourth Amendment, and will comply with the law and Department policy.
2. All Department members will treat all persons with courtesy and dignity which is inherently due every person and will act, speak, and conduct themselves in a courteous, respectful, and professional manner.
3. Department members will not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner. Department members will refrain from using language or taking action intended to taunt or denigrate an individual, including using racist or derogatory language.

D. De-escalation. Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.

NOTE: For example, when a zone of safety cannot be established, a person is at immediate risk of physical harm, or there is an immediate need for a Department member to accomplish lawful objectives that cannot be achieved through force mitigation.

1. The use of de-escalation techniques will include continually assessing the situation, considering individualized factors such as:
 - a. the person's age, disability, or physical condition (e.g., known, suspected, or perceived behavioral or mental health conditions; intellectual, developmental, psychiatric, or physical disability; vision, hearing, or neurological impairment).
 - b. the risk posed by the person.
 - c. if the person is restrained, injured, or in crisis.
2. Department members will modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary. Examples of de-escalation techniques include but are not limited to:
 - a. providing a warning and exercising persuasion and advice prior to the use of force.
 - b. determining whether the member may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a person (e.g., establishing a zone of safety).
 - c. requesting additional personnel to respond or make use of specialized units or equipment including Designated Crisis Intervention Team (CIT) officers, as necessary and appropriate.

E. **Assessing Uses of Force.** The Chicago Police Department recognizes that Department members are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the use of force required in a particular situation.

1. These decisions must therefore be judged based on the totality of the circumstances, including:
 - a. all the facts known by the member at the time or that would be known to a reasonable Department member in the same situation,
 - b. from the perspective of a reasonable Department member on the scene, in the same or similar circumstances, and
 - c. not with the benefit of 20/20 hindsight.

NOTE: Totality of the circumstances may include the conduct of the Department member and the person leading up to the use of deadly force (720 ILCS 5/7-5(h)(3)).

2. Department members involved in a use of force incident will make an independent assessment and decision to use force based on the totality of the circumstances and whether such force is objectively reasonable, necessary, and proportional. Department members will be individually responsible for articulating the specific details that justify their use of force.
3. Nothing in this policy:
 - a. requires members to take actions, or fail to take actions, that unreasonably endanger themselves or others.
 - b. precludes the legally mandated oversight or assessment of a Department member's use of force consistent with the procedures established in this policy.

- F. Whenever a use of force incident results in a potentially life-threatening injury or death, Department members will refer to G03-06, "Firearm Discharge and Officer-Involved Death Incident Response and Investigation" for additional notifications, response procedures, and investigative responsibilities.

III. USE OF FORCE - WHEN AUTHORIZED

- A. **Definition of Force.** Force is defined as any physical contact by a Department member, either directly or through the use of equipment, to compel a person's compliance.
- B. **Use of Force: Objectively Reasonable, Necessary, and Proportional.** Department members may only use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to provide for the safety of any person or Department member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.
1. Objectively reasonable. The main issue in evaluating every use of force is whether the amount of force used by the member was objectively reasonable in light of the totality of the circumstances faced by the member on the scene. Reasonableness is not capable of precise definition or mechanical application. Factors to be considered by the member may include, but are not limited to:
 - a. whether the person is posing an imminent threat to the member or others.
 - b. the risk of harm or level of threat to the sworn member, the person, another person, or property.
 - c. the level of resistance presented by the person.
 - d. the person's proximity or access to weapons.
 - e. whether de-escalation techniques can be employed or would be effective.
 - f. the availability of other resources.
 2. Necessary. Department members will use the minimum amount of force needed to provide for the safety of any person or Department member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape. Department members will continually assess the incident based on the totality of the circumstances and will determine:
 - a. if any use of force is necessary.
 - b. whether alternatives may be employed, including the use of de-escalation techniques, other response options, and the availability of other resources.
 - c. the necessity of any force used.
 3. Proportional. Department members will use only the force that is proportional to the threat, actions, and level of resistance offered by a person. This may include using greater force or a different type of force than that used by the person. The greater the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be necessary to overcome it. When or if the person offers less resistance, however, the member will decrease the amount or type of force accordingly.
- C. **Prohibitions.**
1. The use of excessive force, unwarranted physical force, or unlawful force by a Department member is prohibited and will not be tolerated.
 2. Department members are prohibited from using force based on bias or any other protected characteristic as outlined in G02-04, "Prohibition Regarding Racial Profiling and Other Bias Based Policing," including bias against a person's race, ethnicity, color, sex, gender, gender identity, sexual orientation, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status, financial status, lawful source of income, credit history, criminal record, criminal history, immigration status, or homeless status.

3. Force used as punishment or retaliation (e.g., force used to punish or retaliate for fleeing, resisting arrest, or insulting a Department member) is prohibited.
4. Force used in response to a person's lawful exercise of First Amendment rights (e.g., protected speech, lawful demonstrations, observing or filming police activity, or criticizing a Department member or conduct) is prohibited.

NOTE: First Amendment rights are not absolute and are subject to reasonable time, place, manner restrictions. Further guidance on *the Department's response to noncompliant groups or crowds engaged in a First Amendment assembly* may be found in G02-02, "First Amendment Rights."

D. Additional procedures and prohibitions.

1. For further procedures on de-escalation, the principles of Force Mitigation, and when force is authorized, Department members will refer to G03-02-01, "Response to Resistance and Force Options."
2. For further procedures on when Department weapons are authorized and prohibitions on weapon use, Department members will refer to:
 - a. G03-02-03, "Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures."
 - b. G03-02-04, "Taser Use Incidents."
 - c. G03-02-05, "Oleoresin Capsicum (OC) Devices And Other Chemical Agent Use Incidents."
 - d. G03-02-06, "Canine Use Incidents."
 - e. G03-02-07, "Baton Use Incidents."

IV. USE OF DEADLY FORCE

Use of Deadly Force: Necessary to Prevent Death or Great Bodily Harm. The following additional policies apply to the use of deadly force:

- A. Definition of Deadly Force. Deadly force is force by any means that is likely to cause death or great bodily harm. It includes, but is not limited to:
1. firing of a firearm in the direction of the person to be arrested.
 2. firing of a firearm at a vehicle in which the person to be arrested is riding.
 3. intentional striking of a person's head or neck with an impact weapon.
 4. *the application of a chokehold (applying any direct pressure to the throat, windpipe, or airway of another).*
 5. *the application of a carotid artery restraint (techniques that compress the blood vessels in the neck to inhibit or restrict blood flow to carotid arteries).*
 6. *the application of other restraints above the shoulders with risk of positional asphyxiation (use of a technique used to restrain a person above the shoulders, including the neck or head, in a position which interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person).*
- B. Definition of Imminent Threat. A threat is imminent when it is objectively reasonable to believe that:
1. the person's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and
 2. the person has the means or instruments to cause death or great bodily harm; and

3. the person has the opportunity and ability to cause death or great bodily harm.

NOTE: *An imminent threat is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed (720 ILCS 5/7-5(h)(2)).*

C. **Last Resort.** The use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person. Consistent with this requirement, a sworn Department member may use deadly force only when such force is necessary to prevent:

1. death or great bodily harm from an imminent threat posed to the sworn member or to another person.
2. an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay.

D. **Prohibitions:**

1. Department members will not use deadly force:
 - a. on a fleeing person unless the person poses an imminent threat, as defined above.
 - b. against a person who is a threat only to himself, herself, or property.
2. **The Chicago Police Department prohibits its members from using chokeholds or other restraints above the shoulders with risk of positional asphyxiation**, with the sole exception being as an act of last resort, when necessary to protect against an imminent threat to life.
3. **The Chicago Police Department prohibits its members from using carotid artery restraints**, with the sole exception being as an act of last resort, when necessary to protect against an imminent threat to life.
4. **The Chicago Police Department prohibits its members from using carotid artery restraints, chokeholds, or other restraint above the shoulders with risk of positional asphyxiation** as a takedown technique or to prevent the destruction of evidence by ingestion.

V. MEDICAL ATTENTION

- A. Once the scene is safe and as soon as practical, whenever a person is injured, complains of injury, or requests medical attention, Department members:
1. will immediately request appropriate medical aid for the injured person, including contacting emergency medical services (EMS) from the Chicago Fire Department via the Office of Emergency Management and Communications (OEMC).
 2. *must provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART), to injured persons until medical professionals arrive on scene.*
- B. Members will treat injured persons, whether another officer, a member of the public, or a person *against whom force was used*, with dignity and respect.
- C. If the scene is safe and the person in custody is secure, Department members will not interfere with emergency medical personnel when providing treatment to injured persons.
- D. *Consistent with S11-10-03, "In-Service Training," all sworn Department members will receive Law Enforcement Medical and Rescue Training (LEMART).*

1. Department members that have successfully completed the required LEMART course will be equipped with and are authorized to carry the Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK) pouch with the minimum required contents outlined in U06-02-15, "Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK)."
2. Consistent with U04-04, "Issuance and Replacement of First Aid Kits," the Department will replenish the required contents of the IFAK or MFAK used by sworn Department members involved in an incident that requires the direct rendering of on-scene medical aid.

VI. ACCOUNTABILITY

- A. **Ensure Compliance.** All Department members are obligated to ensure compliance by themselves and other members with Department regulations, policies, and the law. Consistent with G08-01, "Complaint and Disciplinary System," Department members will be held accountable for using force that violates law, this directive, or other Department policy. Department members are reminded that:
 1. discipline, up to and including separation from the Department, may be administered for any misconduct or violation of policy.
 2. if the nature or circumstances of an incident do not warrant formal disciplinary action, Department supervisors retain the flexibility, authority, and discretion to issue reprimands to offending Department members for infractions to achieve the goal of correcting adverse behavior.
- B. **Retaliation Prohibited.** Consistent with G08-05, "Prohibition of Retaliation," the Department prohibits any form of retaliation, interference, intimidation, or coercion against a Department member or any member of the public for:
 1. reporting misconduct, including a use of force that is allegedly in violation of this directive, or
 2. cooperating with any complaint or misconduct investigation.

VII. DUTY TO INTERVENE AND REPORT

- A. **Intervention, Supervisory Intervention, Notifying Superiors.**
 1. A Department member who directly observes a use of force and identifies the force as excessive or otherwise in violation of this directive will act to intervene on the person's behalf. Such action may include, but is not limited to, verbally or physically intervening to try to stop the violation. If the member is a supervisor, he or she will issue a direct order to stop the violation.
 2. Consistent with G08-01, "Complaint and Disciplinary System," any Department member who observes misconduct or becomes aware of information alleging misconduct, including an identified excessive use of force, a reportable use of force incident that was not reported, or a use of force that is otherwise in violation of this directive, will immediately notify his or her supervisor.
- B. **Written Reporting Obligation.** Consistent with G08-01, "Complaint and Disciplinary System:"
 1. Department members who have knowledge of the use of force against a person in violation of this directive or who intervened with excessive force or force otherwise in violation of this directive will prepare a To-From-Subject Report to the member's commanding officer and submit it to a supervisor before reporting off duty on the day the member becomes aware of the misconduct or intervened.
 - a. This To-From-Subject Report will contain all the facts and information relating to the incident received, known, or observed, any actions taken by the member, and the Log Number, if known.

- b. If the reporting Department member intervened with excessive force or force otherwise in violation of this directive, this To-From-Subject Report will also include the date, time, and place of the occurrence; the identity, if known, and description of the participants; and a description of the intervention actions taken and whether they were successful. (720 ILCS 5/7-16)
 - c. Department members may contact a supervisor in the Bureau of Internal Affairs (BIA) to request an alternative reporting method when the accused is within the member's chain of command.
2. Department supervisors who have knowledge or receive allegations of a use of force against a person in violation of this directive that is subject to the Log Number process will report the information to the Civilian Office of Police Accountability (COPA), consistent with G08-01-02, "Complaint Initiation and Log Number Investigation Assignment," including forwarding a report outlining all the information available at the time the allegation was received.
- C. **Accuracy and Candor.** Department members will be responsible at all times:
- 1. for truthfully and completely:
 - a. reporting each reportable use of force incident consistent with G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."
 - b. describing the facts and circumstances concerning any incident involving the use of force by Department members.
 - 2. for articulating the specific facts to explain the member's own decision to employ a particular use of force.
- D. The Department will not discipline or retaliate against a member for intervening as required by this directive or for reporting excessive force or force otherwise in violation of this directive.

VIII. DEPARTMENT MEMBER BILL OF RIGHTS

Use of Force investigations remain bound by the involved members' respective collective bargaining agreement(s) and G08-01-05, "Department Member Bill of Rights."

IX. POLICY REVIEW

- A. Consistent with G01-06, "Commission on Accreditation for Law Enforcement Agencies (CALEA)," the Department will conduct an annual review of its use of force policies in compliance with the CALEA accreditation requirements.
- B. On a biennial basis, the Department will conduct a comprehensive review of its use of force policies to assess whether the policies:
 - 1. provide clear and effective guidance and direction to Department members,
 - 2. are consistent with the Department's vision, mission, core values, objectives, and practices,
 - 3. meet the requirements of the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260), incorporate identified best practices,
 - 4. address observed trends and practices, as necessary, and
 - 5. reflect developments in applicable law.
- C. The Department will:
 - 1. establish and maintain clear channels through which community members can provide input regarding the use of force policies and propose revisions or additions to those policies.
 - 2. regularly review the input received, including during the biennial review process.
- D. When reviewing and revising this policy, the Department will:

1. provide a meaningful opportunity for review and comment by the public and Department members, and
2. seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

X. USE OF FORCE TRAINING

- A. At a minimum, Department members will receive annual training on the laws and Department policies regulating the use of force, including, but not limited to, de-escalation, force options, and appropriate supervision and accountability.
- B. Prior to being approved to carry a Department-authorized weapon or use a weapon for employing a use of force, Department members will be trained on the proper techniques and use of the weapon. Additionally, Department members will:
 1. successfully qualify with their firearms annually.
 2. if Taser certified, successfully participate in the annual Taser recertification program.
 3. receive refresher training on impact weapons and OC Devices biennially.

NOTE: During the refresher training, the instructor will observe and verify that the Department member's impact weapon and personal OC device are Department-approved.

4. refer to:
 - a. U04-02, "Department Approved Weapons and Ammunition" for specific administrative and operational functions of Department-authorized weapons.
 - b. S11-03-01, "Annual Prescribed Weapon Qualification Program And Taser Recertification" for specific procedures and requirements for firearms qualification and Taser recertification.

(Items identified by italics/double underline have been added or revised.)

Fred L. Waller
Interim Superintendent of Police

T22-XXX MWK/TSS

ADDENDA:

1. G03-02-01 - Response to Resistance and Force Options
2. G03-02-02 - Incidents Requiring the Completion of a Tactical Response Report
3. G03-02-03 - Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures
4. G03-02-04 - Taser Use Incidents
5. G03-02-05 - Oleoresin Capsicum (OC) Devices And Other Chemical Agent Use Incidents
6. G03-02-06 - Canine Use Incidents
7. G03-02-07 - Baton Use Incidents
8. G03-02-08 - Department Review of Use of Force



RESPONSE TO RESISTANCE AND FORCE OPTIONS



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I. PURPOSE

This directive:

- A. outlines the Department policy on response to resistance and use of force options and the expectations for members when employing response and force options.
- B. describes the concepts of Force Mitigation and the Department's commitment to de-escalation when responding to all incidents to ensure effective police-public encounters.
- C. outlines the various force options and the circumstances in which they are authorized when Department members are met with resistance or threats.

II. POLICY

- A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to use force will be made in accordance with G03-02, "[De-escalation, Response to Resistance, and Use of Force.](#)"
- B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "[De-escalation, Response to Resistance, and Use of Force.](#)" Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.
- C. **Response to Resistance and Use of Force.** As defined in G03-02, "[De-escalation, Response to Resistance, and Use of Force.](#)"
 - 1. Department members' use of force must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
 - 2. Department members will continually assess the necessity of the use of force and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and the availability of other resources.
- D. Sworn members will, whenever possible:
 - 1. identify themselves as police officers prior to taking any police action, unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.

