



USE OF FORCE GUIDELINES



ISSUE DATE:		EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

- A. sets forth Department policy regarding sworn members' and detention aides' use of force.
- B. provides guidelines for the use of force.
- C. establishes guidelines controlling the use of deadly force by sworn members.
- D. provides the foundation for more specific policies governing the use of force.

II. DEPARTMENT POLICY

- A. **Sanctity of human life.** The Department's highest priority is the sanctity of human life. In all aspects of their conduct, Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved.
- B. **Ethical behavior.** Department members will demonstrate the highest degree of ethical behavior and professional conduct at all times.
- C. **Citizen cooperation.** Effective law enforcement depends upon a high degree of cooperation between the Department and the public it serves. Department members will carry out their law enforcement responsibilities in a manner that facilitates such cooperation.
 - 1. Department members will engage each member of the public with professionalism and will respect the dignity of every person in carrying out their law enforcement duties. Members will maintain a courteous and professional demeanor when dealing with the public.
 - 2. The use of excessive force, unwarranted physical force, or unprofessional conduct by a Department member is prohibited and will not be tolerated under any circumstances. Department members will be held strictly accountable for using force that is inconsistent with the law or Department policy.
 - 3. Department members will ensure that race, ethnicity, or other protected characteristics do not impermissibly influence any decision to use force. All Department members will strictly adhere to the provisions of the Department directive entitled "**Prohibition Regarding Racial Profiling and Other Bias-Based Policing.**"
- D. **Definition of Force.** Force is defined as any physical effort by a Department member to compel compliance by an unwilling subject.
- E. **Use of Force: Objectively Reasonable, Necessary, and Proportional.** While the legal standard allows for force only to the degree that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject (Graham V. Connor, 490 U.S. 386, 1989), Department members are also required to follow the Department policy on the use of force which extends beyond what the law requires.
 - 1. **Department members will use the least amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury.**

2. Objectively reasonable: The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force
 - a. Reasonableness must be judged from the perspective of a reasonable officer on the scene, rather than with the benefit of hindsight.
 - b. The reasonableness standard is an objective one: whether the Department member's actions are objectively reasonable in light of the facts and circumstances confronting him or her, without regard to the member's underlying intent or motivation.
 - c. Reasonableness is not capable of precise definition or mechanical application. The reasonableness standard must allow for the fact that Department members are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic, and rapidly evolving—about the amount of force that is necessary in a particular situation.
3. Necessary: Department members will use physical force only when no reasonably effective alternative appears to exist. Consistent with Department policy and training, Department members are required to employ strategies and tactics designed to provide members more response options, including creating more time and distance within which to exercise those options.
4. Proportional: Department members will employ force in proportional response to the threat, actions, and level of resistance offered by a subject.
 - a. Proportional force does not require Department members to use the same type or amount of force as the subject.
 - b. A greater level of force may be objectively reasonable and necessary to counter a threat that is immediate and likely to result in death or serious physical injury.
 - c. Additionally, a lesser level of force may be appropriate under the circumstances. Using the same or greater level of force may not be necessary to counter a threat or the actions by a subject.
 - d. The use of excessive and unwarranted force is prohibited and will not be tolerated under any circumstances.
5. Additional guidance. For further guidance on when force is authorized, Department members will refer to the Department directive entitled "**Response Options**."

F. Deadly Force

1. Deadly force is force that is likely to cause death or great bodily harm, including but not limited to the:
 - a. firing of a firearm in the direction of the person to be arrested.
 - b. firing of a firearm at a vehicle in which the person to be arrested is riding.
 - c. striking of a subject's head with an impact weapon or into a hard, fixed object.
 - d. application of a chokehold, defined as applying direct pressure to a person's trachea (windpipe) or airway (front of the neck) with the intention of reducing the intake of air.

NOTE: The discharge of a firearm using ammunition designed to disable or control an individual without creating the likelihood of death or great bodily harm, including less-lethal and impact munitions, will not be considered deadly force.

2. Consistent with the Department's commitment to the sanctity of life, the Department member's use of deadly force must be objectively reasonable, necessary, and proportional. During all use of force incidents, Department members will apply the force mitigation principles and use the least amount of force required under the circumstances.

3. Department members are reminded that even less-lethal devices and response options not intended to cause death or great bodily harm, may, under certain circumstance, be lethal to the subject.
4. **Guidelines on the use of deadly force.** A sworn member is justified in using force likely to cause death or great bodily harm only when, taking into account the totality of the circumstances, he or she reasonably believes that such force is necessary to prevent:
 - a. death or great bodily harm from an immediate threat posed to the sworn member or to another person.
 - b. an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested poses an immediate threat of death or great bodily harm to a sworn member or another person unless arrested without delay.
5. Sworn members will, whenever possible, identify themselves as police officers prior to using a firearm or employing deadly force, unless identification would jeopardize the safety of the member or another person.
6. **Prohibitions on the use of firearms.** The use of firearms is prohibited in the following ways:
 - a. Firing warning shots.
 - b. Firing at subjects whose actions are only a threat to themselves (e.g., attempted suicide).
 - c. Firing solely in defense or protection of property.
 - d. Firing into crowds. However, this prohibition does not preclude the use of deadly force directed at a specific person who is near or among other people, if such force is reasonably necessary to prevent death or great bodily harm to the sworn member or to another person and no reasonable alternative exists.
 - e. Firing into buildings or through doors, windows, or other openings when the person lawfully fired at is not clearly visible, unless directed at a specific location and such force is reasonably necessary to prevent death or great bodily harm to the sworn member or to another person.
 - f. 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 reasonably necessary to prevent death or great bodily harm to the sworn member or to another person.

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. A sworn member is justified in using force likely to cause death or great bodily harm to stop a dangerous animal only when the animal reasonably appears to pose an immediate threat to the safety of the sworn member, another person, or another animal and no reasonably effective alternatives appear to exist.
 8. Procedures After Using Deadly Force
 - a. Sworn members who discharge a firearm will comply with the procedures outlined in the Department directive entitled "**Firearms Discharge Incidents Involving Sworn Members.**"
 - b. Deadly force incidents involving a Department member that result in a member of the public sustaining fatal or life-threatening injuries will be investigated consistent with the Department directive entitled "**Officer-Involved Death Investigations.**"
- G. **De-escalation.** When involved in a potential use of force incident or taking police action requiring the use of force, Department members will apply force mitigation principles, including seeking

opportunities to create more time and distance between the subject and others. Even when it is necessary to use force, members will:

1. use the least amount of force required under the circumstances.
2. de-escalate as soon as practicable. Once control of the subject has been obtained and the threat or resistance no longer exists, Department members will:
 - a. de-escalate immediately.
 - b. avoid the continued use of force.
 - c. maintain control and be alert to any conditions that may compromise the security or safety of the subject.
3. determine if the seriousness of the situation requires an immediate response or whether the member can employ other reasonable alternatives. Department members will not resort to force unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances involved.
4. refer to the Department directive entitled "**Response Options**" for further guidance on de-escalation and the Department's force mitigation policy.

H. **Medical Attention**

1. Consistent with the Department's commitment to the sanctity of life, after any use of force incident involving injury to Department members, bystanders, or subjects, Department members will immediately:
 - a. 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),
 - b. comport themselves in a manner that conveys the gravity of any use of force and the Department members' concern for the sanctity of life of all persons injured or in need of EMS.
 - c. inform the injured that EMS has been requested.
2. Department members will also offer medical aid commensurate with their training, experience, and available equipment.
3. For further guidance on medical attention, Department members will refer to the Department directives entitled "**Processing Persons Under Department Control**," "**Approved Medical Facilities**," and "**Hospitalized Arrestees**."

I. **Duty to Intervene and Report.** All Department members are obligated to ensure compliance by themselves and other members with Department regulations, policies, and the law.

1. Intervention, Notifying Superiors, Supervisory Intervention. If a member knows that another Department member is using force against a subject which is in violation of this directive, the member will take appropriate action.
 - a. Any Department member observing the use of force in violation of this directive will be responsible for intervening on the subject's behalf. Appropriate actions may include, but are not limited to, verbal or physical intervention, immediate notification to a supervisor, or a direct order by a supervisor to cease the use of excessive force.
 - b. The action required by the member will depend upon the circumstances of the incident.
2. Written Reporting Obligation. Department members who have knowledge of circumstances relating to the use of force against a subject in violation of this directive will submit an individual written report to a supervisor before reporting off duty on the day the member becomes aware of the misconduct consistent with the Department directive entitled "**Complaint and Disciplinary Procedures**."

3. Accuracy and Candor. Department members will be responsible:
 - a. at all times for truthfully describing the facts and circumstances concerning any incident involving the use of force by Department members.
 - b. for articulating the specific facts to support the member's own decision to employ a particular use of force.

