



# CHICAGO POLICE DEPARTMENT FORCE REVIEW DIVISION



# 2020 Q4 REPORT

PUBLISHED APRIL 28, 2021





## EXECUTIVE SUMMARY

### **PURPOSE**

The purpose of the Force Review Division (FRD) Fourth Quarter 2020 Report is to report on the FRD's review and analysis of Tactical Response Reports (TRRs) and Firearm Pointing Incidents (FPIs) during the period.

#### *Notes on Information Reported:*

The information contained in this report is based on reviews conducted by the FRD during the period of October 1 through December 31, 2020. It is NOT a summary of findings of the Tactical Response Reports and Firearm Pointing Incidents that were submitted and reported by Department members during that timeframe.

There are references to Consent Decree paragraphs throughout this report. These specific paragraphs are included in the appendix at the end of the report.

### **SECTION ONE:**

#### **I. FRD Personnel Professional Development ¶193**

There was no professional development training scheduled for FRD personnel in the 4<sup>th</sup> Quarter.

#### **II. Force Review Division Resources ¶193 ¶575**

At the end of the Fourth Quarter 2020, the FRD operated with the following personnel: 1 Commander, 1 Lieutenant, 7 Sergeants and 35 Police Officers. On September 29, 2020 (Third Quarter), the FRD formally requested 13 candidates who successfully completed the NOJO process. As of the end of the Fourth Quarter, none of these candidates had yet been detailed to the FRD.

### **SECTION TWO:**

#### **I. Tactical Response Report Reviews and Recommendations ¶157 ¶169**

During the Fourth Quarter, the FRD completed 848 TRR Reviews. Of those reviews, 69.6%, or 591, resulted in recommendations and/or advisements to involved members or supervisors. The FRD made one referral involving five Department members to the Civilian Office of Police Accountability for investigation of alleged excessive force, failure of the duty to intervene and failure to report the use of excessive force.

Fourth Quarter debriefing point trends for Involved Members, Reviewing Supervisors and Approving/Investigating were consistent with those trends reported during the previous quarter. The most common debriefing point issued by the FRD to Involved Members during the Fourth Quarter was for not fully articulating force mitigation efforts used prior to the reportable use of force (311 debriefings), followed by body-worn camera activation issues (144 combined debriefings for late activation, no activation and early termination) and issues related to the proper completion of TRR form check boxes (99 debriefings).

The FRD most often debriefed Reviewing Supervisors for not requesting the assignment of an Evidence Technician when necessary (65 debriefings) and Approving/Investigating Supervisors for issues related to the completion of the check boxes on the TRR-Investigation Report (27).

During the Fourth Quarter, the FRD reviewed a total of 152 TRRs involving a foot pursuit. This resulted in 8 foot pursuit-related debriefings, the most common of which was partner separation during the foot pursuit (4 debriefings).

### **SECTION THREE:**

#### **I. Firearm Pointing Incident Reviews ¶190 ¶192**

During the Fourth Quarter of 2020, there were a total of 529 Firearm Pointing Incidents (FPIs), which resulted in the generation of 600 unique FPI Reports (FPIRs). Of these 600 FPIRs, the FRD reviewed 502 FPIRs because the associated FPI occurred during the course of effecting a seizure.

The most common initial event type for a FPI was "Traffic Stop" (167 FPIs), followed by "Person with a Gun" (99 FPIs).

During the course of 529 Firearm Pointing Incidents, Department Members recovered weapons 41.8% of the time. This included the recovery of 195 semi-automatic handguns, 9 revolvers, 9 "other" weapons, 4 knives, 3 rifles and 1 shotgun.



## EXECUTIVE SUMMARY

### SECTION FOUR:

#### **Pattern Identification**

1. Follow up to previously identified pattern: ¶575 During the First Quarter of 2020, a pattern involving improper body worn camera usage in the 011th District Tactical Unit was identified through the use of Tableau dashboards. The Force Review Division continues to compile data on this pattern and will report the results in the 2020 Year End Report.
2. Follow up to previously identified pattern: ¶575 Improper body worn camera usage, most frequently for late activation. In response to this pattern, the entire department was re-enrolled in the body-worn camera e-Learning module. By the end of the Fourth Quarter, 99% of the Department had completed the mandatory e-Learning module. The Force Review Division continues to compile data on this pattern and will report the results in the 2020 Year End Report.
3. Follow up to previously identified pattern: ¶575 The greatest number of Firearm Pointing Incidents were reported when department members conducted a traffic stop. In response to this pattern, the Training Oversight Committee voted unanimously to include scenario-based training in the 2021 in-service training plan. The effects of the department's response to this pattern will continue to be evaluated in quarterly reports in 2021.
4. Follow up to previously identified pattern: ¶575 Narrative deficiencies relating to the failure to properly document force mitigation and de-escalation in the narrative section of Tactical Response Reports. In response to this pattern, the Training Oversight Committee voted unanimously to include scenario-based training on force mitigation efforts in the 2021 in-service training plan. This training will require attendees to document their force mitigation efforts with specificity in the narrative portion-of the Tactical Response Report. The effects of the department's response to this pattern will continue to be evaluated in quarterly reports in 2021.



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## I. FORCE REVIEW DIVISION RESOURCES

**Table 1**

At the end of the 4th Quarter 2020 the Force Review Division had the following personnel assigned:

	<b><u>ACTUAL</u></b>		<b><u>BUDGETED</u></b>	
Commander	<b>1</b>		<b>1</b>	
Lieutenant	<b>1</b>		<b>1</b>	
Sergeants	<b>7</b>		<b>7</b>	
Review Officers	<b>35</b>		<b>48</b>	

*Table 1— Fourth Quarter Actual manpower vs. budgeted*



## SECTION TWO:

### I. TACTICAL RESPONSE REPORT REVIEWS BY LEVEL

Per the Consent Decree paragraph 574, “A designated unit at the CPD headquarters level will routinely review and audit documentation and information collected regarding each level 2 reportable use of force incident, a representative sample of level 1 reportable use of force, and incidents involving accidental firearms discharges and animal destructions with no human injuries”.