2. provide warning and exercise persuasion and advise prior to using force.
- E. Members will continually assess the incident based on the totality of the circumstances and will determine:
1. if any use of force is necessary.
 2. if the seriousness of the situation requires an immediate response or whether alternatives may be employed, including the use of de-escalation techniques, other response options, and the availability of other resources.
 3. the necessity of any force used.
 4. the response or force option based on the totality of the circumstances and considering individualized factors such as:
 - a. the person's age, disability, or physical condition (e.g., known, suspected, or perceived behavioral or mental health condition; intellectual, developmental, psychiatric or physical disability; vision, hearing, or neurological impairment).
 - b. the risk posed by the person.
 - c. if the person is restrained, injured, or in crisis.
 5. if the level of force employed should be modified based upon the person's actions or other changes in the circumstances. The level of force will be de-escalated immediately as resistance decreases, provided that the member remains in control and as safety permits.
- F. Members will modify their force in relation to the amount of continued resistance offered by the person.
1. As the person offers less resistance, the member will immediately lower the amount or type of force used.
 2. As the person increases resistance, the member may increase the amount or type of force used.
- G. Consistent with the Department policy that all uses of force must be objectively reasonable, necessary, and proportional, Department members will refrain from using force against a person who is fully restrained and controlled (e.g., both hands secured together) with handcuffs or other restraining devices (e.g., flexible restraining devices), unless the member:
1. must immediately act to prevent injury to the Department member, the restrained person, or another person, or
 2. must immediately act to prevent escape.
- H. If the Department member is responding to an incident involving persons in crisis or in need of mental health treatment, the member will act in accordance with S04-20, "Recognizing and Responding to Individuals In Crisis."

III. PRINCIPLES OF FORCE MITIGATION

During all use of force incidents, when it is safe and feasible to do so, Department members will use the principles of Force Mitigation to ensure effective police-public encounters. The concepts of Force Mitigation include:

A. Continual Communication

1. Members will attempt to use verbal control techniques to avoid or minimize confrontations prior to, during, and after the use of physical force.
2. When it is safe and feasible, members will use continual communication, including exercising persuasion, advice, and instruction prior to the use of physical force.

3. Members should attempt to establish and maintain verbal communication in all police-public encounters and to continually evaluate the effectiveness of that communication. Members will:
 - a. when practical, establish and maintain one-on-one communication where only one member speaks at a time.
 - b. vary the level of assertiveness of their communication depending on the type of police-public encounter and whether a serious crime has been committed or life or property is at risk.
 - c. when appropriate, employ trauma-informed communications techniques, including using a respectful tone and acknowledging any confusion or mistrust by the person.
4. When encountering noncompliance to lawful verbal direction, when it is safe and feasible to do so, members will consider:
 - a. adjusting their verbal communication or other communication techniques.
 - b. allowing a different member to initiate verbal communications.

NOTE: Members should refrain from giving simultaneous directions to avoid any potential conflicts.
 - c. requesting additional personnel to respond or making use of the specialized units and equipment available through a notification to OEMC, as necessary and appropriate.

EXAMPLE: Members will, when practical, request assistance from specialized resources, such as a *Designated* Crisis Intervention Team (CIT) officer when encountering an individual in crisis, who exhibits symptoms of known, suspected, or perceived behavioral or mental health conditions.
 - d. whether the noncompliance is due to age, limited English proficiency or other language barriers, a medical condition, disability, behavioral health crisis, or drug or alcohol use.

NOTE: Department members should be mindful that some persons may be physically or mentally less able to respond to verbal direction or verbal control techniques due to a variety of circumstances, including, but not limited to, the influence of alcohol or drugs, mental health or medical conditions, language barriers, or vision, hearing, or neurological impairment.
5. When it is safe and feasible, members will provide a warning prior to the use of physical force.

B. Tactical Positioning

1. When it is safe and reasonable to do so, members should make advantageous use of positioning, distance, and cover by isolating and containing a person, creating distance between the member and a potential threat, or utilizing barriers or cover. Members will continuously evaluate the member's positioning, the person's actions, and available force options.
2. Members should attempt to establish a zone of safety for the security of the responding members and the public. The zone of safety can be established when:
 - a. the incident scene has been secured;
 - b. the scene can be continually monitored or adjusted to maintain safety;
 - c. the person does not pose a continuing threat to Department members or the public;

- d. the person can be continually monitored; and
 - e. the person can be contained throughout the incident.
3. Members should provide for a safe and effective route for additional Department members and other resources to approach the incident scene.

C. Time as a Tactic

- 1. When it is safe and reasonable to do so, members should use time as a tactic by slowing down the pace of the incident.
- 2. In order to use time as a tactic, a zone of safety should be established for the security of responding members and the public.
- 3. Using time as a tactic may:
 - a. permit the de-escalation of the person's emotions and allow the person an opportunity to comply with the lawful verbal direction;
 - b. allow for continued communication with the person and the adjustment of the verbal control techniques employed by the members; and
 - c. allow for the arrival of additional members, special units and equipment, and other tactical resources.
- 4. When it is safe and feasible to do so, Department members will allow persons to voluntarily comply with lawful verbal direction (e.g., allowing for the opportunity to submit to an arrest before force is used).

IV. LEVELS OF RESISTANCE

A. **Cooperative Person:** a person who is compliant without the need for physical force, including individuals lawfully and peacefully exercising their First Amendment rights (e.g., lawful demonstrations). The following options are authorized when dealing with a cooperative person:

- 1. Police Presence
 - a. Police presence is established through identification of authority and proximity to the person. The mere presence of police may result in compliant behavior by the person.
 - b. Police presence alone is the only option authorized for use with persons who are fully cooperative without the need for further intervention.
- 2. Verbal Response
 - a. Verbal response consists of persuasion, advice, instruction, and warning in the form of verbal statements or commands that may result in compliant behavior.
 - b. Department members are required to use de-escalation techniques, including using verbal control techniques, to de-escalate confrontations prior to, during, and after the use of physical force and prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.

B. **Resister:** a person who is uncooperative. Resisters are further subdivided into two categories (1) passive resister; and (2) active resister.

- 1. **Passive Resister** : a person who fails to comply (non-movement) with verbal or other direction. In addition to the options listed in Item IV-A for Cooperative Persons, the following options are authorized when dealing with a passive resister:

a. Holding Techniques

Holding techniques include a firm grip, grabbing an arm, wristlocks, and come-along holds (i.e., escort holds that are not elevated to compliance techniques), as well as any combination of the above.

b. Compliance Techniques

Compliance techniques are designed to amplify nonimpact pressure and increase the potential for controlling a passive resister.

(1) The goal of applying joint manipulation and pressure point techniques to pressure sensitive areas of the body is to elicit and maintain established control through non-impact pressure compliance.

(2) Using a Long Range Acoustic Device (LRAD) to emit high-decibel focused sound waves to cause discomfort. Any use of the LRAD to emit high-decibel focused sound waves to cause discomfort requires authorization from the Superintendent or his or her designee.

NOTE: The LRAD is not considered a use of force when used to deliver verbal messages or warnings at a decibel level not intended to cause discomfort.

c. Control Instruments

Control instruments are designed to amplify nonimpact pressure in order to increase the potential for controlling a passive resister. These instruments are placed mainly on the sensors of the skin covering bone. Control instruments are tools (e.g., baton) applied to joints and pressure sensitive areas of the body with non-impact pressure.

d. Oleoresin Capsicum (OC) Spray and Capsaicin II Powder Agent Deployment

Oleoresin capsicum and Capsaicin II powder are highly inflammatory agents that occur naturally in cayenne peppers. The use of OC spray and Capsaicin II powder agent is intended to increase control by disorienting the passive resister and interfering with the passive resister's ability to resist arrest.

(1) Oleoresin capsicum is only authorized to use against the two types of passive resisters described below AND only after the required authorization is received. No other use of oleoresin capsicum is authorized against passive resisters.

(a) Occupant(s) of a motor vehicle who is passively resisting arrest only by the approving on-scene supervisor, consistent with G03-02-05, "[Oleoresin Capsicum \(OC\) Devices And Other Chemical Agent Use Incidents.](#)"

(b) Noncompliant groups, crowds, or an individual taking part in a group or crowd (e.g., demonstrations, celebrations), only after obtaining authorization from the Superintendent or his or her designee, consistent with G03-02-05, "[Oleoresin Capsicum \(OC\) Devices And Other Chemical Agent Use Incidents.](#)"

(2) Capsaicin II powder agent deployment is an authorized force option against passive resisters who are part of noncompliant groups or crowds **only** when used for area saturation and **only** after obtaining authorization from the Superintendent or his or her designee, consistent with G03-02-05, "[Oleoresin Capsicum \(OC\) Devices And Other Chemical Agent Use Incidents.](#)"

NOTE: Only Department-issued Capsaicin II powder agent projectiles and launchers may be used and only after the member has received Department-authorized training in their safe handling and deployment.

(3) The Superintendent will only authorize the use of oleoresin capsicum (OC) devices and other chemical agents during a First Amendment assembly if there is a threat or attack against Department members, the public, or property. For example, threats or attacks against Department members, the public, or property may include, but are not limited to, throwing objects at Department members, members of the public, or at storefront windows causing windows to break, or threatening to harm Department members or members of the public by driving erratically near or on designated protestor routes.

(4) For further guidance and restrictions on the use of OC spray, members will refer to [G03-02-05, "Oleoresin Capsicum \(OC\) Devices and Other Chemical Agent Use Incidents."](#)

2. **Active Resister:** a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest.

- a. This type of resistance includes, but is not limited, to evasive movement of the arm, flailing arms, and full flight by running.
- b. Active resistance includes attempting to avoid apprehension and failing to comply with a sworn Department member's orders to reveal themselves.
- c. In addition to the options authorized in Items IV-A and IV-B-1 for Cooperative Persons and Passive Resisters, the following options are authorized when dealing with an active resister:

(1) Stunning

Stunning is diffused-pressure striking or slapping an active resister to increase control by disorienting an active resister and interfering with his or her ability to resist.

(2) Oleoresin Capsicum (OC) Spray

Oleoresin Capsicum is an authorized force option against active resisters. If the active resister is part of a group or crowd, OC Spray is authorized only after obtaining approval from the Superintendent or his or her designee, consistent with G03-02-05, "Oleoresin Capsicum (OC) Devices And Other Chemical Agent Use Incidents."

NOTE: The Superintendent will only authorize the use of oleoresin capsicum (OC) devices and other chemical agents during a First Amendment assembly if there is a threat or attack against Department members, the public, or property. For example, threats or attacks against Department members, the public, or property may include, but are not limited to, throwing objects at Department members, members of the public, or at storefront windows causing windows to break, or threatening to harm Department members or members of the public by driving erratically near or on designated protestor routes.

- (3) Takedown
The act of physically directing an active resister to the ground to limit physical resistance, prevent escape, or increase the potential for controlling an active resister.
- (4) Canines Used by Canine Handlers
A canine under the control of a canine handler is an authorized force option when used consistent with the provisions of G03-02-06, "[Canine Use Incidents](#)."
- (5) Taser
 - (a) The Taser is a device used to control and subdue an active resister through the application of electrical impulses that override the central nervous system and cause uncontrollable muscle contractions.
 - (b) Only Department-issued Tasers may be used and only after the member has received Department-authorized training in their safe handling and deployment.
 - (c) Using the Taser to drive stun an active resister is prohibited.
 - (d) For further guidance and restrictions on the use of a Taser, members will refer to G03-02-04, "[Taser Use Incidents](#)."

C. **Assailant:** a person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury. Assailants are further subdivided into two categories: (1) a person whose actions are aggressively offensive with or without weapons and (2) a person whose actions constitute an imminent threat of death or great bodily harm to a Department member or to another person.

1. The person's actions are aggressively offensive with or without weapons. This category may include an assailant who is armed with a deadly weapon but whose actions do not constitute an **imminent** threat of death or great bodily harm.
 - a. In addition to the options authorized in Items IV-A and IV-B for Cooperative Persons and Resisters, the following options are authorized when dealing with this type of assailant:
 - (1) Direct Mechanical
Direct mechanical techniques are forceful, concentrated striking movements such as punching, kicking, or focused pressure strikes and pressures. These techniques can be combined with take-downs or pins against the ground or other objects.
 - (2) Impact Weapons
Impact weapons are designed to establish control by means of applying mechanical impact to an assailant in order to disable elements of his or her musculoskeletal structure.
 - (a) Members will avoid the use of flashlights, radios, firearms, or any item not specifically designed as an impact weapon, unless reasonably necessary and no other practical options are available.
 - (b) For further guidance and restrictions on the use of impact weapons, members will refer to G03-02-07, "[Baton Use Incidents](#)."
 - (3) Impact Munitions

- (a) Impact munitions are projectiles intended to impact and incapacitate a potentially dangerous assailant from a safe distance, thereby reducing resistance and gaining compliance while reducing the probability of serious injury or death.
 - (b) Capsaicin II powder agent projectiles fired from a powder agent deployment system is considered an impact munition.
 - (c) Only Department-issued impact munitions may be used and only after the member has received Department-authorized training in their safe handling and deployment.
2. The person's actions constitute an imminent threat of death or great bodily harm to a Department member or to another person. In addition to the options authorized in Items IV-A, IV-B, and IV-C-1 for Cooperative Persons, Resisters, and Assailants, firearms and other deadly force responses are authorized when dealing with this type of assailant.
- a. For further guidance and restrictions on the use of deadly force as a last resort, members will refer to G03-02, "[De-escalation, Response to Resistance, and Use of Force](#)."
 - b. For further guidance and restrictions on the use of firearms, members will refer to G03-02-03, "[Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures](#)."
 - c. Department members are prohibited from using deadly force against a person who is a threat only to himself, herself, or property.

V. POST-USE OF FORCE POSITIONING, MONITORING, AND RENDERING OF MEDICAL AID

- A. Department members engaged in the use of force or application of authorized restraining devices are reminded of the dangers involved with positional asphyxia and will refer to the Department directive titled "[Restraining Arrestees](#)" for specific procedures concerning the physical restraint of persons in Department custody.
- B. Immediately upon gaining control and restraining the person, members will:
- 1. position the person in a manner that allows free breathing. Whenever feasible, the person will not be forced to lie on his or her stomach.
 - 2. not sit, kneel, or stand on the person's chest or back which may reduce the person's ability to breathe or cause unnecessary physical stress on the person, unless the person continues to pose a threat to the Department member or any other person.
 - 3. monitor a person until transported to a secure location.
- C. Unless the person continues to pose an imminent threat of death or great bodily harm to the Department member or any other person, Department members will not restrain a person above the shoulders, including the head or neck, in a position which interferes with the person's ability to breathe.
- D. Consistent with the procedures outlined in G03-02, "[De-escalation, Response to Resistance, and Use of Force](#)," once the scene is safe and as soon as practical, whenever a person is injured, complains of injury, or requests medical attention, Department members:
- 1. will immediately request appropriate medical aid, and
 - 2. must provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).

(Items identified with italics/double underline have been added or revised.)

DRAFT



INCIDENTS REQUIRING THE COMPLETION OF A TACTICAL RESPONSE REPORT



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RESCINDS:	15 April 2021 Version		
INDEX CATEGORY:	03 - Field Operations		
CALEA:	Law Enforcement Standards Chapter 4		

I. PURPOSE

This directive:

- A. continues the Tactical Response Report (CPD-11.377) and the Tactical Response Report - Investigation form (CPD-11.377-I).
- B. identifies incidents that require the completion of a Tactical Response Report (TRR).
- C. outlines the reporting, reviewing, and investigatory responsibilities of sworn Department members and detention aides for reportable use of force incidents while in the performance of their duties.
- D. continues the levels of reportable use of force, supervisory response procedures, and investigative authority and responsibilities.

II. POLICY

- A. **Tactical Response Report (TRR).** Tactical Response Reports (TRR) are used by the Department to:
 - 1. document, investigate, and evaluate reportable use of force incidents where members respond to the actions of a person, including any force mitigation efforts, or when members use a reportable use of force. A TRR is also completed when a Department member is assaulted or battered by an individual and no response option was used by the member.
 - 2. regularly review citywide and district-level data regarding reportable uses of force to:
 - a. assess the relative frequency and type of force used by Department members.
 - b. identify any patterns, trends, or emerging concerns relative to the use of force incidents reviewed by the Tactical Review and Evaluation Division (TRED). TRED will review reportable uses of force and recommend specific modifications to existing policy, procedures, training, tactics, or equipment, consistent with G03-02-08, "Department Review of Use of Force."
- B. **Accuracy.** Department members are responsible, at all times, for truthfully and completely:
 - 1. reporting each reportable use of force incident outlined in Item III of this directive.
 - 2. describing the facts and circumstances concerning any incident involving the use of force by Department members.
- C. **Accountability.** Department members will be responsible for articulating the specific facts to explain the member's own decision to employ a particular use of force and the reasonableness, necessity, and proportionality of the force used.
- D. Any Department member completing or reviewing a Tactical Response Report (TRR) will comply with the procedures outlined in S03-14, "Body Worn Cameras" and S03-05, "In-Car Video Systems" for viewing, flagging, and retaining video and audio recorded with Department-issued recording devices.