J. **Reporting and Supervisory Response Obligations.**

1. Sworn Department members and detention aides involved in a reportable use of force incident in the performance of their duties will follow the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"
2. Supervisors will respond to the scene of all weapons discharge incidents and reportable use of force incidents consistent with the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"
3. The appropriate Department supervisor, the rank of lieutenant or above, will be responsible for conducting the Department investigation into the appropriateness of the use of force consistent with the Department directives entitled "**Incidents Requiring the Completion of a Tactical Response Report**" and "**Deputy Chiefs Assigned to the Street Operations Unit.**"
4. Any use of force incident involving a Department member that results in a member of the public sustaining fatal or life-threatening injuries will be investigated consistent with the Department directive entitled "**Officer-Involved Death Investigations.**"

K. **Public Release of Information.**

1. The assigned Street Deputy or appropriate on-scene investigating supervisor will coordinate the release of information concerning a use of force incident to the Office of News Affairs and others as appropriate, consistent with the Department directive entitled "**Deputy Chiefs Assigned to the Street Operations Unit.**"
2. The Office of News Affairs shall be responsible for the release of information to the public concerning use of force incidents consistent with the Department directive entitled "**News Media Guidelines.**"
3. This communication must strike a balance between protecting the investigation and keeping the public well-informed. The dissemination of use of force incident information, including police-involved shootings, will be accurate and timely, consistent with the Department directive entitled "**News Media Guidelines.**"

III. **ADDITIONAL GUIDELINES**

- A. Department members are obligated to comply with the Department's Use of Force Guidelines as outlined in this directive, including resolving all incidents with the foremost regard for the preservation of human life and using the least amount of force reasonably necessary. Additionally, the Illinois Criminal Code of 2012 (720 ILCS 5/7: Justifiable Use of Force), which provides peace officers of the State of Illinois with the authority to use force, establishes statutory guidelines, requirements, and limitations for the use of force.
- B. The following references are from the Illinois Criminal Code (720 ILCS 5/7: Justifiable Use of Force).
 1. [720 ILCS 5/7-5](#): Peace officer's use of force in making arrest.
 2. [720 ILCS 5/7-5.5](#): Prohibited use of force by a peace officer.
 3. [720 ILCS 5/7-7](#): Private person's use of force in resisting arrest.
 4. [720 ILCS 5/7-8](#): Force likely to cause death or great bodily harm.
 5. [720 ILCS 5/7-9](#): Use of force to prevent escape.

6. [720 ILCS 5/2-8](#): Forcible Felony. "Forcible felony" means:
- a. treason,
 - b. first and second degree murder,
 - c. predatory criminal sexual assault of a child,
 - d. aggravated criminal sexual assault and criminal sexual assault,
 - e. robbery,
 - f. burglary and residential burglary,
 - g. arson and aggravated arson,
 - h. kidnaping and aggravated kidnaping,
 - i. aggravated battery resulting in great bodily harm or permanent disability or disfigurement, or
 - j. any other felony which involves the use or threat of physical force or violence against any individual.

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Superintendent of Police

16-021 MWK

GLOSSARY TERMS:

1. **Zone of Safety**

The distance to be maintained between the subject and the responding member(s). This distance should be greater than the effective range of the weapon (other than a firearm) and it may vary with each situation (e.g., type of weapon possessed, condition of the subject, surrounding area).

ADDENDA:

1. G03-02-01 - Response Options
2. G03-02-03 - Firearms Discharge Incidents Involving Sworn Members
3. G03-02-04 - Taser Discharge Incidents
4. G03-02-05 - Oleoresin Capsicum (OC) Devices And Other Chemical Agent Discharge Incidents
5. G03-02-06 - Canines as a Response Option



RESPONSE OPTIONS



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I. PURPOSE

This directive:

- A. outlines the various levels of response options that are appropriate for Department members' use when interacting with subjects, including when met with resistance or threats.
- B. continues the concept of Force Mitigation as a component of the Department's response to all incidents.

II. POLICY

- A. Department members can only use force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- B. Member's decision to use force will be made consistent with the guidelines outlined in **G03-02 "Use of Force Guidelines,"** including acting with the foremost regard for the preservation of human life and the safety of all persons involved.
- C. The Department expects members to develop and display the skills and abilities that allow them to regularly resolve confrontations without resorting to force (i.e. anything other than an officer's physical presence or use of verbal commands) or by using the least amount of appropriate force.
- D. Members will de-escalate and use Force Mitigation principles at the earliest possible moment and, whenever possible and appropriate, before resorting to force and to reduce the need for force.
- E. Before taking any police action, sworn members will identify themselves as police officers unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.
- F. When involved in a potential use of force incident or taking police action requiring the use of force, Department members will determine if the seriousness of the situation requires an immediate response or whether the member can employ other force options or the Force Mitigation Principles.
- G. Members will continually use Force Mitigation Principles to assess situations and determine:
 - 1. if any use of force is necessary;
 - 2. the appropriate response option based on the totality of the circumstances; and
 - 3. if the level of force employed should be modified based upon the subject's actions or other changes in the circumstances. The level of force shall be de-escalated immediately as resistance decreases, while staying in control and as safety permits.
- H. Members will modify their response in relation to the amount of continued resistance offered by the subject.
 - 1. As the subject offers less resistance, the member will immediately lower the amount or type of force used.
 - 2. As the subject increases resistance, the member may increase the amount or type of force used.
- I. If the Department member is responding to an incident involving persons in need of mental health treatment, the member will act in accordance with the Department directive entitled "**Responding to**

Incidents Involving Persons In Need Of Mental Health Treatment,” including using every possible means to verbally de-escalate the situation before resorting to the use of equipment, physical restraints, or other use of force options.

III. PRINCIPLES OF FORCE MITIGATION

During all use of force incidents, Department members will strive to use the principles of Force Mitigation to ensure effective police-public encounters based on the totality of the circumstances. The concepts of Force Mitigation include:

A. Continual Communication

1. Members will use de-escalation and verbal control techniques in an attempt to reduce confrontations prior to, during, and after the use of physical force.
2. Whenever reasonable, members will exercise persuasion, advice, and warning prior to the use of physical force.
3. The goal of continual communication is to establish and maintain verbal communication in all police-public encounters where the member continually evaluates 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. This may range from:
 - (1) respectful queries in a preliminary investigation where there is not yet a determination a crime has occurred; through
 - (2) forceful commands where a serious crime has been committed or life or property is at risk.
4. When encountering noncompliance to lawful verbal direction, members are not compelled to take immediate police action through the use of force. Except in the case of preservation of life or property, members will consider:
 - a. changing their verbal communication techniques to discover a more effective method.
 - b. requesting additional personnel to respond or making use of the specialized units and equipment available through a notification to OEMC.

NOTE: Members will, when practical, request assistance from specialized units, including a Crisis Intervention Team (CIT) trained officer in accordance with the Department directive entitled **“Responding to Incidents Involving Persons In Need Of Mental Health Treatment.”**

- c. if feasible, allowing a different member to initiate verbal communications.

NOTE: If a different member initiates verbal communications, then that member will seek to establish his or her own independent one-on-one communication. Members should refrain from giving simultaneous directions to avoid potential conflicts.

B. Tactical Positioning

1. Members may make advantageous use of positioning, distance, and cover by isolating and containing a subject and continuously evaluating the member's positioning, subject's actions, and available response options.

2. A key component of tactical positioning is that members should attempt to establish a [zone of safety](#) for the security of the responding members and the public. The zone of safety is where:
 - a. the incident scene has been secured;
 - b. the scene can be continually monitored or adjusted for safety;
 - c. the subject does not pose a continuing threat to Department members or the public;
 - d. the subject can be continually monitored; and
 - e. the subject can be contained and secured through the entire incident.
3. Members should provide for a safe and effective route for additional requested resources to approach the incident scene.

C. Time as a Tactic

1. Members may use time as a tactic to continuously evaluate the situation and appropriate response option.
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. allow officers the ability to use de-escalation techniques and employ the principles of Force Mitigation;
 - b. permit the de-escalation of the subject's emotions and allow the subject an opportunity to comply with the lawful verbal direction;
 - c. allow for continued communication with the subject and the adjustment of the verbal control techniques employed by the members; and
 - d. allow for the arrival of additional members, special units and equipment, and other tactical resources.

IV. LEVEL OF FORCE GUIDELINES

- A. Cooperative Subject:** a person who is compliant without the need for physical force. The following response options are appropriate when dealing with a cooperative subject:
1. Social Control/Police Presence
 - a. Social control/police presence is established through identification of authority and proximity to the subject. Police presence may result in compliant behavior by the subject.
 - b. Social control/police presence alone is the only response option appropriate for use with subjects who are cooperative without the need for direction from law enforcement personnel.
 2. Verbal Control
 - a. Verbal control consists of persuasion, advice, and warning. It includes instruction or direction from a member in the form of verbal statements or commands. Verbal control may result in compliant behavior.
 - b. Whenever practical, members will attempt to de-escalate confrontations by utilizing verbal control techniques prior to, during, and after the use of physical force.

B. **Resister:** a person who is uncooperative. Resisters are further subdivided into two categories:

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

a. **Holding Techniques**

Holding consists of techniques such as 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. Holding techniques may result in compliant behavior.

b. **Compliance Techniques**

Compliance consists of techniques designed to amplify nonimpact pressure and increase the potential for controlling a subject. These techniques consist of:

- (1) applying pressure to sensors in the skin covering bone and joints (i.e., armbars and amplified wristlocks); and
- (2) using a Long Range Acoustic Device (LRAD) to emit high-decibel focused sound waves to cause discomfort. Any use of the LRAD requires authorization from the Superintendent or the designee of the Superintendent.
 - (a) The LRAD is not considered a Response Option technique when used to deliver verbal messages or warnings at a decibel level not intended to cause discomfort.
 - (b) Department members will use, maintain, and secure the LRAD device in accordance with established policy and procedures set forth by the Deputy Chief, Special Functions Division.