The total number of level 1 uses of force shown in **Figure 1** includes a 5% random sampling of level 1 uses of force as well as level 1 uses of force associated with a foot pursuit or level 2 or level 3 use of force. The level 3 reviews conducted in the 4th quarter were those incidents that occurred prior to the level changes implemented on February 29, 2020.

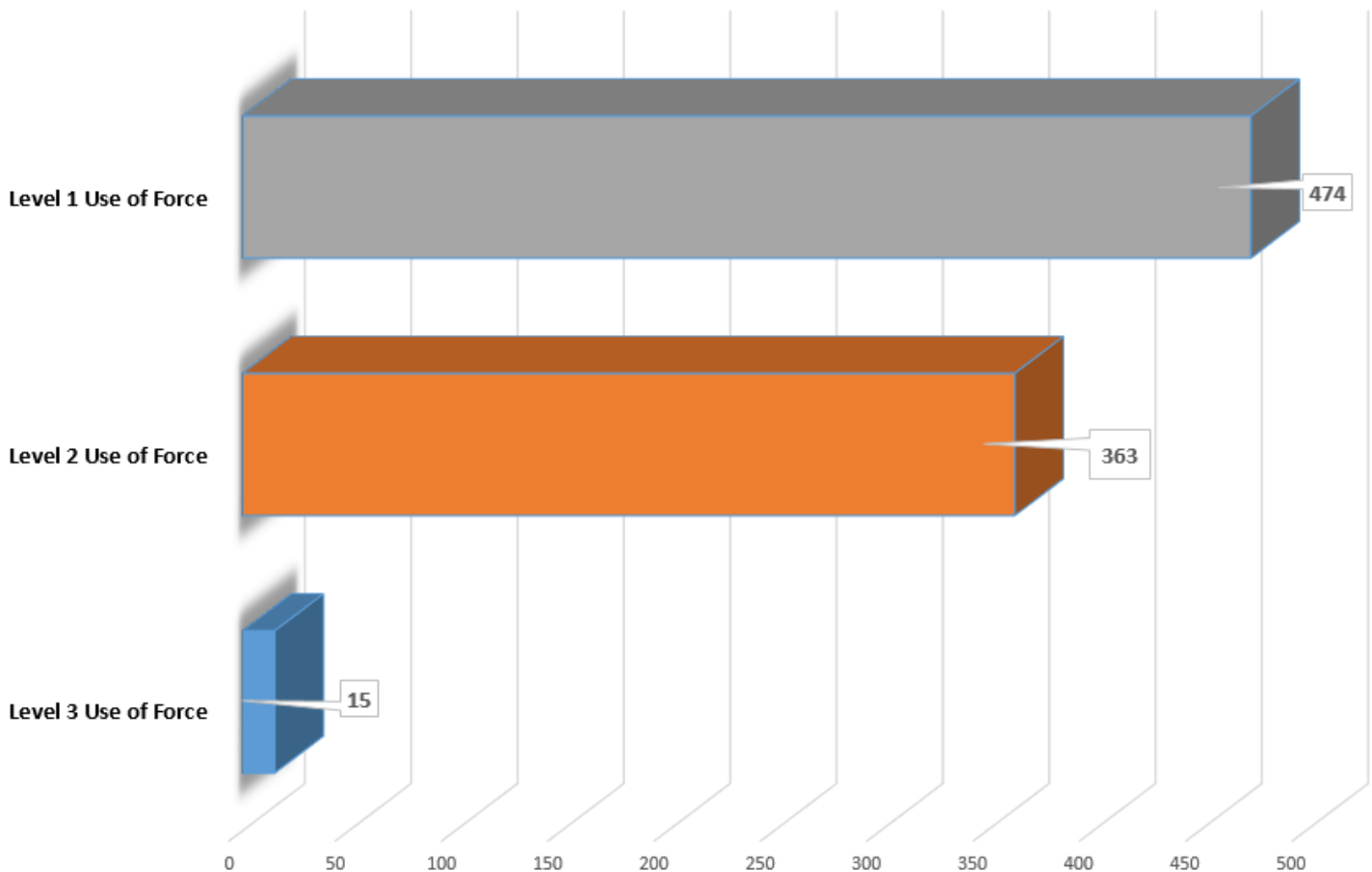


Figure 1— Tactical Response Report reviews by level. Totals are those TRR reviews that were completed during the Fourth Quarter 2020.



## II. TACTICAL RESPONSE REPORT RECOMMENDATIONS ¶157 ¶169

### A. Recommendations by Member's Role

During the fourth quarter of 2020, the Force Review Division completed 848 Tactical Response Report Reviews. Of those reviews, 69.6%, or 591, resulted in recommendations and/or advisements to involved members or supervisors.

One referral was made to the Civilian Office of Police Accountability for an allegation of excessive force. Included in this referral were two allegations of failure to report by supervisors and two allegations of failure to report and duty to intervene by two officers.

**In many instances multiple recommendations or advisements were made concerning a single Tactical Response Report.** The recommendations and advisements by member's role made on the TRRs reviewed in the fourth quarter are depicted in **Figure 2**.