1. Except for incidents outlined below, Department members may view recordings of an incident from their Department-issued recording device(s) prior to writing an initial report related to the incident.

EXCEPTION: Department members will not view recordings of an incident prior to writing an initial report for the following incidents:

(1) A Department member has been involved in or is a witness to an officer-involved firearm discharge or officer-involved death incident.

(2) Use of deadly force incidents or use of force incidents resulting in great bodily harm or death.

(3) If a Department member is ordered to write a report in response to a complaint or misconduct investigation.

2. When the exceptions apply, after writing an initial report, a Department member, subject to a supervisor's approval, may write a supplemental report after reviewing his or her recordings.

NOTE: Supervisors will document any denial of a member completing a supplemental report and the rationale for the denial.

3. Department members will document in any report they complete for the incident if they reviewed audio or video evidence for purposes of completing the report.

E. Consistent with G08-01, "Complaint and Disciplinary System," any Department member who becomes aware of information indicating that a reportable use of force incident was not reported will immediately notify his or her supervisor.

F. **Supervisory Review of Reportable Uses of Force**

1. All reportable uses of force by Department members will be reviewed by Department supervisors, who play a critical role in ensuring that force is used consistent with the law and Department policy.
2. Supervisory reviews and investigations of reportable use of force incidents are essential to promote community confidence in the Department and identify necessary individual and Department-wide after-action support and corrective action.
3. A supervisor who used reportable force or ordered a use of reportable force during a use of force incident will not perform the functions and responsibilities of the reviewing supervisor or investigating supervisor for the incident.

NOTE: Under these circumstances, the watch operations lieutenant of the district of occurrence or the responding Street Deputy will determine the appropriate supervisor to perform the functions and responsibilities of the reviewing or investigating supervisor.

4. If a supervisor uses reportable force, the watch operations lieutenant (WOL) of the district of occurrence will perform the functions and responsibilities of the reviewing supervisor and investigating supervisor for the incident, including the required documentation on the Tactical Response Report (TRR) and the Tactical Response Report-Investigation (TRR-I).

a. However, the WOL may designate another supervisor of the same rank or higher than the involved supervisor to perform the field and other responsibilities of the reviewing supervisor (e.g., on-scene response, crime scene processing, canvass for witnesses, case reporting requirements, notifications).

b. If this designation occurs, the WOL will document the supervisor who performed the actions and the information provided by the designated supervisor in the "Reviewing Supervisor" section of the TRR.

REMINDER: The functions and responsibilities of the investigating supervisor will be completed by a supervisor at least one rank higher than the highest ranking member using reportable force during the incident or the Street Deputy.

III. INCIDENTS REQUIRING THE COMPLETION OF A TACTICAL RESPONSE REPORT

A. A Tactical Response Report is required to be completed for the following reportable use of force incidents involving a sworn Department member or detention aide in the performance of his or her duties:

1. All use of force incidents involving:

- a. a person who is injured or alleges injury resulting from the member's use of force.
- b. the active resistance of a person.

EXCEPTION: A Tactical Response Report is **NOT** required when:

- (1) the person's only action of resisting is fleeing,
 - (2) the member's actions did not extend beyond verbal commands or control holds utilized in conjunction with handcuffing and searching techniques, and
 - (3) the person is not injured or does not complain of injury resulting from the member's use of force.
- c. an act of obstructing a police officer when the obstructing is a physical act directed at the Department member and requires a reportable use of force response.
 - d. a person whose actions are aggressively offensive, with or without weapons, or who is using or threatening the imminent use of force against the member that will likely cause physical injury, including an assault, aggravated assault, or threat of physical attack.
 - e. physical attacks against a Department member, including a murder, aggravated battery, or battery, regardless of whether or not the person made actual physical contact with the member or the member has sustained a physical injury.

NOTE: The Federal Bureau of Investigation and the State of Illinois Uniform Crime Reporting Systems require data from the Department when the offense of murder, aggravated battery, battery, aggravated assault, or assault is committed against a police officer or a detention aide in the performance of their duties. This documentation will be completed using the TRR.

2. All incidents involving a Department member's use of:

a. **Level 1 reportable use of force.** Level 1 reportable use of force is the use of any force by a Department member to overcome the active resistance of a person, as outlined below, that does not rise to a Level 2 or Level 3 reportable use of force. Level 1 reportable uses of force include force that is reasonably expected to cause pain or injury, but does not result in injury or complaint of injury. Level 1 reportable uses of force include the use of:

- (1) pressure point compliance and joint manipulation techniques in response to active resistance of a person that do not result in an injury or complaint of injury;
- (2) wristlocks, armbars, and other firm grips in response to active resistance of a person that do not result in an injury or complaint of injury; and

- (3) any leg sweep, takedown, stunning technique, or weaponless direct mechanical action or technique (including kicks, knee strikes, elbow strikes, closed hand strikes, or punches) that does not result in an injury or complaint of injury.
- b. **Level 2 reportable use of force.** Level 2 reportable use of force is the use of any force by a Department member that includes use of a less-lethal weapon or that causes an injury or results in a complaint of injury, but does not rise to a Level 3 reportable use of force. Level 2 reportable uses of force include the use of:
- (1) reportable force against a person who is fully restrained and controlled (e.g. both hands secured together) with handcuffs or other restraining devices (e.g., flexible restraining devices);
 - (2) impact weapons strikes (baton, asp, or other impact weapon) to the body other than the head or neck;
 - (3) any leg sweep, takedown, stunning technique, or weaponless direct mechanical action or technique (including kicks, knee strikes, elbow strikes, closed hand strikes, or punches) that results in an injury or complaint of injury.
 - (4) OC spray or other chemical weapons;
 - (5) a Taser;
 - (6) impact munitions;
 - (7) canines as a force option;
 - (8) a Long Range Acoustic Device (LRAD) acoustic transmission to cause discomfort as a compliance technique; and
 - (9) an unintentional firearms discharge or a firearm discharge solely to destroy/deter an animal that did not involve a firearm discharged at a person and did not result in injury to any person.
- c. **Level 3 reportable use of force.** Level 3 reportable use of force is when a Department member does any of the following:
- (1) uses any force that constitutes deadly force, including:
 - (a) discharging a firearm.

EXCEPTION: This does not include an unintentional firearms discharge or a firearm discharge solely to destroy/deter an animal that did not involve a firearm discharged at a person and did not result in injury to any person.
 - (b) using an impact weapon to intentionally strike a person's head or neck.
 - (c) using a chokehold (applying any direct pressure to the throat, windpipe, or airway of another).
 - (d) the application of carotid artery restraints (techniques that compress the blood vessels in the neck to inhibit or restrict blood flow to carotid arteries).

(e) the application of other restraint above the shoulders with risk of positional asphyxiation (use of a technique used to restrain a person above the shoulders, including the neck or head, in a position which interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person).

(2) uses any force that causes injury to any person resulting in admission to a hospital.

(3) uses any force that causes the death of any person.

B. A Tactical Response Report is **NOT** required to be completed for the following incidents:

1. The use of escort holds and pressure compliance techniques which are not in response to active resistance of a person and do not result in an injury or allegation of injury.
2. The use of joint manipulation techniques, wristlocks, armbars or other firm grips utilized in conjunction with handcuffing and searching techniques which are not in response to active resistance of a person and do not result in an injury or allegation of injury.
3. That force necessary to overcome passive resistance due to physical disability or intoxication which does not result in injury or allegation of injury.
4. The use of force in an approved training exercise.

C. If the most serious use of force requires an investigation by a certain level of supervisor, then the investigation of all Tactical Response Reports resulting from the use of force by any member in that incident will be the responsibility of that level of supervisor.

D. When a reportable use of force incident involves one or more reportable uses of force by a Department member against the same person, the uses of force will be reported on one Tactical Response Report.

NOTE: Subsequent reportable uses of force by a Department member involving the same person once the original Tactical Response Report has been completed and approved will be reported on a separate TRR.

E. When a reportable use of force has occurred during an identified mass arrest incident, members will follow the special procedures outlined in S06-06, "[Mass Arrest Procedures](#)."

IV. PROCEDURES

A. Immediate Notifications

1. Each sworn member or detention aide in the performance of his or her duties who is involved in a reportable use of force incident, as described in Item III-A of this directive will immediately notify the Office of Emergency Management and Communications (OEMC) that he or she has been involved in a reportable use of force incident.
2. The Office of Emergency Management and Communications (OEMC) will:
 - a. immediately notify the involved member's immediate supervisor and watch operations lieutenant of the district of occurrence.
 - b. assign a field supervisor from the district of occurrence to respond to the scene when the involved member has discharged any weapon, an injury has occurred to a person, bystander, or any member, or any other Level 2 or Level 3 reportable use of force incident.
 - c. notify the Crime Prevention and Information Center (CPIC) for all incidents involving the:
 - (1) use of deadly force;

- (2) discharge of a firearm, impact munitions, Taser, OC spray or other chemical weapons;
- (3) use of canines as a force option; and
- (4) use of a Long Range Acoustic Device (LRAD) acoustic transmission to cause discomfort as a compliance technique.

B. Completing the Tactical Response Report (TRR)

Each sworn member or detention aide in the performance of his or her duties who is involved in a reportable use of force incident, as described in Item III-A of this directive, will:

1. complete a Tactical Response Report using the CLEARNET Tactical Response Report (C-TRR) application, documenting the information as requested on the report, including force mitigation efforts (e.g., verbal direction/control techniques).
 - a. If more than one member is involved in a reportable use of force incident, each sworn member or detention aide who uses reportable force will complete a TRR. Therefore, there may be multiple reports completed for a single incident.
 - b. If an object is perceived by the member as a weapon that could cause great bodily harm or death and is not actually a weapon or the object recovered is different than the perceived weapon:
 - (1) indicate the person's actions and indicate the actual weapon or object on the TRR, and
 - (2) if the item was different than perceived, indicate in the "Weapon/Object Perceived As" field what the weapon or object was perceived to be.

EXAMPLE: If a member uses force against an assailant holding an object that the involved member perceives to be a handgun, but upon recovery, the object was determined to be a BB gun, the member will indicate "Other - BB gun" as the "Weapon Description" and "Handgun" in the "Weapon/Object Perceived As" field.

- c. The involved member will be required to complete the "Narrative" section of the TRR:
 - (1) describing with specificity, the use of force incident, the person's actions or other circumstances necessitating the force used, and the involved member's response, including force mitigation efforts (e.g., verbal direction/control techniques), and specific types and amount of force used.
 - (2) indicating whether or not any body-worn camera or in-car video digitally recorded data was viewed in advance of completing the TRR, consistent with Item II-D of this directive.

EXCEPTION: The involved member **WILL NOT** be required to complete the "Narrative" section of the TRR for any firearms discharge incidents (with or without injury) and in any use of force incident resulting in death.

NOTE: Specific instructions for the completion of the form can be found in the C-TRR Application Help Documentation. Department members will refer to S04-13-05, "[Alternate Paper Reporting Procedures](#)" if the C-TRR system is unavailable.

2. review the TRR for completeness and accuracy.
3. submit the completed TRR before the end of the involved member's tour of duty.

4. notify their immediate supervisor that the TRR has been submitted and is available for review.
5. document the reason for the initial stop, arrest, or other enforcement action by submitting the other required reports as indicated in:
 - a. G04-01, "[Preliminary Investigations](#)," S04-14, "[Citing Traffic Violations and Attending Traffic Court](#)," and S04-09-13, "[Investigatory Stop System](#)" to his or her immediate supervisor for review and approval before the end of the involved member's tour of duty.
 - b. G06-01, "[Processing Persons Under Department Control](#)" to the watch operations lieutenant in the district of occurrence.

V. REVIEWING SUPERVISOR RESPONSIBILITIES

- A. A supervisor who has been notified of a reportable use of force incident as described in Item III-A of this directive will:
 1. ensure immediate notifications in Item IV-A are completed.
 2. respond to the scene when the involved member has been involved in a Level 2 or Level 3 reportable use of force incident. The notified supervisor will determine if:
 - a. an on-scene response is necessary when notified of a Level 1 reportable use of force incident.
 - b. circumstances exist that would necessitate:
 - (1) the involved member(s) to immediately relocate from the incident scene, or
 - (2) the assignment of additional personnel to protect and manage the incident scene.
- B. When responding to the scene of a reportable use of force incident, the reviewing supervisor will:
 1. ensure that known available witnesses are identified and interviewed, to the extent reasonably possible, and that the required information, including the witness personal information and statement, is recorded on the Tactical Response Report (TRR),

EXCEPTION: The reviewing supervisor will not interview the identified witnesses or obtain written statements for deadly force incidents, officer-involved death incidents, or any other circumstance where the Civilian Office of Police Accountability (COPA) receives an administrative notification and responds to the scene. For these incidents, the reviewing supervisor will:

 - a. document only the witness personal information on the TRR.
 - b. identify the witnesses for the assigned investigative personnel who will be responsible for conducting the interviews or obtaining statements. The reviewing supervisor will, to the extent reasonably possible and lawfully permitted, secure the witnesses for the assigned investigative personnel interview.
 - c. coordinate, as appropriate, with responding COPA personnel.
 2. request the assignment of an evidence technician to take photographs of persons and Department members who have been involved in a use of force incident and are injured, allege injury, or when otherwise deemed appropriate by the supervisor.
 3. ensure that other evidence is gathered, preserved, handled, and processed according to existing Department procedures.
 4. ensure that the involved members and persons receive the appropriate medical attention.

5. for Level 2 and Level 3 reportable use of force incidents involving injury or complaint of injury for which a COPA notification is not required, undertake reasonable efforts to identify and interview additional witnesses beyond those that are known and available.

NOTE: The result of the above requirement to canvass for witnesses, including negative results, will be documented in the "Reviewing Supervisor" section of the TRR.

C. When conducting a supervisory review of a reportable use of force incident, the reviewing supervisor will:

1. ensure the involved member completes and submits a TRR before the end of the involved member's tour of duty.
2. ensure the appropriate case report is completed for the incident, consistent with the guidelines established in the Incident Reporting Guide (IRG) ([CPD-63.451](#)).

NOTE: A case report is required even if the TRR resulted from an incident that would not otherwise require a report (e.g., warrant arrests). Members will refer to the IRG section titled "Special Case Reporting Index for Use of Force Incidents" for specific reporting instructions.

3. ensure additional notifications are made consistent with:
 - a. [G03-02-03, "Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures ;"](#)
 - b. [G03-02-04, "Taser Use Incidents;"](#)
 - c. [G03-02-05, "Oleoresin Capsicum \(OC\) or Other Chemical Agent Use Incidents;"](#)
 - d. [G03-02-06, "Canine Use Incidents;"](#) and
 - e. [G03-02-07, "Baton Use Incidents."](#)
4. complete the TRR for a member who is unable to complete the report due to injury or other extraordinary circumstance.
5. use the "Attachment" feature of the TRR to attach copies of the appropriate approved district-level generated reports that are related to the incident involving the completion of the TRR, including:
 - a. the incident case report,
 - b. Arrest Reports,
 - c. Supplementary Reports,
 - d. Inventory Reports,
 - e. Injury on Duty Reports,
 - f. the Taser Deployment Data Download, and

NOTE: *Per G03-02-04, "Taser Use Incidents," the Taser Deployment Data Download will be uploaded as an attachment by the investigating supervisor.*

- g. any other pertinent Department report.
6. review the portion of the TRR completed by the involved member, including:
 - a. confirming or rejecting any addresses that result in a beat of "0" and may be inaccurate.

- b. reviewing each instance where "Other" has been selected as the "Subject's Actions."
 - c. if the TRR is incomplete, insufficient, or contains inconsistencies within the report, return the TRR to the member and discuss reasons with the involved member.
7. complete the "Reviewing Supervisor" section of the TRR. The reviewing supervisor will:
- a. document, if any, the type of injury and the location of the injury to the person against whom force was used.

