

**FIREARM DISCHARGE AND OFFICER-INVOLVED DEATH INCIDENT - POLICY**

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I. PURPOSE

This directive outlines the definitions, policy, the cooperation with the Civilian Office of Police Accountability (COPA), and investigative authority for:

- A. officer-involved deaths pursuant to the Illinois Police and Community Relations Improvement Act (50 ILCS 727).
- B. firearm discharge incidents involving sworn members.

II. PERTINENT SUB-SECTIONS FROM ILLINOIS COMPILED STATUTES (ILCS)

- A. 50 ILCS 727/1-5 "Definitions". As used in this Act:
 - 1. "Law enforcement agency" means an agency of this State or unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.
 - 2. "Law enforcement officer" or "officer" means any person employed by a State, county, or municipality as a policeman, peace officer, or in some like position involving the enforcement of the law and protection of public interest at the risk of the person's life.
 - 3. "Officer-involved death" means any death of an individual that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a law enforcement officer while the officer is on duty, or otherwise acting within the scope of his or her employment, or while the officer is off duty, but performing activities that are within the scope of his or her law enforcement duties. "Officer-involved death" includes any death resulting from a motor vehicle accident, if the law enforcement officer was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or attempt to apprehend.
- B. 50 ILCS 727/1-10 Investigation of officer-involved deaths; requirements.
 - 1. (a) Each law enforcement agency shall have a written policy regarding the investigation of officer-involved deaths that involve a law enforcement officer employed by that law enforcement agency.
 - 2. (b) Each officer-involved death investigation shall be conducted by at least 2 investigators, or an entity or agency comprised of at least 2 investigators, one of whom is the lead investigator. The lead investigator shall be a person certified by the Illinois Law Enforcement Training Standards Board as a Lead Homicide Investigator, or similar training approved by the Illinois Law Enforcement Training Standards Board or the Department of State Police, or similar training provided at an Illinois Law Enforcement Training Standards Board certified school. No investigator involved in the investigation may be employed by the law enforcement agency that employs the officer involved in the officer-involved death, unless the investigator is employed by the Department of State Police and is not assigned to the same division or unit as the officer involved in the death.

3. (c) In addition to the requirements of subsection (b) of this Section, if the officer-involved death being investigated involves a motor vehicle accident, at least one investigator shall be certified by the Illinois Law Enforcement Training Standards Board as a Crash Reconstruction Specialist, or similar training approved by the Illinois Law Enforcement Training Standards Board or the Department of State Police, or similar training provided at an Illinois Law Enforcement Training Standards Board certified school. Notwithstanding the requirements of subsection (b) of this Section, the policy for a law enforcement agency, when the officer-involved death being investigated involves a motor vehicle collision, may allow the use of an investigator who is employed by that law enforcement agency and who is certified by the Illinois Law Enforcement Training Standards Board as a Crash Reconstruction Specialist, or similar training approved by the Illinois Law Enforcement Training and Standards Board, or similar certified training approved by the Department of State Police, or similar training provided at an Illinois Law Enforcement Training and Standards Board certified school.
4. (d) The investigators conducting the investigation shall, in an expeditious manner, provide a complete report to the State's Attorney of the county in which the officer-involved death occurred.
5. (e) If the State's Attorney, or a designated special prosecutor, determines there is no basis to prosecute the law enforcement officer involved in the officer-involved death, or if the law enforcement officer is not otherwise charged or indicted, the investigators shall publicly release a report.

III. DEFINITIONS

The following definitions apply to this parent directive and its addenda, G03-06-01 and G03-06-02:

- A. **Administrative investigation:** An administrative investigation is a non-criminal investigation of Department members by COPA to determine whether misconduct has been committed by Department members involved in a firearm discharge and officer-involved death incident for failing to conform with Department policy, procedure, rule and/or regulation. This is strictly administrative in nature, and it is separate from any underlying criminal investigation or criminal investigation of the action of Department members related to the same incident.
- B. **Firearm discharge incident:** any incident where a sworn Department member has discharged a firearm on or off duty, excluding, under normal circumstances:
 1. Department-sponsored firearm training or practice.
 2. firearm practice at a recognized range facility
 3. Department-authorized ballistic examination or testing.
 4. a licensed hunting activity.
 5. the discharge of less-lethal force options.
- C. **Inner Perimeter:** The immediate area within the outer perimeter of a crime scene where evidentiary material is likely to be collected. This area will be secured with red crime scene barrier tape, imprinted with the legend "DO NOT ENTER" or "DANGER - DO NOT ENTER."
- D. **Officer-involved death incident:** any incident involving the death of or potentially life-threatening injury to one or more members of the public, where such death or injury resulted directly from an action or intentional omission of a Department member who was on duty or off duty but performing activities that are within the scope of his or her employment or duty.
- E. **Outer Perimeter:** The area of a crime scene extending large enough for field personnel to conduct a thorough investigation. This area will be secured with yellow crime scene barrier tape. The outer perimeter will encompass the inner perimeter.

- F. **Public Safety Briefing:** a one-on-one oral exchange conducted by a sworn Department supervisor with one sworn Department member to aid in directing public-safety-related actions in the immediate aftermath of an incident involving a Department member firearms discharge or an officer-involved death incident. This briefing includes, but is not limited to, identifying individuals on the scene and facilitating required medical attention, coordinating the swift apprehension of individual(s) associated with the firearm discharge or officer-involved death incident, rapid identification of witnesses and preservation of located evidence, determining additional necessary resources, establishing secure inner and outer perimeters of the incident scene.
- G. **Responding Supervisor:** Any Department member, the rank of sergeant or above, that responds to the scene of a firearm discharge and officer-involved death incident.
- H. **Reviewing Supervisor:** The supervisor assigned to complete the internal review of the use of force in consistent with the Department directive titled "[Incidents Requiring the Completion of a Tactical Response Report](#)."
- I. **Safe and secure:** An incident scene may be considered "safe and secure" when all of the following conditions are met: all offenders are in custody or otherwise not in the area, medical aid has been requested/administered or the Chicago Fire Department (CFD) is on the scene, the involved officers have been identified, and the crime scene has been established. The highest-ranking member of the Bureau of Patrol will determine when the scene is safe and secure and will announce the determination via the Office of Emergency Management and Communications (OEMC) dispatcher.
- J. **Underlying criminal investigation:** A complete criminal investigation of the non-Department members conducted by the Bureau of Detectives of the events preceding or related to an officer-involved firearm discharge or officer-involved death. The investigation will include, but is not limited to, the discovery and preservation of evidence, the identification of witnesses, and the consultation with the Cook County State's Attorney's Office.

IV. POLICY

- A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved.
- B. All Department members will treat the deceased with respect, including the prompt screening from public view or covering of the deceased consistent with the equipment available and, following the timely evidence collection procedures, removal of the deceased from the scene.
- C. The Department recognizes that firearms discharge and officer-involved death incidents are traumatic events and is committed to treating all impacted with dignity and respect.
- D. The Department will ensure its actions do not unreasonably impede or delay access to information for the families of individuals who have been injured or the deceased.
- NOTE:** Department members will continue to act in accordance with the existing Department Rules and Regulations and Department policy on the dissemination of information.
- E. No Department member below the rank of captain will direct any investigation into a firearm discharge or officer-involved death incident.
- F. Firearm discharge and officer-involved death incident investigations remain bound by the involved members' respective collective bargaining agreement(s) and the Department directive titled "[Department Member Bill of Rights](#)," including the timeliness of documented formal statements.

- G. The Department strictly prohibits its members from engaging in any form of retaliation, intimidation, or coercion against Department members or members of the public for reporting alleged misconduct or for supporting, assisting in, or cooperating with any complaint or misconduct investigation, including the investigation of firearm discharge and officer-involved death incident, consistent with the Department directive titled "[Prohibition of Retaliation](#)."