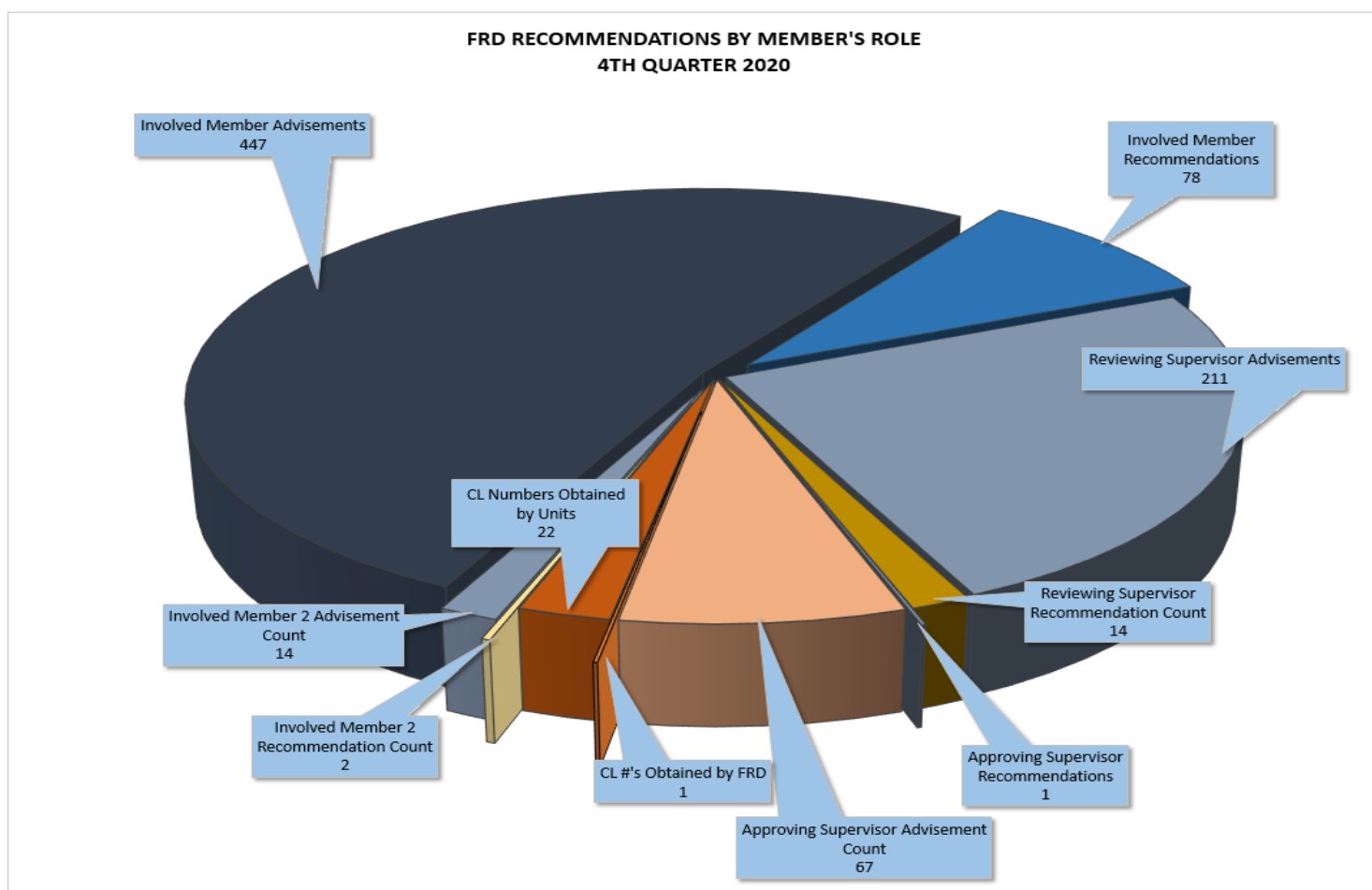


Figure 2— FRD Recommendations by Member's Role 4th Quarter 2020 Data reflects TRRs **Reviewed** from 01 October through 31 December 2020 and not all TRRs generated during that time period. The number of recommendations and advisements exceed the number of TRRs reviewed, as frequently multiple recommendations or advisements were made concerning a single TRR.





## B. Involved Member Debriefing

The most common debriefing point made by the Force Review Division for Involved Members during the Fourth Quarter was “Force Mitigation – Not Articulated.” **Figure 3.** This means that the involved member checked at least one force mitigation box for which they did not provide a detailed explanation in the narrative. For example, if a member checks boxes for both “verbal direction” and “tactical positioning,” but only describes verbal direction (and not tactical positioning), then the Force Review Division debriefs the member on force mitigation articulation. As part of this debriefing, the Force Review Division provides members with guidance on how to better articulate force mitigation efforts on future reports (see Force Mitigation Articulation Guide **Section C**).

## C. Force Mitigation Articulation

The following are some general considerations given to involved members when completing a TRR:

*Though force mitigation efforts are not always safe or feasible, they must be employed whenever possible. Examples of questions to consider when documenting force mitigation on the TRR include the following: (1) Verbal Direction/Control Techniques – Did you attempt to warn or persuade the subject before using force? (2) Tactical Positioning – Did you use a Tactical V or L, or did you utilize cover while attempting to speak with the subject? (3) Zone of Safety – Did you attempt to create space between either yourself or others and the subject? (4) Movement to Avoid Attack – Did you backpedal or side-step in an effort to avoid being attacked? (5) Additional Unit Members – Did you request the assistance of a supervisor, CIT or SWAT officers? (6) Other – Did you use time as tactic in order to permit de-escalation of the subject’s emotions in order to give the subject time to comply with commands and give you the time to wait for additional resources?*

*When describing what you did, be specific. For example, if you checked “Verbal Direction,” describe in as much detail as possible in the narrative what you specifically told the subject. Again, these are just examples. The above listed “force mitigation effort” options may NOT always apply to your unique situation. Do not check any corresponding force mitigation technique boxes that you did not utilize. You must be accurate in your documentation.*

*Documentation of force mitigation and de-escalation tactics is not only required by policy, but it is also in Department Members’ best interest. These details serve to describe the totality of circumstances, including why force may have been necessary despite your best efforts.*