NOTE: The reviewing supervisor will clarify in the "Reviewing Supervisor: Comments" section whether the injury was observed or alleged by the person, to what body part did the injury occur, and if the documented injury occurred prior to the reportable use of force, when appropriate.
 - b. document any other incident information, observations, or other actions taken that are not already captured in the TRR fields in narrative form in the "Reviewing Supervisor: Comments" section of the TRR.
 - c. attest to his or her compliance with the responsibilities outlined in this directive.
 - d. when misconduct is observed or an allegation of misconduct is received by the reviewing supervisor, make the appropriate notifications to the Civilian Office of Police Accountability (COPA) to obtain a complaint log (CL) number.

NOTE: The reviewing supervisor will only include a complaint log (CL) number obtained for observed or allegations of misconduct. A Log Number obtained for a use of force that requires an administrative notification to the Civilian Office of Police Accountability (COPA) will be documented by the Investigating Supervisor.
 - e. if appropriate, attest to the completeness and legibility of the report and inform the Investigating Supervisor that it has been reviewed and is ready for supervisory review and investigation of the incident.

VI. USE OF FORCE INCIDENT INVESTIGATION

- A. **Investigatory Responsibility.** For reportable use of force incidents, the investigation of the incident and completion and approval of all TRR-Is will be:
- 1. the responsibility of the following ranked supervisor:
 - a. The Street Deputy will review and investigate the following types of incidents:
 - (1) the discharge of a firearm by a Department member, excluding discharges solely to destroy/deter an animal with no human injury;
 - (2) any other uses of force that constitutes deadly force.
 - (3) a member's use of force, by whatever means, that results in potential life-threatening injury or death of any individual;

NOTE: For the above-listed incidents, the Street Deputy will coordinate the investigative response with the investigative personnel from the Investigative Response Team (IRT) or Detective Area, as appropriate.

 - (4) when a Department canine is deployed as a reportable use of force and physically apprehends a person by making physical contact, including grasping the person or the person's clothing; and

- (5) any lesser use of force by a Department member when that use of force stems from the same incident in which another member used force described in Items VI-A-1-a-(1), (2), or (3) of this directive.
- b. A member the rank of captain or above assigned to the district of occurrence will review and investigate incidents involving the discharge of a firearm solely for the destruction/deterrence of an animal with no human injury.
- c. The watch operations lieutenant (WOL) assigned to the district of occurrence will investigate all other incidents.

NOTE: If the watch operations lieutenant or a supervisor the rank of lieutenant or above designated as the district of occurrence watch operations lieutenant is unavailable, the district station supervisor will follow the appropriate procedures established by the Bureau of Patrol to ensure the TRR-I is completed and approved by the appropriate supervisor.

2. completed by a supervisor at least one rank higher than the highest ranking member using reportable force during the incident or the Street Deputy.
3. completed within 48 hours of the use of force incident, unless an extension is approved, in writing, by the appropriate exempt-level supervisor.

NOTE: Upon approval of an investigative extension, the approving exempt-level supervisor will ensure the investigation of the incident and completion of the TRR-I is completed in a timely manner.

B. Investigating Supervisor. The assigned supervisor described in Item VI-A will:

1. conduct an investigation into the use of force incident by:
 - a. attempting to interview the person of any reportable use of force, solely about the use of force incident, and record the person's statement regarding the use of force in the space provided on the TRR-I.
 - (1) Prior to any interview, the investigating supervisor will follow the procedures outlined in G04-03, "[Custodial Interrogations](#)," including expressly warning the individual of their constitutional rights.
 - (2) When the incident involves potential felony charges, the investigating supervisor will confer with the arresting officers and the assigned investigative personnel prior to the interview to determine the appropriate time and scope of the interview.
 - (3) When interviewing a juvenile, the investigating supervisor will follow guidelines and restrictions outlined in S06-04, "[Processing of Juveniles and Minors Under Department Control](#)."
 - (4) When interviewing a person that is suspected of an offense which electronically recorded custodial interrogations are mandated, the investigating supervisor will follow procedures outlined in S04-03-01, "[Digital Recording of Interrogations](#)."
 - (5) The investigating supervisor will check "DNA" in the "Subject's Statement" section when the incident involves only an animal destruction/deterrence or unintentional discharge.
 - (6) When an interview of the person is not conducted, the investigating supervisor will indicate this fact on the report and provide a specific reason why the interview was not conducted.

- b. performing a visual inspection of the person and document any observations and specific injuries in the "Lieutenant or Above/Incident Commander: Comments" section.

NOTE: The investigating supervisor will clarify in the "Lieutenant or Above/Incident Commander: Comments" section whether the injury was observed or alleged by the person, to what body part did the injury occur, and if the documented injury occurred prior to the reportable use of force, when appropriate.

- c. reviewing all the information reasonably available regarding the use of force incident and documenting the investigatory information in the "Lieutenant or Above/Incident Commander: Comments" section of the TRR-I, including but not limited to:
 - (1) a review of all available reports.
 - (2) a review of all Department-recorded video of the involved member's use of force (e.g., In Car Video System, lockup facility cameras, body worn cameras), if available. The investigating supervisor will document the video(s) viewed and the duration of the footage.
 - (3) documentation of any allegations of excessive force.
 - (4) if available, witness statements, photographs, and other evidence or information collected by the reviewing supervisor.
 - (5) any other investigatory information or observations.

2. complete the "Lieutenant or Above/Incident Commander Review" section of the TRR-I. The investigating supervisor will:

- a. review the portion of the TRR completed by the involved member and the reviewing supervisor for sufficiency and completeness. If the TRR is incomplete, insufficient, or contains inconsistencies within the report, the investigating supervisor will return the TRR to the appropriate member.
- b. determine the Department members who were identified in the incident reports as being on the scene of the use of force incident and who are reasonably believed to have relevant knowledge or information regarding the reportable use of force incident. The investigating supervisor will indicate these members in the "Lieutenant or Above/Incident Commander Review" section of the TRR-I.
- c. attest to his or her compliance with the responsibilities outlined in this directive.
- d. determine if the member's use of force requires a notification to the Civilian Office of Police Accountability (COPA) to obtain a complaint log (CL) number. A notification to COPA is required for all incidents involving:
 - (1) the use of deadly force,
 - (2) the discharge of a firearm,
 - (3) the discharge of a Taser,
 - (4) the discharge of Oleoresin Capsicum (OC) devices,
 - (5) the use of excessive force or an allegation of excessive force,
 - (6) the death or potential life-threatening injury to a member of the public that resulted directly from an action or intentional omission of a Department member, and
 - (7) uses of force that may violate the law or Department policy.

- e. use the "Attachment" feature of the TRR-I to attach copies of any other approved and available Department report related to the incident involving the completion of the TRR that is not already attached, including any initiation report submitted to COPA regarding allegations of misconduct.

NOTE: Per G03-02-04, "Taser Use Incidents," the Taser Deployment Data Download will be uploaded as an attachment by the investigating supervisor.

- f. conduct a supervisory evaluation to determine whether the member's use of force response was in compliance with Department policy and directives.

NOTE: The investigating supervisor will not make a determination for deadly force or officer-involved death incidents.

- g. if appropriate:

- (1) provide timely, constructive feedback to the member engaged in the reportable use of force and the reviewing supervisor.

- (2) identify and adequately address any performance that is exceptional or that may be improved through after-action support or corrective actions, including training or other nondisciplinary methods.

- (3) make recommendations for after-action support for the involved member or the reviewing supervisor (e.g., individualized training, performance coaching, review of Department directives).

- (a) When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the "TRR Debriefing Point Dashboard" to identify and review any previous use-of-force-related debriefing points for the involved members.

- (b) The "TRR Debriefing Point Dashboard" is accessible from The Wire via the Tableau Server Environment.

- (4) ensure any recommendations for district-level after-action support are completed with the identified member(s).

- (5) document in the "Lieutenant or Above/Incident Commander: Comments" section what after-action support is recommended, including identifying specific training, when appropriate, and if the recommendations were completed (e.g., what action, by whom, when).

- h. if appropriate, sign and approve the TRR-I.

VII. USE OF FORCE INCIDENT REVIEW

Approved Tactical Response Reports (TRR) and Tactical Response Report - Investigation (TRR-I) forms will be subject to an after-action review consistent with the guidelines and procedures outlined in G03-02-08, "Department Review of Use of Force."

- A. A representative sample of Level 1 reportable uses of force and all Level 2 reportable uses of force as outlined in Item III of this directive will be reviewed by the Tactical Review and Evaluation Division.
- B. All Level 3 reportable uses of force as outlined in Item III of this directive will be reviewed by the Force Review Board (FRB).

VIII. DATA MAINTENANCE AND RETENTION

The commanding officer, Strategic Initiatives Division, will ensure:

- A. the CLEARNET Tactical Response Report application is managed and maintained to reliably record and track all Department data reported and derived from reportable use of force incidents documented in the C-TRR application.
- B. the Department data on reportable use of force incidents contained in the TRR and TRR-I are maintained and retained consistent with existing data retention procedures.

(Items indicated by italics/double underline have been added or revised)

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Interim Superintendent of Police

T22-XXX MWK/TSS

DRAFT



FIREARM DISCHARGE INCIDENTS - AUTHORIZED USE AND POST-DISCHARGE ADMINISTRATIVE PROCEDURES



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I. PURPOSE

This directive outlines the policy governing sworn member's discharge of a firearm.

II. POLICY

- A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a firearm will be made in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force."
- B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.
- C. **Response to Resistance and Use of Force.** As defined in G03-02, "De-escalation, Response to Resistance, and Use of Force."
 - 1. Department members' use of a firearm must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
 - 2. Department members will continually assess the necessity of the use of a firearm and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.
- D. **Authorized Use.** Consistent with G03-02-01, "Response to Resistance and Force Options," Department members are authorized to use a firearm against an **assailant** as a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person.
- E. **Prohibitions on the use of firearms.** The use of firearms in the following ways is prohibited:
 - 1. Firing warning shots.
 - 2. Firing at persons whose actions are only a threat to themselves (e.g., attempted suicide).
 - 3. Firing solely in defense or protection of property.

4. Firing into crowds. However, this prohibition does not preclude the discharge of a firearm directed at a specific person who is near or among other people, but the discharge of a firearm in such circumstances is only permitted in the limited circumstances when such force is necessary, based on the specific circumstances confronting the sworn member, to prevent death or great bodily harm to the sworn member or to another person, and no reasonable alternative exists. In such circumstances, the discharge of a firearm is permissible only if the member has identified the appropriate target prior to discharging the firearm and has taken precautions to minimize the risk that people other than the target will be struck.
5. Firing into buildings, through doors, windows, or other openings, or in any other circumstance when the person lawfully fired at is not clearly visible, unless directed at a specific location and such force is necessary, based on the specific circumstances confronting the sworn member, to prevent death or great bodily harm to the sworn member or to another person. In such circumstances, the use of deadly force is permissible only if the member has identified the appropriate target prior to discharging the firearm and has taken precautions to minimize the risk that people other than the target will be struck.
6. Firing at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person, unless such force is a last resort and necessary, based on the specific circumstances confronting the sworn member, to protect against an imminent threat to life or to prevent great bodily harm to the sworn Department member, another person, or a group of people.

NOTE: When a vehicle is the only force used against a member, the member will not place themselves in the path of the moving vehicle and will make every effort to move out of the path of the vehicle.

7. Firing from a moving vehicle, unless such force is a last resort and necessary, based on the specific circumstances confronting the sworn member, to protect against an imminent threat to life or to prevent great bodily harm to the sworn Department member or another person.
 8. Firing at a fleeing person unless necessary to prevent death or great bodily harm from an imminent threat posed to the member or another person.
- F. **Justify Separate Uses of Force.** An initial firearm discharge and each subsequent discharge of a firearm must be documented on the Tactical Response Report (TRR) and Department members must individually justify each discharge of a firearm as a separate use of force.
- G. The Department recognizes that firearm discharge incidents are traumatic events and Department members will treat all impacted with dignity and respect.
- H. Consistent with existing Department policy on the dissemination of information, the actions of Department members will not unreasonably impede or delay access to information for the families of individuals who have been injured or the deceased.
- I. Under normal circumstances, the provisions of this directive will not apply to the discharge of a firearm during:
1. Department-sponsored firearm training or practice.
 2. firearm practice at a recognized range facility.
 3. Department-authorized ballistic examination or testing.
 4. a licensed hunting activity.
- J. For additional guidance on Department firearms, Department members will refer to U04-02, "Department Approved Weapons and Ammunition," for Department-approved firearms, ammunition, and training.

III. CONDITIONS ON THE DISCHARGE OF A FIREARM

Sworn members discharging a firearm will, when it is safe and feasible to do so based on the specific circumstances confronting the member:

- A. consider their immediate surroundings and the safety of uninvolved members of the public before discharging their firearm.
- B. take precautions to identify the appropriate target prior to discharging the firearm and to minimize the risk that people other than the target will be struck.
- C. consistent with the principles of Force Mitigation outlined in G03-02-01, "[Response to Resistance and Force Options](#)," issue a verbal warning prior to, during, and after the discharge of a firearm.

IV. POST-FIREARM DISCHARGE RESPONSE AND INVESTIGATION

- A. Whenever a sworn Department member discharges a firearm pursuant to this directive, Department members will refer to G03-06, "[Firearm Discharge and Officer-Involved Death Incident Response and Investigation](#)" for additional procedures and responsibilities, including immediate notification requirements, immediate responses, post-discharge responsibilities, and incident investigation.
- B. Firearm discharge incident investigations remain bound by the involved members' respective collective bargaining agreement(s) and the G08-01-05, "[Department Member Bill of Rights](#)," including the timeliness of documented formal statements.

V. POST-FIREARM DISCHARGE ADMINISTRATIVE PROCEDURES

- A. Any sworn Department member involved in a firearm-discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing, in compliance with Item VI of this directive and any applicable collective bargaining agreement.
- B. Any member who has discharged a firearm in an incident, other than unintentional discharges or solely for the destruction/deterrence of an animal where no person was injured will:

1. contact the Professional Counseling Division via telephone within twenty-four hours of the incident to schedule a **mandatory debriefing**, consistent with E06-03, "[Traumatic Incident Stress Management Program](#)."

NOTE: If hospitalized as a result of the a firearm discharge incident, the member will be contacted by a Professional Counseling Division clinician pursuant to E06-03, "[Traumatic Incident Stress Management Program](#)."

2. be placed on administrative duty status for a minimum period of thirty days in their unit of assignment or detail as described in Item VII of this directive.
3. attend the firearms training overview as described in Item VIII of this directive.

VI. MANDATORY ALCOHOL AND DRUG TESTING

The mandatory post-firearm-discharge alcohol and drug testing will be conducted following the below procedures:

- A. The Bureau of Internal Affairs (BIA) call-out supervisor will:
 1. contact the Street Deputy responsible for the investigation, as appropriate, and respond to the designated location to conduct the alcohol and drug testing.
 2. complete and submit a "Notice of Alcohol and Drug Testing Following a Firearm Discharge Incident" ([CPD-44.252](#)).
- B. The BIA call-out supervisor will ensure:
 1. the involved member submits to the alcohol breath test and will conduct the test according to Department policy.

2. the alcohol breath test result is provided to the Street Deputy responsible for the investigation, as appropriate.
3. the involved member submits to a drug test and the urine specimen is:
 - a. collected in a manner that will preserve the dignity of the involved member and ensure the integrity of the sample.
 - b. collected in the presence of a supervisor of the same gender as the involved member.
 - c. retained by the BIA call-out supervisor, who will assume the responsibility for ensuring the urine specimen is properly secured in accordance with established bureau-level procedures, pending processing by a medical laboratory.
4. the alcohol and drug testing occurs as soon as practicable after the firearm-discharge incident given the overall demands of the investigation.

NOTE: The Street Deputy responsible for the investigation will ensure testing is initiated as soon as practicable, but no later than six hours following the firearm-discharge incident.

5. copies of any associated reports, including the testing and results documentation, are forwarded to Civilian Office of Police Accountability (COPA) once the testing is completed.
- C. If the involved member refuses to provide a breath test or urine specimen pursuant to this process, it is a violation of the Department Rules and Regulations (i.e., disobedience of an order or directive whether written or oral), and will result in administrative charges against the member, which may include discipline up to and including separation.
- D. No discipline will occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's [De-escalation, Response to Resistance, and Use of Force](#) policy and the member discharged their weapon off duty.