NOTE: Members **will not** use a compliance technique that restricts blood flow to carotid arteries, causing the subject to lose oxygen to the brain.

c. **Control Instruments**

Control instruments are designed to amplify nonimpact pressure in order to increase the potential for controlling a subject. These instruments are placed mainly on the sensors of the skin covering bone.

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 subject and interfering with the subject's ability to resist arrest.

- (1) **Oleoresin capsicum is only appropriate to use against the below two types of passive resisters 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 after obtaining authorization from an on-scene supervisor of the rank of sergeant or above.
 - (b) noncompliant groups, crowds, or an individual taking part in a group or crowd (e.g., demonstrators, sports championship celebrations,

New Year's Eve, etc.), only after obtaining authorization from the Superintendent or the designee of the Superintendent.

- (2) Capsaicin II powder agent deployment is an appropriate force option against passive resistors and noncompliant groups or crowds **only** when used for area saturation and **only** after obtaining authorization from the Superintendent or the designee of the Superintendent.
 - (a) 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.
 - (b) Department members will use, maintain, and secure the Capsaicin II Powder Agent Deployment device in accordance with established policy and procedures set forth by Deputy Chief, Special Functions Division.
- (3) For further guidance on the use of OC spray, members will refer to the Department directive entitled **"Oleoresin Capsicum (OC) Devices and Other Chemical Agent Discharge Incidents."**

2. Active Resister: a person whose actions attempt to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest. This type of resistance includes gestures ranging from evasive movement of the arm, through flailing arms, to full flight by running. In addition to the response options in Items IV-A and IV-B-1, the following response options are appropriate when dealing with an active resister:

a. Stunning

Stunning is diffused-pressure striking or slapping and is an attempt to increase control by disorienting the subject and interfering with the subject's ability to resist.

b. Oleoresin Capsicum (OC) Spray

Oleoresin capsicum is an appropriate force option against active resisters **only** under the following guidelines:

(1) If the only resistance is the act of walking or running away, and the resister is:

- (a) part of a group or crowd, OC spray can be used only after obtaining authorization from the Superintendent or the designee of the Superintendent.
- (b) **not** part of a group or crowd, the use of OC spray is not authorized.

(2) If the resistance includes evasive maneuvers of the limbs and body, including the flailing of arms and legs, and the resister is:

- (a) part of a group or crowd, OC spray can be used only after obtaining authorization from the Superintendent or the designee of the Superintendent.
- (b) **not** part of a group or crowd, the use of OC spray is authorized without supervisory approval.

c. Canines Used by Canine Handlers

A canine under the control of a canine handler is an appropriate response option when used consistent with the provisions of the Department directive entitled **"Canines as a Response Option."**

d. Taser

- (1) The Taser is a device used to control and subdue a subject through the application of electrical impulses that override the central nervous system and cause uncontrollable muscle contractions.
- (2) Only Department-issued Tasers may be used and only after the member has received Department-authorized training in their safe handling and deployment.
- (3) For further guidance on the use of a Taser, members will refer to the Department directive entitled "Taser Discharge Incidents."

C. **Assailant:** a subject who is using or threatening the imminent use of force against himself/herself or another person. Assailants are further subdivided into three categories.

1. Actions are aggressively offensive without weapons. This type of assailant is one who places a member in fear of a battery and includes advancing on the member in a threatening manner or closing the distance between the assailant and the member, thereby reducing the member's reaction time. In addition to the response options in Items IV-A and IV-B, the following response options are appropriate when dealing with this type of assailant:

a. Direct Mechanical

Direct mechanical techniques are hard, concentrating striking movements such as punching and kicking, or powerful locks and pressures. These techniques can be combined with take-downs or pins against the ground or other objects.

b. Impact Weapons

Impact weapons are designed to establish control by means of applying mechanical impact to a subject in order to disable elements of his or her skeletal structure. 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.

c. Impact Munitions

(1) Impact munitions are projectiles such as Capsaicin II powder agent projectiles fired from a powder agent deployment system, "drag stabilized sock rounds" fired from shotguns with specially colored yellow or orange stocks, or batons fired from 37mm or 40mm launchers. These projectiles are intended to impact and incapacitate a potentially dangerous subject from a safe distance, thereby reducing resistance and gaining compliance while reducing the probability of serious injury or death.

(2) Only Department-issued impact munitions may be used and only after the member has received Department-authorized training in their safe handling and deployment.

(3) The use of Capsaicin II powder agent projectiles as an impact munition requires authorization from the Superintendent or the designee of the Superintendent.

2. Actions will likely cause physical injury. Included in this category of assailant may be a subject who is armed with a deadly weapon and the subject fails to disarm, thereby making the subject's actions likely to cause physical injury. The appropriate response options when dealing with this category of assailant are those listed in Items IV-A, IV-B, and IV-C-1.

3. Actions will likely cause death or serious physical injury. An assailant in this category is one whose actions will likely cause death or serious physical injury to another person. In addition to the response options in Items IV-A, IV-B, and IV-C-1, firearms and other deadly force are

appropriate when dealing with an assailant whose actions will likely cause death or serious physical injury to another.

- a. For further guidance on when the use of deadly force is authorized, members will refer to Department directive **"Use of Force Guidelines."**
- b. For further guidance on the use of firearms, members will refer to Department directive **"Firearms Discharge Incidents Involving Sworn Members."**
- c. Chokeholds are only justified as a use of deadly force.
 - (1) A chokehold is defined as applying direct pressure to a person's trachea (windpipe) or airway (the front of the neck) with the intention of reducing the intake of air.
 - (2) Holding and control techniques involving contact with the neck, but which are not intended to reduce the intake of air, are not defined as chokeholds.
 - (3) Under no circumstances will a member use a chokehold, or any lesser contact with the neck area, to prevent the destruction of evidence by ingestion.

V. POST-USE OF FORCE POSITIONING AND MONITORING

After gaining control of a subject, members will:

- A. avoid sitting, kneeling, or standing on a subject's chest, which may result in chest compression, thereby reducing the subject's ability to breathe.
- B. position the subject in a manner to allow free breathing. Whenever feasible, the subject will not be placed on the subject's stomach.
- C. monitor an arrestee until transported to a secure location.
- D. request and offer medical aid to any injured Department member, bystander, or subjects consistent with the procedures outlined in the Department directive entitled **"Use of Force Guidelines."**

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Superintendent of Police

16-021 MWK/TSS

GLOSSARY TERMS:

1. **Zone of Safety**

The distance to be maintained between the subject and the responding member(s). This distance should be greater than the effective range of the weapon (other than a firearm) and it may vary with each situation (e.g., type of weapon possessed, condition of the subject, surrounding area).



FIREARMS DISCHARGE INCIDENTS INVOLVING SWORN MEMBERS



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I. PURPOSE

This directive:

- A. outlines Department usage, prohibitions, investigative and reporting procedures in firearm discharge incidents.
- B. introduces a mandatory minimum thirty day period of administrative duty assignment for Department members who have discharged a firearm during a firearm discharge incident, other than an unintentional discharge or for the destruction of an animal.
- C. satisfies CALEA Law Enforcement Standard Chapter 1.

II. POLICY

- A. Department members will only use force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- B. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to use a firearm will be made in accordance with the guidelines outlined in **G03-02, "Use of Force Guidelines."**
- C. Consistent with the guidelines outlined in **G03-02-01 "Response Options,"** Department members are authorized to use a firearm in deadly force incidents against an assailant whose actions will likely cause death or serious physical injury to another.
- D. Members may draw or display a firearm in the line of duty when the member has reasonable cause to believe it may be necessary for his or her own safety or for the safety of others.
- E. A members use of a firearm will be documented on a Tactical Response Report (TRR).
- F. Under normal circumstances, the provisions of this directive will not apply to the discharge of a firearm during:
 - 1. Department-sponsored firearms training or practice.
 - 2. firearms practice at a recognized range facility.
 - 3. Department authorized ballistic examination or testing.
 - 4. a licensed hunting activity.

III. FIREARM PROTOCOLS

- A. Department members will refer to the Department directive entitled "**Department Approved Weapons and Ammunition**" for specific guidelines on Department-approved firearms and ammunition.
- B. Department members will refer to the Department directive entitled "**Firearms Training**" for specific guidelines on required training for Department approved firearms.

IV. FIREARMS DISCHARGE INCIDENT NOTIFICATIONS

In addition to other notifications outlined in this directive, for **ANY** firearms discharge incidents, including unintentional discharges and those involving the destruction of an animal:

- A. the station supervisor in the district of occurrence will ensure the Crime Prevention and Information Center (CPIC) is notified.
- B. CPIC will notify the Bureau of Internal Affairs (BIA) call-out supervisor of any firearms discharge incident notification.