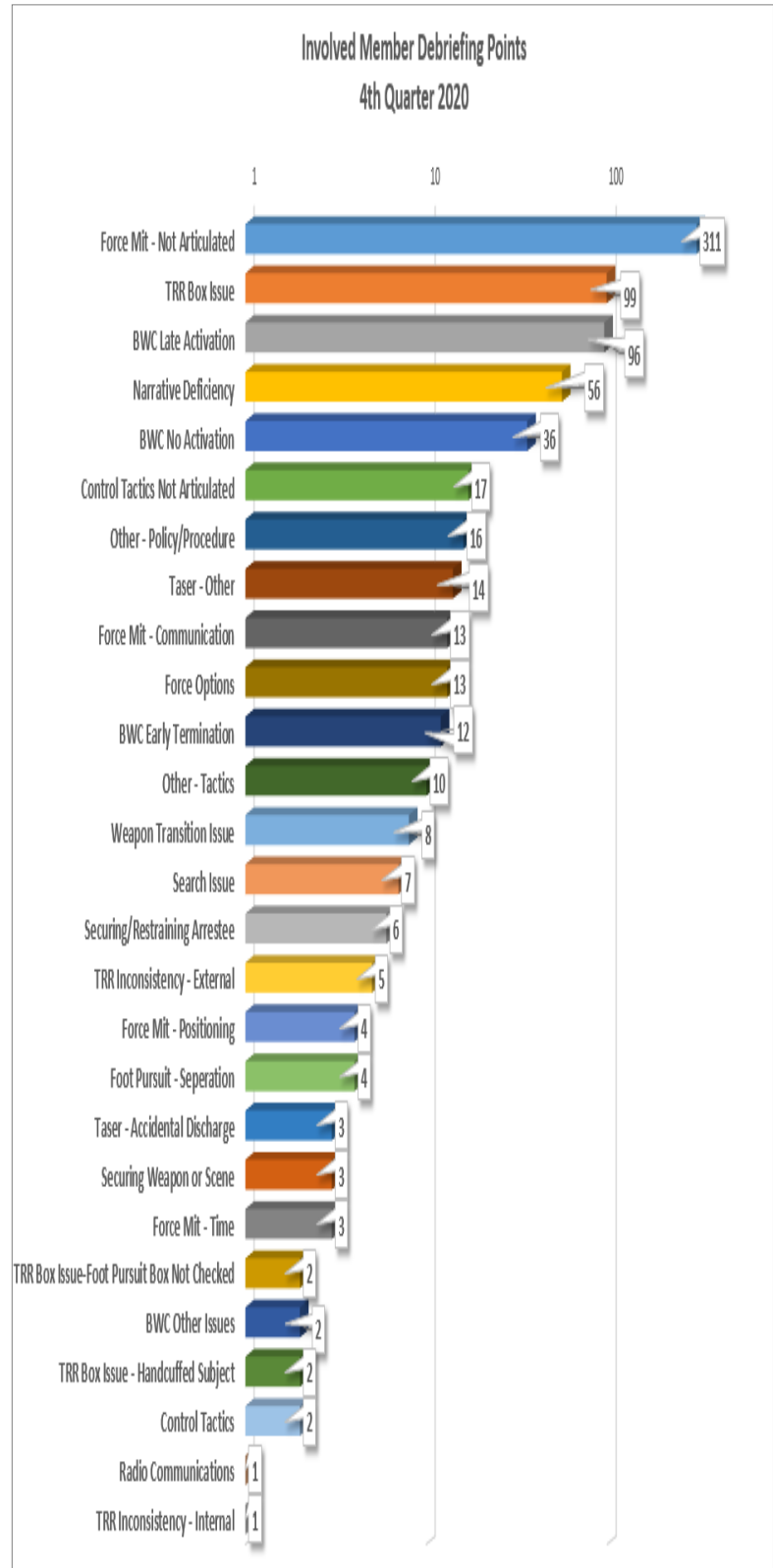


Figure 3— Involved Member Debriefing Points (Data reflects TRRs **Reviewed** from 01 October through 31 December 2020 and not all TRRs generated during that time period). See **Appendix A** for a description of each Debriefing Point.





## D. Reviewing Supervisor Debriefing Points

**Figure 4** identifies Debriefing Points made for **Reviewing Supervisors** during 2020 Q4. CPD policy mandates that the Reviewing Supervisor (Sergeant or above) complete responsibilities outlined in General Order *G03-02-02, Incidents Requiring the Completion of a Tactical Response Report*. The Force Review Division reviews reports and Department video in order to determine if Reviewing Supervisors completed the responsibilities required of them following a use of force incident.

The most common debriefing point for Reviewing Supervisors continued to be “ET not requested” in 2020 Q4. Reviewing supervisors are required to notify an ET any time that a subject is injured or alleges injury as well as whenever a Department Member is injured during a use of force incident.

Reviewing supervisors are most commonly debriefed on this responsibility because the supervisor failed to notify an E.T. to photograph either an injured Department Member or a subject that reportedly did not have visible injury.

Based on these findings, the Force Review Division submitted training recommendations to the Training Division for 2021 supervisory training. More specifically, the Force Review Division recommended inclusion of Reviewing Supervisor responsibilities in 2021 training as outlined in *Section V. of General Order G03-02-02, Incidents Requiring the Completion of a Tactical Response Report*. This includes proper procedures as they relate to the debriefing points shown in **Figure 4**.