VII. ADMINISTRATIVE DUTY ASSIGNMENT

- A. Department members who have discharged a firearm, other than an unintentional discharge or solely for the destruction/deterrence of an animal where no person was injured, will be placed in a mandatory administrative duty assignment for a minimum period of thirty (30) days within the member's unit of assignment or detail.
- B. The administrative duty assignment will begin the day after the firearm-discharge incident.
- C. This assignment is not a punitive measure and not dependent upon the determination by any investigative body responsible for a review of the firearm discharge incident. No connotation as to the appropriateness of the member's actions will attach to a member's administrative assignment.

REMINDER: Department members who have discharged a firearm and are placed on mandatory administrative duty assignment are reminded that the incident and the use of force will be thoroughly investigated consistent with existing Department policy. Additionally, Department members are reminded that discipline, up to and including separation from the Department, may be administered for any misconduct or violations of policy, including use of force that was determined to be excessive.

- D. Department members will be returned to regular field duties **only after all of the following requirements are completed:**
 1. a minimum of thirty (30) calendar days of administrative duty assignment,
 2. the requirements of the Traumatic Incident Stress Management Program as delineated in E06-03, "[Traumatic Incident Stress Management Program](#),"

3. the critical incident overview training course held by the Firearms Training Section,
 4. any other training curriculum determined by the Training Division, and
 5. the Department member is officially returned to field duties by the Office of the First Deputy Superintendent.
 - a. The Office of the First Deputy Superintendent will individually evaluate each mandatory administrative duty assignment, including the completion of the above requirements, to determine if any extension of the administrative duty assignment is warranted.
 - b. Any extension of the thirty day administrative duty assignment will be:
 - (1) consistent with the requirements of this directive and involved member's collective bargaining agreement, and
 - (2) approved and provided in writing by the Office of the First Deputy Superintendent.
- E. A Department member assigned to an administrative duty assignment will:
1. provide administrative support functions for the member's unit of assignment or detail at the direction of the unit commanding officer.
 2. report as directed to the Traumatic Incident Stress Management Program and participate in any other mandated Department training.
 3. submit a To-From-Subject Report to the First Deputy Superintendent through their unit commanding officer identifying any approved furlough, other approved elective time, and any pre-approved voluntary special work opportunities scheduled during the member's administrative duty assignment.
 4. not be denied the opportunity to:
 - a. work any approved voluntary special work opportunities and will work the scheduled opportunity in an administrative capacity as long as it is consistent with the assigned responsibilities.
 - b. request a voluntary special work opportunity for the upcoming months based on the activity requirement not attained due to the mandatory administrative duty assignment.
 - c. bid for recognized vacancies or apply to posted non-biddable sworn duty assignment opportunities.
- F. The on-scene Street Deputy will ensure eligible Department members are placed on a thirty (30) day administrative duty assignment and will notify:
1. the Office of the First Deputy Superintendent by Department email,
 2. the Department member's:
 - a. bureau or office chief by Department email,
 - b. unit commanding officer by Department email, and
 - c. unit of assignment or detail via the Document Management System.
- G. Unit commanding officers will ensure:
1. all supervisory members report any unusual changes in behavior shown by the involved Department member and report the unusual changes to the Traumatic Incident Stress Management Program and the Office of the First Deputy Superintendent.

2. all additional assistance is provided to the involved Department member, including the use of the Professional Counseling Division/Employee Assistance Program (E.A.P.), as needed.
 3. that an immediate notification is made to the Office of the First Deputy Superintendent when the involved member not requiring hospitalization has failed to contact a Professional Counseling Division clinician within 24 hours or failed to participate in the Traumatic Incident Stress Management Program within 72 hours consistent with E06-03, "[Traumatic Incident Stress Management Program](#)."
 4. the administrative duty assignment procedures are followed for any medical time, furlough, or any other elective time off as well as any pre-approved voluntary special work opportunities scheduled during a member's administrative duty assignment.
 5. the involved member's administrative duty assignment is documented on the Automated Daily Attendance and Assignment (A&A) Record under the temporary change of watch or additional assignment explanation field indicating "post-firearm discharge administrative assignment."
 6. steps are taken to protect Department members as delineated in S04-03-11, "[Protection of Department Members](#)."
- H. The Training Division will develop an individualized training curriculum for Department members placed in a mandatory administrative duty assignment. This training will be in addition to the eight-hour critical incident overview training course held by the Firearms Training Section.

NOTE: The Training Division will notify the Office of the First Deputy Superintendent if the Department member fails to complete any assigned individualized training.

- I. The Office of the First Deputy Superintendent will:
1. monitor the administrative duty status of Department members placed in a mandatory administrative duty assignment.
 2. ensure that the Department members are returned to normal field duties upon completion of the thirty (30) calendar day period and return to field duty requirements **unless an extension is determined by the First Deputy Superintendent**.
 3. ensure a Administrative Duty Assignment Checklist ([CPD-12.124](#)) is completed for each Department member placed in a mandatory administrative duty assignment.
 4. notify the Department member's unit commanding officer by Department email and the member's unit of assignment or detail via the Document Management System when a member is to be returned to field duties.

NOTE: A supervisor from the Office of the First Deputy Superintendent will verify that the Department member has completed all return to field duty requirements including the requirements of the Traumatic Incident Stress Management Program.

VIII. POST-FIREARM DISCHARGE TRAINING

- A. Department members who have discharged a firearm, other than an unintentional discharge or solely for the destruction/deterrence of an animal where no person was injured, will attend a post-firearm discharge training scheduled by the Firearms Training Section. Held monthly, the eight-hour training may include, but is not limited to, the following topics: the use of deadly force, alternative force options, de-escalation, trauma-informed techniques, implicit bias, tactics for patrol, and ethics.
- B. Attendance at this training is mandatory and not dependent upon the determination by any investigative body responsible for a review of the firearm-discharge incident. No presumption as to the appropriateness of the member's actions will attach to a member attending the training.
- C. The training is limited to Department members and their partners who were involved in a firearm-discharge incident or who were fired upon during an incident.

- D. The Bureau of Internal Affairs will notify the Deputy Chief, Training and Support Group, of the Department members mandated to attend the training.
- E. The training will be considered a tour of duty. Participants will wear the field uniform of the day.
- F. Notification Procedure
 - 1. The Deputy Chief, Training and Support Group, will notify unit commanding officers of the existence of members under their command who are required to attend a scheduled post-firearm discharge training.
 - 2. Upon receipt of the list of members who are required to attend a scheduled training, the unit commanding officer will determine which of the listed members are scheduled for a regular work day on the designated training date. Members will attend the training only when it is on their regularly scheduled work day.
 - a. The unit commanding officer will supply these members with the name and telephone number of the contact person at the Training Division.
 - b. The unit commanding officer will inform these members they are required to attend the scheduled training and ensure these members are notified through the CLEAR automated court notification application.
 - c. If scheduled for a post-firearm discharge training but unable to attend due to circumstances unknown at the time of the scheduling (e.g., medical roll, court date), the member will notify their unit commanding officer and the designated contact person at the Training Division as soon as these circumstances become known.
 - d. The unit commanding officer will inform the Training Division of members who are on the medical roll or scheduled for a regular day off on the date of the training. Those members will be rescheduled for the next session of the training.

(Items indicated by italics/double underline have been added or revised)

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Interim Superintendent of Police

22-XXX MWK/TSS



TASER USE INCIDENTS



ISSUE DATE:	26 May 2023	EFFECTIVE DATE:	
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INDEX CATEGORY:	03 - Field Operations		
CALEA:	Law Enforcement Standards Chapter 4		

I. PURPOSE

This directive outlines the policy governing the discharge of Department Taser devices.

II. POLICY

- A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a Taser will be made in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force."
- B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.
- C. **Response to Resistance and Use of Force.** As defined in G03-02, "De-escalation, Response to Resistance, and Use of Force,"
 - 1. Department members' use of a Taser must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
 - 2. Department members will continually assess the necessity of the use of a Taser and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.
- D. **Authorized Use.** In accordance with G03-02-01, "Response to Resistance and Force Options," Department members may use a Taser only in response to following persons:
 - 1. **Assailants.** The use of a Taser is an authorized force option against an **assailant**, when the person is using or threatening to use force which is likely to cause physical injury.
 - 2. **Active Resisters.** The use of a Taser is an authorized force response option against an **active resister**, when:
 - a. there is objectively reasonable belief at the time that the person is armed, **the person presents a risk of serious injury to the Department member or others**, and other reasonable force options are not readily available or would otherwise be ineffective under the circumstances at the time, or

- b. the person is exhibiting violent and aggressive behavior and there is objectively reasonable belief at the time that the person has committed:
- (1) a felony offense; or
 - (2) any other offense against a person (e.g., battery, aggravated assault) or that disregards or endangers the bodily safety of others (e.g., reckless discharge of a firearm).

E. In determining the appropriate use of a Taser, Department members will balance the risks and benefits of a Taser discharge based on several factors, including, but not limited to the:

1. threat presented by the person to the Department member or the public.
2. threat of self-harm presented by the person.
3. availability of other force options.
4. likely outcome of the Taser use.
5. risk of injury.
6. person's apparent age, size, physical and mental condition, disability, and impairment.
7. the seriousness of the offense and whether Taser discharge is immediately necessary.

F. **Restrictions.** Tasers can cause serious injury or death. For the safety of everyone involved, the following additional restrictions apply:

1. **Use in Schools.** The use of Tasers is strongly discouraged in schools and on students. Therefore, Tasers will not be used in a school or on students, unless the Department member assesses the reasonableness and necessity of the Taser use based on the totality of the circumstances, including the person's apparent age, size, and the threat presented, and determines that Taser discharge is immediately necessary.
2. **Explosion Hazards.** Tasers will not be used in any environment that contains potentially flammable, volatile, or explosive material.
3. **Removing Barbs.** Members will not remove Taser barbs embedded in the person's flesh. Only trained medical personnel may remove Taser probes from a person's flesh.
4. **Multiple Tasers on One Person.** Members will not use multiple Tasers against the same person, unless a member already attempted to use a Taser against the person but the probes did not make contact with the person.
5. **No Drive Stuns.** Drive stunning is prohibited, unless the person is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective under the circumstances at the time.
6. **Persons Vulnerable to Injury from Tasers.** Tasers will not be used on a person who is observed to be or overtly appears to be at a greater risk of serious injury or death from taser use, unless the person is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective.

NOTE:

People who are potentially at greater risk of serious injury from Taser use include, but are not limited to, children, pregnant women, the elderly, people with low body mass, people in medical distress, people with a pre-existing medical condition that may become aggravated (e.g. heart ailment), or people exhibiting symptoms of a behavioral or mental health crisis that causes them to be in medical distress.

7. **Persons Who are Handcuffed or Restrained.** Department members will refrain from using a Taser against a person who is fully restrained and controlled (e.g., both hands secured together) with handcuffs or other restraining devices (e.g., flexible restraining devices), unless the person is defined as an assailant and other force options are not readily available or would otherwise be ineffective under the circumstances at the time.
 8. **Fleeing Persons.** Tasers will not be used on a person whose ONLY action is flight alone. The use of a Taser on a fleeing person is only authorized when in compliance with Item II-D of this directive.
 9. **Pain Compliance.** Department members are prohibited from using a Taser for pain compliance, punishment, or retaliation.
 10. **Persons with Weapons.** Department members are prohibited from using a Taser against a person solely because they possess a weapon. The use of a Taser on a person who is armed is only authorized when in compliance with Item II-D of this directive.
- G. **Increased Discharge Risk.** Taser discharges under certain circumstances may increase the risk of serious injury or death. Unless other force options are not readily available or would otherwise be ineffective, Department members should avoid the use of a Taser on persons who:
1. are elevated above the ground or are in an unstable position (e.g., tree, roof, ladder, ledge, balcony, porch, bridge, or stair);
 2. could fall and suffer an impact injury to the head or other area;
 3. could fall on a sharp object or surface (e.g., holding a knife, falling on glass);
 4. may be less able to catch or protect themselves in a fall (e.g., people who are restrained, handcuffed, incapacitated, or immobilized; people with a disability);
 5. may have impaired reflexes (e.g., from alcohol, drugs, or certain medications);
 6. are running, or are otherwise in motion;
 7. are operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, or train); or
 8. are located in water, mud, or marsh environment if the ability to move is restricted.
- H. **Justify Separate Uses of Force.** An initial Taser application and each subsequent application of Taser energy (either re-energizing a discharged cartridge with the ARC switch or discharging a second cartridge) must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force.
- I. Department members will refer to U04-02-02, "Control Devices and Instruments" for specific procedures on Taser device protocols including training, maintenance, assignment, manner of carry, and accountability.

REMINDER: Taser Devices will be carried in a Department-approved holster on the member's support (non-firearm) side.

III. CONDITIONS ON THE DISCHARGE OF A TASER

- A. **Taser Discharge.** A Taser discharge is:
1. any probe discharged, including accidental discharges, irrespective of whether or not they make contact with a person;
 2. any initiation of the ARC switch to re-energize the probes that are in contact with the person; or
 3. the use of the device by physical contact to drive stun a person.

NOTE: It is not considered a discharge of a Taser if the Taser and/or laser pointers were merely displayed or the use of a spark display where there is no electrical contact with the person or cartridge discharge.

B. **Authorized Manner of Use.** When it is safe and feasible to do so, a member who is discharging a Taser device will:

1. give verbal commands and warnings prior to, during, and after the discharge of the Taser, including informing other Department members on the scene of the discharge of the Taser.
2. allow a person a reasonable amount of time to comply with a warning prior to using or continuing the use of a Taser, unless doing so would compromise the safety of a Department member or another person.

REMINDER: Consistent with G03-02-01, "Response to Resistance and Force Options," when encountering noncompliance to lawful verbal direction, when it is safe and feasible to do so, Department members will consider if the noncompliance may be due to limited English proficiency or other language barriers, a medical condition, or disability.

3. aim for person's back below the neck area. When frontal shots are necessary, aim for lower center mass (below chest or area of the heart) and legs.
 - a. Department members will target the person's lower center mass and **are prohibited from** targeting the person's head, chest, neck, groin, genitalia, or anterior pelvis.
 - b. It is recommended that Department members discharge the Taser to the person's back whenever possible.
4. discharge probes when the member is within 18 feet of the person (and ideally when the member is within 7 to 15 feet of the person).
5. use only one five-second energy cycle (the default length of an energy cycle when the Taser trigger is pressed and released) and reassess the situation, including whether the person has the ability and has been given a reasonable opportunity to comply, before any additional cycles are given or cartridges are discharged.
6. if the person is incapacitated, immediately attempt to restrain the person while incapacitated.
7. if the person has been exposed to three, five-second energy cycles (or has been exposed to a cumulative 15 total seconds of energy) and the member has not gained control of the person, switch to other force options unless the member can reasonably justify that continued Taser use was necessary to ensure the safety of the member or another person.

NOTE: Prolonged Taser exposure under certain circumstances may increase the risk of serious injury or death.

C. **Request Supervisor.** As soon as practical, a member who has used or anticipates using a Taser will request that a supervisor respond to the scene.

IV. POST-DISCHARGE RESPONSIBILITIES

A. **Discharging Member.** Immediately upon gaining control and restraining the person, the discharging member will:

1. position the person in a manner that allows free breathing. Unless the person continues to pose a threat to the Department member or any other person, Department members will not sit, knee, or stand on the person's chest or back which may reduce the person's ability to breathe or cause unnecessary physical stress on the person.

2. *not restrain a person above the shoulders, including the head or neck, in a position which interferes with the person's ability to breathe, unless the person continues to pose an imminent threat of death or great bodily harm to the Department member or any other person.*
3. request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if:
 - a. the person was exposed to electricity;
 - b. probes penetrated the person's skin; or
 - c. the person appears to be in any physical distress or complains of injury or aggravation of a known pre-existing medical condition (e.g., heart ailment).
4. *if the person appears to be injured or complains of injury, provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).*
5. notify the Office of Emergency Management and Communications (OEMC) of the Taser discharge.

NOTE: If a member discharges a Taser outside of the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

6. complete a Tactical Response Report (TRR) (CPD-11.377) for all Taser discharges consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."
7. complete the appropriate case report and other required reports and submit the reports to their immediate supervisor for review and approval.