V. COOPERATION WITH THE CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

- A. All Department members will cooperate to the fullest extent with the Civilian Office of Police Accountability (COPA) and will work collaboratively with COPA personnel to facilitate a thorough investigative process of a firearm discharge or an officer-involved death incident. This includes, but is not limited to:
1. providing COPA personnel the opportunity to participate in the preliminary assessment during the immediate aftermath of a firearm discharge or an officer-involved death incident to the same extent as any Department member or any other law enforcement agency investigating the incident;
 2. ensuring COPA personnel sufficient access to crime scenes;
 3. providing COPA personnel access and information for all witnesses and all video evidence;
 4. providing all requested documents and evidence under the Department member's custody and control;
 5. truthfully answering questions relating to the investigation and members' official duties, actions, or obligations as a Department member; and
 6. involved and witness Department members cooperating with COPA investigators, including COPA's mandate to audio and where possible, video record, administrative interviews, except that members may speak with their attorney or union representative in private.
- B. Department members will not interfere with or undermine any investigation into firearm discharge or officer-involved death incidents, including refusing to answer questions, being untruthful during an investigation, colluding with others to undermine the investigation, or intentionally withholding requested evidence or information from an investigator. Department members who take such action will be subject to disciplinary action and, based on the seriousness of the conduct, a criminal investigation and referral to the appropriate prosecuting agency, if necessary.

VI. INVESTIGATIVE AUTHORITY

- A. To ensure the proper coordination of activities and investigations of firearm discharge and officer-involved death incidents, the responding deputy chief assigned to the Street Operations Unit, Bureau of Patrol (Street Deputy) responsible for the investigation, the appropriate Bureau of Detectives Area supervisor, the Investigative Response Team (IRT) supervisor, Forensic Services Division supervisor, and the responding Civilian Office of Police Accountability (COPA) personnel will confer and coordinate at the scene about the conduct of on-scene investigative activity. The Investigative Response Team's criminal investigation will be conducted concurrently with the COPA investigation.
- B. **COPA.** Pursuant to the Municipal Code of Chicago, the Civilian Office of Police Accountability (COPA) will:
1. conduct investigations into all incidents, including those in which no allegation of misconduct is made, in which, a Department member discharges
 - a. a firearm in a manner that potentially could strike another individual;
 - b. a stun gun or taser in a manner that results in death or serious bodily injury; or
 - c. other weapons discharges and other use of Department issued equipment as a weapon that results in death or serious bodily injury.

2. conduct investigations into incidents, including those in which no allegation of misconduct is made, where a person dies or sustains a serious bodily injury while detained or in Department custody, or as a result of police actions, such as during attempts to apprehend a suspect; and
3. conduct investigations into all incidents of an "officer-involved death," as that term is defined in 50 ILCS 727/1-5, including incidents when the member is off duty and otherwise acting within the scope of his or her employment.

C. **Chicago Police Department.**

1. The Street Deputy will oversee the Department's on-scene investigative responsibilities into the officer-involved death or firearm discharge incident, excluding a firearm discharge solely for the destruction/deterrence of an animal with no human injuries. This includes shots fired at a Department member and all firearms discharge incidents with injuries, whether on or off duty, consistent with the Department directive titled "Deputy Chiefs Assigned to the Street Operations Unit."
2. For firearms discharge incidents solely for the destruction/deterrence of an animal with no human injuries, the district executive officer (XO) of the district of occurrence, the rank of captain, will respond and assume command of the investigation, consistent with the Department directive titled "District Executive Officer." If the district XO is not on duty, the commander of the district of occurrence will respond and assume command.
3. When the involved member is the same rank or higher than the supervisor responsible for the investigation referred to in Item VI-C-2, the Street Deputy, will assume the investigating command personnel responsibilities. When the involved member is a Street Deputy or a member the rank of deputy chief or above, the Chief, Bureau of Patrol, will assume the investigating command personnel responsibilities.
4. The Street Deputy will coordinate the Department's on-scene law enforcement activities related to:
 - a. the preservation of public safety.
 - b. the investigation of the officer-involved death or firearm discharge incident.
 - c. the Department's response, actions, and, if applicable, investigative responsibility, for other non-criminal incidents resulting in an officer-involved death (e.g., suicide in custody).
 - d. motor vehicle crashes resulting in an officer-involved death (as defined by the Police and Community Relations Improvement Act, 50 ILCS 727) for which COPA will serve as the lead investigative agency.
5. The Investigative Response Team is responsible for conducting the Department's investigation into the underlying criminal conduct of non-Department members and the officer-involved death or firearm discharge incident, excluding a firearm discharge solely for the destruction/deterrence of an animal with no human injuries.

D. When a firearm discharge or an officer-involved death incident requires more than one concurrent investigation, the responsibilities of the lead agencies are as follows:

1. Any on-scene activities required to ensure public safety, preserve evidence, and secure the incident scene will be commenced immediately and led and coordinated by Department personnel consistent with the procedures outlined in the Department directive titled "Preliminary Investigations." Examples of these activities include, but are not limited to:
 - a. Public Safety: If an individual wanted in association with the firearm discharge incident is still at large, Department members will prioritize the public safety of the community and the immediate apprehension of that individual.

- b. Preservation of Evidence: If a civilian witness will not stay on scene and Department members are concerned that the civilian witness will not provide contact information or cooperate further, the civilian witness will be interviewed without delay.
 - c. Securing the scene: Department members will establish sufficient inner and outer perimeters, engage in necessary crowd management, and will be sufficiently assigned to the scene to protect evidence.
 - 2. COPA has the primary responsibility and authority for administrative investigations into the actions of any Department member in relation to the firearm discharge or officer-involved death and the investigation will be conducted by COPA personnel.
 - a. The Force Review Board, Tactical Review and Evaluation Division, or other appropriate unit will conduct an internal review of firearm discharge or officer-involved death incidents to address Department policy, training, tactical, and equipment considerations, as long as this internal review of the firearm discharge or officer-involved death incident does not interfere with COPA's investigation or the investigation conducted pursuant to 50 ILCS 725/1-10.
 - b. The Department will conduct an internal review of use of force incidents through the use of a Tactical Response Report consistent with the Department directives titled "[Department Review of Use of Force](#)" and "[Incidents Requiring the Completion of a Tactical Response Report](#)."
 - 3. The investigation of the underlying criminal offense involving non-Department members will be led and coordinated by Department personnel. This investigation will:
 - a. not delay, interfere with, or obstruct the investigation conducted under the requirements of 50 ILCS 727/1-10 or with COPA's investigation;
 - b. be conducted by the Bureau of Detectives, Investigative Response Team which will report to and coordinate with the Street Deputy;
 - c. be assisted by the appropriate Bureau of Detectives Area personnel who will report to and coordinate with the Investigative Response Team supervisor;
 - d. be conducted independently and consistent with the procedures established by the Chief, Bureau of Detectives.
- E. For any firearm discharge or officer-involved death incidents that occur within the City of Chicago involving a law enforcement officer employed by a law enforcement agency other than the Department, the Chicago Police Department:
 - 1. The Investigative Response Team (IRT) will conduct all investigative activities related to the incident and when applicable, perform all of the duties required by the Police and Community Relations Improvement Act (50 ILCS 727).

EXCEPTION: The Illinois State Police will conduct their own investigations for firearm discharges and officer-involved death incidents by a member of the Illinois State Police that occur within Chicago.
 - 2. Federal law enforcement agencies may conduct their own investigations into an officer-involved death incident or the use of deadly force under the jurisdiction of the involved agency. The Chicago Police Department will provide assistance, as needed.

VII. DISSEMINATION OF INFORMATION

- A. The release of Department information to the news media concerning firearm discharge and officer-involved death incidents will be consistent with the Department directive titled "[News Media Guidelines](#)."

- B. In consultation with the District Commander of the district of occurrence, Investigative Response Team, and Street Deputy, the Director, Communications Division, (or a designee who is not directly involved in the investigation or investigative chain) is responsible for addressing on-scene media inquiries on behalf of the Department. When applicable and appropriate, the Communications Division will:
1. coordinate an on-scene media statement summarizing the preliminary investigation of an incident.
 2. issue a formal preliminary written statement to news media outlets.
- C. The Communications Division is responsible for responding to news media inquiries on behalf of the Department not made from the scene of the incident, including those made via phone, email, or other electronic communications.
- D. News media inquiries concerning the investigation of an officer-involved death pursuant to the Illinois Police and Community Relations Improvement Act (50 ILCS 727) will be referred to COPA.
- E. Consistent with the policies outlined in this and other associated Department directives, the Investigative Response Team and Bureau of Detectives personnel will be responsible for notifying the family of individuals who have been injured or the deceased during a firearm discharge or officer-involved death incident. The Department will not unreasonably impede access to information for families of the injured or deceased.
- F. Any additional Department communication concerning a firearm discharge or officer-involved death incident will be made in consultation with the Investigative Response Team.