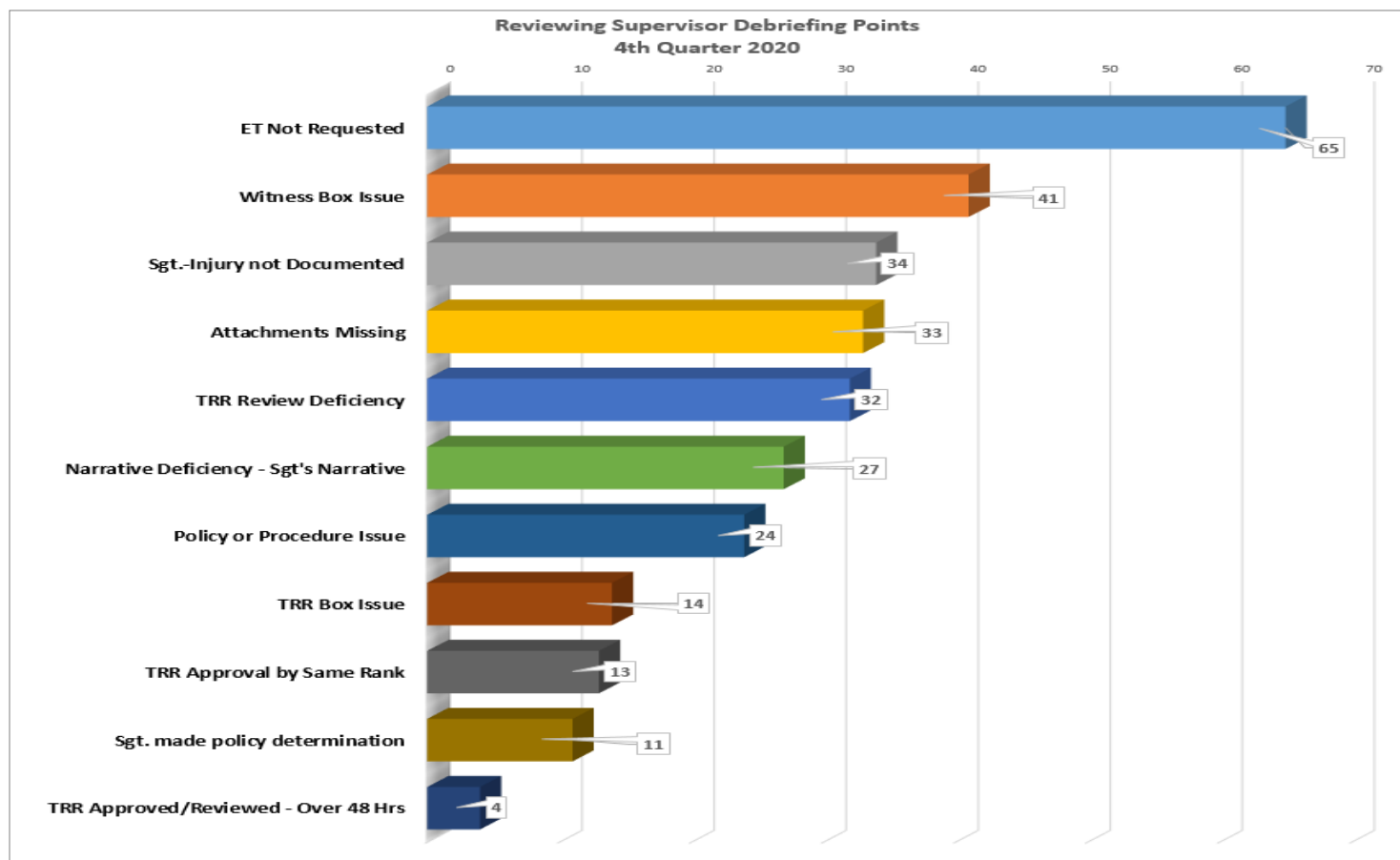


Figure 4— Reviewing Supervisor Debriefing Points (Data reflects TRRs **Reviewed** from 01 October through 31 December 2020 and not all TRRs generated during that time period).



## E. Approving Supervisor Debriefing Points

**Figure 5** identifies the following Debriefing Points made for **Approving Supervisors** during 2020 Q4.

CPD policy mandates that the Approving Supervisor (Lieutenant or above) complete responsibilities outlined in General Order *G03-02-02, Incidents Requiring the Completion of a Tactical Response Report*. The Force Review Division reviews reports and Department video in order to determine if Approving Supervisors completed the responsibilities required of them following a use of force incident.

The most common debriefing point for Approving Supervisors is related to a making an error in filling out at least one box on the TRR-Investigation form. Some of this may be attributed to 2020 revisions to the TRR-Investigation form. This included additional fields requiring further documentation of Miranda warnings and visual inspections of arrestees. The Force Review Division continues to monitor accuracy in completion of these forms and expects improvement in 2021.

The increased number of TRRs approved after more than 48 hours is largely attributed to delays in department operations experienced during civil unrest in 2020. As a result, the Force Review Division recommended inclusion of an “extension request” box to be completed whenever an Ap-

proving Supervisor needs to request an extension due to a delay in completing the investigation. This box is now included on the TRR-Investigation form, and the Force Review Division continues to monitor compliance with this requirement.

The Fourth Quarter 2020 was the first quarter in which the Force Review Division tracked “TRR Approval Deficiencies” for the entirety of the quarter because this was implemented during the Third Quarter of 2020. The Force Review Division began tracking this as a way to evaluate when investigating supervisors missed deficiencies on the TRR by either the involved member or reviewing supervisor. This Force Review Division will continue to monitor this debriefing point and use the Fourth Quarter of 2020 as a baseline to understand trends in 2021.

Based on these findings, the Force Review Division submitted training recommendations to the Training Division for 2021 supervisory training. More specifically, the Force Review Division recommended inclusion of Approving Supervisor responsibilities in 2021 training as outlined in *Section VI. of General Order G03-02-02, Incidents Requiring the Completion of a Tactical Response Report*. This includes proper procedures as they relate to the debriefing points shown in **Figure 5**.