B. **Office of Emergency Management and Communications (OEMC).** OEMC will immediately notify the:

1. immediate supervisor of the involved member(s).
2. field supervisor and watch operations lieutenant from the district of occurrence.
3. Crime Prevention and Information Center (CPIC).

NOTE: CPIC will notify the Civilian Office of Police Accountability (COPA) of the discharge of a Taser.

C. **Reviewing Supervisor.** When notified that a member discharged a Taser, the assigned reviewing supervisor will:

1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked supervisor.

NOTE: When the discharging member's immediate supervisor is unavailable, the watch operations lieutenant will assign a reviewing supervisor from the district of occurrence.

2. ensure the scene is protected and processed in accordance with G04-02, "[Crime Scene Protection and Processing](#)."
3. confirm the notifications outlined in Item IV-B have been made and provide any additional relevant or updated incident information, if known.
4. determine whether to request an evidence technician to process the scene. An evidence technician will be requested if:

- a. the Taser discharge occurred in a residence;
 - b. the Taser discharge occurred in an area other than a residence, whether indoors or outdoors, and the responding supervisor determines an evidence technician is required; or
 - c. probes penetrated the person's skin or any other injuries incurred as a result of the Taser discharge. In this situation, an evidence technician must be requested to photograph the location of the probe penetration and any other injury.
5. take control of the Taser device and deliver it to the assigned investigating supervisor.
 6. request the Street Deputy to respond to all Taser discharges that result in potential life-threatening injury or death.
 7. if a death has occurred as a result of a Taser discharge, ensure the appropriate Forensic Services Division and Bureau of Detectives personnel are requested.
 8. review the discharging member's TRR and complete the appropriate section of the TRR consistent with the procedures outlined in G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."
- D. **Investigating Supervisor.** The watch operations lieutenant, or assigned investigating supervisor the rank of lieutenant or above designated as the watch operations lieutenant, from the district of occurrence, will:
1. ensure that a supervisor at least one rank higher than the discharging member responds to the scene of the Taser discharge when such a supervisor is available.
 - a. If a supervisor discharges a Taser, the watch operations lieutenant (WOL) of the district of occurrence may designate another supervisor of the same rank or higher than the involved supervisor to perform the field and other responsibilities of the reviewing supervisor (e.g., on-scene response, crime scene processing, canvass for witnesses, case reporting requirements, notifications).
 - b. If this designation occurs, the WOL will document the supervisor who performed the actions and the information provided by the designated supervisor in the "Reviewing Supervisor" section of the TRR.
 2. notify the Civilian Office of Police Accountability (COPA) (or CPIC when COPA is not available) and ensure that a log number is obtained for a Taser discharge notification. If the notification occurs during non-business hours (e.g., on weekdays between 1900 - 0900 hours, holidays, and weekends), the supervisor will contact the Crime Prevention and Information Center (CPIC) to obtain a log number.
 3. download the discharge data from the Taser and print a copy of the discharge information.
 - a. The investigating supervisor will ensure a copy of the Taser discharge data sheet is attached to the TRR.
 - b. If unable to download the Taser discharge data (required equipment is inoperable or not installed), the investigating supervisor will designate a Department member, preferably a supervisor, to report to an adjacent district with the involved Taser to await the download and printing of the Taser discharge data sheet and return the untampered Taser and data sheet to the investigating supervisor.
 - c. When alternate locations are unable to download the Taser discharge data, the investigating supervisor will ensure that 2nd watch personnel hand-carry the Taser device to the Taser Repair Center to download the discharge data and print a copy of the discharge information.
 4. ensure all evidence from the scene of the Taser discharge is inventoried, including:

- a. the discharged probes, which will be detached from the wires and inserted, pointed ends first, back into the cartridge;
 - b. the used cartridge(s), which will be wrapped with tape to secure the probes inside the cartridge; and
 - c. a copy of the Taser discharge data sheet.
5. for incidents which do not require the presence of the Street Deputy, investigate the incident, review the discharging member's TRR, and document the investigation of the incident on the Tactical Response Report - Investigation (TRR-I) (CPD-11.377-I) consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."
- NOTE:** The investigating supervisor will ensure all the attachments are included in the TRR, including the Taser discharge data.
6. ensure the expended cartridge is replaced from the district/unit supply. When needed, replacement cartridges may be requested from the Taser Repair Center.
- NOTE:** A copy of the TRR will be presented to the Taser Repair Center for replacement cartridges.
- E. Street Deputy. In all cases in which a person has a potential life-threatening injury or a death has occurred in conjunction with a Taser discharge, the Street Deputy will:
1. proceed to the scene, assume command of the scene, and personally conduct a complete and thorough investigation of the incident.
 2. ensure that all tasks delineated for subordinate personnel are performed.
 3. review the discharging member's TRR and complete the appropriate section of the TRR-I consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."

(Items indicated by italics/double underline have been added or revised)

Fred L. Waller
Interim Superintendent of Police

T22-XXX MWK/TSS



OLEORESIN CAPSICUM (OC) DEVICES AND OTHER CHEMICAL AGENT USE INCIDENTS



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I. PURPOSE

This directive outlines the policy governing discharges of Personal Oleoresin Capsicum (OC) devices and special weapons that dispense Capsaicin II Powder Agent (PepperBall) or other chemical agents.

II. POLICY

A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize Personal OC devices or other chemical agents will be made in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force."

B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.

C. **Response to Resistance and Use of Force.** As defined in G03-02, "De-escalation, Response to Resistance, and Use of Force,"

1. Department members' use of Personal OC devices or other chemical agents must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
2. Department members will continually assess the necessity of the use of Personal OC devices or other chemical agents and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.

D. **Authorized Use.** In accordance with G03-02-01, "Response to Resistance and Force Options," Department members may use Personal OC devices or other chemical agents only in response to the following persons:

1. **Assailants.** The use of Personal OC devices and special weapons that dispense Capsaicin II powder agents (PepperBall) or other chemical agents is an authorized force option against an assailant, when the person is using or threatening to use force which is likely to cause physical injury.
2. **Active Resisters.** The use of Personal OC devices and special weapons that dispense Capsaicin II powder agents (PepperBall) or other chemical agents is an authorized force option against an active resister under the following circumstances:

- a. A Personal OC device is an authorized force option against **active resisters**. If an active resister is part of a group or crowd, a Personal OC device is authorized only after obtaining approval from the Superintendent or his or her designee.
- b. Special weapons that dispense the Capsaicin II powder agent or larger volumes of chemical agents are authorized force options against **active resisters** that are part of a noncompliant groups, crowds, or an individual taking part in a group or crowd only under the following conditions:
 - (1) when the chemical agent is used only for area saturation, and
 - (2) only after obtaining authorization from the Superintendent or his or her designee.

NOTE: The use of special weapons that dispense Capsaicin II powder agent or larger volumes of chemical agents is only authorized for units that have received appropriate training. Any unit that has not received the appropriate training will not have access to special weapons that dispense Capsaicin II powder agent or larger volumes of chemical agents.

3. **Passive Resisters. The use of Personal OC devices and special weapons that dispense Capsaicin II powder agents or other chemical agent are prohibited against passive resisters, except for limited circumstances.**

- a. A Personal OC device is an authorized force option only when a **passive resister** is:
 - (1) an occupant of a motor vehicle who is passively resisting and only after *the approval of* the on-scene supervisor the rank of sergeant or above who *determines the use of a Personal OC device is the minimum amount of force necessary, de-escalation techniques or other force options are not readily available or would otherwise be ineffective, and there is an immediate need to remove the occupant of a motor vehicle who is passively resisting.* The on-scene supervisor rank of sergeant or above will:
 - (a) consider the heightened risk of injury and the impact on the scene security and safety that could be caused by the use of a Personal OC device; and
 - (b) when determined appropriate to do so, be the only member to discharge the Personal OC device against an occupant of a motor vehicle who is passively resisting.
 - (2) part of noncompliant groups, crowds, or an individual taking part in a group or crowd and only after obtaining authorization from the Superintendent or his or her designee.
- b. Special weapons that dispense the Capsaicin II powder agent or larger volumes of chemical agents are authorized force options against **passive resisters** that are part of a noncompliant groups, crowds, or an individual taking part in a group or crowd only under the following conditions:
 - (1) when the chemical agent is used only for area saturation, and
 - (2) only after obtaining authorization from the Superintendent or his or her designee.

NOTE: The use of special weapons that dispense Capsaicin II powder agent or larger volumes of chemical agents is only authorized for units that have received appropriate training. Any unit that has not received the appropriate training will not have access to special weapons that dispense Capsaicin II powder agent or larger volumes of chemical agents.

E. First Amendment Assemblies.

1. The Superintendent will only authorize the use of Oleoresin Capsicum (OC) devices and other chemical agents during a First Amendment assembly if there is a threat or attack against Department members, the public, or property.
2. Department members will adhere to G02-02, "First Amendment Rights," when responding to incidents involving noncompliant groups or crowds engaged in a First Amendment assembly.

F. Restrictions. For the safety of everyone involved, the following additional restrictions apply:

1. **Persons Vulnerable to Injury.** Personal OC devices or other chemical agents will not be used on a person who is observed to be or overtly appears to be at a greater risk of serious injury from their use, unless the person is defined as **an assailant** and other force options are not readily available or would otherwise be ineffective.

NOTE: People who are potentially at greater risk of serious injury from Personal OC device or other chemical agent use include, but are not limited to, children, pregnant women, the elderly, people in medical distress, people with a pre-existing medical condition that may become aggravated (e.g. asthma), or people exhibiting symptoms of a behavioral or mental health crisis that causes them to be in medical distress.

2. **Confined Spaces.** Personal OC devices or other chemical agents will not be used in confined spaces without immediate and readily available access to fresh air unless the person is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective.
 - a. The use of Personal OC devices and other chemical agents in confined spaces can increase the effects of the discharge and heighten the risk of injury to the person and Department members.
 - b. Department members will attempt to minimize the effects of the discharge when using Personal OC devices and other chemical agents in confined spaces by employing the mitigation efforts outlined in Item IV-A immediately upon gaining control and restraining the person, including immediately relocating the person(s) to an area of fresh air.
3. **Persons who are Handcuffed or Restrained.** Department members will refrain from using personal OC devices or other chemical agents against a person who is fully restrained and controlled (e.g., both hands secured together) with handcuffs or other restraining devices (e.g., flexible restraining devices), unless the person is defined as an assailant and other force options are not readily available or would otherwise be ineffective under the circumstances at the time.
4. **Persons Among a Group.** Personal OC devices or other chemical agents will not be used on a person who is standing among a group when there is an unreasonable risk that uninvolved people will be significantly subjected to the effects of the discharge, unless the person is defined as an assailant and other force options are not readily available or would otherwise be ineffective.

NOTE: Department members will attempt to minimize incidental exposure to uninvolved persons by taking precautions prior to the discharge, such as identifying the appropriate person prior to discharge, assessing the scene of the discharge, and considering the location and the position of the person and other people within the immediate area.

- G. **Justify Separate Uses of Force.** An initial application of a Personal OC device or other chemical agent and each subsequent application must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force.
- H. Department members will refer to U04-02-02 "Control Devices and Instruments" for specific procedures on device protocols including training, maintenance, manner of carry, and accountability.

III. CONDITIONS ON THE USE OF PERSONAL OC DEVICES OR OTHER CHEMICAL AGENTS

- A. **Authorized Manner of Use.** When it is safe and feasible to do so, a member who is discharging a Personal OC device or other chemical agent will:
1. give verbal commands and warnings prior to, during, and after discharge, including informing other Department members on the scene of the discharge.
 - a. Prior to discharging a Personal OC device or other chemical agent, Department members will ensure the verbal direction is heard, and repeated if necessary, to allow compliance with the verbal direction, unless providing such time and space would unduly place the member or another person at risk of death or great bodily harm.
 - b. Department members should be mindful that some persons may be physically or mentally less able to respond to verbal direction or verbal control techniques due to a variety of circumstances, including, but not limited to, the influence of alcohol or drugs, mental health or medical conditions, language barriers, or vision, hearing, or neurological impairment.
 2. discharge a Personal OC device or other chemical agent when the member is at a distance of greater than 3 feet from the person.

NOTE: When a person is within three feet of a member, the member should **avoid** of the use of Personal OC device or chemical agent, because it heightens the risks of subjecting the member to the effects of the discharge and of impairing the member's ability to safely secure the person.
 3. for the use of Personal OC devices, when possible, apply a single, two-second burst to the person's facial area to affect the eyes, nose, and lungs of the person.
 4. reassess the situation after each discharge, including whether the person has the ability and has been given a reasonable opportunity to comply, before applying any additional discharges.
 5. if the person is incapacitated, immediately attempt to restrain the person while he or she is incapacitated, when applicable.
- B. **Request Supervisor.** As soon as practical, a member who has used or anticipates using a Personal OC device or other chemical agent will request that a supervisor respond to the scene.
- C. Whenever possible, the ranking member on the scene of an incident will notify the Chicago Fire Department prior to the anticipated use of a device that dispenses a chemical agent through use of special weapons deployed by the Special Weapons and Tactics (SWAT) Team.

IV. POST-DISCHARGE RESPONSIBILITIES

- A. **Effect Mitigation.** Department members will assist in mitigating the effects of the discharge, when it is safe and feasible to do so.

1. Department members will, as soon as the person can be safely controlled without possible injury to themselves or others:
 - a. relocate the person(s) to an area of uncontaminated air and face the person(s) into the wind.
 - b. assist the person(s) and provide an opportunity for the person(s) to decontaminate and eliminate the effects of the agent by flushing the affected areas with cool water.
2. Department members will advise the person about the following decontamination efforts and conditions:
 - a. A person wearing contact lenses should remove them, if possible, before flushing the eyes with water.
 - b. Under normal circumstances all symptoms of exposure to OC should disappear within thirty to forty-five minutes.
 - c. Clothing that becomes contaminated with OC can be laundered in the usual manner without fear of contaminating other laundry.
 - d. Special equipment or a special washing process is not required to decontaminate an enclosed area. The opening of doors and windows will normally result in the removal of OC from the environment within forty-five minutes.
 - e. Persons should refrain from rubbing the affected area(s) or using creams, ointments, commercial eye washes, or bandages.
3. Department members should avoid transporting an individual who is wet with OC. Transporting a person when dry will minimize the possibility of the member or vehicle becoming contaminated.

B. **Discharging Member.** Immediately upon gaining control and restraining the person, the discharging member will:

1. position the person in a manner that allows free breathing. **Unless the person continues to pose a threat to the Department member or any other person, Department members will not sit, knee, or stand on the person's chest or back which may reduce the person's ability to breathe or cause unnecessary physical stress on the person.**
2. **not** restrain a person above the shoulders, including the head or neck, in a position which interferes with the person's ability to breathe, **unless the person continues to pose an imminent threat of death or great bodily harm to the Department member or any other person.**
3. request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if the person appears to be in any physical distress or complains of injury or aggravation of a known pre-existing medical condition (e.g., asthma, emphysema, or bronchitis).
4. if the person appears to be injured or complains of injury, provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).
5. notify the Office of Emergency Management and Communications (OEMC).

NOTE: If a member discharges a chemical agent outside the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

6. complete a Tactical Response Report (TRR) ([CPD-11.377](#)) for the discharge consistent with the procedures outlined in [G03-02-02 "Incidents Requiring the Completion of a Tactical Response Report."](#)
 7. complete the appropriate case report and other required reports and submit the reports to their immediate supervisor for review and approval.
 8. submit the discharged Personal OC device to the assigned investigating supervisor.
- C. **Office of Emergency Management and Communications.** OEMC will immediately notify the:
1. immediate supervisor of the involved member(s).
 2. field supervisor and watch operations lieutenant from the district of occurrence.
 3. Crime Prevention and Information Center (CPIC).
- NOTE:** CPIC will notify the Civilian Office of Police Accountability (COPA) of the discharge of a Personal OC device or other chemical agents.
- D. **Reviewing Supervisor.** When notified that a member discharged a chemical agent, the assigned reviewing supervisor will:
1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked supervisor.
- NOTE:** When the discharging member's immediate supervisor is unavailable, the watch operations lieutenant will assign a reviewing supervisor from the district of occurrence.
2. ensure the scene is protected and processed in accordance with [G04-02, "Crime Scene Protection and Processing,"](#) including determining whether to request an evidence technician to process the scene.
 3. confirm the notifications outlined in Item IV-C have been made and provide any additional relevant or updated incident information, if known.
 4. request the Street Deputy to respond to all discharges that result in a potentially life threatening injury or death.
 5. if a death has occurred as a result of a discharge, ensure the appropriate Forensic Services Division and Bureau of Detectives personnel are requested.
 6. review the discharging member's TRR and complete the appropriate section of the TRR consistent with the procedures outlined in [G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."](#)
- E. **Investigating Supervisor.** The watch operations lieutenant, or assigned investigating supervisor the rank of lieutenant or above designated as the watch operations lieutenant, from the district of occurrence will:
1. ensure that a supervisor at least one rank higher than the discharging member responds to the scene of the discharge when such a supervisor is available.
 - a. If a supervisor discharges a Personal OC device or other chemical agent, the watch operations lieutenant (WOL) of the district of occurrence may designate another supervisor of the same rank or higher than the involved supervisor to perform the field and other responsibilities of the reviewing supervisor (e.g., on-scene response, crime scene processing, canvass for witnesses, case reporting requirements, notifications).

