



Date: June 8, 2020

To: Cara Pavlicek, Village Manager *Cara Pavlicek*

Fr: Mayor and Village Board

Re: **Review of Police Use of Force Policies**

Cc: Police Chief Reynolds
Acting Chief Moran
Deputy Village Manager Shelley
Asst. Village Manager/Human Resources Tchang
Village Attorney Stephanides

I have taken a number of steps to initiate the internal infrastructure necessary for a public discussion of our police department with a specific emphasis on a review of police use of force policies in Oak Park. This memo is to provide you with a basic executive summary about this process.

At the June, 22, 2020, Special Meeting of the Village Board, a detailed report of the information outlined below will be scheduled for Board discussion. At that time, the Village Board can determine and direct staff related to this review. I am recommending the Board vote on any direction it wishes to provide due to the large volume of email direction I continue to receive daily with individual, or at times, two Trustees providing direction. This is inefficient and I strongly believe usurps the spirit of the open meetings act. As such, I respectfully request the Village Board suspend all email dialogue related to the Police Department use of force policy review that is lawfully a matter for a public meeting, not an email discussion.

I am also recommending at the June 22, 2020 Special Meeting, the Village Board consider a resolution in support of the Obama Foundation's Pledge as part of a national effort to address police violence and systemic racism by evaluating local police use-of-force policies. The pledge is specifically seeking Mayoral support. Mayor Abu-Taleb took the pledge which commits to taking the following steps:

- Review police use-of-force policies.
- Engage the community by including a diverse range of input, experiences and stories in the review.
- Report the findings of the review to the community and seek feedback.
- Reform Oak Park's police use-of-force policies.

Therefore, I believe it is appropriate for the full Village Board to consider a motion in support of the Pledge.

As noted above, this memorandum is intended as an executive summary of steps that as Village Manager I intend to take. The Village of Oak Park, since 1952, has operated under the Village Manager form of government with the Illinois Constitution. All employees perform

their duties subject to the direction of the Village Manager or that of the superior to whom the Manager may assign such employees. It is the Police Chief's authority to oversee the members of the Police Department and issue orders governing their conduct, subject to the control and supervision of the Village Manager.

The details will be more fully developed for the Village Board discussion as part of the June 22, 2020 Village Board Special Meeting packet.

- A. This week (the week of June 8) an internal staff lead, as well as support personnel will be named. The Administrative lead will not be a member of the Police Department and will be tasked with the administrative responsibilities for managing the review of Oak Park's police use of force policies. The Administrative lead will work with Chief Reynolds who will be responsible for a great deal of the information that must be provided as we undertake a public discussion about police training, policies and technology (such as body cameras) to determine the best ways to improve how we serve the Oak Park community.
- B. The first step will be provide a series of information sessions with Q&A about the current structure of the Oak Park Police Department and will incorporate review of:
 - 1) Legal foundation in Illinois Law
 - 2) Hiring
 - 3) Training
 - 4) Rules, Regulations and General Orders (GOs)
 - 5) Equipment and Facilities
 - 6) Promotions
 - 7) Discipline procedures
 - 8) Organizational structures
 - 9) Collective Bargaining
 - 10) Funding
 - 11) Citizen commissions which directly work with police
- C. The second step will be a series of community conversations to listen and hear from the public about their experiences and perception to Oak Park policing which shall include:
 - 1) Public Opportunity for input on police interaction with Oak Park
 - 2) Private Opportunity for input on police interaction with Oak Park (for individuals who wish to share their experiences, but not in a public forum at the determination of the individual)
- D. The third step will be a series of information sessions with Q&A to review current Rules, Regulations and GOs which are deemed under the umbrella of Use of Force, including:
 - 1) Current policies, as well as proposed edits, if any, to those documents proposed by staff
 - 2) Public comment period for review (must be minimum 10 days)
 - 3) Village Board meeting for review and discussion of staff recommendations, with modifications based upon public comment.
 - 4) Posting of proposed final SOPs and GOs with Public comment period for review (must be minimum 10 days)

At this point, I believe the review will require roughly 115 business days which will mean it could be concluded by November 16, 2020, if the public discussion of our police department can have a specific emphasis on a review of police use of force policies in Oak Park. I would also note, that the process outlined above is intended to be a roadmap which may need to be adjusted from time to time based upon public feedback and other influences, such as the pandemic.

In regards to many other police related matters which members of the Village Board and/or public would like to review, I encourage the Village Board to allow this first conversation to be about the most important matter, use of force. Matters other than use of force, should be identified by the Village Board after this review of use of force is completed and a subsequent public process can be established to begin in early 2021.

In closing I have also attached for your review an several General Orders, a Police Department Rule and excerpt from State Law which several documents relevant to this situation. It is noted that there are more than 200 General Orders that range from mundane topics such as iPass/Transponder to use, to those that inform the most serious matters a police officer can face. I am sharing these documents for your background review since we are sharing these with the public frequently in response to questions. We are also sharing how these policies; along with other directives of the Chief of Police provide the following in Oak Park:

- 1) Oak Park requires officers to de-escalate situations, where possible, through communication, maintaining distance, slowing things down, and otherwise eliminating the need to use force. General Order 4.38
- 2) Oak Park prohibits officers from using maneuvers that cut off oxygen or blood flow, including chokeholds or carotid restraints. In fact, Oak Park does not even train officers on this type of maneuver. 720 ILCS5/7 - 5.5
- 3) Oak Park requires officers to report any violation of policy by another officer immediately to a supervisor. Rule 43
- 4) Oak Park restricts officers from shooting at moving vehicles. General Order 4.08
- 5) Oak Park limits the types of force and/or weapons that can be used to respond to specific types of resistance and specific characteristics such as age, size, or disability. General Order 4.38
- 6) Oak Park requires officers to exhaust all other reasonable means, when feasible, before resorting to deadly force. General Order 4.08
- 7) Oak Park requires officers to give a verbal warning, when possible, before using serious force such as shooting, tasing, or pepper spraying someone. General Order 4.38
- 8) Oak Park requires officers to report each time they use force or threaten to use force (e.g., pointing a gun at a person). General Order 4.38

I am not providing this information to imply in any way that this is enough, I just want to ensure that as elected officials I am sharing current factual information with you.

As noted above, additional details will be provided for the June 22, 2020 Village Board Special Meeting.

Attachments: General Order 4.08 Deadly Force
General Order 4.38 Use of Non-Lethal/Less-Lethal Force
General Order 4.66 Conducted Electrical Weapons
General Order 4.55 Prisoner Transport
General Order 8.12 Crisis Intervention Team
Oak Park Police Department Rule 43
Excerpt from State Law 720 ILCS5/7 - 5.5

**OAK PARK POLICE DEPARTMENT
GENERAL ORDER**

DATE OF ISSUE 01 OCT 2007	EFFECTIVE DATE 01 OCT 2007	DISTRIBUTION C	NUMBER 4.08
SUBJECT DEADLY FORCE			
RELATED DIRECTIVES	RE-EVALUATION DATE	ADDENDUM	
AMENDS	RESCINDS 4.08 DATED 12 JAN 2004	NO. PAGES 5	
CALEA STANDARDS: 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.8			

I. PURPOSE:

The purpose of this Order is to define the rules and procedural guidelines governing the use of deadly force.

II. POLICY:

The use of deadly force is the most serious act in which a law enforcement officer will engage. It has the most far-reaching consequences for all of the parties involved. Therefore, it is imperative not only that officers act within the boundaries of legal guidelines, ethics, good judgment, and accepted practices but, also, that they be prepared by training, leadership, and direction to act wisely whenever using deadly force in the course of their duty.

A reverence for the value of human life shall guide officers in considering the use of deadly force. While officers have an affirmative duty to use that degree of force necessary to protect human life, the use of deadly force is not justified merely to protect property interests.

III. DEFINITION:

- A. **FIREARM** - Any weapon or device from which is propelled any missile, projectile, bullet, shot, pellet, or other mass by means of explosives, compressed air or gas, or by means of springs, levers, or other mechanical device.

- B. **DISCHARGE** - To fire, shoot, pop, or otherwise release the charge of a firearm.
- C. **DEADLY FORCE** - That force which, when applied physically, by weapon or any other instrument, is likely to cause death or great bodily harm.
- D. **REASONABLE BELIEF** - “Reasonable Belief” or “reasonably believes” means that the person concerned, acting as a reasonable man, believes that the described facts exist. 720 ILCS 5/2-19
- E. **SERIOUS BODILY HARM** – A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss of impairment of the functioning of any bodily member or organ.
- F. **IMMINENT** – Threatening or ready to occur immediately; near at hand; impending.