VIII. INCIDENT REVIEW

- A. All firearm discharge and officer-involved death incidents related to a member's use of force will be subject to a Department after-action review consistent with the guidelines and procedures outlined in the Department directive titled "[Department Review of Use of Force](#)" within 96 hours after the incident occurs.
- B. Representatives from the Civilian Office of Police Accountability (COPA) will be notified of the time and location of the Department's after-action review with sufficient advance notice to attend.

IX. CONFLICT PROVISION

If this directive conflicts with any other Department directive, this directive will take precedence.

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Superintendent of Police

23-018 MWK/TSS/AH

**FIREARM DISCHARGE AND OFFICER-INVOLVED DEATH INCIDENT - IMMEDIATE RESPONSE**

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I. PURPOSE

This directive outlines the immediate notifications required, the immediate responsibilities of Department members, and the post-incident responsibilities of Department members for firearm discharge and officer-involved death incidents.

II. IMMEDIATE NOTIFICATIONS

For all firearm discharge and officer-involved death incidents:

- A. the involved member(s) will immediately notify the Office of Emergency Management and Communications (OEMC) providing all relevant information and requesting additional resources.

NOTE: If the firearm discharge or officer-involved death incident occurs outside the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

- B. OEMC will notify the:

1. involved member's immediate supervisor.
2. field supervisor and the watch operations lieutenant from the district of occurrence.
3. CPIC.

- C. CPIC will make the following immediate notifications via email and phone communication:

1. the designated deputy chief assigned to the Street Operations Unit, Bureau of Patrol (Street Deputy);
2. the commander of the district of occurrence;
3. Civilian Office of Police Accountability (COPA) on-call supervisor;
4. the commander of the affected Bureau of Detectives area;
5. Bureau of Detectives Investigative Response Team;
6. the area deputy chief, Bureau of Patrol;
7. the commanding officer, Tactical Review and Evaluation Division (TRED);
8. the involved member's commanding officer;
9. Major Accident Investigation Section, for traffic-related incidents;
10. Bureau of Internal Affairs (BIA) call-out supervisor, for firearm discharge incidents; and
11. any other units or agencies as appropriate and consistent with CPIC procedures.

III. IMMEDIATE RESPONSIBILITIES

The following immediate procedures will be followed for all firearm discharge or officer-involved death incidents:

A. **Initial Incident Response.** Upon being notified of firearm discharge or an officer-involved death incident, OEMC will:

1. dispatch sufficient district law enforcement units to the scene.
2. when appropriate, notify the Chicago Fire Department to dispatch emergency medical service units to the scene.
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. not broadcast the name of a Department member or any other injured person who has been involved in a firearm discharge incident or an officer-involved death incident over the police radio.

EXCEPTION: Named offenders or persons of interest may be broadcasted by name over the police radio when public or officer safety necessitates and to facilitate apprehension.

B. **Involved Member.** The member(s) involved in a firearm discharge or an officer-involved death incident, if physically capable, will:

1. immediately request medical attention for the injured and persons who complain of being injured and, as soon as reasonably practical, provide medical aid and assistance consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on scene.
 - a. Department members will provide appropriate medical care consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid and/or arranging for transportation to an emergency medical facility.
 - b. If the scene is safe and the person in custody is secure, Department members will not interfere with emergency medical personnel when providing treatment to injured persons.
2. be responsible for the safety and security of persons in their custody. Department members are reminded that a subject will be searched and restrained in such a manner as to prevent escape and to provide for the safety of the public, the person in custody, and the officers involved. Consistent with the above requirement, Department members will assess the necessity to apply restraining devices (handcuffs), including not applying restraining devices to individuals who are known to be deceased or whose injury severity does not necessitate the use of restraining devices.
3. attend to all required emergency and security duties arising from the incident, including crime scene protection, until the arrival of responding supervisory personnel.
4. remain on the scene, if not injured, and report to a field supervisor from the district of occurrence upon his or her arrival.

EXCEPTION: Any involved member in need of immediate medical treatment will seek such treatment, and thereafter, make themselves available to confer with the designated Street Deputy responsible for the investigation.

5. not deactivate his or her activated Department-issued recording equipment (e.g., In-Car Video System, Body Worn Camera) until so directed by an on-scene supervisor in accordance with the procedures delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."

NOTE: The Body Worn Camera of the involved member will be secured consistent with the Department directive titled "[Body Worn Cameras](#)" until collected by a member of the Investigative Response Team to be viewed in accordance with the procedures delineated in the Department directive titled "Firearm Discharge and Officer-Involved Death Incident - Investigation."

6. for firearm-discharge incidents:

- a. ensure that the firearm discharged during the incident remains holstered and secured until it is submitted to Forensic Services Division personnel.

NOTE: If the involved member is injured and needs to be immediately relieved of the firearm prior to receiving medical treatment, another Department member will take possession of the firearm and duty belt and ensure that the firearm remains holstered and secured, until the arrival of the responding supervisor.

- b. preserve the firearm as evidence for processing in accordance with the Department directive titled "[Crime Scene Protection and Processing](#)," if disarmed during a firearm discharge incident or if the firearm may otherwise contain biological or other trace-matter evidence.

7. cooperate with the Public Safety Briefing conducted by a sworn Department supervisor by providing an oral response to the Public Safety Briefing questions to ensure public safety, preserve evidence, and secure the incident scene, consistent with Item IV of this directive.

REMINDER: Department members will ensure Department-issued recording equipment (e.g., In-Car Video System, Body Worn Camera) are deactivated before providing oral responses to the public safety briefing questions as delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."

8. not view their in-car or body-worn camera videos prior to writing an initial report related to the incident. Per the Illinois SAFE-T Act, Department members will not view recordings of an incident prior to writing an initial report for the following incidents:

- a. A Department member has been involved in or is a witness to an officer-involved firearm discharge or officer-involved death incident.
- b. Use of deadly force incidents or use of force incidents resulting in great bodily harm or death.
- c. If a Department member is ordered to write a report in response to a complaint or misconduct investigation

C. **Reviewing Supervisor.** The reviewing supervisor from the district of occurrence will:

1. not have been involved in or witnessed the firearm discharge or the officer-involved death incident.
2. proceed immediately to the scene and assume command and oversight of the scene until relieved by a higher-ranking supervisor from district law enforcement or the Street Deputy. The reviewing supervisor will:
- a. notify OEMC upon arrival at the incident scene.
- b. remain on scene with sufficient information to fully brief the responding Street Deputy responsible for the investigation, if applicable.

3. ensure sufficient district patrol units are available at the scene and request additional personnel or equipment as necessary, including the assignment of the Street Deputy responsible for the investigation in accordance with the Department directive titled "Deputy Chiefs Assigned to the Street Operations Unit."
4. identify the involved Department members and ensure the necessary medical attention is requested or provided.
5. ensure the appropriate medical attention is requested for the injured and persons who complain of being injured and, as soon as reasonably practical, provide medical aid and assistance consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on scene.
 - a. Department members will provide appropriate medical care consistent with their training to any individual who has visible injuries, complaints of being injured, or requests medical attention. This may include providing first aid and/or arranging for transportation to an emergency medical facility.
 - b. If the scene is safe and the person in custody is secure, Department members will not interfere with emergency medical personnel when providing treatment to injured persons.
6. ensure the Public Safety Briefing is conducted consistent with the Public Safety Briefing Instructions card (CPD-11.921) and Item IV of this directive.
7. assess the incident scene and Public Safety Briefing information to determine when it is appropriate to declare the incident scene "safe and secure."
 - a. The supervisor will notify OEMC when the incident scene is determined to be safe and secure. The "safe and secure" determination will be announced by the OEMC dispatcher via the police radio zone of the incident scene.
 - b. An incident scene may be considered "safe and secure" when all of the following conditions are met: all offenders are in custody or otherwise not in the area; medical aid has been requested/administered or the Chicago Fire Department (CFD) is on the scene; the involved officers have been identified; and the crime scene has been established.
8. ensure all appropriate immediate notifications were made in accordance with Item II of this directive.
9. protect, secure, and preserve the incident scene consistent with the Department directive titled "Preliminary Investigations," including:
 - a. addressing any injuries and public safety issues;
 - b. identifying and securing any victims, offenders, and witnesses; and
 - c. identifying and securing any evidence for collection and processing as outlined in the Department directives titled "Crime Scene Protection and Processing" and "Firearm Discharge and Officer-Involved Death Incident - Investigation."
10. establish an inner and outer perimeter at the scene of the incident as soon as practicable.
 - a. The inner perimeters are the areas at the scene of the incident where physical evidence is likely to be recovered.
 - b. The outer perimeters are the areas surrounding and encompassing the inner perimeters where assigned personnel can be briefed and deployed.