- b. *If this designation occurs, the WOL will document the supervisor who performed the actions and the information provided by the designated supervisor in the "Reviewing Supervisor" section of the TRR.*
 2. notify the Civilian Office of Police Accountability (COPA) and ensure that a log number is obtained for a Personal OC device or other chemical agent discharge notification. *If the notification occurs during non-business hours (e.g., on weekdays between 1900 - 0900 hours, holidays, and weekends), the supervisor will contact the Crime Prevention and Information Center (CPIC) to obtain a log number.*
 3. for incidents which do not require the presence of the *Street Deputy*, investigate the incident, review the discharging member's TRR, and document the investigation of the incident on the *Tactical Response Report - Investigation* (TRR-I) (CPD-11.377-I) consistent with the procedures outlined in *G03-02-02*, "[Incidents Requiring the Completion of a Tactical Response Report](#)."
 4. receive the discharged Personal OC device from the *discharging* member *and*:
 - a. *inspect the Personal OC device and verify the device is approved for use by sworn members consistent with U04-02-02 "Control Devices and Instruments,"*
 - b. provide a replacement device to the member, and
 - c. notify the individual designated by the district commander that a replacement device has been issued.
 - (1) When needed, additional Personal OC devices may be requested from the Taser Repair Center through normal requisition procedures.
 - (2) A copy of the TRR will be presented to the Taser Repair Center for replacement Personal OC devices.
- F. **Street Deputy.** In all cases in which a *person* has a potential life-threatening injury or a death has occurred in conjunction with a Personal OC device or other chemical agent discharge, the *Street Deputy* will:
1. proceed to the scene, assume command of the scene, and personally conduct a complete and thorough investigation of the incident.
 2. ensure that all tasks delineated for subordinate personnel are performed.
 3. review the discharging member's TRR and complete the appropriate section of the TRR-I consistent with the procedures outlined in *G03-02-02*, "[Incidents Requiring the Completion of a Tactical Response Report](#)."
- G. **District Commander.** The district commander of the district of occurrence will ensure that the replacement Personal OC devices are available to the watch operations lieutenant on each watch.

(Items indicated by *italics/double underline* have been added or revised)

T22-XXX MWK/TSS

Fred L. Waller
Interim Superintendent of Police



CANINE USE INCIDENTS



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CALEA:	Law Enforcement Standards Chapter 4		

I. PURPOSE

This directive outlines policy governing the use of Department canines as a force option.

II. POLICY

A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A canine handler's decision to utilize a Department canine as a force option will be made in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force."

B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.

C. **Response to Resistance and Use of Force.** As defined in G03-02, "De-escalation, Response to Resistance, and Use of Force"

1. Department members' use of a canine as a force option must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
2. Department members will continually assess the necessity of the use of a canine as a force option and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.

D. **Authorized Use.** Consistent with G03-02-01, "Response to Resistance and Force Options," canine handlers are authorized to use a Department canine as a force option for the following person's:

1. **Active Resisters.**
The use of a canine as a force option against an active resister is limited to when there is an objectively reasonable belief at the time of ANY of the following:
 - a. a person that is armed.
 - b. a person that has committed a felony.
 - c. a search for a person that has committed either a felony or a violent misdemeanor conducted in areas or buildings that contain hidden locations.

NOTE: A canine may be used in this situation to locate a person who is attempting to avoid apprehension and who fails to comply with a sworn member's orders to reveal themselves.

2. **Assailants.**

A canine is an authorized force option against a person who fits the definition of an assailant. In the case of an incident involving a canine, an assailant will also include a person who is an imminent threat to the canine.

E. **Restrictions.** Canines will not be used as a force option for the following:

1. **Crowd, Protest, or Civil Disturbance Incidents**

Department canine teams **will not** be used in response to crowds, protests, or civil disturbances.

2. **Persons Vulnerable to Injury.** Canines will not be used on a person who is observed to be or overtly appears to be at a greater risk of serious injury or death from canine use, unless the person is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective under the circumstances at the time.

a. People who are at a greater risk of serious injury or death from canine use include, but are not limited to, children, pregnant women, the elderly, people with low body mass, people in medical distress, people with a preexisting medical condition that may become aggravated, or people exhibiting symptoms of a behavioral or mental health crisis that causes them to be in medical distress.

b. If the Department member is responding to an incident involving persons in crisis or in need of mental health treatment, the member will act in accordance with S04-20, "Recognizing and Responding to Individuals In Crisis."

F. Department members will refer to S03-04-01, "Canine Teams" for specific procedures on:

1. requesting a Department canine team.
2. the responsibilities of Department canines and canine handlers.
3. when a Department canine inflicts an injury to a person.

III. CONDITIONS ON THE USE OF CANINES AS A FORCE OPTION

A. **Canine Deployment.** Any deployed canine, when circumstances permit, will be:

1. kept in visual and auditory range of the canine handler at all times, except for brief periods which make this requirement impracticable (e.g., the canine turns a corner, enters a room, is walking through tall vegetation, or is among tall objects.)
2. called off immediately once the person is under control.

NOTE: Only Department members who are assigned as a canine handler are authorized to deploy a canine.

B. **Request Supervisor.** As soon as practical, a canine handler who has used or anticipates using a canine will notify a canine supervisor and a field supervisor from the district of occurrence and request that a supervisor respond to the scene. The determination of the appropriateness of the canine deployment and the responsibility of the canine use will rest with the canine handler.

NOTE: If a dispute regarding the deployment of a canine occurs between the canine handler and the on-scene field supervisor, the final determination of the canine deployment will rest with the canine handler's supervisor.

C. **Warnings.** Prior to the use of the canine, the canine handler will announce his or her police authority and provide verbal warnings stating that the canine will be released if the person does not comply with the canine handler's orders. When it is safe and feasible to do so, the canine handler will provide multiple warnings.

1. Any verbal warning will be given in a loud and clear manner, capable of being heard by the person, any witnesses, or other parties within the targeted area.
2. The canine handler issuing the warning will allow a reasonable amount of time for Department members and other uninvolved members of the public to respond and vacate the area.
3. For building searches, a verbal warning will be given again upon entering subsequent floors or areas or if the size of the area is too great for a single warning.
4. For open field or block searches, a verbal warning will be given again upon the canine being repositioned into an area which was not in audible range of the initial or other subsequent warnings.
5. Verbal warnings may only be omitted in situations where exigent circumstances place the canine handler or others in imminent danger.
6. The fact that the warnings were given or omitted will be documented in the appropriate case report.

D. **Location and Apprehension by Canine**

1. Department canines are trained and permitted to physically apprehend a person only on the command of the canine handler, to apprehend a person that flees, or when the canine or the canine handler is threatened with attack by the person.
2. Department-owned canines are trained in the "find and bark" method of finding persons. This method of training requires the canine to bark or otherwise alert its handler upon discovering a person and to remain in the immediate area of the person until relieved by the canine handler.
3. In those circumstances when a canine finds a person, the canine handler will:
 - a. only command the canine to physically apprehend or make contact with the person when the canine handler is in visual and auditory range of the canine and the person.
 - b. not permit the canine to make contact with the person unless commanded to do so by the canine handler or when the canine or canine handler is threatened with attack.
4. Once the canine handler determines that the incident is over and the control of the person has been obtained, the canine handler must immediately order the canine to release the person. In making the determination whether to order the canine to release the person, the canine handler must carefully consider what is reasonably necessary based on the totality of the circumstances to control the person and protect themselves and others from injury.

IV. **POST-DEPLOYMENT RESPONSIBILITIES**

A. **Deploying Canine Handler.** Immediately upon gaining control and restraining the person, the deploying canine handler will:

1. notify the Office of Emergency Management and Communications (OEMC).

NOTE: If a canine handler deploys a canine outside the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

2. request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if the Department canine inflicts injury to the person or the person appears to be in any physical distress or complains of injury.

NOTE: For further guidance on medical attention for injuries caused by a Department canine, Department members will refer to G03-02, "[De-escalation, Response to Resistance, and Use of Force](#)" and S03-04-01, "[Canine Teams](#)."

3. if the person appears to be injured or complains of injury, provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).
4. complete a Tactical Response Report (TRR) (CPD-11.377) for the deployment consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)," when a canine physically apprehends a person by making physical contact, including grasping the person or the person's clothing. The assigned canine handler will:
 - a. be responsible for the completion of the TRR to document the canine physical apprehension.
 - b. document on the TRR the duration of the total time the canine was deployed.
5. complete the appropriate case report and other required reports and submit the reports to their immediate supervisor for review and approval.

B. Office of Emergency Management and Communications. OEMC will immediately notify the:

1. involved member(s) immediate supervisor.
2. field supervisor and the watch operations lieutenant from the district of occurrence.

C. Reviewing Supervisor. When notified that a canine handler deployed a canine, the reviewing supervisor will:

1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked supervisor.

NOTE: When the the deploying canine handler's immediate supervisor is unavailable, the watch operations lieutenant will assign a reviewing supervisor from the district of occurrence.

2. ensure the scene is protected and processed in accordance with G04-02, "[Crime Scene Protection and Processing](#)," including determining whether to request an evidence technician to process the scene.
3. request the Street Deputy to respond to all canine deployments that result in potential life-threatening injury or death.
4. if a death has occurred as a result of a canine deployment, ensure the appropriate Forensic Services Division and Bureau of Detectives personnel are requested.
5. review the deploying member's TRR and complete the appropriate section of the TRR consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."

D. Investigating Supervisor. The watch operations lieutenant, or assigned investigating supervisor the rank of lieutenant or above designated as the watch operations lieutenant, from the district of occurrence will:

1. ensure that a supervisor at least one rank higher than the discharging member responds to the scene of the deployment when such a supervisor is available.

2. notify the Civilian Office of Police Accountability (COPA) (or CPIC when COPA is not available) and ensure that a log number is obtained for a canine deployment notification.
- E. **Street Deputy**. In all cases in which a person has a potential life-threatening injury or a death in conjunction with a canine deployment or when a canine physically apprehends a person by making physical contact, including grasping the person or the person's clothing, the Street Deputy will:
1. proceed to the scene, assume command of the scene, and personally conduct a complete and thorough investigation of the incident.
 2. ensure that all tasks delineated for subordinate personnel are performed.
 3. review the deploying member's TRR and complete the appropriate section of the TRR-I consistent with the procedures outlined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."

(Items indicated by italics/double underline have been added or revised)

Fred L. Waller
Interim Superintendent of Police

22-XXX MWK/TSS



BATON USE INCIDENTS



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RESCINDS:	15 April 2021 Version		
INDEX CATEGORY:	03 - Field Operations		
CALEA:	Law Enforcement Standards Chapter 4		

I. PURPOSE

This directive outlines the policy governing the field use of batons, which includes the use of expandable batons, wooden batons, and improvised impact weapons.

II. POLICY

A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a baton will be made in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force."

B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.

C. **Response to Resistance and Use of Force.** As defined in G03-02, "De-escalation, Response to Resistance, and Use of Force:"

1. Department members' use of a baton must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.
2. Department members will continually assess the necessity of the use of a baton and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.

D. **Authorized Use.** Consistent with G03-02-01, "Response to Resistance and Force Options," Department members are authorized to use a baton as a force option for the following persons:

1. Batons are authorized force options against an **assailant** as an impact weapon.
2. Batons are authorized force options against **passive and active resisters** only as a control instrument placed mainly on the sensors of the skin covering bone or applied to joints and pressure sensitive areas of the body with non-impact pressure.

E. **Restrictions.** Batons can cause serious injury or death. For the safety of everyone involved, the following additional restrictions apply:

1. **Head and Neck Strikes.** Members will not use batons to intentionally strike a person in the head or neck except when deadly force is justified.

2. **Persons Vulnerable to Injury from Batons.** Batons will not be used as an impact weapon on a person who is observed to be or overtly appears to be at greater risk of serious injury or death from baton use, unless the person is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective under the circumstances at the time.

NOTE: People who are at a greater risk of serious injury or death from baton use include, but are not limited to, children, pregnant women, the elderly, people with low body mass, people in medical distress, people with a preexisting medical condition that may become aggravated, or people exhibiting symptoms of a behavioral or mental health crisis that causes them to be in medical distress.

3. **Improvised Impact Weapon.** For the purpose of this directive, the use of an improvised impact weapon (e.g., flashlights, radios, firearms as an impact weapon, and any other blunt object that can be used as an impact weapon) will be considered a baton use incident. Department members will avoid the use of improvised impact weapons unless reasonably necessary and no other practical options are available.
- F. **Justify Separate Uses of Force.** When a member's baton use is a reportable use of force, the initial use of a baton and each subsequent use of a baton must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force.
- G. Department members will refer to U04-02-02, "Control Devices and Instruments" for specific procedures on baton protocols including training, assignment, manner of carry, and accountability.
- H. **First Amendment Assemblies.** Department members will adhere to G02-02, "First Amendment Rights," when responding to incidents involving noncompliant groups or crowds engaged in a First Amendment assembly.

III. CONDITIONS ON THE FIELD USE OF A BATON

- A. **Authorized Manner of Use.** When it is safe and feasible to do so, a member who is utilizing a baton will:
1. give verbal commands and warnings prior to, during, and after use, including informing other Department members on the scene of the use.
 2. allow a person a reasonable amount of time to comply with a warning prior to using or continuing the use of a baton, unless doing so would compromise the safety of an officer or another person.
 3. for use as an impact weapon, target the center mass of large muscle groups to establish control by means of applying mechanical impact to a person to disable elements of his or her musculoskeletal structure, including the attacking delivery system.
 4. when possible, avoid intentionally striking a person in the kidneys, spine, or genitalia.
- B. **Requesting Supervisor.** As soon as practical, a member who has used or anticipates use of a baton as an impact weapon or when an injury has occurred during the use of a baton will request a supervisor respond to the scene.

IV. POST-USE RESPONSIBILITIES FOR REPORTABLE USES OF FORCE

- A. **Utilizing Member.** When a member's baton use is a reportable use of force, immediately upon gaining control and restraining the person, the utilizing member will:
1. request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if the person appears to be in a physical distress or complains of injury, or when the person sustained a strike to the head or neck from a baton.

2. if the person appears to be injured or complains of injury, provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).

3. notify the Office of Emergency Management and Communications (OEMC).

NOTE: If a member's reportable use of a baton occurs outside the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

4. complete a Tactical Response Report (TRR) ([CPD-11.377](#)) for the baton use consistent with the procedures outlined in [G03-02-02](#), "[Incidents Requiring the Completion of a Tactical Response Report](#)."

5. complete the appropriate case report and other required reports and submit the reports to the immediate supervisor for review and approval.

B. **Office of Emergency Management and Communications (OEMC).** OEMC will immediately notify the:

1. involved member(s) immediate supervisor.

2. field supervisor and the watch operations lieutenant from the district of occurrence.

C. **Reviewing Supervisor.** When notified that a member used a baton as an impact weapon or an injury has occurred, the assigned reviewing supervisor will:

1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranking supervisor.

NOTE: When the utilizing member's immediate supervisor is unavailable, the watch operations lieutenant will assign a reviewing supervisor from the district of occurrence.

2. ensure the scene is protected and processed in accordance with [G04-02](#), "[Crime Scene Protection and Processing](#)," including determining whether to request an evidence technician to process the scene.

3. request the [Street Deputy](#) to respond to all baton use incidents that constitute deadly force or result in a potential life-threatening injury or death.