V. FIREARM DISCHARGE INCIDENTS OTHER THAN UNINTENTIONAL AND DESTRUCTION OF AN ANIMAL WHERE NO ONE WAS INJURED

- A. When a sworn Department member discharges a firearm in an incident where an individual has been killed or sustained injury likely to cause death, Department members will also follow the procedures outlined in the Department directive entitled "**Officer-Involved Death Investigation.**"
- B. Department members who unintentionally discharge a firearm or discharge a firearm in the destruction of an animal will follow the procedures described in Item XI of this directive, so long as there were no personal injuries via that firearm.
- C. In any other instance where a member has discharged a firearm, the member, if physically capable, will:
 - 1. request medical attention for the injured and offer immediate medical aid commensurate with his or her training, experience, and available equipment.
 - 2. notify his or her immediate supervisor and the Office of Emergency Management and Communications (OEMC) immediately, provide all relevant information, and request additional resources.
 - 3. attend to all required emergency and security duties arising from the incident until the arrival of the responding supervisory personnel.
 - 4. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities for the public safety investigation of the incident as described in the Department directive entitled "**Officer-Involved Death Investigation.**"
 - 5. inform the station supervisor of the district of occurrence.
 - 6. remain on the scene, if not injured, and report to a field supervisor from the district of occurrence upon his or her arrival.
 - 7. ensure that his or her firearm remains holstered and secured until it is submitted to Forensic Services Division personnel.

NOTE:

If the involved member is injured and needs to be relieved of his or her firearm prior to receiving medical treatment, the securing member will take possession of the firearm and duty belt and will ensure that the firearm remains holstered and secured.

- 8. if disarmed during the firearm discharge incident or if the firearm contains biological or other trace-matter evidence, preserve the firearm as evidence, as it will be processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing.**"

9. complete a Tactical Response Report (TRR) ([CPD-11.377](#)) and any other reports at the location designated by the supervisor responsible for the investigation.

NOTE: When a member who has discharged a firearm is unable to complete the TRR, it is the responsibility of the supervisor designated for the investigation to prepare the TRR.

10. contact the Professional Counseling Division via telephone within twenty-four hours of the incident to schedule a **mandatory** debriefing.

- a. Upon arrival at the subsequently scheduled Professional Counseling Session, members will present the original (white) Traumatic Incident Stress Management Program Notification form ([CPD-62.480](#)) to the Professional Counseling Division employee.

- b. Members who are hospitalized as a result of their involvement in a firearm discharge incident will be contacted by a counselor pursuant to the Department directive entitled "**Traumatic Incident Stress Management Program.**"

11. attend the firearms training overview as described in Item X of this directive.

D. In any instance where a member has discharged a firearm outside the City of Chicago, the member will:

1. notify the local police agency and this Department's Crime Prevention and Information Center (CPIC).

2. ensure the submission of all reports connected with the incident, including a TRR and a To-From-Subject report, without unnecessary delay.

E. Any member, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident or who has been fired upon will:

1. remain on the scene until released by those Department members conducting the investigation.

2. provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements. Members will refer to the Department directive entitled "**Department Member's Bill of Rights.**"

3. report to the supervisor responsible for the investigation in the district of occurrence.

F. Member's Statements and Interviews.

1. A member who is involved in a firearm-discharge incident will provide an oral report for the public safety interview conducted by the exempt level incident commander or supervisor responsible for the investigation, without delay and outside the presence of any other individual, as delineated in the Department directive "**Officer-Involved Death Investigations.**"

2. When a member who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.

NOTE: Statements pursuant to an administrative investigation conducted by the Department or IPRA into the firearm-discharge incident will conform to the guidelines outlined in the Department directive entitled "**Department Member's Bill of Rights.**"

G. OEMC will:

1. dispatch sufficient patrol units to the scene.

2. determine if a medical emergency exists and when appropriate:
 - a. notify the Chicago Fire Department to dispatch emergency medical service units to the scene.
 - b. inform the emergency room of the receiving hospital.
 3. assign a field supervisor from the district of occurrence to the scene. If a member has been injured, OEMC will assign a supervisor to respond to the medical facility treating the injured member.
 4. immediately notify the following in the listed order of priority:
 - a. the station supervisor in the district of occurrence;
 - b. CPIC;
 - c. any other units or agencies as appropriate or as requested.
 5. not broadcast the name of a Department member who has been involved in a firearm discharge incident over the police radio.
- H. The assigned field supervisor will:
1. proceed immediately to the scene and assume command and oversight of the scene until relieved by the appropriate responding supervisor.

NOTE: Either the field sergeant or the relieving supervisor will remain on scene with sufficient information to fully brief the responding supervisor responsible for the investigation, if applicable.
 2. ensure medical attention is provided and adequate manpower and equipment are available.
 3. establish an inner and outer perimeter at the scene of the incident.
 - a. The inner perimeter(s) is the area or areas at the scene of the incident where physical evidence is likely to be recovered.
 - b. The outer perimeter(s) is the area surrounding and encompassing the inner perimeter(s) where assigned personnel can be briefed and deployed.
 4. ensure that:
 - a. no sworn member of any rank handles, inspects, unloads, or otherwise tampers with the involved member's firearm prior to the arrival of Forensic Services Division personnel.
 - b. unless the member was disarmed, the firearm remains holstered and secured pending the arrival of Forensic Services Division personnel.
 - c. in instances where the firearm will be processed as evidence, the firearm is preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing.**"
 - d. all fired projectiles have been accounted for without contaminating or interfering with the collection and maintenance of evidence.
 - e. witnesses and other persons (Department member or non-Department member) who may have relevant information are available for on-scene interviews.
 - f. an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.
 5. confirm the notifications listed in Item V-G-4 have been made.

6. if circumstances necessitate the relocation of the investigation from the site of the occurrence, contact the exempt-level incident commander or supervisor responsible for the investigation for authorization and notify CPIC.
7. ensure that Forensic Services Division personnel conduct the firearm inspection on-scene in his or her presence. If the supervisor responsible for the investigation determines that safety concerns or weather conditions preclude the on-scene inspection, the involved member will remain in the continual presence of a higher-ranking Department member until the inspection is conducted by Forensic Services Division personnel in the affected Bureau of Detectives area.
8. assign transportation for the involved member.
9. verify the submission of written reports from involved members in conformance with the provisions of this directive.
10. review all written reports generated by Bureau of Patrol personnel submitted during the preliminary investigation.
11. complete the supervisor's section of the TRR.

NOTE: If the involved member is of the rank of sergeant or higher, the supervisor responsible for the investigation will complete the supervisor's section of the TRR.

12. in situations requiring an Officer's Battery Report, ensure the report is completed in accordance with the Department directive entitled "**Officer's Battery Reporting Procedures**."
 13. remain on duty until dismissed by the supervisor responsible for the investigation.
- I. CPIC will notify:
1. the exempt-level incident commander or supervisor responsible for the investigation and IPRA via email and phone communication.
 2. the district commander of the district of occurrence.
 3. the commander of affected Bureau of Detectives area.
 4. the area deputy chief, Bureau of Patrol.
 5. any additional communications as consistent with CPIC procedures.
- J. The station supervisor will:
1. notify the Professional Counseling Service via telephone, providing them with the name, star number, unit of assignment of the involved member, and the date the member was instructed to contact the Professional Counseling Service for a mandatory appointment.
 2. obtain a Universal (U) Number from the Independent Police Review Authority in all cases in which:
 - a. a Department member has injured or killed a person by use of a firearm.
 - b. a Department member has suffered a self-inflicted gunshot wound.
 3. follow any applicable procedures in the Department directive entitled "**Officer-Involved Death Investigations**" when a Department member discharges a firearm where an individual has been killed or sustained injury likely to cause death.
 4. follow the procedures in the Department directive entitled "**Notification of Death or Serious Injury to a Member: Duty Related**" when a Department member has been injured or killed by gunfire.

VI. MANDATORY ALCOHOL AND DRUG TESTING

- A. Any sworn Department member involved in a firearms-discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing, in compliance with this directive and any applicable collective bargaining agreement.

NOTE: This requirement does not apply to the circumstances delineated in Item II-E of this directive.

- B. The BIA call-out supervisor will:

1. contact the exempt-level incident commander or supervisor 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 Firearms Discharge Incident" ([CPD-44.252](#)).

- C. 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 exempt-level incident commander or supervisor responsible for the investigation, as appropriate.
3. the involved member submits to the drug test and ensure 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 sex 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 standard operating procedures, pending processing by a medical laboratory.
4. the alcohol and drug testing occurs as soon as practicable after the firearms-discharge incident given the overall demands of the investigation.

NOTE: The member with overall command responsibility, (e.g., exempt-level incident commander or supervisor responsible for the investigation), will ensure testing is initiated as soon as practicable, but no later than six hours following the firearms-discharge incident.

5. copies of any associated reports, including the testing and results documentation, are forwarded to the Chief Administrator, Independent Police Review Authority (IPRA), once the testing is completed.
- D. 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.
- E. No discipline shall occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's Use of Force guidelines and the member discharged their weapon off-duty.

VII. INVESTIGATING COMMAND PERSONNEL RESPONSIBILITIES

- A. Investigating command personnel will be assigned according to the Department directive entitled "**Deputy Chiefs Assigned to the Street Operations Unit.**"

NOTE: No member below the rank of captain will direct an investigation into an incident involving the discharge of a firearm by a Department member. However, the on-scene supervisor is responsible for maintaining command and oversight of the scene until relieved by the appropriate responding supervisor.