IV. **RULES:**

- A. Officers will use deadly force only to defend themselves or another person when they reasonably believe that they or a third person, are in danger of being killed or receiving serious bodily harm and that deadly force is necessary to defend against that danger. (CALEA 1.3.2)

NOTE: Justification for the use of deadly force must be limited to what reasonably appears to be the facts known or perceived by an officer at the time they decide to shoot. Facts unknown to an officer, no matter how compelling, cannot be considered at a later time or date to justify a shooting.

- B. Officers will not fire their weapons under conditions that would subject bystanders or hostages to death or possible injury. Firing under such conditions is not justified unless the failure to do so at the time would create a substantial immediate threat of death or serious bodily injury.
- C. Oral Warning

Prior to utilizing deadly force, the officer, where feasible, shall provide a clear and audible warning to the perpetrator(s) of criminal activity to desist.

D. Drawing or Exhibiting Firearms

A firearm will be drawn and/or exhibited for authorized training, cleaning, inspection, and other conditions identified within this Order. A firearm will not be drawn or exhibited for purposes of threat or display.

E. Moving Vehicles

Discharging a firearm from, or at, a moving vehicle is prohibited, unless the occupant, or occupants, of the other vehicle are using deadly force against the officer or another person.

F. Warning Shots

Except in the most exigent of circumstances, warning shots are not allowed. **(CALEA 1.3.3)**

G. Handling and Care

Police personnel will observe all safety rules and measures when handling service firearms. The service weapon will be properly secured in the holster when not in use.

H. Except for authorized range practice, sporting events, or other recognized events where the discharge of firearms is legal and practical, officers will report firearm discharges immediately to the watch commander.

I. In all cases, the circumstances of a firearms discharge, including unintentional discharges, will be explained within the officer's written report. **(CALEA 1.3.6 [a])**

J. In all instances where discharge of a firearm results in injury or death, the Chief of Police or his designee must be immediately notified. If directed by the Chief of Police, the Internal Affairs Sergeant will conduct an investigation separate from any other investigation that may be conducted.

K. In all cases where the use of force results in death, or serious injury, the Chief of Police or his designee will remove the officer involved from line-duty assignment, pending an administrative review of the case. **(CALEA 1.3.8)**

V. **MEDICAL TREATMENT OF INJURED FOLLOWING A FIREARM DISCHARGE:**

In the event of an injury, or claimed injury as a result of firearm discharge, or other lethal weapon use, medical treatment will immediately be obtained from a licensed physician at a hospital emergency room. (CALEA 1.3.5)

VI. **PROCEDURES:**

A. A firearm may be drawn when it is anticipated that a confrontation with an armed subject, subjects, or a high-risk situation likely to occur. A firearm may be drawn when searching a building for a suspected felon, but shall not be carried in a single-action cocked mode.

B. Use of shotguns

Shotguns and rifles are provided by the Department as additional protection for officers in particularly high-risk situations.

The removal of a shotgun or rifle from the vehicle is authorized only when it is anticipated that a confrontation with an armed subject, subjects, or a high-risk situation is likely to occur.

C. Debriefing

A psychological debriefing will be provided to any officer(s) involved in a firearm discharge resulting in injury or death, at the request of the officer(s).

A psychological debriefing may be recommended to the Chief of Police by a command officer for any officer who appears to have been adversely affected by a firearm discharge incident.

D. Shooting Incident

1. The Chief of Police may authorize a debriefing team to critique any discharge-of-firearm situation by an officer. Membership will be:

- Representative of the Training Staff
- Rangemaster

- Appointments by the Chief of Police
2. The purpose of the team will be to review each shooting incident and make recommendations to the Chief of Police based on the following:
 - Errors in training
 - Training needs
 - Training methods
 - Proposed policy and procedural changes
 3. This team will function independent from any other investigation conducted within the Department.
 4. Participation by officers will be voluntary; however, active participation is encouraged.

Rick C. Tanksley
Chief of Police

OAK PARK POLICE DEPARTMENT

USE OF FORCE REPORT

OFFENSE / INCIDENT CLASSIFICATION				REPORT NUMBER						
OCCURRENCE LOCATION				DATE		TIME				
MEMBER INFO	<u>OFFICER NAME</u>		<u>STAR / ID</u>	<u>SEX</u>	<u>RACE</u>	<u>AGE</u>	<u>HEIGHT</u>	<u>WEIGHT</u>		
	<u>APPOINTED DATE</u>		<u>DUTY STATUS</u> <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<u>IN UNIFORM</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>INJURED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>PHOTOGRAPHED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		
	<u>MEDICAL TREATMENT</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>LOCATION</u>		<u>DOCTOR NAME</u>		<u>ADMITTED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO			
SUBJECT INFO	<u>SUBJECT NAME</u>			<u>SEX</u>	<u>RACE</u>	<u>AGE</u>	<u>HEIGHT</u>	<u>WEIGHT</u>		
	<u>APPARENT CONDITION</u> <input type="checkbox"/> AGITATED <input type="checkbox"/> DISORIENTED <input type="checkbox"/> MENTALLY DISTURBED <input type="checkbox"/> UNDER THE INFLUENCE OF ALCOHOL / DRUGS <input type="checkbox"/> PRIOR INJURY <input type="checkbox"/> APPARENTLY NORMAL <input type="checkbox"/> OTHER									
	<u>WAS SUBJECT ARMED? (Specify Weapon)</u> <input type="checkbox"/> YES <input type="checkbox"/> NO				<u>INJURED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>ALLEGED INJURY</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>PHOTOGRAPHED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO	
	<u>MEDICAL TREATMENT</u> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED		<u>LOCATION</u>		<u>DOCTOR NAME</u>		<u>ADMITTED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO			
	<u>CHARGE(S)</u> <input type="checkbox"/> DNA									
<input type="checkbox"/> DNA	PASSIVE RESISTER		ACTIVE RESISTER		ASSAILANT: ASSAULT		ASSAILANT: BATTERY		DEADLY FORCE ASSAILANT	
REASON(S) FOR USE OF FORCE (Check all that apply)	SUBJECT ACTIONS		MEMBER RESPONSE		REASON(S) FOR USE OF FORCE (Check all that apply)		SUBJECT ACTIONS		MEMBER RESPONSE	
<input type="checkbox"/> DNA	<u>WEAPON TYPE</u> <input type="checkbox"/> REVOLVER <input type="checkbox"/> OC SPRAY <input type="checkbox"/> PISTOL <input type="checkbox"/> TASER <input type="checkbox"/> RIFLE <input type="checkbox"/> LESS-LETHAL <input type="checkbox"/> SHOTGUN <input type="checkbox"/> OTHER:		<u>INCIDENT OCCURRED</u> <input type="checkbox"/> INDOORS <input type="checkbox"/> OUTDOORS		<u>LIGHTING</u> <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> NIGHT <input type="checkbox"/> DAWN / DUSK <input type="checkbox"/> ARTIFICIAL GOOD <input type="checkbox"/> ARTIFICIAL POOR		<u>WEATHER</u> <input type="checkbox"/> CLEAR <input type="checkbox"/> CLOUDY <input type="checkbox"/> RAIN / SNOW <input type="checkbox"/> FOG <input type="checkbox"/> DNA (Indoors)		<u>MAKE / MANUFACTURER</u>	
MEMBER WEAPON DISCHARGE INCIDENT	<u>TASER DART ID #</u>		<u>FIREARM SERIAL #</u>		<u># SHOTS FIRED</u>		<u>AMMUNITION TYPE</u>		<u>MODEL</u>	
<input type="checkbox"/> DNA	<input type="checkbox"/> OFFICER <input type="checkbox"/> OFFENDER <input type="checkbox"/> UNK. <input type="checkbox"/> OTHER		<u>RELOAD</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u># CARTRIDGES / SHELLS RELOADED</u>		<u>HOW RELOADED</u> <input type="checkbox"/> SINGLE CARTRIDGE <input type="checkbox"/> SPEED LOADER <input type="checkbox"/> MAGAZINE		<u>HOW WEAPON WORN</u> <input type="checkbox"/> HOLSTER <input type="checkbox"/> L. WAIST <input type="checkbox"/> CONCEALED <input type="checkbox"/> R. WAIST <input type="checkbox"/> OTHER:	
<input type="checkbox"/> DNA	<u>HOW WEAPON WORN</u> <input type="checkbox"/> HOLSTER <input type="checkbox"/> L. WAIST <input type="checkbox"/> CONCEALED <input type="checkbox"/> R. WAIST <input type="checkbox"/> OTHER:		<u>HOW WEAPON DRAWN</u> <input type="checkbox"/> STRONG HAND <input type="checkbox"/> WEAK HAND <input type="checkbox"/> CROSS DRAW <input type="checkbox"/> OTHER		<u>SIGHTS USED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>PROTECTIVE COVER USED (Light Poles, Doorways, Cars, Furniture, Etc.)</u>		<u>APPROXIMATE DISTANCE AT FIRST SHOT</u> <input type="checkbox"/> 0'-5' <input type="checkbox"/> 5'-10' <input type="checkbox"/> 10'-15' <input type="checkbox"/> 15'-21' <input type="checkbox"/> >21' ESTIMATE	
<input type="checkbox"/> DNA	<u>PERSON/OBJECT STRUCK BY THE DISCHARGE OF MEMBER'S WEAPON</u> <input type="checkbox"/> PERSON <input type="checkbox"/> OBJECT <input type="checkbox"/> BOTH <input type="checkbox"/> UNKNOWN		<u>POSITION OF MEMBER DISCHARGING WEAPON</u> <input type="checkbox"/> OTHER		<input type="checkbox"/> STANDING <input type="checkbox"/> SITTING <input type="checkbox"/> KNEELING <input type="checkbox"/> PRONE <input type="checkbox"/> ON BACK		<u># OF OFFICERS PRESENT</u>		<u># OF ASSAILANTS / RESISTERS</u>	
<input type="checkbox"/> DNA	<u># OF OFFICERS PRESENT</u>		<u># OF ASSAILANTS / RESISTERS</u>		<u>TOTAL # OF PERSONS PRESENT</u>					
Reporting Member's detailed description of incident shall be included in the appropriate Arrest / Offense / Incident / Investigative Action Report.										
REPORTING OFFICER			STAR / ID		SUPERVISOR REVIEW			STAR / ID		DATE REVIEWED