4. if a death has occurred as a result of the baton use, ensure the appropriate Forensic Services Division and Bureau of Detectives personnel are requested.

5. review the utilizing member's TRR and complete the appropriate section of the TRR consistent with the procedures outlined in [G03-02-02](#), "[Incidents Requiring the Completion of a Tactical Response Report](#)."

D. **Investigating Supervisor.** The watch operations lieutenant, or assigned investigating supervisor the rank lieutenant of above designated as the watch operations lieutenant, from the district of occurrence will:

1. ensure that a supervisor at least one rank higher than the utilizing member responds to the scene of the baton use when such a supervisor is available and injury has occurred.

a. If a supervisor used a baton as an impact weapon and an injury has occurred, the watch operations lieutenant (WOL) of the district of occurrence may designate another supervisor of the same rank or higher than the involved supervisor to perform the field and other responsibilities of the reviewing supervisor (e.g., on-scene response, crime scene processing, canvass for witnesses, case reporting requirements, notifications).

- b. *If this designation occurs, the WOL will document the supervisor who performed the actions and the information provided by the designated supervisor in the "Reviewing Supervisor" section of the TRR.*
2. for incidents which do not require the presence of the *Street Deputy*, investigate the incident, review the utilizing member's TRR, and document the investigation of the incident on the TRR-I consistent with the procedures outlined in *G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."*
- E. *Street Deputy*. In all baton use incidents that result in a potential life-threatening injury or death, the *Street Deputy* will:
1. proceed to the scene, assume command of the scene, and personally conduct a complete and thorough investigation of the incident.
 2. ensure that all tasks delineated for subordinate personnel are performed.
 3. review the utilizing member's TRR and complete the appropriate section of the TRR-I consistent with the procedures outlined in *G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."*

(Items indicated by *italics/double underline* have been added or revised)

Fred L. Waller
Interim Superintendent of Police

T22-XXX MWK/TSS



DEPARTMENT REVIEW OF USE OF FORCE



ISSUE DATE:	26 May 2023	EFFECTIVE DATE:	
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INDEX CATEGORY:	03 - Field Operations		
CALEA:	Law Enforcement Standards Chapter 4		

I. PURPOSE

This directive:

- A. continues the:
 - 1. reportable use of force review process at the district level.
 - 2. Tactical Review and Evaluation Division and delineates its responsibilities for the review of reportable uses of force incidents.
 - 3. Force Review Board and delineates its responsibilities for the review of reportable uses of force incidents.
 - 4. review authority and responsibilities based upon the levels of reportable force as defined in G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."
- B. discontinues the use of the Tactical Response Report - Review (TRR-R) form (CPD-11.377-R).
- C. replaces the TRR-R with the Incident Debriefing Report (IDR) as part of the CLEARNET: Tactical Response Report (TRR) application to record the documentation of reviews conducted by the Tactical Review and Evaluation Division, the required individual follow-up actions conducted by units, and finalize the TRR.

II. COPA AUTHORITY

- A. For any reportable use of force incident subject to an ongoing investigation by the Civilian Office of Police Accountability (COPA), COPA will be exclusively responsible for recommending disciplinary action relating to the incident.
- B. Nothing within this policy or the law prevents the Department from conducting an internal review of use of force incidents to address Department policy, training, tactical, and equipment considerations.

III. DISTRICT LEVEL REVIEW

Consistent with G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report," the district of occurrence supervisor assigned the responsibility for the investigation of a reportable use of force incident will:

- A. continue to conduct investigations into reported use of force incidents.
- B. review Tactical Response Reports (TRR) and complete a Tactical Response Report-Investigation (TRR-I), documenting the investigatory information, for all reported use of force incidents, regardless of any required after-action review.
- C. identify and adequately address any performance that is exceptional or that may be improved through corrective actions, including training or other nondisciplinary methods.

1. When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the "TRR Debriefing Point Dashboard" to identify and review any previous use-of-force-related debriefing points for the involved members.
2. The "TRR Debriefing Point Dashboard" is accessible from The Wire via the Tableau Server Environment.

IV. REVIEWS BY THE TACTICAL REVIEW AND EVALUATION DIVISION (TRED)

A. TRED is operational under the authority of a Commander and functions in an after-action-review capacity for:

1. a representative sample of Level 1 reportable uses of force as defined in G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."

Level 1 reportable use of force is the use of any force by a Department member to overcome the active resistance of a person, as outlined below, that does not rise to a Level 2 or Level 3 reportable use of force. Level 1 uses of force include force that is reasonably expected to cause pain or injury, but does not result in injury or complaint of injury. Level 1 reportable uses of force include the use of:

- a. pressure point compliance and joint manipulation techniques in response to active resistance of a person that do not result in an injury or complaint of injury;
- b. wristlocks, armbars, and other firm grips in response to active resistance of a person that do not result in an injury or complaint of injury; and
- c. any leg sweep, takedown, stunning technique, or weaponless direct mechanical action or technique (including kicks, knee strikes, elbow strikes, closed hand strikes, or punches) that does not result in an injury or complaint of injury.

2. all Level 2 reportable uses of force as defined in G03-02-02, "Incidents Requiring the Completion of a Tactical Response Report."

Level 2 reportable use of force is the use of any force by a Department member that includes use of a less-lethal weapon or that causes an injury or results in a complaint of injury, but does not rise to a Level 3 reportable use of force. Level 2 reportable uses of force include the use of:

- a. reportable force against a person who is fully restrained and controlled (e.g., both hands secured together) with handcuffs or other restraining devices (e.g., flexible restraining devices);
- b. impact weapons strikes (baton, asp, or other impact weapon) to the body other than the head or neck;
- c. any leg sweep, takedown, stunning technique, or weaponless direct mechanical action or technique (including kicks, knee strikes, elbow strikes, closed hand strikes, or punches) that results in an injury or complaint of injury.
- d. OC spray or other chemical weapons;
- e. a Taser;
- f. impact munitions;
- g. canines as a force option;
- h. a Long Range Acoustic Device (LRAD) acoustic transmission to cause discomfort as a compliance technique; and

- i. an unintentional firearm discharge or a firearm discharge solely to destroy/deter an animal that did not involve a firearm discharged at a person and did not result in injury to any person.
3. any Level 1 or Level 2 reportable use of force associated with a foot pursuit.
4. other incidents as determined by the Superintendent.

B. The reviewing TRED member will:

1. review documentation and information collected regarding incidents consistent with Item IV-A of this directive, and
 - a. ensure Department members, including supervisors, complied with proper reporting procedures, including completely and thoroughly reporting:
 - (1) the reason for the initial stop, arrest, or other enforcement action;
 - (2) the type and amount of force used;
 - (3) the person's actions or other circumstances necessitating the force used; and
 - (4) all efforts to de-escalate the situation.
 - b. ensure the district-level supervisory review, investigation, and policy compliance determinations regarding the incident were thorough, complete, objective, and consistent with Department policy.
 - c. ensure any tactical, equipment, or policy concerns are identified, including the use of de-escalation techniques to prevent or reduce the need for force.
 - d. evaluate whether or not each reviewed incident was tactically sound.
 - e. if applicable, recommend additional training or policy review for the involved members, reviewing supervisors, or investigating supervisors via the CLEARNET: Tactical Response Report (TRR) application.

NOTE: When determining any recommended after-action support for the involved members, the reviewing TRED member will access the "TRR Debriefing Point Dashboard" to identify and review any previous use-of-force-related debriefing points for the involved members.

EXCEPTION: TRED will not review use of force incidents for the purposes of making a determination about the specific conduct related to a Log Number, except for incidents where a Log Number was obtained as a matter of policy for an unintentional firearm discharge, a firearm discharge incident for the destruction/deterrence of an animal, a Taser discharge, or an OC/chemical weapon discharge.

2. if applicable, identify any patterns, trends, or emerging concerns relative to the reviewed use of force incidents and recommend specific modifications to existing policy, procedures, training, tactics, or equipment in an effort to minimize the:
 - a. occurrences of use of force incidents;
 - b. force needed in use of force incidents;
 - c. number and severity of injuries that result from use of force incidents; and
 - d. inherent risks involved in use of force incidents.

C. The Commander, TRED, will:

1. ensure the appropriate procedures are followed, consistent with G08-01, "Complaint and Disciplinary System," when an obvious policy violation requiring discipline is observed during a use of force incident review, and a Log Number has not been obtained at the district level.
2. ensure the member's unit commanding officer or the Training Division are notified, via email, when individual follow-up actions are required pursuant to the review of a TRR.
3. forward any recommended Department-wide actions (e.g., training and policy recommendations) to the appropriate unit responsible for the implementation.
4. review the status of the required individual follow-up actions and any recommended Department-wide actions to ensure the appropriate implementation by the appropriate units.

NOTE: Required individual follow-up actions to be taken at the unit level will be implemented within fourteen days unless the affected member is on furlough, medical, or injury on duty status. Required individual follow-up actions to be taken by the Training Division will be implemented within thirty days.

5. forward a report on a monthly basis to the appropriate Office or Bureau Chief listing any overdue recommended actions by personnel under their command.
6. ensure all reports are maintained consistent with existing records-retention requirements.

D. Unit commanding officers receiving a notification from TRED requiring an individual follow-up action for a Department member will designate a unit supervisor the rank of lieutenant or above to assign a unit supervisor to implement the individual follow-up actions.

1. The required individual follow-up actions will be implemented within fourteen days unless the affected member is on furlough, medical, or injury on duty status.

EXCEPTION: Required individual follow-up actions taken by the Training Division will be implemented within thirty days.

2. The assigned unit supervisor will:
 - a. implement the individual follow-up action consistent with existing procedures and the appropriate collective bargaining agreement.
 - b. document the implementation and completion of the individual follow-up action in the CLEARNET: Tactical Response Report (TRR) application.
 - (1) Any documentation recording the implementation of the individual follow-up action will be limited to the actions conducted and will not include any documentation or summary of the use of force incident, investigation, or after-action review.
 - (2) Any individual follow-up action implemented and completed by the Training Division will be documented in the CLEARNET: Tactical Response Report (TRR) application by a Training Division supervisor.
 - c. submit the completed documentation of the follow-up actions in the CLEARNET: Tactical Response Report (TRR) application to the designated unit supervisor the rank of lieutenant or above.
3. The designated unit supervisor the rank of lieutenant or above will review the submitted documentation of the follow-up actions in the CLEARNET: Tactical Response Report (TRR) application and, if appropriate, approve the report to finalize the TRR.
4. The unit commanding officer will ensure the TRED is notified if required individual follow-up actions are unable to be completed or there is a delay in implementation.

- E. Unit commanding officers receiving a unit-level or Department-wide recommendation from TRED will ensure:
1. the recommendation is appropriately implemented consistent with existing procedures.
 2. an initial response to the recommendation is submitted to TRED within fourteen days of receiving the recommendation.
 3. TRED is notified of the status of the recommendation, including when it is implemented.
- F. On a quarterly basis, the Commander, TRED, will submit a written report through the chain of command to the Executive Director, Office of Constitutional Policing and Reform, of the division's findings, analysis, recommended actions, and the status of implementations.

V. REVIEWS BY THE FORCE REVIEW BOARD

- A. The Force Review Board (FRB) consists of the following members:
1. Superintendent, or an authorized designee, who will serve as the chairperson;
 2. First Deputy Superintendent or an authorized designee the rank of deputy chief;
 3. Executive Director, Office of Constitutional Policing and Reform, or an authorized designee the rank of deputy chief;
 4. Chief, Bureau of Patrol, or an authorized designee the rank of deputy chief;
 5. Chief, Bureau of Internal Affairs, or an authorized designee the rank of deputy chief;
 6. Chief, Office of Constitutional Policing and Reform, or an authorized designee;
 7. Deputy Chief, Training and Support Group, or an authorized designee;
 8. General Counsel to the Superintendent, or an authorized designee; and
 9. Other members designated by the Superintendent at the rank of deputy chief or above.

NOTE: The Commander, TRED, will serve as secretary to the Force Review Board.

- B. The Force Review Board will convene only when a quorum is present, which will include, at minimum:
1. the Superintendent, or in the Superintendent's absence, the First Deputy Superintendent who will assume the role of chairperson;
 2. Chief, Bureau of Patrol, or an authorized designee the rank of deputy chief;
 3. Deputy Chief, Training and Support Group, or an authorized designee;
 4. Chief, Office of Constitutional Policing and Reform, or an authorized designee; and
 5. one other Force Review Board member.
- C. The Force Review Board is responsible for reviewing:
1. Level 3 reportable uses of force as defined in G03-02-02, "[Incidents Requiring the Completion of a Tactical Response Report](#)."
Level 3 reportable use of force is when a Department member does any of the following:
 - a. uses any force that constitutes deadly force, including:
 - (1) discharging a firearm.

EXCEPTION: The FRB will not be responsible for reviewing unintentional firearm discharges or a firearm discharges solely to destroy/ deter an animal that did not involve a firearm discharged at a person and did not result in injury to any person.

- (2) using an impact weapon to intentionally strike a person's head or neck.
 - (3) the application of a chokehold (applying any direct pressure to the throat, windpipe, or airway of another).
 - (4) the application of carotid artery restraints (techniques that compress the blood vessels in the neck to inhibit or restrict blood flow to carotid arteries).
 - (5) the application of other restraint above the shoulders with risk of positional asphyxiation (use of a technique used to restrain a person above the shoulders, including the neck or head, in a position which interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person).
- b. uses any force that causes injury to any person resulting in admission to a hospital.
 - c. uses any force that causes the death of any person.
2. all use of force incidents by an exempt member that results in the completion of a TRR.
 3. other incidents as determined by the Superintendent.
- D. The Force Review Board review of incidents outlined in V-C of this directive will:
1. be conducted promptly, but within 96 hours after the incident occurs.
 2. for firearm discharge incidents or uses of force that cause the death of any person, contain an incident briefing of the facts and review of the incident by the Commander, Investigative Response Team, or an authorized designee, and any other appropriate Department members designated by the Superintendent.
 3. for all other Level 3 reportable uses of force, contain an incident briefing of the facts and review of the incident by the Chief, Office of Constitutional Policing and Reform, or an authorized designee, and any other appropriate Department members designated by the Superintendent.
 4. evaluate if the actions of Department members during the incident were tactically sound and consistent with Department training.
 5. if applicable, identify specific modifications to existing policy, training, tactics, or equipment that could minimize the risk of deadly force incidents occurring and the risk of harm to officers and the public.
- NOTE:** A representative(s) from the Civilian Office of Police Accountability (COPA) will be invited to the incident briefing. Upon the completion of the incident briefing, the COPA representative(s) will be excused from the continued FRB review of the incident. The Force Review Board will not conduct a disciplinary review of any incident investigated by COPA.
- E. Within thirty days after the review of an incident, the Force Review Board (FRB) will issue recommendations, if appropriate, to the Superintendent, or an authorized designee, regarding any need for additional training or modifications to policies, tactics, equipment, or Department practices
- F. Upon review and approval by the Superintendent, or an authorized designee, the FRB will assign each approved recommendation to the appropriate exempt command staff member for prompt implementation.

- G. Upon the conclusion of a Force Review Board review of incident, the Commander, TRED, will ensure:
1. recommended training for involved members is coordinated with the Training Division.
 2. the appropriate procedures are followed, consistent with G08-01, "Complaint and Disciplinary System." when an obvious policy violation requiring discipline is observed during a use of force incident review, and a Log Number has not been obtained at the district level.
 3. the review by the Force Review Board is documented on the Incident Debriefing Report (IDR) within thirty days of the review of incident.
 4. a report detailing the status of any recommendations of the Force Review Board is submitted to the Superintendent or an authorized designee.
 5. additional evidence obtained after 96 hours of the incident is reviewed to identify tactical training opportunities, clerical errors, and potential Department improvements and the Executive Director, Office of Constitutional Policing and Reform, is notified, in writing, of the additional evidence and review.
- H. Unit commanding officers receiving a unit-level or Department-wide recommendation from the Force Review Board will ensure:
1. the recommendation is appropriately implemented consistent with existing procedures.
 2. an initial response to the recommendation is submitted to TRED within fourteen days of receiving the recommendation.
 3. TRED is notified of the status of the recommendation, including when it is implemented.

(Items indicated by italics/double underline have been added or revised)

Fred L. Waller
Interim Superintendent of Police

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