- B. The exempt-level incident commander or supervisor responsible for the investigation, will:

1. when a Department member discharges a firearm in an incident where an individual has been killed or sustained injury likely to cause death, ensure Department members follow the procedures outlined in the Department directive entitled "**Officer-Involved Death Investigations.**"
2. proceed to the scene, assume command of the scene, and ensure a complete and thorough investigation is conducted of the incident.
3. ensure all tasks delineated for lesser-ranking personnel have been or are being performed.
4. designate a supervisor responsible for assisting in the preliminary investigation whenever the incident has occurred in more than one district.
5. personally conduct an investigation into the circumstances surrounding the incident.

NOTE: The occurrence of less serious transgressions may be addressed by the procedures described in the Department directive entitled "**Summary Punishment.**"

6. fulfill the obligations outlined in the Department directive entitled "**Traumatic Incident Stress Management Program,**" including:
 - a. determining whether an incident should be classified as a traumatic incident in situations other than those specifically defined as a traumatic incident.
 - b. completing a Traumatic Incident Stress Management Program Notification form (CPD-62.480) and providing the affected member with the original (white) and the officer's copy (yellow copy) of the Traumatic Incident Stress Management Program Notification Form.
 - c. ensuring the affected member calls the Professional Counseling Service within twenty-four hours of the incident.
7. prior to the end of his or her tour of duty, complete the review process for the submitted Tactical Response Reports following the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"
8. prior to the termination of the tour of duty, review the Major Incident Notification Report and ensure its completion.

- C. For all weapon-discharge incidents described in this directive, when the involved member is the same rank or higher than the supervisor responsible for the investigation, the Chief, Bureau of Patrol, will assume the investigating command personnel responsibilities.

- D. Upon the arrival of IPRA personnel, the exempt-level incident commander will provide a narrative of the incident to the IPRA investigators based on the information available at the time, including but not limited to:

1. walking through the incident scene.
2. providing information obtained from the "public safety" interview conducted with the involved member.

3. disclosing any evidence and witnesses identified by Department personnel.
- E. IPRA will be responsible for the administrative investigation of firearm-discharge incidents involving sworn members. The exempt-level incident commander is reminded:
1. he or she shall consult with IPRA investigative personnel to determine when and the extent to which IPRA personnel shall have access to the scene.
 2. any underlying criminal investigation associated with the firearm discharge incident involving sworn members will take precedence over the administrative investigation of the incident.
 3. as soon as it becomes apparent, any conflict of opinion with IPRA investigative personnel will be raised up the respective chains of command for resolution.

VIII. BUREAU OF DETECTIVES COMMAND RESPONSIBILITIES

- A. In all firearm discharge incidents other than the destruction of an animal where no one was injured, the Bureau of Detectives area commander will designate a Bureau of Detectives supervisor to serve as the police shooting coordinator for that incident.
- B. The police shooting coordinator will:
1. personally respond to the scene of the investigation.
 2. ensure the preservation of evidence and identification of witnesses.
 3. assume responsibility for the follow-up investigation under the direction of the Bureau of Detectives area commander.
- C. The assigned Bureau of Detectives personnel will complete a secondary case report, consistent with the classifications outlined in the Incident Reporting Guide (CPD-63.451), to document the Department's investigation of firearm discharge incidents involving sworn members other than the destruction of an animal where no one was injured.

NOTE: The assigned Bureau of Detective personnel will ensure the secondary case report is associated with the Records Division (RD) number of the original incident case report.

IX. POST-FIREARM DISCHARGE FIREARM PROCESSING PROCEDURES

- A. No member of any rank will handle, inspect, unload, or otherwise tamper with the involved member's firearm prior to the arrival of Forensic Services Division personnel. Unless the member was disarmed, the firearm will remain holstered and secured pending the arrival of the supervisor responsible for the investigation and Forensic Services Division personnel.
- B. Forensic Services Division personnel will:
1. conduct the firearm inspection in the presence of the supervisor designated in section V-H-7 of this directive.
 2. identify the firearm discharged by the Department member by its make, model, serial number, and other identifiers.
 3. examine the firearm discharged by the Department member to determine the type of cartridges used.
 4. examine the surrounding area to identify the number and location of cartridge casings.
 5. inventory all firearms discharged by the Department member in accordance with Department directive entitled "**Firearms Taken into Custody or Turned In**" in cases in which:
 - a. an individual has been injured or killed.
 - b. identifiable property damage has occurred.
 - c. potential property damage may have occurred. In potential property damage cases, the supervisor responsible for the investigation may authorize the responsible

member to retain his or her firearm for subsequent personal transport to the Forensics Services Division within ninety-six hours of the incident. The authorization will be noted in the "Comments" field of the eTrack inventory application.

- C. If the Department member was disarmed during the firearm discharge incident or if the firearm contains biological or other trace-matter evidence, the firearm will be preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing.**"

X. POST-FIREARM DISCHARGE PROCEDURES AND TRAINING

- A. Department members who have discharged a firearm as described in Item V of this directive and have completed the Traumatic Incident Stress Management Program will be placed in a mandatory administrative duty assignment for a minimum period of thirty days within the Department member's unit of assignment.

1. This assignment is not a punitive measure and is 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 assignment.
2. Any extension of this assignment beyond the minimum thirty days will be determined by the Superintendent of Police.

NOTE: The thirty day mandatory administrative duty assignment will not include medical time, furlough, or any other elective time off.

- B. Unit commanding officers will:

1. ensure the Department member's assigned supervisor observes and evaluates the member weekly to determine if the member requires any additional assistance.
2. ensure all supervisory members report any unusual changes in behavior from the involved Department member.
3. ensure all additional assistance is provided to the involved Department member, including the use of the Employee Assistance Program (E.A.P.), as needed.

- C. The member will remain in this administrative duty assignment until returned to normal field duties by the Superintendent of Police.

- D. Post-Firearm Discharge Training

1. All Department members who have discharged a firearm as described in Item V of this directive will attend a critical incident overview training course scheduled by the Education and Training Division's Firearms Training Unit. Held monthly, the eight-hour training overview may include, but is not limited to, the topics of the use of deadly force, alternative force response options, tactics for patrol, and ethics.

NOTE: This training will not be attended by a Department member who unintentionally discharges a firearm or discharges a firearm to destroy an animal.

2. Attendance at this training overview is mandatory and is 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 attending the training overview.
3. The training overview will be limited to Department members and their partners who were involved in a firearm-discharge incident or were fired upon during an incident.

4. The Bureau of Internal Affairs will notify the Education and Training Division of the Department members mandated to attend the training.
5. The training overview will be considered a tour of duty. Participants will wear the field uniform of the day.
6. Notification Procedure
 - a. The Deputy Chief, Education and Training Division, will notify unit commanding officers of the existence of members under their command who are required to attend a scheduled firearms training overview.
 - b. Upon receipt of the list of members who are required to attend a scheduled firearms training overview, 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 overview only when it is on their regularly scheduled work day.
 - (1) The unit commanding officer will supply these members with the name and telephone number of the contact person at the Education and Training Division.
 - (2) 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.
 - (3) Members who have been scheduled to attend a firearms training overview but are unable to due to unknown circumstances at the time of the scheduling (i.e., medical roll, court date) will notify their unit commanding officer and the designated contact person at the Education and Training Division as soon as these circumstances are known.
 - (4) The unit commanding officer will inform the Education and 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 overview.

XI. UNINTENTIONAL FIREARM DISCHARGE INCIDENTS AND THE DISCHARGE OF A FIREARM TO DESTROY AN ANIMAL

- A. An unintentional firearm discharge is defined as the unintended or accidental firing of a firearm in circumstances which did not occur during a training exercise.
- B. In instances where injury has occurred during an unintentional firearm-discharge incident or during the discharge of a firearm to destroy an animal, Department members will also refer to Item V of this directive.
- C. When a member unintentionally discharges a firearm or discharges a firearm to destroy an animal, the member will:
 1. notify OEMC, his or her immediate supervisor, and the station supervisor in the district of occurrence.
 2. complete a TRR, a case report, and any other appropriate report. Other reporting procedures are as follows:
 - a. destruction of an animal by a Department member, where no other case report applies, will be documented under I-UCR 5061, "Non-Criminal, Destruction of Animal by Police."
 - b. an unintentional firearm discharge by a Department member, where no other case report applies and there is no injury, will be documented by Bureau of Detectives personnel under I-UCR 5060, "Law Enforcement/Non-Fatal Firearm Discharge-Unintentional Discharge/No Injury."

- c. if there is other property damage or personal injury, members will consult the Incident Reporting Guide for appropriate classification.
 - d. a TRR will be completed to document an unintentional firearm discharge.
3. submit all reports to his or her immediate supervisor for review and approval.
 4. comply with all applicable provisions of the Department directive entitled "**Incidents Involving Animals.**"

EXCEPTION: If the incident occurred outside the City of Chicago, then the procedures in Item V-D of this directive will be followed.

D. The OEMC will:

1. assign a supervisor from the district of occurrence to the scene of the incident.
2. notify CPIC.

E. The assigned field supervisor in the district of occurrence will:

1. determine if there is any related personal injury or property damage other than the destruction of the animal and ensure all required reports are complete.
2. remain on scene and maintain command and oversight of the investigation until relieved by the appropriate responding supervisor.
3. ensure CPIC has been notified.
4. complete the supervisor's section of the Tactical Response Report.

NOTE: If the involved member is of the rank of sergeant or higher, the supervisor responsible for the investigation will complete the supervisor's section of the TRR.