Watch Commander Review

SUBJECT'S STATEMENT REGARDING THE USE OF FORCE DNA REFUSED UNABLE TO INTERVIEW (Specify Reason)

WATCH COMMANDER FINDING BASED ON CURRENTLY AVAILABLE INFORMATION:

I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED BY THE INTERNAL AFFAIRS DIVISION.

I.A. NUMBER OBTAINED: _____

WATCH COMMANDER RATIONALE FOR FINDING:

WATCH COMMANDER NAME:

WATCH COMMANDER SIGNATURE

DATE / TIME COMPLETED

ATTACHMENTS -- COPIES OF:

OFFENSE / INCIDENT REPORT

SUPPLEMENTARY REPORT(S)

PHOTOS

ARREST REPORT

PRISONER INJURY REPORT

OTHER: _____



OAK PARK POLICE DEPARTMENT
GENERAL ORDER



police@oak-park.us

www.oak-park.us/police

708-386-3800

DATE OF ISSUE 11 NOV 2019	EFFECTIVE DATE 15 NOV 2019	DISTRIBUTION C	NUMBER 4.38
SUBJECT USE OF NON-LETHAL / LESS-LETHAL FORCE			
RELATED DIRECTIVES	RE-EVALUATION DATE	ADDENDUM	
AMENDS	RESCINDS 4.38 DATED 16 OCT 2007	NO. PAGES 7	

I. **PURPOSE:**

This Order defines the Departmental rules and procedural guidelines under which the use of non-lethal and less lethal force by police officers is permissible.

II. **POLICY:**

- A. It is the policy of the Oak Park Police Department that police officers will comply with the law and use only the amount of non-lethal or less-lethal force necessary to accomplish a lawful task, control an individual or effect and maintain an arrest. The use of Oleoresin Capsicum (OC) Spray is considered “non-lethal” use of force. Although not 100% effective, OC Spray should render an assailant disoriented and unable to continue his/her attack and/or active resistance. The use of a Taser Conducted Electrical Weapon is considered “non-lethal” use force. The Taser Conducted Electrical Weapon can be utilized to control and overcome the resistance put forth by individuals who are violent, exhibiting threatening or potentially violent behavior, or physically resisting arrest or detention. Police officers will not deploy a Taser on an individual defined as a passive resister. The use of the ASP Baton and Less-Lethal Extended Range Impact Device is considered “non-lethal” use of force. However, because of the potential for serious injury or death with the use of the ASP Baton and Less-Lethal Extended Range Impact Device, they will only be employed against an assailant and will be considered one step away from the use of lethal force. The use of the ASP Baton and Less-Lethal Extended Range Impact Devices

is a serious act and demands that an officer acts within the boundaries of legal guidelines, ethics, good judgment and accepted practices.

III. DEFINITIONS:

- A. **NON-LETHAL FORCE** - The amount of force not likely to cause death or serious bodily harm and what the officer reasonably believes necessary to defend himself or another from bodily harm while making an arrest, keeping the peace, or restraining unruly persons.
- B. **OC SPRAY** - An inflammatory agent derived from the processing of organic hot (cayenne) peppers.
- D. **AEROSOL PROJECTOR** - device that delivers Oleoresin Capsicum Spray by the use of nitrogen propellant in a target specific stream spray for controlled delivery and minimal cross contamination.
- E. **ASP BATON** - An approved defensive device 21 inches in length, made of steel, commonly referred to as a collapsible baton.
- F. **ASP BATON METHOD** - an approved method of utilizing ASP Baton techniques in the application of non-lethal force.
- G. **KINETIC ENERGY IMPACT PROJECTILES** – Flexible or non-flexible projectiles which are intended to incapacitate a subject with minimal potential for causing death or serious physical injury when compared to conventional projectiles.
- H. **FLEXIBLE PROJECTILES** – Lead shot sewn into heavy cloth/nylon bags intended to conform to the target shape, reducing energy density, primarily offered in 12 gauge and 37mm.
- I. **NON-FLEXIBLE PROJECTILES** – Plastic, rubber or wood, single or multi-projectile, offered in 12 gauge and 37mm, that delivers impact energy via projectiles that do not tend to conform to the shape of the target.
- J. **DEDICATED SHOTGUN DELIVERY SYSTEM** – A standard police issue 12 gauge pump shotgun marked with a bright orange slide handle and stock, dedicated to less lethal projectiles.

- K. **TASER/CONDUCTED ELECTRICAL WEAPON** – A device that uses electricity to override voluntary motor responses, or apply pain in order to gain compliance or overcome resistance.

IV. RULES:

- A. Only police officers trained and qualified in the use of OC Spray, Taser CEW, ASP Baton, and the Less-Lethal Extended Range Impact Devices will be authorized to carry and use department-approved non-lethal weapons.
- B. The use of OC Spray, Taser CEW, ASP Baton, and the Less-Lethal Extended Range Impact Devices by an officer will be consistent with the methods and tactics prescribed in the department-authorized training.
- C. Officers will not fire Less-Lethal Extended Range Impact Devices under conditions that would subject bystanders to possible injury.
- D. Prior to utilizing Less-Lethal Extended Range Impact Devices, the officer shall provide a clear and audible warning to other officers by shouting “Bean Bag Ready.”
- E. Discharging Less-Lethal Extended Range Impact Devices from, or at, a moving vehicle is prohibited.

V. PROCEDURE:

- A. The application of non-lethal force is limited to arrest, defensive or peace keeping situations in which an officer is:
 - 1. attacked or another person is attacked.
 - 2. met with physical resistance while making a lawful arrest.
 - 3. controlling the movement of a prisoner.
 - 4. engaged in crowd control.
 - 5. controlling, attempting to control or assisting in the control of an individual requiring obvious medical attention, psychiatric evaluation or detoxification.

B. IMPACT DEVICES.

1. Striking the appropriate target area is the single most important factor in the safe and effective deployment of ASP and Less-Lethal Extended Range Impact Devices. The head, neck, throat, face, chest, groin, spine and kidneys must not be intentionally targeted.
2. Officers should direct ASP and Less-Lethal Extended Range Impact Devices to the primary center mass target areas. Strikes to the primary center mass target areas have a high potential for control and a low potential for fatal injury. Strike targets:
 - a. Center mass of the arm
 - b. Center mass of the leg
 - c. Center mass of the body (abdomen)

VI. GUIDELINES REGARDING THE USE OF NON-LETHAL FORCE:

- A. While the use of non-lethal physical force may be necessary in certain situations, officers should not resort to such force unless other reasonable alternatives have been tried or would be ineffective under the circumstances involved.
- B. Police officers, whenever possible, will exercise de-escalation techniques, persuasion, advice and warning prior to the use of non-lethal physical force. If such are found to be ineffective in accomplishing the legal purpose to be served, a member may resort to the use of non-lethal physical force necessary to accomplish the lawful police purpose.
- C. The determination of what is or is not reasonable force is based on each individual situation and is a judgment decision that the individual police officer must make. The decision should be based on factors which include, but are not limited to the age, size or mental state of the individual, or the availability of assistance as well as special circumstances (i.e. close proximity to a firearm/weapon, special knowledge, injury or exhaustion, ground position, disability, or imminent danger) of the particular situation.