- c. The reviewing supervisor will ensure access to the specific areas of the crime scene is as delineated in the Department directives titled "[Crime Scene Protection and Processing](#)" and "[Firearm Discharge and Officer-Involved Death Incident - Investigation](#)."
- D. **Witness and Responding Department Members.** Department members responding to the scene will report to the on-scene supervisor and will perform all actions necessary to address the immediate needs of the scene, including:
1. immediately requesting medical attention for the injured and persons who complain of being injured and, as soon as reasonably practical, provide medical aid and assistance consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on scene.
 - a. Department members will provide appropriate medical care consistent with their training to any individual who has visible injuries, complaints of being injured, or requests medical attention. This may include providing first aid and/or arranging for transportation to an emergency medical facility.
 - b. If the scene is safe and the person in custody is secure, Department members will not interfere with emergency medical personnel when providing treatment to injured persons.
 2. securing the scene of the incident, including identifying and securing evidence.
 3. locating and apprehending any offenders.
 4. identifying and securing witnesses, to the extent reasonably possible and lawfully permitted.
 5. not deactivating his or her activated Department-issued recording equipment (e.g., In-Car Video System, Body Worn Camera) until so directed by an on-scene supervisor in accordance with the procedures delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."
 6. if the member was a witness to the firearm discharge or officer-involved death incident, not viewing their in-car or body-worn camera videos prior to writing an initial report related to the incident. Per the Illinois SAFE-T Act, Department members will not view recordings of an incident prior to writing an initial report for the following incidents:
 - a. A Department member has been involved in or is a witness to an officer-involved firearm discharge or officer-involved death incident.
 - b. Use of deadly force incidents or use of force incidents resulting in great bodily harm or death.
 - c. If a Department member is ordered to write a report in response to a complaint or misconduct investigation.
- E. **District of Occurrence Command**
1. The district executive officer of the district of occurrence, when on duty, will respond to and assume command of a firearm discharge or an officer-involved death incident until relieved of responsibility by a higher-ranking member from district law enforcement or the Street Deputy.
 2. If the district XO is not on duty, the commander of the district of occurrence will respond and assume command.
- F. **COPA.** Upon notification of a firearm discharge or officer-involved death incident as defined by 50 ILCS 727, COPA personnel, in accordance with Department directive titled "[Firearm Discharge and Officer-Involved Death Incident - Investigation](#)," will immediately respond to the incident scene to initiate and conduct the investigation consistent with COPA's jurisdiction.

IV. PUBLIC SAFETY BRIEFING

A. A Public Safety Briefing will be conducted in the immediate aftermath of a Department member firearm discharge or an officer-involved death incident. The Public Safety Briefing is a one-on-one oral exchange conducted by a sworn Department supervisor with one sworn Department member to aid in directing public-safety-related actions and safeguarding the integrity of the ensuing investigation in the immediate aftermath of such an incident.

1. The Public Safety Briefing is strictly used for the on-scene supervisor's immediate assessment and actions to ensure public safety, preserve perishable evidence, and secure the incident scene when a continuing threat to public safety may exist.
 - a. Ensuring public safety includes actions taken to immediately address any ongoing threat to officers, emergency responders, and community members, such as locating injured persons or at-large subjects who are armed or present a public safety risk or responding to a large, unresponsive crowd at or near the incident scene.
 - b. Perishable evidence is evidence that can be destroyed or disturbed by environmental factors, such as weather or terrain, or removed from the location, including but not limited to bodily fluids, footprints, tire tracks, and other evidence based on the conditions at an incident scene.
 - c. Securing the incident scene includes preserving physical evidence, minimizing contamination, and establishing controlled access to prevent unauthorized persons from disrupting the integrity of the investigation.

2. The purpose of the Public Safety Briefing is not to investigate the incident or any associated actions or criminal activity but to direct the immediate actions of Department members with the foremost regard for the preservation of human life and the safety of all persons involved.

NOTE: The questions of a Public Safety Briefing are only related to public and officer safety, preserving perishable evidence, and securing the incident scene and **are not** investigatory in nature.

3. Public Safety Briefings will only be conducted by a sworn Department supervisor in the immediate aftermath of the incident up until the time that the incident scene is determined to be "safe and secure" by an on-scene supervisor and an incident scene investigation can commence.
4. Public Safety Briefings will typically be conducted near or in close proximity to the incident scene unless a risk to public safety or other exigent circumstances require the on-scene supervisor to conduct the Public Safety Briefing at another location (e.g. an active threat incident, an incident requiring a Special Weapons and Tactics (SWAT) response, or an incident requiring immediate hospital transport).
5. The Public Safety Briefing will be conducted by a sworn Department supervisor with one sworn Department member outside the presence of any other individual. If there are multiple members involved in the incident and it is necessary to conduct Public Safety Briefings with more than one of the involved members to ensure public safety, preserve perishable evidence, and secure the incident scene, the assigned supervisor will conduct a separate Public Safety Briefing with each member.
6. The reviewing supervisor responsible for directing the initial response and the protection of the incident scene will:
 - a. conduct the Public Safety Briefing by using the Public Safety Briefing Instructions card ([CPD-11.921](#)).
 - b. inform the OEMC dispatcher of the relevant safety information and send, as necessary, a Preliminary Wanted Message (flash message) relaying the available information, including wanted person descriptions, weapon and vehicle information, and the direction of travel.

- c. use the relevant Public Safety Briefing information only to:
 - (1) direct responding units to other locations to locate injured persons or at-large subjects.
 - (2) establish and secure the appropriate perimeter and incident scene.
 - (3) to fully brief the responding Street Deputy responsible for the investigation.
- B. When participating in a Public Safety Briefing, the briefing supervisor and the involved member will deactivate their Department-issued recording equipment (e.g., In-Car Video Systems, Body Worn Cameras) as delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."
 1. Upon the completion of a Public Safety Briefing, the reviewing supervisor will:
 - a. take control of and secure the Body Worn Camera (BWC) of the involved member consistent with the Department directive titled "[Body Worn Cameras](#)."
 - b. will reactivate their BWC and continue to electronically record all law-enforcement-related activities using their BWC while on-duty, including responding to and engaging in calls for service and conducting investigations, consistent with Illinois Officer-Worn Body Camera Act (50 ILCS 706/10) and the Department directive titled "[Body Worn Cameras](#)."
 2. On-scene Department members not participating in a Public Safety Briefing will:
 - a. continue to electronically record all law-enforcement-related activities using their BWC while on-duty, including responding to and engaging in calls for service and conducting investigations, consistent with Illinois Officer-Worn Body Camera Act (50 ILCS 706/10) and the Department directive titled "[Body Worn Cameras](#)."
 - b. not deactivate their Department-issued recording equipment (e.g., In-Car Video Systems, Body Worn Cameras) until so directed by an on-scene supervisor or until the conclusion of the incident in accordance with the procedures delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."
- C. Consistent with the Public Safety Briefing Instructions card ([CPD-11.921](#)), the Public Safety Briefing will only consist of the following questions:
 1. Are you injured? If so, what are your injuries?
 2. Is anyone else injured? If so, where are they located?
 3. Did you fire your firearm? If so, in what direction and approximately how many rounds?
 4. Did any subject fire a firearm? If so, in what direction and approximately how many rounds?
 5. Are there any subjects at-large who are armed or present a public safety risk? If so:
 - a. How many subjects are at-large?
 - b. What was their method of flight (e.g., foot, vehicle)?
 - c. What are their descriptions, including any fleeing vehicle information?
 - d. What was their direction of travel?
 - e. How long ago did they flee?
 - f. What type of weapon(s) or public safety threat(s) did you observe?
 6. Do you know of any perishable evidence? If so, what areas need to be secured?

7. Is there anything else that I need to know to ensure public safety, preserve perishable evidence, or secure the incident scene?