F. Investigating command personnel will be assigned according to the Department directive entitled "**Deputy Chiefs Assigned to the Street Operations Unit.**"

NOTE: No member below the rank of captain will direct an investigation into an incident involving the discharge of a firearm by a Department member. However, the on-scene supervisor is responsible for maintaining command and oversight of the scene until relieved by the appropriate responding supervisor.

G. The supervisor responsible for the investigation will:

1. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.
2. ensure all tasks delineated for subordinate personnel are performed.

NOTE: The supervisor responsible for the investigation may waive firearm inventory and ballistic examination and may authorize the member to retain his or her firearm in instances in which there is no likelihood of death or injury to a person or identifiable property damage other than the destruction of the animal.

3. ensure the BIA call-out supervisor is notified and the mandatory alcohol and drug testing is performed.
4. personally conduct an investigation into the circumstances surrounding the incident.
5. prepare the "Lieutenant or above/Incident Commander Review" section of the TRR and review, approve, and process the TRR in accordance with the procedures outlined in the

Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"

6. for an unintentional discharge incident:
 - a. check the selection that indicates that IPRA was notified in the "Lieutenant or above/ Incident Commander Determination" section of the TRR.
 - b. obtain a log number and ensure an initiation report is completed.

Eddie T. Johnson
Superintendent of Police

15-213 RCL/MWK

DRAFT



TASER DISCHARGE INCIDENTS



ISSUE DATE:		EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive outlines the protocol for maintaining, carrying, and discharging a member's Taser device.

II. POLICY

- A. Department members' use of Taser must be objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- B. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to use a Taser will be made in accordance with the guidelines outlined in **G03-02, "Use of Force Guidelines."**
- C. Consistent with the guidelines outlined in **G03-02-01, "Response Options, "** Department members are authorized to use Taser devices for the following subjects:
 - 1. Active Resisters
 - 2. Assailants.
- D. A member's use of a Taser device will be documented on a Tactical Response Report (TRR).

III. DISCHARGE GUIDELINES

- A. **Initial Discharge.** A member who is about to discharge a Taser device will, when possible:
 - 1. inform all other Department members on the scene of the imminent deployment of the device.
 - 2. give verbal commands and warnings to the subject prior to, during, and after deployment of the Taser.
 - 3. for back shots, aim for the subject's back below the neck area; for frontal shots, aim for lower center mass.

NOTE: It is recommended that Department members deploy the Taser to the subject's back whenever possible.

- B. **Post Discharge.** After an initial discharge of a Taser, Department members will:
 - 1. give the subject an opportunity to comply with his or her demands.
 - 2. assess the situation and if the subject is still not under control, consider the following:
 - a. performing a drive stun,
 - b. pressing the ARC switch to re-energize,
 - c. deploying another cartridge, or
 - d. using another type of response option.

NOTE: It is advisable to minimize the stress to the subject as much as possible. Multiple energy cycles, cycles continuing longer than five seconds, and discharges by multiple Tasers will increase stress on the subject.

3. reasonably justify each separate deployment of energy from a Taser as a separate use of force that officers will document.

C. **Discharge Prohibitions.** Department members **will not:**

1. use more than three cycles or a single cycle with a duration of over five seconds against a subject, before reassessing the situation and resorting to other appropriate response options.
2. deploy multiple Tasers at the same subject, unless the previous Taser deployments failed.
3. use the Taser in any environment that contains potentially flammable, volatile, or explosive material.
4. remove Taser barbs embedded in the subject's flesh.

D. A member who deploys or anticipates the deployment of a Taser will request that a supervisor respond to the scene.

E. For all field deployments of a Taser, the station supervisor assigned to the district of occurrence will ensure that:

1. a supervisor at least one rank higher than the deploying member responds to the scene of the Taser deployment when such a supervisor is available.
2. IPRA is notified and an administrative log number is obtained.

NOTE: During the hours when IPRA is not available, CPIC will be notified to obtain the administrative log number.

IV. RESPONSIBILITIES

A. The member who field-deployed the Taser will:

1. immediately, upon gaining control and restraining the subject:
 - a. notify OEMC of the deployment and request assignment of emergency medical personnel when:
 - (1) the Taser probes were discharged and penetrated a subject's skin.
 - (2) an electrical current from the Taser was applied to the subject's body.
 - (3) the subject appears to be in any sort of physical distress.
 - b. notify his or her immediate supervisor, the station supervisor assigned to the district of occurrence, and [CPIC](#).
 - c. if emergency medical personnel determine that the subject requires treatment at a medical facility, follow procedures listed in the directive entitled:
 - (1) "**Field Arrest Procedures**" for secured transportation and processing of injured arrestees.
 - (2) "**Assisting Chicago Fire Department Paramedics**" for non-arrestees.

NOTE: Subjects will be transported to a medical facility via a Chicago Fire Department vehicle.

2. complete a Tactical Response Report (TRR) ([CPD-11.377](#)), the appropriate case report, and other required reports.

- B. Responding supervisors will:
1. ensure that the scene of the Taser deployment is protected and processed in accordance with the Department directive entitled "**Crime Scene Protection and Processing.**"
 - a. If the Taser deployment occurred in a residence, an evidence technician will be requested to process the scene.
 - b. If the Taser deployment occurred in an area other than a residence, whether indoors or outdoors, the responding supervisor will determine if an evidence technician is required.
 - c. An evidence technician will be requested to photograph the locations where the probes penetrated the subject's skin and any other injuries incurred as a result of the TASER deployment.
 2. take control of the Taser device and deliver it to the assigned investigating supervisor the rank of lieutenant or above from the district of occurrence.
 3. request the Street Deputy respond to all Taser deployments that result in serious injury or death. When the Street Deputy responds to the scene of a Taser deployment, that member will be responsible for completing the "Lieutenant or above/Incident Commander" section of the TRR.
 4. ensure the Mobile Crime Lab and Bureau of Detectives personnel are requested when a death has occurred as a result of the Taser deployment.
 5. notify IPRA and obtain a log number. During the hours when IPRA is not available, CPIC will be notified to obtain a log number.
 6. review the deploying member's TRR and, if appropriate, approve it.
- C. The assigned investigating supervisor the rank of lieutenant or above from the district of occurrence will:
1. prepare the "Lieutenant or above/Incident Commander" section of the TRR for those cases which do not require the presence of the Street Deputy, consistent with the directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"

NOTE: The assigned investigating supervisor will not approve the involved member's TRR until the Taser device deployment data sheet has been received and reviewed.
 2. ensure that IPRA is notified and a log number is obtained.
 3. download the deployment data consistent with the equipment and software procedures and print a copy of the deployment information. In districts which do not have the necessary equipment to perform the download of deployment data, the assigned investigating supervisor will follow the alternate procedures outlined in Item V-C-4 of this directive.
 - a. When printing a Taser deployment data sheet, only the date range containing the actual deployment information needs be printed. If the specific date range is not manually selected, all 2000 lines of possible deployment data will be printed.
 - b. The data sheet will be reviewed for time discrepancies. A full download of the device is required if a 254 or a 257 discharge is displayed or the clock is off by several hours, days, months, or years. For additional information, refer to the Department's eLearning website and search keywords "Taser Download."
 4. when unable to download the Taser deployment data (required equipment is inoperable or not installed), designate a Department member, preferably a supervisor, to report to an

adjacent district with the involved Taser device for the purpose of downloading and printing the Taser deployment data sheet. The designated Department member will:

- a. transport the involved Taser device as directed and ensure that the device is not tampered with during transport.
- b. turn over the Taser device to the appropriate personnel and await the return of the device once the appropriate personnel download the Taser deployment data.
- c. upon return of the Taser device and receipt of the deployment data, immediately transport the Taser device and data sheet to the assigned investigating supervisor.

NOTE: If alternate locations are unable to download the Taser deployment data, the assigned investigating supervisor will ensure that 2nd watch personnel hand-carry the Taser device to the Taser Repair Center.

5. ensure all evidence from the scene of the Taser deployment is inventoried consistent with the Department directive entitled "**Processing Property Under Department Control**," 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.
 - c. a copy of the Taser deployment data sheet.
6. forward the Taser deployment data sheet, a copy of the TRR, and a copy of the original case report to IPRA.
7. ensure the expended cartridge is replaced from the district/unit supply. When needed, additional cartridges may be requested from the Taser Repair Center, located at the Education and Training Division, through normal requisition procedures.

NOTE: A copy of the TRR will be presented to the Taser Repair Center for replacement cartridges.

- D. In all cases in which a subject has been seriously injured or a death has occurred in conjunction with a Taser deployment, the Street Deputy will:
 1. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.
 2. ensure that all tasks delineated for subordinate personnel are performed.
 3. personally conduct an investigation into the circumstances surrounding the incident.
 4. review, approve, and process the TRR in accordance with the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report**."

V. DEVICE PROTOCOL

A. General Information

1. The Taser is a device used to control and subdue a subject through the application of electrical impulses that override the central nervous system and cause uncontrollable muscle contractions. Two darts attached by thin wires are fired from a cartridge attached to the handheld device. When both darts attach to the subject, a timed electrical impulse is applied to the subject at the control of the operator. The electrical impulse immobilizes the subject long enough for restraints to be applied.
2. The Taser contains a computerized function that retains data of all discharges of the device.