- D. The use of excessive force, unwarranted physical force or verbal abuse by a Department member will not be tolerated under any circumstances.

VII. ESCALATION OF FORCE:

- A. **OFFICER PRESENCE** - The first contact the officer has with an individual or group will, in most cases, provide clear indication if force must be used as well as the level of force. During the initial contact with a subject or group, the officer should evaluate the individual(s) by observing the subject's demeanor, actions and location in addition to considering the nature of the contact.
- B. **USE OF BACK-UP OFFICER** - A request for a back-up officer should be considered the first step in the escalation of force.
 - 1. Whenever an officer has determined that actual or potential threat is present, the officer should request additional police officers commensurate with meeting and overcoming the level of threatened or actual resistance or assault.
- C. **VERBAL PERSUASION** - The practice of courtesy and professional demeanor in all police contacts encourages understanding and cooperation. Simple directions may be given by a police officer in one of two ways; asking for cooperation and giving direct orders, (warnings or commands within the law).
 - 1. **Requested Cooperation** - An officer attempting to gain compliance with a request should utilize the appropriate level of tact and courtesy likely to maximize cooperation and avoid resentment.
 - 2. **Giving Warnings and Commands** - Police officers are empowered with the authority to give warnings and orders under certain circumstances. A warning may be given to disorderly individuals, to cease their conduct if, in the officer's assessment, the conduct is illegal and the officer believes the warning may be an appropriate level of control.
- D. **PASSIVE RESISTANCE** - Officers may encounter situations in which they are compelled to use physical force even though no physical

resistance or other threatening behavior is displayed. A sit-in demonstration is an example of this type of situation.

1. An officer faced with this situation will continue to use verbal persuasion and commands and may, when necessary, utilize come-along holds or other control tactics when making arrests.

E. **POTENTIAL OR ACTUAL OFFENSIVE ATTACK (UNARMED)** - These are situations where an individual threatens or actually attacks the officer or another. They may include, but are not limited to:

1. Verbal abuse of a threatening nature accompanied by the adoption of a physical posture that is immediately threatening an attack upon the officer (the subject falls back into a boxing or martial arts stance or makes a fist).
2. An actual physical attack upon an officer or another in which the subject has kicked, bitten, punched, or physically grabbed the officer or another with the intention of causing immediate physical harm.
3. In these situations officers may:
 - a. take immediate action to defend themselves or another, and when the situation warrants, use physical force up to and including techniques such as; come-along holds, takedown holds, other unarmed offensive techniques, OC spray, Taser CEW and the ASP baton. Verbal commands and de-escalation techniques should continually be used along with the officer's actions to encourage the subject to cease the attack and cooperate with the officer.

VIII. DE-ESCALATION OF FORCE:

- A. As the level of attack, threat or resistance diminishes, the officer's actions must also de-escalate to the appropriate minimum level of force necessary to control the subject.

IX. REPORTING THE USE OF NON-LETHAL FORCE:

- A. Officers using the following types of non-lethal force will report the use of force to the on-duty Watch Commander and complete a Use of Force Report and a To/From memo which will be forwarded to the Deputy Chief, Field Services Bureau. The Use of Force Report will be submitted when:
1. physical force resulting in injury, claimed injury, or death to the subject occurs;
 2. the OC spray is used;
 3. the Taser CEW is deployed;
 4. Less-Lethal Extended Range Impact Devices are used;
 5. the ASP baton is used; and
 6. the officer utilizes impact force on the subject.
 7. anytime a subject is charged with resisting arrest.
- B. An employee acting in his official capacity, while using physical force which results in serious injury or death, will be removed from line duty assignment pending an administrative review.

Note: Use of Force report shall be included with the police arrest packet/court case file.

X. MEDICAL TREATMENT OF INJURED ARRESTEES:

In the event of an injury or claimed injury as a result of officer-applied force, the on-duty Watch Commander will assure that medical treatment is obtained, from a licensed physician at a hospital emergency room.



LaDon Reynolds
Chief of Police

OAK PARK POLICE DEPARTMENT

USE OF FORCE REPORT

OFFENSE / INCIDENT CLASSIFICATION						REPORT NUMBER													
OCCURRENCE LOCATION						DATE			TIME										
MEMBER INFO	<u>OFFICER NAME</u>			<u>STAR / ID</u>		<u>SEX</u>		<u>RACE</u>		<u>AGE</u>		<u>HEIGHT</u>		<u>WEIGHT</u>					
	<u>APPOINTED DATE</u>			<u>DUTY STATUS</u> <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<u>IN UNIFORM</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>INJURED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>PHOTOGRAPHED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO									
	<u>MEDICAL TREATMENT</u> <input type="checkbox"/> YES <input type="checkbox"/> NO			<u>LOCATION</u>			<u>DOCTOR NAME</u>			<u>ADMITTED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO									
SUBJECT INFO	<input type="checkbox"/> DNA <u>SUBJECT NAME</u>					<u>SEX</u>		<u>RACE</u>		<u>AGE</u>		<u>HEIGHT</u>		<u>WEIGHT</u>					
	<u>APPARENT CONDITION</u> <input type="checkbox"/> AGITATED <input type="checkbox"/> DISORIENTED <input type="checkbox"/> MENTALLY DISTURBED <input type="checkbox"/> UNDER THE INFLUENCE OF ALCOHOL / DRUGS <input type="checkbox"/> PRIOR INJURY <input type="checkbox"/> APPARENTLY NORMAL <input type="checkbox"/> OTHER:																		
	<u>WAS SUBJECT ARMED? (Specify Weapon)</u> <input type="checkbox"/> YES <input type="checkbox"/> NO					<u>INJURED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>ALLEGED INJURY</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u>PHOTOGRAPHED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO									
	<u>MEDICAL TREATMENT</u> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED			<u>LOCATION</u>			<u>DOCTOR NAME</u>			<u>ADMITTED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO									
	<u>CHARGE(S)</u> <input type="checkbox"/> DNA																		
<input type="checkbox"/> DNA	PASSIVE RESISTER			ACTIVE RESISTER			ASSAILANT: ASSAULT			ASSAILANT: BATTERY			DEADLY FORCE ASSAILANT						
REASON(S) FOR USE OF FORCE (Check all that apply)	SUBJECT ACTIONS <input type="checkbox"/> DID NOT FOLLOW VERBAL DIRECTION <input type="checkbox"/> STIFFENED / DEAD WEIGHT <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> FLED / RAN AWAY <input type="checkbox"/> PULLED AWAY <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> IMMINENT THREAT OF BATTERY <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> ATTACK WITHOUT WEAPONS <input type="checkbox"/> ATTACK WITH WEAPONS <input type="checkbox"/> TAKE P/O WEAPON / EQUIPMENT <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> USE FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM <u>WEAPON:</u> _____ <input type="checkbox"/> OTHER: _____						
MEMBER RESPONSE	<input type="checkbox"/> MEMBER PRESENCE <input type="checkbox"/> VERBAL DIRECTION <input type="checkbox"/> ESCORT HOLDS <input type="checkbox"/> WRIST LOCK <input type="checkbox"/> ARM BAR <input type="checkbox"/> PAIN COMPLIANCE <input type="checkbox"/> CONTROL INSTRUMENT <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> OPEN HAND STRIKE <input type="checkbox"/> TAKE DOWN / EMERGENCY HANDCUFFING <input type="checkbox"/> OC SPRAY <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> ELBOW STRIKE <input type="checkbox"/> CLOSED HAND STRIKE / PUNCH <input type="checkbox"/> IMPACT WEAPON (Describe) _____ <input type="checkbox"/> OTHER: _____			<input type="checkbox"/> KNEE STRIKE <input type="checkbox"/> KICK <input type="checkbox"/> TASER <input type="checkbox"/> IMPACT MUNITION (Describe) _____			<input type="checkbox"/> FIREARM <input type="checkbox"/> OTHER: _____						
<input type="checkbox"/> DNA	WEAPON TYPE <input type="checkbox"/> REVOLVER <input type="checkbox"/> OC SPRAY <input type="checkbox"/> PISTOL <input type="checkbox"/> TASER <input type="checkbox"/> RIFLE <input type="checkbox"/> LESS-LETHAL <input type="checkbox"/> SHOTGUN <input type="checkbox"/> OTHER: _____			INCIDENT OCCURRED <input type="checkbox"/> INDOORS <input type="checkbox"/> OUTDOORS			LIGHTING <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> NIGHT		<input type="checkbox"/> DAWN / DUSK <input type="checkbox"/> ARTIFICIAL GOOD <input type="checkbox"/> ARTIFICIAL POOR		WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> CLOUDY		<input type="checkbox"/> RAIN / SNOW <input type="checkbox"/> FOG <input type="checkbox"/> DNA (Indoors)						
MEMBER WEAPON DISCHARGE INCIDENT	<u>MAKE / MANUFACTURER</u>			<u>MODEL</u>			<u>BARREL LENGTH</u>			<u>CALIBER / GAUGE</u>									
<u>TASER DART ID #</u>			<u>FIREARM SERIAL #</u>			<u># SHOTS FIRED</u>			<u>AMMUNITION TYPE</u>										
<input type="checkbox"/> OFFICER <input type="checkbox"/> OFFENDER <input type="checkbox"/> UNK. <input type="checkbox"/> OTHER:					<u>RELOAD</u> <input type="checkbox"/> YES <input type="checkbox"/> NO		<u># CARTRIDGES / SHELLS RELOADED:</u>		<u>HOW RELOADED</u> <input type="checkbox"/> SINGLE CARTRIDGE <input type="checkbox"/> SPEED LOADER <input type="checkbox"/> MAGAZINE										
<u>HOW WEAPON WORN</u> <input type="checkbox"/> HOLSTER <input type="checkbox"/> L. WAIST <input type="checkbox"/> CONCEALED <input type="checkbox"/> R. WAIST <input type="checkbox"/> OTHER:				<u>HOW WEAPON DRAWN</u> <input type="checkbox"/> STRONG HAND <input type="checkbox"/> CROSS DRAW <input type="checkbox"/> WEAK HAND <input type="checkbox"/> OTHER:				<u>SIGHTS USED</u> <input type="checkbox"/> YES <input type="checkbox"/> NO											
<u>PROTECTIVE COVER USED (Light Poles, Doorways, Cars, Furniture, Etc.)</u>						<u>APPROXIMATE DISTANCE AT FIRST SHOT</u> <input type="checkbox"/> 0'-5' <input type="checkbox"/> 5'-10' <input type="checkbox"/> 10'-15' <input type="checkbox"/> 15'-21' <input type="checkbox"/> >21' ESTIMATE:													
<u>PERSON/OBJECT STRUCK BY THE DISCHARGE OF MEMBER'S WEAPON</u> <input type="checkbox"/> PERSON <input type="checkbox"/> OBJECT <input type="checkbox"/> BOTH <input type="checkbox"/> UNKNOWN						<u>POSITION OF MEMBER DISCHARGING WEAPON</u> <input type="checkbox"/> OTHER: <input type="checkbox"/> STANDING <input type="checkbox"/> SITTING <input type="checkbox"/> KNEELING <input type="checkbox"/> PRONE <input type="checkbox"/> ON BACK													
<u># OF OFFICERS PRESENT</u>			<u># OF ASSAILANTS / RESISTERS</u>			<u>TOTAL # OF PERSONS PRESENT</u>													
Reporting Member's detailed description of incident shall be included in the appropriate Arrest / Offense / Incident / Investigative Action Report.																			
REPORTING OFFICER				STAR / ID				SUPERVISOR REVIEW				STAR / ID				DATE REVIEWED			