NOTE: Department supervisors may repeat a question to ensure understanding or to solicit information on multiple subjects or vehicles. However, no additional follow-up questions not listed above will be asked during the Public Safety Briefing.

- D. Consistent with the Department directive titled "[Department Member Bill of Rights](#)" and the respective collective bargaining agreements, a member involved in a firearms discharge or officer-involved death incident who is identified as a:

1. shooting member(s) will not be required to give a statement in an administrative investigation earlier than twenty-four hours after the incident.
2. witness member(s) will not be required to give a statement in an administrative investigation earlier than two hours after the incident.

REMINDER: Involved members have the right to have legal counsel and/or a collective bargaining unit member present during the statement-giving process. Public Safety Briefings will be conducted prior to any administrative investigation.

V. POST-INCIDENT RESPONSIBILITIES

The following procedures will be followed for all firearm discharge or officer-involved death incidents, after the scene has been secured, notifications have been made, and investigative personnel have arrived at the scene.

- A. **Involved Members.** All involved Department members, if physically capable, will:

1. remain on scene until released by the Street Deputy responsible for the investigation or directed to a different location for the completion of the investigation, in coordination with the Investigative Response Team and COPA.
2. remain separate from and avoid any contact or communication with any other involved members or witnesses until released by the Street Deputy responsible for the investigation, in coordination with COPA.
3. report to the Street Deputy responsible for the investigation and cooperate with any additional public-safety-related questions as outlined in the Department directive titled "Firearm Discharge and Officer-Involved Death Incident - Investigation."
4. not discuss the facts of the incident **with any other involved members or witnesses**, until interviewed by COPA.

EXCEPTION: **This prohibition does not restrict communication:**

- a. to the extent necessary to ensure officer or public safety.
- b. as instructed by counsel in relation to civil or criminal proceedings.
- c. when participating in CPD wellness or stress management programs.
- d. characteristic of an immediate stress response in the immediate aftermath of a traumatic incident.

NOTE:

Communications characteristic of an immediate stress response are immediate, unintentional communications regarding the incident and may vary according to the individual incident or the involved person. No two traumatic incidents are the same and traumatic incidents affect people differently. An immediate stress response to a firearm discharge or officer-involved death incident may involve spontaneous verbal communication, including a description of what just happened during the incident, in an effort to mentally and emotionally process the circumstances and adaptively cope with the experience. Department members will not be disciplined by the Department for communications with other involved members or witnesses that are determined to be characteristic of an immediate stress response in the immediate aftermath of a traumatic incident.

REMINDER:

As soon as practicable after arriving to the scene of the incident, the reviewing supervisor will separate all involved and witness members and will ensure that all involved and witness members are monitored to avoid any contact or communication relating to the incident.

REMINDER:

Department members will not deactivate his or her activated Department-issued recording equipment (e.g., In-Car Video System, Body Worn Camera) until so directed by an on-scene supervisor in accordance with the procedures delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."

- a. If COPA determines this prohibition is no longer necessary prior to the involved member's interview, COPA will provide the member with an official notification that advises the prohibition no longer applies.
- b. If COPA determines the involved member will not be interviewed within 60-days of the incident, COPA will notify the member that the interview will still be scheduled and remind the member that this prohibition still applies until the interview is conducted.
 - (1) The involved member will not discuss the facts of the incident **with any other involved members or witnesses**, until interviewed by COPA or COPA advises the prohibition no longer applies.
 - (2) This does not restrict COPA's authority to continue, extend, or remove the communication prohibition on an individual basis.
- c. After the member is interviewed, COPA may extend this prohibition, for additional 60-day periods, **on an individual basis and only when it is determined to be necessary to preserve the integrity of the investigation.**
- d. If this prohibition is extended, **the above exceptions remain applicable** and COPA will provide the member with an official notification and the parameters of the extension.
- e. Under no circumstances will this prohibition be extended beyond the final disciplinary decision of the investigation.

NOTE:

Final disciplinary decision is defined as the conclusion of the process for disciplinary recommendations described in the Municipal Code of Chicago Section 2-78-130(a).

5. continue to follow the existing procedures based on the nature of the incident, including but not limited to:

- a. ["De-escalation, Response to Resistance, and Use of Force"](#)
 - b. ["Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures"](#)
 - c. ["Emergency Use of Department Vehicles"](#)
 - d. ["Traffic Crashes Involving Department Members"](#)
 - e. ["Miscellaneous Detention Facility Topics"](#)
6. cooperate fully with the mandatory post-firearm discharge alcohol and drug testing consistent with the Department directive titled ["Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures."](#)
 7. **not** listen to any audio **or** view any video contained on the Department-issued recording equipment (e.g., In-Car Video Systems and Body-Worn Cameras) that contains audio or video of the incident consistent with Item III-B-8 of this directive.
 8. when applicable, truthfully and completely report each reportable use of force on a Tactical Response Report (TRR) (CPD-11.377), consistent with the Department directive titled ["Incidents Requiring the Completion of a Tactical Response Report,"](#) and other reports at the location designated by the Street Deputy responsible for the investigation.

NOTE: A member that has discharged a firearm or was involved in a use of force incident resulting in death **WILL NOT** be required to complete the "Narrative" section of the TRR for any firearms discharge incidents (with or without injury).

9. complete any required reports to document the incident by truthfully and completely describing the facts and circumstances concerning the incident and submit the reports by the end of the tour of duty.
- B. **Witness Members.** Any member, whether on or off duty, who did not discharge a firearm nor was involved in an officer-involved death incident, but who observed or was present during the incident or who has been fired upon will:
1. remain on scene until released by the Street Deputy responsible for the investigation or directed to a different location for the completion of the investigation, in coordination with the Investigative Response Team and COPA.
 2. remain separate from and avoid any contact or communication with any other involved members or witnesses until released by the Street Deputy responsible for the investigation, in coordination with COPA.
 3. report to the Street Deputy responsible for the investigation upon his or her arrival and provide the investigative personnel with required information and assistance.
 4. not discuss the facts of the incident **with any other involved members or witnesses**, until interviewed by COPA.

EXCEPTION: This prohibition does not restrict communication:

- a. to the extent necessary to ensure officer or public safety.
- b. as instructed by counsel in relation to civil or criminal proceedings.
- c. when participating in CPD wellness or stress management programs.
- d. characteristic of an immediate stress response in the immediate aftermath of a traumatic incident.

NOTE:

Communications characteristic of an immediate stress response are immediate, unintentional communications regarding the incident and may vary according to the individual incident or the involved person. No two traumatic incidents are the same and traumatic incidents affect people differently. An immediate stress response to a firearm discharge or officer-involved death incident may involve spontaneous verbal communication, including a description of what just happened during the incident, in an effort to mentally and emotionally process the circumstances and adaptively cope with the experience. Department members will not be disciplined by the Department for communications with other involved members or witnesses that are determined to be characteristic of an immediate stress response in the immediate aftermath of a traumatic incident.

REMINDER:

As soon as practicable after arriving to the scene of the incident, the reviewing supervisor will separate all involved and witness members and will ensure that all involved and witness members cease any communication regarding the facts of the incident.

REMINDER:

Department members will not deactivate his or her activated Department-issued recording equipment (e.g., In-Car Video System, Body Worn Camera) until so directed by an on-scene supervisor in accordance with the procedures delineated in the Department directives titled "[Body Worn Cameras](#)" and "[In-Car Video Systems](#)."

- a. If COPA determines this prohibition is no longer necessary prior to the witness member's interview, COPA will provide the member with an official notification that advises the prohibition no longer applies.
- b. If COPA determines the witness member will not be interviewed within 60-days of the incident, COPA will notify the member that the interview will still be scheduled and remind the member that this prohibition still applies until the interview is conducted.
 - (1) The witness member will not discuss the facts of the incident **with any other involved members or witnesses**, until interviewed by COPA or COPA advises the prohibition no longer applies.
 - (2) This does not restrict COPA's authority to continue, extend, or remove the communication prohibition on an individual basis.
- c. After the officer is interviewed, COPA may extend this prohibition, for additional 60-day periods, **on an individual basis and only when it is determined to be necessary to preserve the integrity of the investigation.**
- d. If this prohibition is extended, **the above exceptions remain applicable** and COPA will provide the member with an official notification and the parameters of the extension.
- e. Under no circumstances will this prohibition be extended beyond the final disciplinary decision of the investigation.