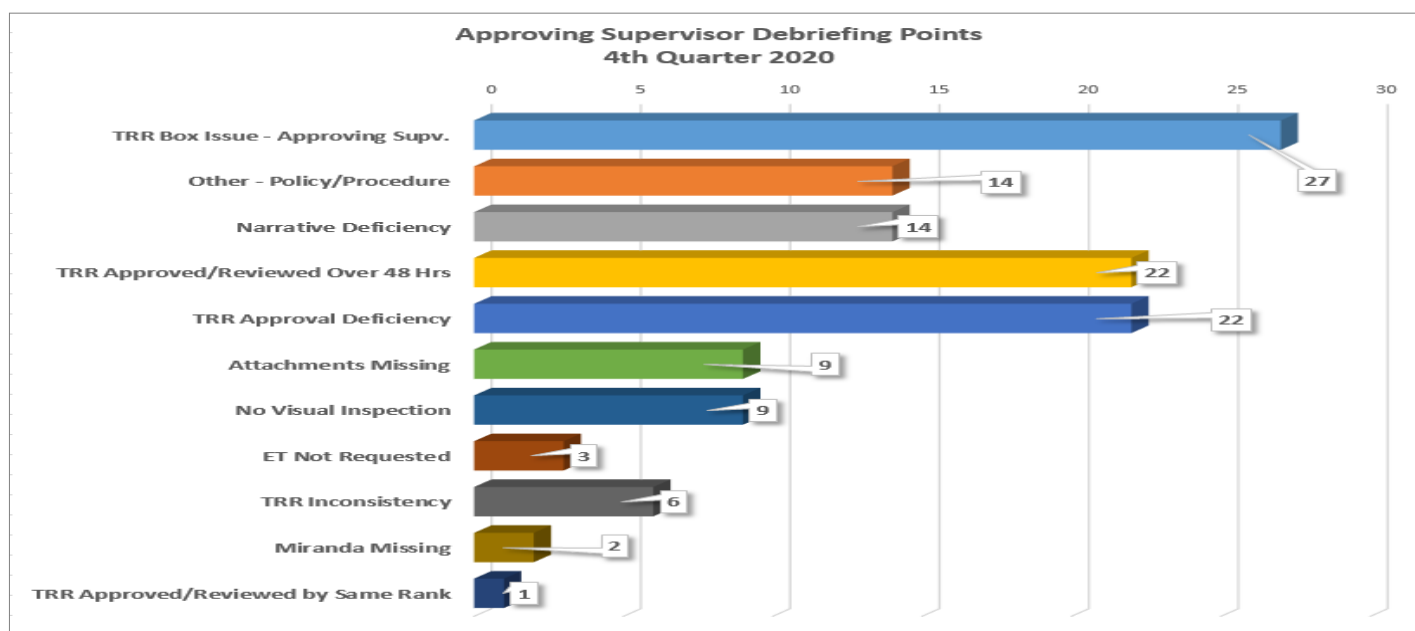


Figure 5— Approving Supervisor Debriefing Points (Data reflects TRRs **Reviewed** from 01 October through 31 December 2020 and not all TRRs generated during that time period).



## F. TRRs with Foot Pursuits Reviewed

During the fourth quarter of 2020, the Force Review Division reviewed a total of 152 Tactical Response Reports involving a foot pursuit. Of the 152 reviews, the Force Review Division identified 8 debriefing points as they relate to foot pursuits. **Figure 6** shows the specific debriefing points identified regarding foot pursuit issues.

The Force Review Division found that the majority of officers involved in a foot pursuit which resulted in a use of force followed the guidelines outlined in the Foot Pursuit Training Bulletin.

The most common issue identified by the Force Review

Division continues to be partner separation. Although there may always be some degree of partner separation due to the nature of a foot pursuit, there were four instances in which there was reasonable belief that the separation posed a significant safety risk as described in the Training Bulletin. There were also two instances in which the involved member failed to check the “foot pursuit” box. However, both instances appeared to be a clerical error in that the involved members reported the foot pursuit in their narrative but neglected to make the appropriate selection within the TRR pursuit box.

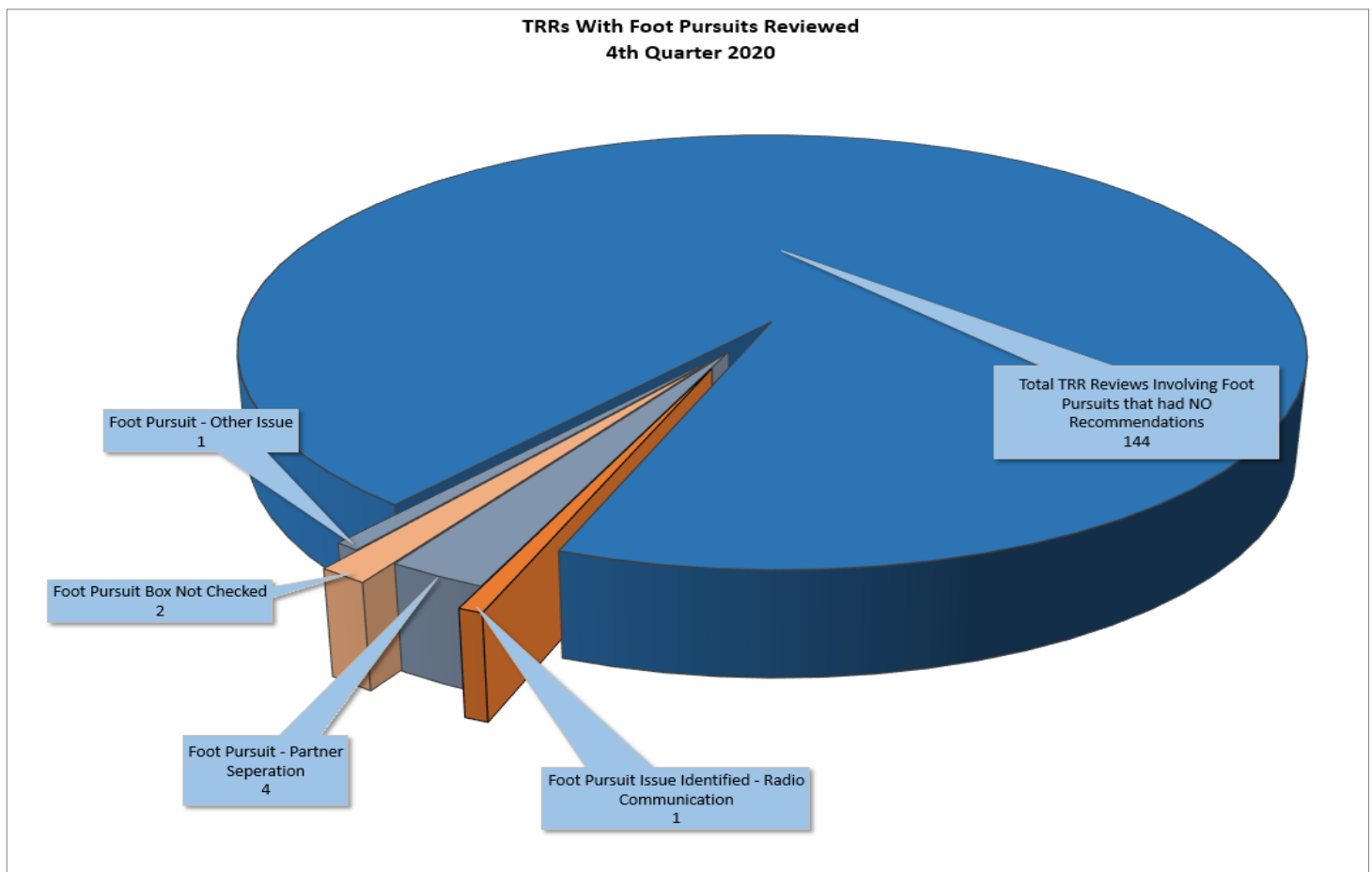


Figure 6— TRRs with Foot Pursuits Reviewed (Data reflects TRRs **Reviewed** from 01 October through 31 December 2020 and not all TRRs generated during that time period).