Watch Commander Review

SUBJECT'S STATEMENT REGARDING THE USE OF FORCE: DNA REFUSED UNABLE TO INTERVIEW (Specify Reason)

WATCH COMMANDER FINDING BASED ON CURRENTLY AVAILABLE INFORMATION:

I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED BY THE INTERNAL AFFAIRS DIVISION.

I.A. NUMBER OBTAINED: _____

WATCH COMMANDER RATIONALE FOR FINDING:

WATCH COMMANDER NAME:

WATCH COMMANDER SIGNATURE

DATE / TIME COMPLETED

ATTACHMENTS -- COPIES OF:

OFFENSE / INCIDENT REPORT

SUPPLEMENTARY REPORT(S)

PHOTOS

ARREST REPORT

PRISONER INJURY REPORT

OTHER: _____

OLEORESIN CAPSICUM SPRAY DECONTAMINATION GUIDELINES

1. As a matter of officer safety, take physical control of the subject. The subject may produce some amount of bodily fluids usually in the form of mucus, saliva or tears. Take precautions to avoid contact with these bodily fluids while decontaminating the subject.
2. While taking control of the subject, do not place him/her face down or in any position that hampers the respiratory function.
3. Monitor the subject and verbally reassure the subject that the effects are only temporary.
4. Flush the subject's face with cool water.
5. Expose the subject to fresh air. If no fresh air is available, a fan may be substituted.
6. Find out if the subject is wearing contact lenses. If so, allow the subject to remove the lenses. DO NOT attempt to remove the subject's contact lenses yourself.
7. DO NOT rub the subject's face or eyes with a cloth or paper towel. This will only increase the inflammation.
8. DO NOT apply creams, salves, oils, lotions, burn cream, etc. as they will only trap the OC on the skin.
9. Most subjects will begin to recover within 45-60 minutes after decontamination begins.
10. If the subject is in medical distress at any point after being sprayed, or if the subject has not shown improvement after decontamination, call for emergency medical assistance immediately.



OAK PARK POLICE DEPARTMENT
GENERAL ORDER



police@oak-park.us

www.oak-park.us/police

708-386-3800

DATE OF ISSUE 18 AUG 2017	EFFECTIVE DATE 18 AUG 2017	DISTRIBUTION C	NUMBER 4.66
SUBJECT CONDUCTED ELECTRICAL WEAPONS			
RELATED DIRECTIVES	RE-EVALUATION DATE	ADDENDUM	
AMENDS	RESCINDS	NO. PAGES 8	

I. PURPOSE:

This order defines the departmental rules and procedural guidelines regarding the use of a TASER Conducted Electrical Weapon

II. POLICY:

It is the policy of the Oak Park Police Department to use objectively reasonable force to control and overcome the resistance put forth by individuals who are violent, exhibiting threatening or potentially violent behavior, or physically resisting arrest or detention. Conducted Electrical Weapons (CEWs) may be used by authorized and trained personnel in accordance with this policy and Department General Order 4.38, Use of Non-Lethal/Less-Lethal Force

III. DEFINITIONS:

- A. Conducted Electrical Weapon (CEW): A device that uses electricity to override voluntary motor responses, or apply pain in order to gain compliance or overcome resistance.
- B. Passive Resistance: A refusal by an unarmed person to comply with an Officer's verbal commands or physical control techniques that does not involve the use of physical force, control, or resistance of any kind.
- C. Sensitive Population Groups: Sensitive population groups include those who reasonably appear to be, or are known to be, children, elderly,

- D. medically infirm, pregnant, users of a cardiac pacemaker and those that appear to have a low body-mass index (BMI). Anti-Felon Identification System (AFID): Tiny pieces of bright-colored or clear confetti that is packed into every CEW cartridge. Each AFID is labeled with a unique code that is linked to its respective cartridge.

IV. **PROCEDURE:**

A. **AUTHORIZED USERS**

1. No Officer may carry an CEW unless they have:
2. Been authorized to do so by the Chief of Police,
3. Been trained by a certified CEW instructor, and
4. Have demonstrated proficiency in its proper use.

Training shall include instruction regarding this and other relevant policies and will be conducted annually.

5. An Officer who fails a qualification attempt with a CEW will not be authorized to carry a CEW until such time that successful qualification is achieved. An Officer will receive remedial training in these instances through personal instruction by a certified CEW instructor.

B. **WEAPON READINESS**

1. All CEWs will be securely stored in the Department equipment room, and shall be signed in/signed out prior to and after each shift, respectively.
2. Officers will not pass a CEW directly from one person to another without going through the sign-in/sign-out process.
3. For all sworn personnel, the device shall be carried in a Department-approved holster on the side of the body opposite the primary weapon.
4. Officers not assigned to uniformed patrol may utilize other Department-approved holsters and carry the CEW consistent with Department training.

5. The device shall be carried fully armed with the safety on in preparation for immediate use.
6. The TASER/AXON X2 CEW holds two cartridges in the event of cartridge failure or the need for redeployment. Extra cartridges shall be maintained by the Range Master. After a deployment, the deploying Officer will request a replacement cartridge(s) from the Range Master or his/her designee. Only manufacturer approved battery power sources shall be used in the CEW. No CEW will be carried with a charge percentage less than 40% (two bars on the digital display). If the battery is at or below two bars, the CEW battery must be replaced before being carried.
7. Only Department authorized CEWs that have been inspected by the user and are properly functioning and charged shall be carried on duty. The CEW shall be subjected to a pre-shift "spark-test" as defined in training to ensure that the device is functioning properly. All spark-tests will be conducted in an area designated by the Range Master.
8. No changes, modifications, alterations or substitutions shall be made to the CEW systems unless authorized by the Chief of Police.
9. In the event a CEW is found to be malfunctioning, the problem will be documented and the unit will be designated inoperable. The unit and documentation will be forwarded by the user to the Range Master for repair. Any required repairs to a CEW shall be performed by a certified armorer or the manufacturer.