3. Tasers will be carried, handled, tested, and deployed only by members who have completed Department-conducted training on their safe handling and deployment.
4. Taser requalification will be completed annually.
5. A spark test, conducted to check the device for proper functioning, occurs when a member trained in the use of the X2 device depresses the ARC switch located on the left or right side of the device.
 - a. Tests should be up to five seconds in duration.
 - b. The device should be pointed in a safe direction.
 - c. The cartridge will not be removed prior to conducting a spark test.
 - d. The trigger will not be depressed to conduct a spark test.

B. Department-Issued Taser Devices

1. District station supervisors:
 - a. **must** ensure that all available Tasers are issued to sworn members who are trained to use the devices.
 - b. will designate a member on their watch who will be responsible for the issuance and safe storage of Taser devices.
 - c. will ensure that the daily assignment roster sent to OEMC and entered in the PCAD reflects members with a Taser by placing the symbol "=" next to the members' names.

NOTE: The daily assignment roster must be entered and sent to OEMC immediately after each roll call.

2. The designated member at the beginning of each tour of duty will:
 - a. account for all Tasers assigned to the unit.
 - b. prepare a Personal Equipment Log ([CPD-21.919](#)) to record the issuance and receipt of the Taser and its component parts. This log will:
 - (1) be prepared by each watch.
 - (2) contain the serial number of each Taser and all cartridges distributed with each Taser in the "Miscellaneous" column.
 - (3) be forwarded to the unit secretary for retention in accordance with records-retention requirements.

NOTE: The retention period for the Personal Equipment Log is four police periods.

- c. issue a Taser, holster, and at least two cartridges to each Department member who has completed the Department Taser training.

NOTE: Department members assigned to field duties that have been trained in the use of Taser devices will request the issuance of a Taser and will be required to carry the Taser. The Taser will be carried in an approved holster, on the support side. Members will ensure the Taser is carried in the approved holster to reduce the risk of damage to the Taser and cartridges. If there is an insufficient supply of Tasers, they will be issued at the station supervisor's discretion.

- d. store Tasers in the approved holster in the designated location within the police facility.

NOTE: Department members will not remove the Performance Power Magazine or cartridges for storage.

- e. upon the return of a signed-out Taser, check the power level of the digital power magazine.
- f. ensure that any Taser that malfunctions or whose digital power magazine indicates a power level less than twenty percent, indicated by the display flashing "LO BATT," is, along with its holster and digital power magazine, hand-carried on the 2nd watch to the Taser Repair Center, located at the Education and Training Division, and exchanged for a replacement device and/or component parts.
- g. ensure that Department members requesting the issuance of a Taser:
 - (1) sign the Personal Equipment Log to indicate receipt of the equipment.
 - (2) upon return of the items, record the time of the return on that same log.
- h. ensure any damaged Taser cartridges are hand-carried on the 2nd watch to the Taser Repair Center for replacement.

NOTE: If completed, a copy of the TRR will be presented to the Taser Repair Center for replacement cartridges.

C. Types of Taser Deployments

- 1. A field deployment of a Taser is:

- a. any probe discharged, including accidental discharges;
- b. any initiation of the ARC switch to re-energize the subject;
- c. the use of the device by physical contact to drive stun a subject; or

NOTE: A drive stun is utilized when a Taser, with or without a cartridge attached, is held against the subject and energy is applied.

- d. the use of a spark display during a use of force incident.

- 2. A non-field deployment of a Taser is any:

- a. spark test outside of the first hour of the member's tour of duty.
- b. spark test lasting more than five seconds.
- c. deployment used strictly for the purpose of Department-conducted training or annual qualification.

- 3. Spark test conducted by a trained Department member.

A Department member issued an X2 device may spark test the device within the FIRST HOUR of the member's tour of duty. Only ARC events up to five seconds conducted during the first hour of the member's tour of duty will be considered a spark test of the device for the purposes of data reconciliation.

NOTE: A Taser Non-Field Deployment Report will not be completed to document a spark test conducted within the first hour of a trained member's tour of duty.

4. A Department member who conducts a non-field deployment of a Taser that includes a spark test outside of the first hour of the member's tour of duty or a spark test lasting more than five seconds will:
 - a. complete a Taser Non-Field Deployment Report.
 - b. submit the report to the on-duty station supervisor in the district of occurrence. The report will be submitted prior to the end of the member's tour of duty.
5. A Taser device is approved for field deployment by sworn members when both of the following circumstances are present:
 - a. A Department member is confronted by an offender classified as an active resister or assailant; and
 - b. The Taser device operator can safely approach the subject to within the eighteen-foot effective range of the device.
6. A request for a Department member equipped with a Taser device will be made via the requesting member's radio zone or citywide frequency.

D. Reporting Procedure for a Taser Non-Field Deployment Report, Damaged, Lost, or Stolen Device

Supervisory personnel will:

1. ensure that subordinates use the Taser as prescribed and take immediate corrective and/or disciplinary action if a member is observed or reported to be improperly handling, operating, or in any way damaging a Department Taser.
2. Upon receipt of a Taser Non-Field Deployment Report will:
 - a. review the report for the appropriate test use of the device.
 - b. ensure that the report is filed in the Taser file specific to that device.
3. conduct an investigation when a Taser is:
 - a. damaged, and:
 - (1) ensure that appropriate reports are prepared,
 - (2) initiate a Complaint Register (CR) investigation if the damage was caused by a member's neglect or improper conduct, and
 - (3) submit a To-From-Subject report detailing the nature and cause of the damage, referencing the CR number if applicable, through the appropriate channels.
 - b. lost or stolen, and:
 - (1) ensure that the appropriate case report is prepared and, if appropriate, initiate a Complaint Register investigation. Copies of all reports will be sent through channels to the:
 - (a) Taser Repair Center, located at the Education and Training Division.
 - (b) Supervisor of Police Inventory, Equipment and Supply Section.
 - (2) ensure that an Administrative Message Center (AMC) message is sent to all districts and units.

E. **Data Reconciliation**

1. District/unit commanding officers will ensure that a Taser deployment data report is downloaded for each Taser assigned to the unit at three-month intervals.

NOTE: If necessary, this report may be generated more often.

2. The Taser deployment data sheet for each Taser device will be reconciled with the Taser file and relevant Personal Equipment Logs to ensure that every Taser deployment has been appropriately documented. Lack of documentation for any recorded use of a Taser will be investigated and appropriate actions taken.
3. The Taser contains a computerized function that retains data of all discharges of the device.

F. **Arsenal Committee Responsibilities**

The Arsenal Committee will, upon request, provide equipment-related or technical information to command personnel or a Bureau of Patrol supervisor having questions following an actual field deployment of a Taser device.

Authenticated by: KC

Eddie T. Johnson
Superintendent of Police

16-021 TSS



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



ISSUE DATE:		EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

- A. outlines the protocol for maintaining, carrying, and discharging Personal Oleoresin Capsicum OC devices, special weapons that dispense Capsaicin II Powder Agent (PepperBall), or larger volumes of chemical agents.
- B. satisfies CALEA Law Enforcement Standard Chapter 1.

II. POLICY

- A. Department members' use of OC devices and other chemical agents must be objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- B. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to use OC devices and other chemical agents must be made in accordance with the guidelines outlined in **G03-02, "Use of Force Guidelines."**
- C. Consistent with the guidelines outlined in **G03-02-01, "Response Options,"** Department members are authorized to use OC devices and other chemical agents for the following subjects.
 - 1. OC spray, special weapons that dispense Capsaicin II powder agents, and other chemical devices are appropriate response options against an **assailant**, whose actions use or threaten the use of force against a Department member or another person.
 - 2. OC spray is an appropriate response option against **active resisters** only under the following guidelines:
 - a. If the resistance includes evasive maneuvers of the limbs and body, including the flailing of arms and legs, and the resister is:
 - (1) part of a group or crowd, OC spray can be used only after obtaining authorization from the Superintendent or the designee of the Superintendent.
 - (2) **not** part of a group or crowd, the use of OC spray is authorized without supervisory approval.
 - b. If the only resistance is the act of walking or running away, and the resister is:
 - (1) part of a group or crowd, OC spray can be used only after obtaining authorization from the Superintendent or the designee of the Superintendent.
 - (2) **not** part of a group or crowd, the use of OC spray is not authorized.
 - 3. OC spray is an appropriate response option against **passive resisters** only under the following guidelines:
 - a. occupant(s) of a motor vehicle who is passively resisting arrest, only after obtaining authorization from an on-scene supervisor of the rank of sergeant or above, or

- b. noncompliant groups, crowds, or an individual taking part in a group or crowd (e.g., demonstrations or New Year's Eve, etc.), only after obtaining authorization from the Superintendent or the designee of the Superintendent.
- 4. Special weapons that dispense the Capsaicin II powder agent or larger volumes of chemical agents is an appropriate response option against **passive resistors** only under the following guidelines:
 - a. noncompliant groups or crowds only when used for area saturation and only after obtaining authorization from the Superintendent or the designee of the Superintendent, and
 - b. members have received Department-authorized training in safely handling, using, and maintaining the security of the Capsaicin II Powder Agent Deployment device, in accordance with established policy and procedures set forth by the Deputy Chief, Special Functions Division.
- D. Department members will use the OC spray and other chemical agents only as prescribed by Department training.
- E. When feasible and doing so would not compromise officer safety or the safety of others, prior to using OC spray or other chemical agents, members shall issue a verbal warning to the subject, fellow officers, and other individuals present that OC spray or other chemical agents will be used.
- F. Members will allow the subject an opportunity to comply with verbal warning.
- G. Caution should be exercised when discharging a personal OC device in enclosed areas or in the presence of infant children or elderly persons.
- H. Each standard OC spray or standard use of other chemical agents is a separate use of force that members will reasonably justify and document.
- I. A member's use of OC devices and other chemical agents will be documented on a Tactical Response Report (TRR).