## SECTION THREE:

### I. FIREARM POINTING INCIDENTS ¶190 ¶192

Firearm Pointing Incident Events (PNT) are created when a Beat notifies OEMC that they pointed their firearm at a person. The OEMC dispatcher then creates a PNT event number which is cross-referenced to the original event number of the call that the Beat is assigned to. The CLEARNET reporting system automatically finds these PNT events and creates a Firearm Pointing Incident Report for each PNT event number. If a dispatcher erroneously creates more than one PNT event for the same Beat during an incident, the CLEARNET system will automatically filter out the duplicate record.

By the close of the fourth quarter of 2020 the FRD was reviewing all FPIRs within thirty days of occurrence. This has allowed the FRD to begin analyze and report on incidents that occurred during the fourth quarter, rather than reporting simply on reviews that were completed in the fourth quarter. The FRD is changing the method that this data is being analyzed and reported (from previous quarters) in order to present an accurate picture of the actions of the Department, and not the FRD, during the fourth quarter. The FRD intends to use this methodology going forward.

During the fourth quarter of 2020 the Force Review Division closed **581** Firearm Pointing Incident Reports (FPIRs). **Seven** of these were duplicate events not automatically filtered by CLEARNET. Multiple beats may respond to the same incident and point their firearm(s). These **581** FPIRs represent **521** unique events that beats responded to. In this report, some analysis is based on total incidents and other analysis is based on the total reviews completed by the FRD.

The FRD is mandated by the Consent Decree, paragraph 192, to “routinely review and audit documentation and information collected from all investigatory stop and arrest occurrences in which a CPD officer pointed a firearm at a person in the course of effecting a seizure.” The FRD in accordance with the Consent Decree and Department Notice D19-01 does not review any Firearm Pointing Incident that does not have either an Investigatory Stop Report (ISR) or Arrest Report associated with the event. Examples of when a firearm pointing incident may occur but an Investigatory Stop Report or an Arrest Report is not required to be completed include: 1) Domestic disturbances or disturbances inside of a private residence, 2) Traffic stops when an officer issues a

Personal Service Citation and completes and affixes a Traffic Stop Statistical Study sticker to the appropriate copy of the citation, and 3) Mental health calls for service that require the completion of a Miscellaneous Incident Exception Report.

For Firearm Pointing Incidents in which an arrest or ISR was not completed, the FRD conducts a preliminary review to determine if an ISR may have been required but was not completed. In the fourth quarter there were **96** such instances that accounted for approximately **16.5%** of all PNT events and FPIRs, an increase over the **14.1%** of third quarter incidents. Of these instances, the FRD identified two instances where an ISR may have been required and the FRD made a notification to the Integrity Unit. This accounted for **0.3%** of all reviews or **2%** of the FPIRs not subject to FRD review due to the lack of an ISR and Arrest associated.

Of the FPIRs that the FRD has reviewed in the fourth quarter, the most common recommendation was for **Late Activation** of the **Body Worn Camera** by the involved Beat (**129** or **65.4%** of recommendations for training). When recommendations for training are made, the FRD sends an email to the Involved Beat’s unit Commander and Executive Officer. A designated supervisor conducts a debriefing and training with the involved beat. That supervisor then enters debriefing comments into the FPIR, and the Unit Commander or Executive Officer approves the debriefing and closes the FPIR.

It should be noted that some Firearm Pointing Incident Reviews may result in multiple recommendations for the same pointing incident. It also is important to note that the total number of recommendations should not be compared to the total number of FPIRs as it would be misleading. For this reason, FPIRs with recommendations and training recommendation totals are compared in separate figures.

During the fourth quarter , a total of **218** weapons were recovered in association with a CPD member reporting a Firearm Pointing Incident. This represented **41.8%** of the total Firearm Pointing Incidents.

During the fourth quarter, **36.6%** (191) of all FPIRs involved a pursuit (foot, vehicle, foot & vehicle). Of these pursuit-related incidents, **54%** (104) involved the recovery of a weapon. In addition, **6.5%** (34) of all FPIRs involved a Use of Force. Finally, **55.8%** (19) of these force-related incidents involved the recovery of a weapon.



## A. Firearm Pointing Incident Totals

In the 4<sup>th</sup> quarter OEMC generated **707** FPI events. **101** of these events were automatically identified by Clearnet as duplicate events. This resulted in **606** FPIR reports being generated by Clearnet. The FRD further identified an additional **6** of these as duplicate reports.

Per §190 §192, The FRD will review “investigatory stop and arrest occurrences in which a CPD officer pointed a firearm at a person in the course of effecting a seizure. Of these **600** FPIRs, the FRD did not review **98** (16.3%) reports because they did not meet this requirement (**Figure 6**).