C. **DEPLOYMENT**

1. The CEW is an intermediate weapon and its use is governed by Department General Order 4.38, Use of Non-Lethal/Less-Lethal Force.
2. The CEW is most effective at overcoming resistance and assisting Officers with subject control when used in the "probe mode," which is the preferred deployment technique when practical.
3. The device should be aimed at the subject, fired, and cycled in a manner consistent with and as outlined in Department-authorized training.
4. The CEW may also be used in "contact mode" for self-defense, if there is no opportunity to use the device in the "probe mode." When the device is used in the "contact mode," it is:

- a. Primarily a pain-compliance tool.
 - b. Generally less effective than when probes are deployed with spread in excess of 12 inches, and
 - c. Subject to the same deployment guidelines and restrictions as probe deployments.
5. An alternative method of close-range deployment involves firing the CEW cartridge at close range, then applying the CEW in “contact mode” to an alternate part of the body. This creates a “probe spread” effect between the impact location of the probes and the point where the CEW is placed in contact with the subject’s body, resulting in an increased probability of subject control as compared to the standard “contact mode.” When the CEW is used in this manner, it is:
- a. Potentially as effective at subject control as a conventional cartridge-type probe spread deployment, and
 - b. Subject to the same deployment guidelines and restrictions as any other CEW cartridge deployment.
6. The CEW shall not be used on those who passively resist as defined in this policy, and should generally not be used:
- a. On a detainee secured with handcuffs or other restraining devices, absent overtly assaultive, self-destructive, or violently resistive behavior that cannot reasonably be controlled by other readily available means.
 - b. In any environment where an Officer reasonably believes that a flammable, volatile, or explosive material is present, including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane.
 - c. In any situation where the Officer has a reasonable belief, due to the subject’s position or current activity, that if the subject is engaged with an CEW it is likely to result in death or serious physical injury, and the circumstances present do not justify that level of force response. Examples include, but are not limited to, subjects in an elevated position above the ground, subjects in or near a body of water, subjects immediately adjacent to sharp or hazardous items where they are likely to fall.

- d. On a subject that is afloat in water.
 - e. Officers shall be aware of the general concerns raised when a CEW is used on a member of a sensitive population group. Officers are not prohibited from using a CEW on such persons, but use is limited to those exceptional circumstances where the potential benefit of using the device (i.e., injury reduction) reasonably outweighs the risks and concerns.
 - f. On subjects that are running, unless the increased risk of injury due to falling is justified based on the totality of the circumstances.
7. Upon activating the device against a person, the Officer shall energize the subject for the full cycle of the CEW (five seconds). In determining the need for additional energy cycles, Officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.
 8. If the subject does not respond to the CEW deployment in the anticipated control manner based on training and experience, personnel shall consider transitioning to alternative resistance control measures.
 9. To minimize the number of cycles needed to overcome resistance and bring the subject under control, the subject shall be secured as soon as practical while affected by CEW power or immediately thereafter.
 10. The frivolous display or use of the CEW (e.g., horseplay) will be considered misconduct.

D. POST-DEPLOYMENT CONSIDERATIONS

1. The Oak Park Fire Department will be requested to respond to the scene if a subject is engaged with a CEW. On scene Paramedics will evaluate subject and follow emergency medical system's standard operating procedures.
2. The CEW probes shall be removed as soon as possible by an Officer who has successfully completed the Department approved CEW Certification training or medical personnel.

- a. CEW probes that have struck the face, groin, bony prominence, female breasts or spinal column shall be transported by Ambulance to the nearest Hospital Emergency Department.
 - b. Officers shall inspect the probes after removal to ensure that the entire probe or probe barbs have been removed. In the event that a probe or probe barb has broken off, the Officer will notify the on scene medical personnel.
 - c. CEW probes that have made contact with a subject's body shall be considered and treated as a biohazard.
 - d. The Officer shall visually examine the point of contact to determine if signs of visible injury are present. All examinations shall be conducted by members of the same sex.
3. If the probes penetrate the flesh, an Evidence Technician shall take photographs of the contact area after they are removed. When the device has been used operationally, the Officer shall ensure the proper collection, documentation, and securing into evidence of the cartridge, wire leads, probes, and AFIDs.
 4. The Watch Commander, or his designee, of the individual Officer that deployed the CEW will download the data from the CEW.

E. **REPORTING**

1. See Department General Order 4.38, Use of Non-Lethal/Less-Lethal Force.
2. Details of the deployment shall include, but are not limited to:
 - a. Type of application: probe, contact mode, pointed directly only.
 - b. Distance of deployment: 0-5 feet, 6-10 feet, 11-15 feet, greater than 16 feet.
 - c. CEW number.
 - d. Cartridge serial number.
 - e. Reason if deployment is not effective: heavy clothing, close probe

strikes, missed, only one probe, other.

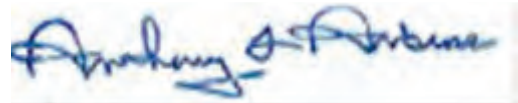
3. Watch Commanders will complete an administrative notification in accordance with Department General Order 2.02, Administrative Notification. Additionally, the Watch Commander will notify the Range Master as soon as practical via email of a CEW deployment. The notification will include the CEW Number, date and time of deployment, who the deploying Officer was and request that a copy of the data be made and entered into evidence and a copy forwarded to the Watch Commander to be included in the initial Use of Force Report.
4. Every CEW deployment will be considered a use of force, as will be each additional activated energy cycle. Each of these deployments and activations must be individually justified in accordance with Department General Order 4.38, Use of Non-Lethal/Less-Lethal Force. In addition to this individual justification which is to be contained in the required report, the reason for the use of a CEW in any of the following manners must also be articulated in the required report.
 - a. In the “contact mode.”
 - b. Subject energized more than three cycles. Subject energized for longer than 15 seconds
 - c. More than one CEW being used against the subject.
 - d. Used on an individual in a sensitive population group as defined by this policy.

F. INSPECTION, MAINTENANCE AND AUDITING

The Range Master is responsible for the following:

1. Periodic and random data downloading of all agency CEWs. The data obtained will be reconciled with existing Use of Force Forms to ensure accountability between cycles recorded, and those documented in such reports and occurring in pre-shift testing. Each CEW will undergo this data downloading at least once annually.
2. Confirming the data from the CEW downloaded following deployment. Two files of the data shall be created: one to be entered into evidence and one to be forwarded with the Use of Force Form.

3. Inspections of each CEW and component of the system in accordance with manufacturer recommendations.
4. Repair of CEWs and system components.
5. Maintaining records of repairs, maintenance, inventory, cartridge serial numbers and other items pertinent to the program.
6. Inventory of extra cartridges and parts as necessary.



Anthony L. Ambrose
Chief of Police

**OAK PARK POLICE DEPARTMENT
GENERAL ORDER**

DATE OF ISSUE 13 SEPT 2007	EFFECTIVE DATE 13 SEPT 2007	DISTRIBUTION C	NUMBER 4.55
SUBJECT PRISONER TRANSPORTATION			
RELATED DIRECTIVES	RE-EVALUATION DATE	ADDENDUM	
AMENDS	RESCINDS	NO. PAGES 8	
CALEA STANDARDS: 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.1.8, 70.2.1, 70.3.1, 70.3.2, 70.3.3, 70.4.1, 70.4.2, 70.5.1			

I. PURPOSE:

The purpose of this policy is to establish guidelines for the transportation of persons in custody by the Oak Park Police Department.

II. POLICY:

A police agency is responsible for the welfare of its employees, persons in its custody and the safety of innocent citizens. This responsibility has been confirmed by Court rulings that agencies and individual officers are subject to civil and/or criminal liability if a prisoner or innocent person is injured as a result of negligence or excessive force. This responsibility shall not be viewed casually. Employees shall be alert and adhere to precautionary measures to reduce the probability of injury to employees, citizens and arrestees or escape of a person in custody.