NOTE:

Final disciplinary decision is defined as the conclusion of the process for disciplinary recommendations described in the Municipal Code of Chicago Section 2-78-130(a).

5. **not** listen to any audio **or** view any video contained on the Department-issued recording equipment (e.g., In-Car Video Systems and Body-Worn Cameras) that contains audio or video of the incident per Item III-D-6 of this directive.

6. complete any required reports to document the incident by truthfully and completely describing the facts and circumstances concerning the incident and submit the reports by the end of the tour of duty.

C. **Reviewing Supervisor.** The reviewing supervisor from the district of occurrence will:

1. after the completion of the Public Safety Briefing and the scene is safe and secure, promptly contact CPIC from the scene to confirm the notifications listed in Item II-C have been made and provide CPIC with additional relevant or updated incident information, if known.

REMINDER: The reviewing supervisor cannot have been involved in or witnessed the firearm discharge or the officer-involved death incident.

2. ensure the involved and witness members remain separate from each other, including being transported separately from the scene, and monitored to avoid any contact or communication relating to the incident until released by the Street Deputy responsible for the investigation, in coordination with COPA.

NOTE: Involved and witness members will be monitored by supervisory personnel of higher rank, unless officer or public safety necessitates the immediate transport of injured members or injured individuals from the scene.

3. ensure witnesses and other persons (Department member or non-Department member) who may have relevant information are made available to the on-scene Street Deputy, Investigative Response Team, and COPA personnel for on-scene interviews.
4. when feasible, ensure all Department and non-Department vehicles involved in the incident remain undisturbed until Forensic Services Division personnel, the Street Deputy, and COPA assess the need for and complete any forensic processing.
5. ensure a sworn Department member, other than the involved member, has been assigned to conduct the preliminary investigation, prepare the original case report, relay additional information to investigating units, and make the appropriate notifications, including to the Medical Examiner's Office for officer-involved deaths.
6. ensure written reports are generated and submitted to document on-scene investigative activities performed by district law enforcement personnel, such as searches for firearms or other physical evidence, and review all written reports generated by district law enforcement personnel submitted during the preliminary investigation.
7. ensure that the name, star number, and unit of assignment of all Department members and the name and organizational affiliation of all non-Department personnel (e.g., COPA) who have arrived on the scene, including the time of arrival, or who enter the crime scene are documented in accordance with the Department directives titled "Preliminary Investigations" and "Crime Scene Protection and Processing."
8. for firearm-discharge incidents, ensure:
 - a. when feasible, no member of any rank other than Forensics Services Division personnel handles, inspects, unloads, or otherwise tampers with the involved member's firearm.

NOTE: If the involved member is injured and was relieved of his or her firearm by another Department member prior to receiving medical treatment, the responding supervisor will take possession of the firearm and duty belt from the securing member and ensure that the firearm remains holstered and secured.

- b. unless the member was disarmed, the firearm remains holstered and secured pending the arrival of Forensic Services Division personnel and COPA personnel.

- c. where circumstances require that a Department member's firearm must be preserved as evidence, the firearm is processed in compliance with the Department directive titled "[Crime Scene Protection and Processing](#)."
 - d. all fired projectiles have been accounted for without contaminating or interfering with the collection and maintenance of evidence.
9. for officer-involved death investigations, ensure:
- a. the Medical Examiner's Office is notified of an officer-involved death and a Medical Examiner (ME) number is obtained.
 - b. the prompt screening from public view or covering of the deceased consistent with the equipment available.
 - (1) At any time during the course of the investigation, if the highest ranking on-scene supervisor determines that the safety of officers or the public is in jeopardy, the supervisor may request the immediate removal of the decedent from the scene, consistent with the Department directive titled "[Firearm Discharge and Officer-Involved Death Incident - Investigation](#)."
 - (2) If appropriate, the supervisor will consult with the Investigative Response Team supervisor or Street Deputy responsible for the investigation prior to the screening, covering, or removal the decedent.
 - c. following the timely evidence collection procedures, the removal of the deceased from the scene.
10. if circumstances necessitate the relocation of the investigation from the site of the occurrence, contact the Street Deputy responsible for the investigation for authorization and notify CPIC.
11. complete the reviewing supervisor's section of the TRR, if applicable and appropriate.
- NOTE:** If the involved member is of the rank of sergeant or higher, a higher-ranking member will complete the supervisor's section of the TRR.
12. remain on duty until dismissed by the Street Deputy responsible for the investigation.
- D. **Watch Operations Lieutenant.** The watch operations lieutenant of the district of occurrence will:
- 1. verify the appropriate supervisory resources have responded to the scene and ensure the responsibilities of the reviewing supervisor have been assigned to the appropriate supervisor.
 - 2. obtain a Log Number (Notification) from COPA in all cases in which a Department member:
 - a. discharged a firearm (on or off duty) and another person is injured or killed by one or more bullets fired by that member,
 - b. suffered a self-inflicted gunshot wound,
 - c. discharged a firearm (on or off duty) at a person and the person is not injured or killed,
 - d. is involved in a motor vehicle accident with fatalities, including any death resulting from a motor vehicle accident involving a Department member engaging in law enforcement activity off duty, or
 - e. is involved in any other officer-involved death incident including death in custody or suicide in custody.

3. follow the procedures in the Department directive titled "[Notification of Death or Serious Injury to a Member: Duty Related](#)" when a Department member has been injured or killed by gunfire or seriously injured or killed as a result of any firearm discharge or officer-involved death incident.

VI. CONFLICT PROVISION

If this directive conflicts with any other Department directive, this directive will take precedence.

Larry Snelling
Superintendent of Police

23-018 ASH/TSS/MWK

DRAFT

**FIREARM DISCHARGE AND OFFICER-INVOLVED DEATH INCIDENT - INVESTIGATION**

ISSUE DATE:	15 May 2026	EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	03 - Field Operations		
CALEA:			

I. PURPOSE

This directive outlines:

- A. the investigative responsibilities of firearm discharge and officer-involved death incidents for the responding deputy chief assigned to the Street Operations Unit, Bureau of Patrol (Street Deputy); Civilian Office of Police Accountability (COPA); and Bureau of Detective personnel;
- B. the procedures regarding civilian witness interviews; and
- C. the responsibilities for crime scene access, crime scene and evidence, and firearm processing for firearm discharge and officer-involved death incidents.

II. RESPONSIBILITIES

A. **Street Deputy.** The Street Deputy responsible for the on-scene response will:

- 1. promptly proceed to and assume command of the scene and provide for the appropriate on-scene response to ensure a complete and thorough on-scene investigation of the incident is conducted by the Department, including the Investigative Response Team.
- 2. ensure all tasks delineated for lower-ranking personnel have been completed or are being performed and are completed, including the Public Safety Briefing at the scene of the incident.
- 3. personally conduct and document an investigation into the circumstances surrounding the involved member's use of force in a manner consistent with this directive and the Department directive titled "Incidents Requiring the Completion of a Tactical Response Report."
- 4. confer with the reviewing supervisor who conducted the Public Safety Briefing. If after the review of available body-worn camera and in-car video system footage and relevant and available on-scene information, additional clarification of incident from the involved member(s) is deemed necessary to ensure a complete and thorough on-scene investigation, the Street Deputy responsible for the on-scene response may conduct a walk-through with any of the involved Department member(s) without delay.
 - a. Prior to requesting the walk-through, the assigned Street Deputy will review any body worn camera or in-car video system footage of the involved member requested to participate in the walk-through, when available.
 - b. Before conducting the walk-through, the Street Deputy will order the involved Department member(s) to participate in a walk-through of the incident.
 - c. This walk-through with the involved Department member will:
 - (1) be recorded with the on-scene Street Deputy's body-worn camera.

- (2) include the following instructions given to the involved Department member prior to the interview:

"Please be advised that you are being ordered to answer questions and give an oral report of the incident. As a result of your failure to follow this order, you may face administrative discipline. Nothing you say in response to this order may be used against you in any criminal proceeding should one arise from this incident."

- (3) be limited to obtaining information needed for clarification of the incident and the immediate on-scene response.

NOTE: While the questions asked during the walk-through may be similar to the initial Public Safety Briefing, the Street Deputy is not required to ask the same questions, in the same sequence, in their entirety, as the initial briefing.

- (4) be conducted by the Street Deputy with any involved Department member individually, outside the presence of any other individual.