III. POST DISCHARGE ACTIONS

- A. When a Department member discharges a chemical agent, the member will:
 - 1. if possible, relocate the individual(s) to an area of uncontaminated air and face the subject(s) into the wind.
 - 2. provide an opportunity for the subject(s) to eliminate the effects of the OC by flushing the affected areas with cool water. This should take place as soon as feasible, to the extent that the subject can be controlled without possible injury to himself or others.

NOTE: Subjects wearing contact lenses should remove them, if possible, before flushing the eyes with water.

 - 3. advise the subject to refrain from rubbing the affected area(s) or using creams, ointments, commercial eye washes, or bandages.
 - 4. if it is practical, avoid transporting an individual who is wet with OC. Transporting a subject when dry will minimize the possibility of the officer becoming contaminated.
- B. Under normal circumstances all symptoms of exposure to OC should disappear within thirty to forty-five minutes. If symptoms persist, the subject will be transported for medical attention in accordance with the Department directive entitled **"Processing Persons Under Department Control."**
- 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.

IV. RESPONSIBILITIES

- A. When a member discharges a chemical agent, the member will:
1. notify the Office of Emergency Management and Communications (OEMC), his or her supervisor, and the station supervisor in the district of occurrence.
 2. complete a Tactical Response Report (TRR) ([CPD-11.377](#)) as required by the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report,**" the appropriate case report, and other required reports.
 3. submit all reports to his or her supervisor for review and approval.
- B. If a member discharges a chemical agent outside the City of Chicago, the member will:
1. notify:
 - a. the law enforcement agency having jurisdiction;
 - b. OEMC and the Crime Prevention and Information Center (CPIC); and
 - c. his or her immediate supervisor.
 2. complete a TRR and submit it to his or her immediate supervisor for review and approval.
- C. When notified that a member under his or her command discharged a chemical agent, the assigned field supervisor will:
1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked responding supervisor.
 2. ensure the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report**" are followed.
 3. notify the Independent Police Review Authority when an OC device or chemical agent has been discharged.
- D. The assigned investigating supervisor the rank of lieutenant or above from the district of occurrence will:
1. investigate the incident and document the investigation in the "Lieutenant or above/Incident Commander" section of the Tactical Response Report (TRR),
 2. ensure a log number is obtained from the Independent Police Review Authority (IPRA).
 3. review, approve, and process the TRR in accordance with the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"
 4. receive the discharged personal OC device from the sworn member, provide a replacement device to the member, and notify the individual designated by the district commander that a replacement device has been issued. When needed, additional OC devices may be requested from the Taser Repair Center, located at the Education and Training Division, through normal requisition procedures.

NOTE: A copy of the TRR will be presented to the Taser Repair Center for replacement OC devices.

E. District Commander Responsibilities

The district commander of the district of occurrence will:

1. ensure that an individual is designated to order replacement canisters from the Equipment and Supply Section, Bureau of Support Services.
2. establish a secure area in the district for the storage of replacement canisters and ensure that the replacement canisters are available to the station supervisor on each watch.

- F. Whenever possible, the ranking officer 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 pyrotechnics.

V. DEVICE PROTOCOL

- A. A personal OC device is approved for use by sworn members consistent with the Department directive entitled "**Response Options.**"
- B. While in the performance of their field duties, all sworn members will carry the prescribed personal OC device in an approved device holster.
- C. The personal OC device and device holder will conform to the specifications referenced in the uniform specification titled "[Personal OC Chemical Device and Holder.](#)"
- D. The prescribed personal OC device must use a nonflammable propellant and contain a ten percent solution of oleoresin capsicum (pepper agent) only. The rating will not exceed 500,000 Scoville Heat Units.

NOTE: All personal OC devices are under pressure and should be used with extreme caution.

- E. Members are not approved to carry or use any type of personal OC device other than those prescribed.
- F. Members will be trained on the safe handling and use of the personal OC device and how it pertains to Department Use of Force Guidelines.
- G. Members will receive refresher training biennially (every two years) on the use of the OC device.
- H. The chief of each bureau and the commanding officer of exempt rank for each unit within the Office of the Superintendent will designate, by duty assignment, those members under their command who are not required to carry a personal OC device.
- I. Sworn members who are not required to carry a personal OC device will have it readily available during duty hours.
- J. This equipment is classified as the member's personal equipment, and each member is responsible for the care and maintenance of these items.
- K. The chemical agent OC does not require any special decontamination procedure other than flushing with cool water and normal ventilation.
- L. A member who discharges a personal OC device will receive a replacement device from the station supervisor. Should this item become lost, stolen, damaged, or expired, the individual member will be responsible for its replacement.

Authenticated by: KC

Eddie T. Johnson
Superintendent of Police

16-021 TSS



CANINES AS A RESPONSE OPTION



ISSUE DATE:		EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	Field Operations		

I. PURPOSE

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

II. POLICY

- A. Department members' use of a Department canine as a response option must be objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- B. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a Department canine as a response option will be made in accordance with the guidelines outlined in **G03-02, "Use of Force Guidelines."**
- C. Consistent with the guidelines outlined in **G03-02-01, "Response Options,"** Department members are authorized to use a Department canine as a response option for the following subjects:

1. Active Resisters.

The use of a canine to physically apprehend an active resister is limited to:

- a. a subject who is alleged to have committed either a felony or a violent misdemeanor.
- b. a subject who is reasonably believed to be armed.
- c. a search for a burglary suspect conducted inside buildings that contain hidden locations.

NOTE: A canine may be used in this situation to locate a subject whose only actions are to secret themselves and fail to comply with sworn member's orders to reveal themselves.

2. Assailants.

A canine is an appropriate force option against a subject 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 immediate threat to the canine.

- D. 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 handler.

NOTE: Department canines are trained and permitted to bite a subject only on the command of the handler or when the canine or the handler is threatened with attack by the subject.

- E. Any deployed canine 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 suspect is under control.
- F. Canines will not be used as a response option for the following:
1. crowd control situations, unless a sworn exempt-rank member authorizes the use of canine teams in response to a crowd that cannot be contained by other police methods and the crowd is likely to cause personal injury or property damage.
- NOTE:** Department members will refer to the Department directive entitled "**Canine Teams**" for specific guidelines on crowd-control deployments.
2. suspects who are known juveniles, are believed to be disabled, or are in need of mental treatment, unless the propensity for violence of the subject suggests that lesser response options will be unsuccessful.
- NOTE:** If the Department member is responding to an incident involving persons in need of mental health treatment, the member will act in accordance with the Department directive entitled "**Responding to Incidents Involving Persons In Need Of Mental Health Treatment,**" including using every possible means to verbally de-escalate the situation before resorting to the use of equipment, physical restraints, or other use of force options.
- G. A canine used to search for and apprehend a subject who is defined as an active resister or assailant is a reportable use of force incident that will be documented on a Tactical Response Report (TRR). The assigned canine handler will:
1. be responsible for the completion of the TRR to document the canine deployment.
 2. document on the TRR the duration of the total time the canine was deployed.
- H. Department members will refer to the Department directive entitled "**Canine Teams**" for specific guidelines on:
1. the required training for Department canines and handlers.
 2. when a Department canine is involved in a bite incident or inflicts other injuries.

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

- A. **Supervisory Response.** Prior to the deployment of a canine, the canine handler will notify a canine supervisor and a field supervisor from the district of occurrence. The determination of the appropriateness of the canine deployment 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 supervisor.
- B. **Warnings.** Prior to the use of the canine, the handler will announce his or her police authority and provide verbal warning stating that the canine will be released if the subject does not comply with the handler's orders.
1. The verbal warning will be given in a loud and clear manner, capable of being heard by the subject, any witnesses, or other parties within the targeted area.

2. The member 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, the 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, the 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 handler or others in imminent danger.
6. The fact that the warnings were given or omitted will be documented in the appropriate case report.

C. **Canine Bites.**

1. In those circumstances when a canine finds a suspect, the canine handler will:
 - a. only command the canine to bite when the handler is in visual and auditory range of the canine and the suspect.
 - b. not permit the canine to bite the subject unless commanded to do so by the handler.

EXCEPTION: Department canines are trained and permitted to bite a subject only on the command of the handler or when the canine or the handler is threatened with attack by the subject.

2. Once the handler determines that the incident is over and the control of the subject has been obtained, the handler must immediately order the canine to release the subject. In making the determination whether to order the canine to release the subject, the handler must carefully consider what is reasonably necessary based on the totality of the circumstances to control the suspect and protect themselves and others from injury.
3. When a Department canine is involved in a bite incident or inflicts other injuries, the canine handler 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).

NOTE: For further guidance on medical attention for injuries caused by a Department canine, Department members will refer to the Department directives entitled "**Use of Force Guidelines**" and "**Canine Teams.**"

Authenticated by: KS

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Superintendent of Police

16-021 TSS