III. DEFINITIONS:

A. Prisoner – Any person in custody by a member of the Oak Park Police Department or another law enforcement agency.

IV. PROCEDURES:

A. Searches:

1. Officers shall inspect vehicles at the beginning of each shift to ensure the vehicles are safe and equipped with appropriate items, (i.e., fire extinguisher, flares, traffic vest, flashlight, etc. Bio-hazard equipment in Pelican case, etc.). (See General Order 3.05 III. A. (Vehicle Equipment, Inspection Servicing & Maintenance) **(CALEA 70.1.2)**)
2. The officer shall search the transporting vehicle for any weapons, contraband or evidence prior to and immediately after transporting any prisoner. **(CALEA 70.1.2)**
3. Prisoners shall be searched and handcuffed each time they come into a transporting officer's custody. **(CALEA 70.1.1)**
4. When searching prisoner, the following shall apply:
 - a) Searches should be conducted by members of the same sex.
 - b) A male officer may conduct a search, only of the handbag and outer garments of a female, unless a REAL and PRESENT threat to the officer's safety is present.
 - c) Officers shall exercise caution during searches to avoid contracting communicable diseases, parasites or injury from secreted items such as needles, etc.
5. Strip or body cavity searches shall be conducted under the guidelines of Department General Order 5.20 (Strip Searches).

B. Restraints and Handcuffs: **(CALEA 70.2.1)**

1. Whenever an adult is placed under arrest, and is to be transported, that person shall be handcuffed. Handcuffs shall be applied with the prisoner's hands behind the back, and the keyhole facing opposite fingers.
 - a) Apply cuffs as tight as needed to restrain and not so tight as to cause injury.
 - b) The double lock mechanism shall be used to prevent tampering.

2. Juvenile arrestees shall be handcuffed as outlined above. Special consideration not to use handcuffs may be given by a supervisor, dependant on the juvenile's age and size, the offense committed, potential for escape, and the physical safety of the officer, public and juvenile. Juveniles shall not be handcuffed to adult prisoners.
3. Mental patients or sick, injured or handicapped prisoners shall be restrained when physically possible. Mentally ill persons shall be cuffed or restrained when behavior is unpredictable or past contact indicates a potential for violence. Use of restraints shall be tactfully explained to the person and/or family member whenever possible.
4. When transporting prisoners, handcuffs may be applied to the wrists with the hands positioned in the front only under the following circumstances:
 - a) The prisoner is physically incapable of placing his hands behind his back.
 - b) The prisoner is handicapped to the extent of placing the hands behind the back is unwarranted.
 - c) The prisoner is sick or injured to the extent that placing the hands behind the back would be impractical.
 - d) Long-term prisoner transports using a vehicle with a protective barrier.
5. When two prisoners are handcuffed together it will be done by cuffing right wrist to right wrist (or left to left) to limit mobility.
 - a) Male prisoners shall not be handcuffed to female prisoners except when immediate movement from the scene is of primary importance.
 - b) Adults shall not be cuffed to juveniles (except as above).
 - c) Prisoners shall not be handcuffed to any part of the vehicle.
 - d) Persons handcuffed shall be removed from public view in a safe and expeditious manner to reduce embarrassing exposure.

C. Prisoner Seating in Vehicle: (CALEA 70.1.3)

1. Whenever possible, adult prisoners shall be transported in a marked squad car, or prisoner van. Either type of vehicle used for transportation shall be equipped with a protective shield. **(CALEA 70.4.1)**
2. Provisions may be made for transportation in an ambulance of mental patients, sick, injured or handicapped prisoners.
3. It will be the policy of the Oak Park Police Department that when an officer is transporting a person in custody, the following steps shall be observed:
 - a) When there is only one officer, the prisoner shall be placed in the rear passenger seat opposite the driver, so that the prisoner can be observed. The prisoner shall be cuffed and seat belted in, so as to prevent injury to the individual.
 - b) If there are two officers, one officer may, depending on the circumstances, ride in the rear compartment with the prisoner.
 - c) If possible, no more than two prisoners shall be transported in one squad. If there are multiple prisoners, the prisoner van or additional vehicles shall be utilized. Prisoners transported in the prisoner van shall be secured in one of the rear compartments, separated from the driver.
 - d) The prisoner shall be placed in the passenger side of the rear seat and secured with the seat belt. The transporting officer(s) shall confirm that the rear doors are locked and that the inner door handles and window controls have either been removed or disabled. **(CALEA 70.4.2)**
 - e) When possible, two officers shall transport prisoners of the opposite sex. The starting and ending mileage shall be transmitted via the radio to WSCDC.
 - f) Juvenile prisoners will not be transported in the same vehicle with adult prisoners.

4. Transporting prisoners in police vehicles not equipped with a shield or partition.
 - a) Only one (1) prisoner shall be transported in the back seat of a police vehicle not equipped with a shield or partition.
 - b) When transporting a prisoner in a police vehicle not equipped with a shield or partition, two officers are required. One officer shall sit in the back seat behind the driver's seat of the transport vehicle, with the prisoner seated in the back seat behind the front passenger seat, or in lieu of sitting in the back seat with the prisoner during transport, the other officer may follow directly behind the transport vehicle in another squad.
 - c) High risk prisoners shall not be transported in vehicles not equipped with a shield or partition.
 - d) Under no circumstances will a prisoner be transported in the front seat of a Department vehicle.

D. Transport Vehicle Operation:

1. Transporting officers shall not lose sight of the prisoners under their control.
2. Transporting officers shall not engage in pursuit, high speed, or erratic driving while transporting prisoners.
3. Transporting officers shall not stop or cause a delay in the transportation of prisoners, and shall only respond to law enforcement need for a life-threatening situation. **(CALEA 70.1.4)**
4. Requests by the prisoner to communicate with family, attorney, or use of a restroom while being transported shall be denied until the destination has been reached. **(CALEA 70.1.5)**
5. In the event of a need to transport a prisoner for an extended period of time, such as in an extradition, the officer shall: **(CALEA 70.1.4)**
 - a) Allow prisoners reasonable time to use toilet facilities without compromising security.

b) Select meal facilities, if required, at random.

E. Prisoner Escape:

Should an escape occur during transport, officers shall:

1. Immediately notify WSCDC. **(CALEA 70.1.7 [a])**
2. Directly notify, or cause to be notified, the agency of jurisdiction. **(CALEA 70.1.7 [a])**
3. Notify local units if within the Village of Oak Park limits. **(CALEA 70.1.7 [a])**
4. Broadcast a physical and clothing description of the escapee, advising the last known direction of travel and charges against the escapee. **(CALEA 70.1.7 [c])**
5. Make an effort, when possible, to recapture the escapee. **(CALEA 70.1.7 [c])**
6. Have all the information regarding the escapee entered into law enforcement communications networks as may be appropriate. **(CALEA 70.1.7 [c])**
7. Submit a written report explaining the details of the escape with a copy given to the Field Services Bureau Deputy Chief. **(CALEA 70.1.7 [b])**

F. Identification, Documentation and Transfer:

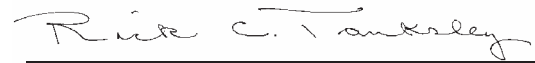
1. Officers transporting prisoners to court or another detention facility shall verify the identity of the prisoner. Booking records, photographs or fingerprint records of the prisoner shall be used to confirm the persons to be transported. **(CALEA 70.5.1 [a])**
2. If a prisoner is to be transported to a jail or other lock-up facility, the transporting officer shall take copies of the complaints and/or warrants and the prisoner's personal property. In the case of interstate transports, the transporting officer shall have a properly executed warrant. **(CALEA 70.5.1 [b])**
3. The transporting officer shall be made aware of the potential security problems, including escape or suicidal tendencies, and this information shall be related upon delivering the prisoner to

the proper security personnel or judge. **(CALEA 70.1.6 [d], 70.1.8, and 70.5.1. [c])**

4. When transporting a prisoner from one facility to another the officer shall, at the destination:
 - a) Secure his firearm. **(CALEA 70.1.6 [a])**
 - b) Remove restraints just prior to surrendering custody of the prisoner. **(CALEA 70.1.6 [b])**
 - c) Deliver all documents to receiving officer. **(CALEA 70.1.6 [c])**
 - d) Have receiving officer sign for prisoner. **(CALEA 70.1.6 [e])**
5. All rules in effect for security, at any facility, shall be adhered to by the transporting officer.

G. Special Transport Situations:

1. Sick or injured prisoners requiring medical attention shall, whenever possible, be transported by ambulance. At least one officer shall be assigned to ride with or follow the prisoner and provide security. **(CALEA 70.3.1)**
2. Whenever a prisoner is admitted to a hospital, the officer shall notify the Watch Commander. The Watch Commander shall determine the need for continuing security at the hospital, and implement a work schedule for the watching/guarding of the prisoner. Hospitalized prisoners shall be prohibited from receiving visitors and making telephone calls. Restraint devices shall be used unless they interfere with the medical treatment. **(CALEA 70.3.2)**
3. The Oak Park Police Department shall not transport a prisoner to funerals, to visit critically ill persons, to the reading of a will, etc. unless under order of the court. **(CALEA 70.3.3)**
4. Physically and mentally handicapped prisoner's present conditions for their transport that dictate special care and attention. The safety of the prisoner and transporting officer requires due care when transporting handicapped prisoners. **(CALEA 70.3.1)**

Handwritten signature of Rick C. Tanksley in cursive script.