NOTE: If there are multiple Department members involved in the incident, the Street Deputy will conduct a separate walk-through with each member, only when deemed necessary.

5. designate a supervisor responsible for assisting in the preliminary investigation whenever the incident has occurred in more than one district.
6. assign a reviewing supervisor if one has not been previously assigned to the incident.
7. ensure that each involved and witness member is accompanied and monitored by a supervisor of higher rank than the involved member, unless officer or public safety necessitates the immediate transport of injured members or injured individuals from the scene, who will ensure the members are separated and directed not to communicate relating to the incident, consistent with Department directive titled "Firearm Discharge and Officer-Involved Death Incident - Immediate Response."
- a. The Street Deputy responsible for the on-scene response will assign separate transportation for the involved and witness members and ensure they avoid contact or communication related to the incident until released by the Street Deputy responsible for the on-scene response, in coordination with COPA.
- b. The involved member(s) will be escorted from the scene as soon as practicable and remain accompanied by a supervisor until released by the Street Deputy responsible for the on-scene response, in coordination with COPA.
8. ensure Forensic Services Division personnel collect and process evidence at the scene of the incident and complete all required tasks outlined in this directive.

NOTE: In consultation with COPA investigative personnel, the Street Deputy responsible for the on-scene response 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 no identifiable property damage resulting from a firearm discharge incident.

9. ensure the appropriate notifications and reporting requirements are completed, including the completion of detective supplementary reports by Bureau of Detectives personnel and when applicable, the notification to the Medical Examiner's Office.

10. ensure that IRT personnel document each Department member who viewed video evidence or listened to audio evidence at the scene, consistent with the requirements of the Illinois SAFE-T Act (Public Act 101-0652), including whether the video was viewed or the audio was listened to with COPA investigative personnel present.
 11. unless immediately necessary for public or officer safety, consult with responding COPA investigative personnel, Bureau of Detectives personnel, and Forensic Services Division personnel before any involved vehicles are removed from the scene.
 12. direct additional investigatory actions or otherwise coordinate the Department's on-scene response to any firearm discharge or officer-involved death incident as deemed necessary. This may include but is not limited to, requesting additional personnel be assigned to the incident or requesting additional resources such as the Helicopter or Marine units.
 13. ensure any representatives from the Fraternal Order of Police (FOP) or the Police Benevolent and Protective Association (PBPA) do not interfere in the investigation of the incident, but are provided the access consistent with their respective collective bargaining agreement.
 14. fulfill the obligations outlined in the Department directive titled "[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. notifying the Professional Counseling Division of the incident.
 - c. notifying the affected member of their responsibilities.
 15. prior to the end of the tour of duty, complete the review process for the submitted Tactical Response Reports (TRR) and the completion of the TRR-Investigation (TRR-I) following the procedures outlined in the Department directive titled "[Incidents Requiring the Completion of a Tactical Response Report](#)" including:
 - a. reviewing and approving all submitted TRRs for the incident, including for any lesser uses of force by Department members associated with the firearm discharge or officer-involved death incident.
 - b. documenting the sworn Department supervisor who initially separated the involved or witness members and who conducted the Public Safety Briefing with the involved member in the TRR-I.
 16. if necessary, prior to the end of the tour of duty, review the Major Incident Notification Report and ensure its completion.
- B. **COPA Personnel.** Upon the arrival of COPA personnel, the Street Deputy responsible for the on-scene response:
1. will ensure that as soon as the scene is safe and secure, COPA investigators will be provided the opportunity to participate in the preliminary assessment during the immediate aftermath of a firearm-discharge or officer-involved death incident to the same extent as any Department member or any other law enforcement agency investigating the incident.
 2. will provide a briefing of the incident to the COPA investigators based on the information available at that time, without redaction or editing of known information, including but not limited to:
 - a. walking through the incident scene.
 - b. providing information obtained from the Public Safety Briefing conducted with the involved member(s).
 - c. providing information obtained from any walk-through of the incident conducted by the Street Deputy and involved member(s).

- d. the identification of the immediate investigative steps taken and currently in progress.
 - e. the deployment of personnel and the actions tasked in support of the investigation.
 - f. disclosing any and all evidence and witnesses identified by Department personnel.
 - g. the Investigative Response Team and Bureau of Detectives investigative strategy and actions taken, currently in progress, and planned to be taken in the next 24 to 48 hours.
3. has an ongoing obligation to keep COPA personnel contemporaneously apprised of all relevant information or evidence identified or obtained pursuant to on-scene law enforcement activity or Department investigation, including approved reports.
4. COPA personnel will be responsible for notification and responding to the Cook County State's Attorney's Office Law Enforcement Accountability Division concerning the officer-involved death investigation.
- C. As soon as it becomes apparent, any conflict of opinion or procedure between Department members and COPA investigative personnel at the scene will be reported to the Street Deputy. The Street Deputy will confer with the COPA investigative personnel to immediately resolve the conflict on-scene. In the event of conflict and inability to resolve, the conflict will be reported immediately up the respective chains of command for resolution.

D. **Bureau of Detectives**

- 1. In all officer-involved death incidents and firearm discharge incidents other than the destruction/deterrence of an animal with no human injury, the Bureau of Detectives area commander and the Investigative Response Team supervisor will consult with the assigned Street Deputy and determine the appropriate Bureau of Detectives response and resources are allocated.
- 2. When assigned to the investigation of a firearms discharge or officer-involved death incident, the Investigative Response Team supervisor will:
 - a. personally respond to the scene of the investigation.
 - b. under the direction of the Chief of Detectives, assume responsibility for the investigation of the officer-involved death or firearm discharge incident, including any criminal investigation of non-Department members.
 - c. ensure the preservation of evidence.

NOTE:

The highest-ranking member of the Bureau of Detectives on scene will be responsible for supervising the collection and processing of evidence on the scene. The highest-ranking district patrol member on scene will be responsible for protection of the evidence and maintaining the crime scene until all evidence is collected.

- d. coordinate with responding COPA investigative personnel regarding the collection and processing of evidence and the interviewing of witnesses.
- e. ensure the identification of witnesses.
- f. ensure that interviews of witnesses associated with the firearms discharge or officer-involved death incident are video-recorded, when possible, unless the witness declines to permit such recording or such recording is prohibited by law.
- g. ensure that all witnesses are informed that they have the opportunity to speak with investigative personnel from COPA and witness interviews are conducted in accordance with Item III of this directive.

- h. not delay interviewing involved or witness members and will conduct such interviews as soon as feasible, consistent with members' collective bargaining agreement.
- i. ensure that all requests made on behalf of involved or witness members to reschedule interviews are documented in the appropriate Bureau of Detectives report.

NOTE: IRT personnel will notify COPA for all requests made on behalf of involved or witness members to reschedule interviews via a To-From-Subject Report to the commanding officer of IRT.

- j. provide timely responses to requests for information from COPA investigative personnel during the preliminary investigation on scene and any additional follow-up investigations.
 - k. if appropriate, be responsible for notification and responding to the Cook County State's Attorney's Office Felony Review concerning any related criminal investigation.
 - l. make available to COPA investigative personnel the entire investigative file, including, but not limited to, all Investigative Response Team and Bureau of Detectives reports (when completed and approved), information, video and audio materials, and any other documents or material of evidentiary value related to the incident.
 - m. ensure that COPA receives access to or copies of any and all relevant video (third-party or Department-controlled) obtained by either the Investigative Response Team, Area Technology Centers, or Bureau of Detectives, as soon as practical.
 - n. ensure all reports are completed in a timely manner.
3. The assigned Bureau of Detectives personnel will complete a detective supplementary 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, or officer-involved death incidents. The assigned Bureau of Detectives personnel will:
- a. ensure the detective supplementary report is associated with the Records Division (RD) number of the original incident case report.
 - b. only allow any Department member to view video evidence in compliance with the Department directive titled "Body Worn Cameras" and per the requirements of the Illinois SAFE-T Act (Public Act 101-0652) as outlined in the Department directive titled "Firearm Discharge and Officer-Involved Death Incident - Immediate Response" prior to writing an initial report.
 - c. document each Department member who viewed video evidence or listened to audio evidence at the scene, consistent with the requirements of the Illinois SAFE-T Act (Public Act 101-0652), including whether the video was viewed or the audio was listened to with COPA investigative personnel present.
 - d. document the name and time of arrival of all COPA investigative personnel arriving on the scene.

III. CIVILIAN WITNESS INTERVIEWS

- A. Witnesses will not be held or detained against their will consistent with the Department directive titled "Preliminary Investigations."
- B. The appropriate Investigative Response Team member or Bureau of Detectives personnel will notify COPA personnel of the time of all planned interviews, and COPA personnel will be given the opportunity to independently interview all witnesses.

1. The order in which Department investigators and COPA investigators conduct witness interviews will be determined by the Street Deputy responsible for the investigation and the COPA investigative personnel, in consultation with the Bureau of Detectives personnel.
 2. Any witness interviews may be conducted concurrently, if feasible, by the Department and COPA.
- C. All witnesses will be informed of the opportunity to speak with investigative personnel from COPA. When known, Department personnel will notify COPA personnel before a witness leaves a Department facility or the scene of the incident. However, witnesses will not be held or detained against their will solely for the purpose of notifying COPA personnel.
- D. Department members will continue to identify and transport civilian witnesses to the appropriate detective area for the purpose of conducting interviews.

NOTE: Although all witnesses will be encouraged to be transported to the appropriate Bureau of Detectives area office to be interviewed, witnesses who refuse, but are willing to be interviewed on scene should be accommodated and, if appropriate, afforded safety and security considerations. On-scene voluntary interviews may be facilitated by the use of Department recording devices (e.g., In-Car Video Systems, Body Worn Cameras, and Department-issued cellphones) consistent with the Department directives titled "Body Worn Cameras" and "In-Car Video Systems." If COPA personnel are on scene, COPA personnel will be notified of the interview and will be given the opportunity to participate.

- E. If COPA is unable to participate in a civilian interview, the Department will, with good faith effort, seek consent to electronically record the interview and provide COPA with a copy of the recorded interview upon completion.
1. Whether the civilian interview was recorded or not, the Department will promptly provide a verbal summary of the civilian interview to COPA.
 2. At COPA's request, IRT or Bureau of Detectives personnel may supplement the verbal summary of a non-recorded interview with approved reports taken during the interview and provided to COPA with the completed case file.

NOTE: On-scene voluntary interviews may be facilitated by the use of Department recording devices (e.g., In-Car Video Systems, Body Worn Cameras, and Department-issued cellphones) consistent with the Department directives titled "Body Worn Cameras" and "In-Car Video Systems."

- F. COPA, and, if appropriate, Cook County State's Attorney's Office personnel, will interview any available civilian witnesses.

IV. CRIME SCENE ACCESS AND EVIDENCE PROCESSING

- A. Once the scene is safe and secure, the COPA investigative personnel will have immediate access to all areas within the designated crime scene, in coordination with the Street Deputy responsible for the investigation.
- B. Department members will continue to identify, secure, protect, collect, and process evidence at the incident scene consistent with the Department directive titled "Crime Scene Protection and Processing."
1. Department members assigned to the Forensic Services Division may mark and photograph evidence at the scene prior to the arrival of the COPA investigative personnel. Evidence will not be collected or processed until the arrival of the COPA personnel, unless exigent circumstances necessitate immediate collection and processing (e.g., inclement weather resulting in the loss or destruction of evidence).

2. Additional evidence identified by the on-scene COPA investigative personnel will be collected by Forensic Services Division personnel with the concurrence and approval of the COPA investigative personnel.
3. Any and all items of evidence identified by either the Department or COPA will be photographed, collected, and processed by Forensics Services Division personnel.
4. Forensic Services Division personnel will collect and process evidence in a manner to ensure a timely removal of a decedent from a public incident scene, when applicable.

C. The Chief Administrator of COPA, or designee, must be present for:

1. the first viewing by Department members of available video or audio material related to the incident.
2. the collection and preservation of any:
 - a. firearms recovered at the scene, and
 - b. audio and video material obtained at or near the scene of the investigation from the Department or a third-party.

EXCEPTION: This requirement will not apply when there is a public safety need to listen to, review, or collect any evidence prior to the on-scene arrival of the Chief Administrator of COPA, or designee, and the Chief Administrator of COPA, or designee has been notified of the incident and are unavailable. If a public safety need arises to listen to, review, or collect any evidence, Investigative Response Team personnel will document the circumstances on detective supplementary reports.

D. Forensic Services Division personnel will:

1. take complete and accurate measurements of the scene from which to develop a detailed plat.
2. take numerous detailed photographs of the scene from various angles and depths, procuring artificial light as necessary.
3. consult with responding COPA personnel regarding the collection and processing of evidence related to the incident, including activities to take place at other locations, such as hospitals.
4. upon request of COPA personnel in consultation with the Street Deputy responsible for the investigation, take detailed photographs of officers involved in or witness to the firearms discharge or officer-involved death incident.

E. Deceased Removal

1. All Department members will act in a manner that is consistent with the Department's commitment to the principle of the sanctity of life and will treat the deceased with respect, including the prompt screening from public view or covering of the deceased consistent with the equipment available and, following the timely evidence collection procedures, removal of the deceased from the scene.
2. At any time during the course of the investigation, if the highest ranking on-scene district law enforcement supervisor determines that the safety of officers or the public is in jeopardy, the supervisor may request the immediate removal of the decedent from the scene.
3. If an immediate removal is deemed necessary, the highest ranking on-scene district law enforcement supervisor will ensure that the deceased remains are pronounced consistent with the Department directive titled "[Processing and Transportation of Deceased Persons](#)." When removing the decedent from the scene, Department members will proceed in a respectful and private manner.

V. POST-FIREARM DISCHARGE INCIDENT SCENE AND FIREARM PROCESSING

- A. Unless there are overriding public or officer-safety concerns, no members of any rank other than Forensic Services Division personnel will handle, inspect, unload, or otherwise tamper with the involved member(s)' firearm(s), or any other firearms involved in the firearms-discharge incident. The firearm will remain holstered and secured pending the arrival of the Street Deputy responsible for the investigation and Forensic Services Division personnel.
- B. 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 titled "[Crime Scene Protection and Processing](#)."
- C. Forensic Services Division personnel will:
 - 1. conduct any necessary inspection(s) of the involved member(s)' firearm, at the appropriate Detective Area and in the presence of the Street Deputy, Investigative Response Team personnel, and COPA personnel. The firearms inspection will include, but is not limited to, the safe disassembly of the firearm to:
 - a. identify its make, model, serial number, caliber, type (revolver, semi-automatic pistol, rifle, shotgun, etc.), and other identifiers,
 - b. determine the type of ammunition used, and
 - c. determine the number of rounds expended and/or remaining.
 - 2. upon request of COPA personnel in consultation with the Street Deputy, examine the firearm(s) of Department members present at the time of the firearm-discharge incident to:
 - a. identify its make, model, serial number, caliber, type (revolver, semi-automatic pistol, rifle, shotgun, etc.), and other identifiers,
 - b. determine the type of ammunition used, and
 - c. determine the number of rounds expended and/or remaining.
 - 3. examine the surrounding area, including property and any involved vehicles, to identify the number and location of cartridge casings, bullets, bullet fragments, bullet entries and exits, or other property damage caused by bullets, bullet fragments, or other projectiles.
 - 4. identify and photograph all visible bullet entries in surrounding vehicles and property and, if necessary and feasible, conduct trajectory analysis.
 - 5. inventory all firearms known to have been discharged by a Department member and all firearms for which inspection is inconclusive as to whether the firearm was discharged in accordance with Department directive titled "[Firearms Taken into Custody or Turned In](#)." These firearms will be inventoried 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 Street Deputy 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.
 - 6. if necessary and feasible, preserve the scene for possible trajectory analysis and:
 - a. avoid removing bullet fragments from surfaces in a manner that would prevent possible trajectory analysis.

- b. determine whether processing involved vehicles can be effectively accomplished on scene. If involved vehicles are to be transported to a secure environment for later processing, Department personnel will be cognizant not to disturb content and configuration of the vehicle (e.g., disturbing the position of the seats).
- D. If the investigation indicates additional weapons were discharged, upon request of COPA personnel in consultation with the Street Deputy responsible for the investigation, Bureau of Detective personnel will conduct gunshot residue testing on individuals involved or present when the firearm-discharge incident occurred as determined by the investigation.

Larry Snelling
Superintendent of Police

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