Rick C. Tanksley
Chief of Police

**OAK PARK POLICE DEPARTMENT
GENERAL ORDER**

DATE OF ISSUE 27 NOV 2007	EFFECTIVE DATE 27 NOV 2007	DISTRIBUTION C	NUMBER 8.12
SUBJECT CRISIS INTERVENTION TEAM			
RELATED DIRECTIVES 8.03	RE-EVALUATION DATE 1 AUG 2006	ADDENDUM	
AMENDS	RESCINDS 8.12 DATED 1 AUG 04	NO. PAGES 6	
CALEA STANDARDS: 41.2.7			

I. PURPOSE:

The purpose of this General Order is to establish departmental procedures governing the operations of the Crisis Intervention Team (CIT).

II. POLICY:

It is the policy of the Oak Park Police Department to respond appropriately to events that involve persons who suffer from mental illness, who may be in crisis and in need of assistance.

III. DEFINITIONS:

CRISIS INTERVENTION TEAM (CIT) – Sworn police officers of both the Oak Park and River Forest Police Departments who have completed a 40-hour training program and received certification in crisis intervention techniques through the Illinois Law Enforcement Training and Standards Board.

MENTAL ILLNESS – A range of conditions, each with its own specific characteristics, including:

- Schizophrenia
- Bipolar disorder (manic depression)
- Major depression
- Schizo-affective disorder
- Panic disorder
- Obsessive-compulsive personality disorder

Borderline personality disorder, or

Other mental illnesses as defined in the DSM-IV (Diagnostic and Statistical Manual of the Mental Disorders as published by the American Psychiatric Association, most current edition) that can cause disturbances in thinking, feeling, and relating with others or the environment.

MENTAL HEALTH CRISIS –

A situation where a person's normal coping mechanisms have become overwhelmed causing that person to pose an immediate and significant risk to self or others.

IV. PROCEDURES: (CALEA 41.2.7[a])

A. Calls for Service

1. Whenever possible, a CIT member will be assigned to incidents involving a confirmed or suspected mentally ill person in crisis.
 - a. An Oak Park Police Department CIT member may respond to a request for CIT in River Forest when no River Forest Police CIT member is available.
 - b. A River Forest Police Department CIT member may respond to a request for CIT in Oak Park when no Oak Park Police CIT member is available.

B. Assessment (CALEA 41.2.7[c])

1. The CIT officer on scene will interact with the person in crisis, employing crisis intervention strategies.
2. The CIT officer will gather information and make a determination as to whether the person is suffering from mental illness/disorder and that the likelihood of serious physical harm by such person to himself/herself or others is imminent.
3. Guidelines for recognizing abnormal behavior:
 - a. Verbal clues which may include:
 - i. Illogical thoughts

- Expressing a combination of unrelated or abstract topics
 - Expressing thoughts of greatness (person believes he/she is God)
 - Expressing thoughts of being harassed or threatened
 - Preoccupation with death, germs, guilt, etc.
- ii.. Unusual speech patterns
- Nonsensical speech or chatter
 - Word repetition; frequently stating the same or rhyming words of phrases
 - Pressured speech; expressing an urgency in manner of speaking
 - Extremely slow speech.
- iii. Verbal hostility
- Talking excitedly or loudly
 - Argumentative, belligerent, unreasonably hostile
 - Threatening harm to self or others.
- b. Behavioral cues; these may include:
- i. Physical appearance
- Inappropriate to environment (heavy coat in summer)
 - Bizarre clothing or makeup
- ii. Bodily movements
- Strange postures or mannerisms
 - Lethargic, sluggish movements
 - Repetitious, ritualistic movements
- iii. Seeing or hearing things that aren't able to be confirmed.
- iv. Confusion about or unawareness of surroundings

- v. Lack of emotional response
- vi. Causing injury to self
- vii. Non-verbal expressions of sadness or grief.
- viii. Inappropriate emotional reactions
 - Over-reacting to situations in an angry or frightening way
 - Reacting opposite of expected emotion.
- c. Environmental cues; inappropriate surroundings such as;
 - i. Decorations
 - Strange trimmings
 - Inappropriate use of household items
 - Aluminum foil covering windows.
 - ii. Waste matter/trash
 - Packratting (accumulation of trash)
 - Presence of feces or urine on floors or walls.
 - iii. Childish objects

C. Intervention (CALEA 41.2.7[b])

1. The CIT officer on scene will contact the Family Service and Mental Health Center of Oak Park and River Forest in all incidents where the safety of the person and the public would be best served by transport to a facility for voluntary/involuntary commitment.
2. The representative from Family Service and Mental Health Center of Oak Park and River Forest will be responsible for completing all necessary paperwork and making all arrangements for admission into a mental health facility as per G.O. 8.03.

D. Documentation

1. The CIT officer on scene will generate a complaint number through the West Suburban Consolidated Dispatch Center (WSCDC) and complete an incident report on all CIT responses.

E. Training

1. All Department members will receive annual training on dealing with and recognizing mental illness.
2. All CIT members will attend refresher courses as required to maintain their certification status.

F. Awareness Training (CALEA 41.2.7[d,e])

1. All Department personnel will receive documented training regarding the recognition of and interaction with individuals suffering from mental illness. This topic will be emphasized in initial Field Training and refresher training provided to all Department members at least every three years.
2. Department personnel should use the recognition clues located in Section IV. B. 3, Guidelines for recognizing abnormal behavior, to determine if a subject is exhibiting symptoms of mental illness.
3. When Department members are interacting with a subject that may be mentally ill, the following information should be considered:
 1. Mental illness is not a crime.
 2. Mentally ill subject can be fully functioning.
 3. The possible relationship between the mental illness and crime.
 4. The actions of the mentally ill subject may be a manifestation of the mental illness and may not constitute an intentional act thereby possibly impeding a criminal prosecution.
 5. Mentally ill individuals may be more vulnerable to victimization.
4. When interacting with a mentally ill subject, Department personnel should remain in control of the situation and attempt to

reduce the anxiety of the mentally ill subject by using deescalating techniques.

5. If a suspect in custody subjected to interview or interrogation is exhibiting behavior that is indicative of mental illness, consideration should be given to the subject's rational and coherent thought process prior to obtaining a statement. Department members should be aware that any waiver of rights against self-incrimination requires the subject must be knowing and voluntary.
6. If a mentally ill subject is engaged in self-destructive behavior, or behavior that is likely to endanger the public, reasonable force options may be used to subdue and restrain the individual. Such application of force should be in accordance with the Department Use of Force Policy (General Orders 4.08 – Deadly Force; 4.38 – Use of Non-Lethal / Less-Lethal Force). When necessary, handcuffs or patient restraints may be used to control or transport a mentally ill subject.
7. The underlying philosophy of the Oak Park Police Department is that individuals with mental illness have the same rights, should be treated with dignity, and have access to police services that are provided to all citizens.

G. Mutual Aid Requests

1. CIT officers may respond to the request of an outside law enforcement agency for a mentally ill subject in crisis if the incident would benefit from the skills knowledge, and abilities of a trained/certified CIT officer. Such responses will only be allowed with approval of the Watch Commander.
2. When responding in this capacity, the CIT officer will act in a complementary manner to the requesting agency.



Rick C. Tanksley
Chief of Police

Rule 43 Reporting Procedures/Allegations of Misconduct

Members who observe or become aware of misconduct by employees which is in violation of the Departmental Rules, Regulations, General Orders, or the Personnel Manual for the Village of Oak Park must submit a report to their Commanding Officer or to the Office of the Chief of Police within twenty-four (2) hours of the incident.

Explanation: The Department is resolved to seek out and investigate conduct which brings discredit upon the organization or interferes with the effectiveness of its operation. It is imperative that the Department be fully aware of misconduct of an employee as soon as reasonably possible, to ensure an investigation is conducted fairly, impartially, timely, and efficiently, with the truth as the primary objective.

(720 ILCS 5/7-5.5)

Sec. 7-5.5. Prohibited use of force by a peace officer.

(a) A peace officer shall not use a chokehold in the performance of his or her duties, unless deadly force is justified under Article 7 of this Code.

(b) A peace officer shall not use a chokehold, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion.

(c) As used in this Section, "chokehold" means applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air.

(Source: P.A. 99-352, eff. 1-1-16; 99-642, eff. 7-28-16.)