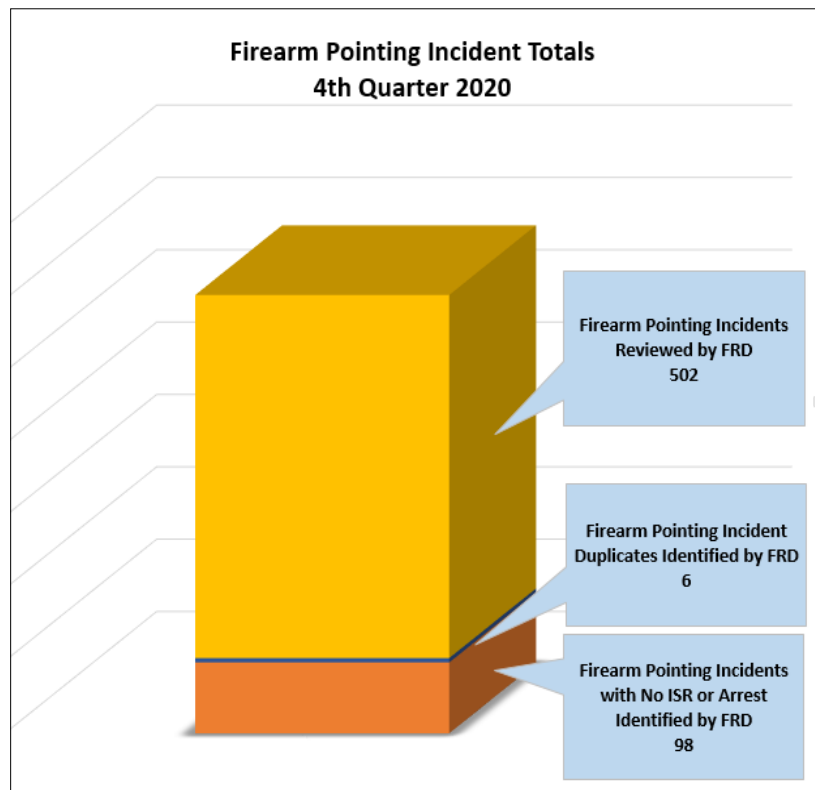


Figure 6— Firearm Pointing incidents 4th Quarter 2020

## B. FPIRs With Body Worn Camera Video

In the 4<sup>th</sup> quarter **95.6%** of FPIRs had reviewable body worn camera video **Figure 7**.

These numbers only reflect FPIRs that were reviewed by the FRD. These do not include FPIRs which do not have an associate ISR or arrest report and do not meet the review requirements of §190 §192.

FRD recommendations regarding body worn camera use is addressed on page 14, **Figure 16**.

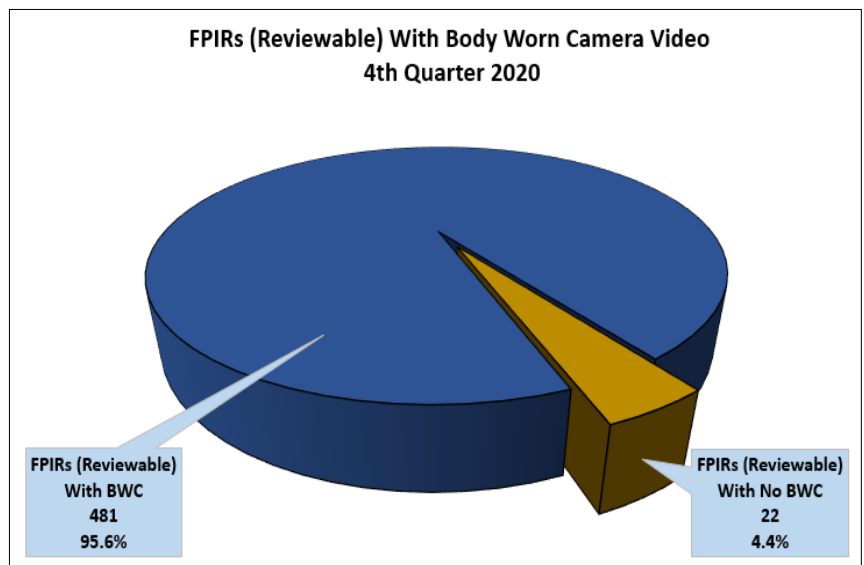


Figure 7— FPIRs with body worn camera video by % 4th Quarter 2020

Fig-



### C. Pointing Incidents by Initial Event Type

When a beat is assigned or responds to an incident, it receives an initial event type as a label from OEMC. Traffic stops account for the largest percent of all FPIRs, **27.8%** **Figure 9**. OEMC recorded **126,817** traffic stops citywide during the 4th quarter, of those, **0.1%** resulted in a FPIR **Figure 8**.

There were **346** incidents with an initial event type of “foot pursuit” citywide. Of these foot pursuit events, **13%** resulted in a FPIR **Figure 8**.

Incidents with an initial event type of “foot pursuit” account for only **7.5%** of all FPIRs whereas “traffic stops” account for **27.8%** **Figure 9**.

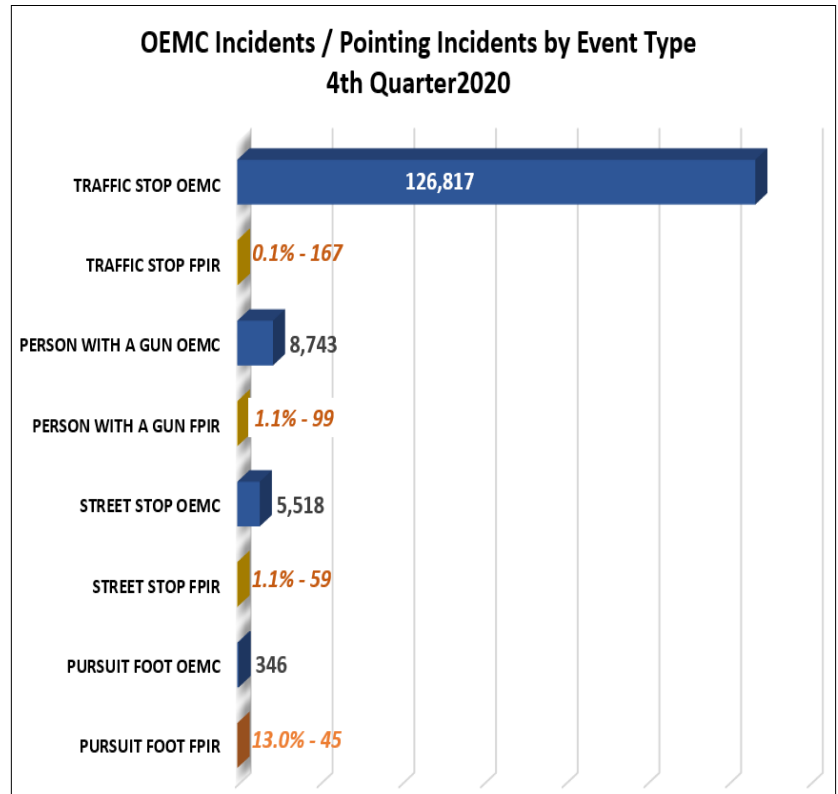


Figure 8— OEMC Incidents/Pointing Incidents by Event Type 4th Quarter 2020

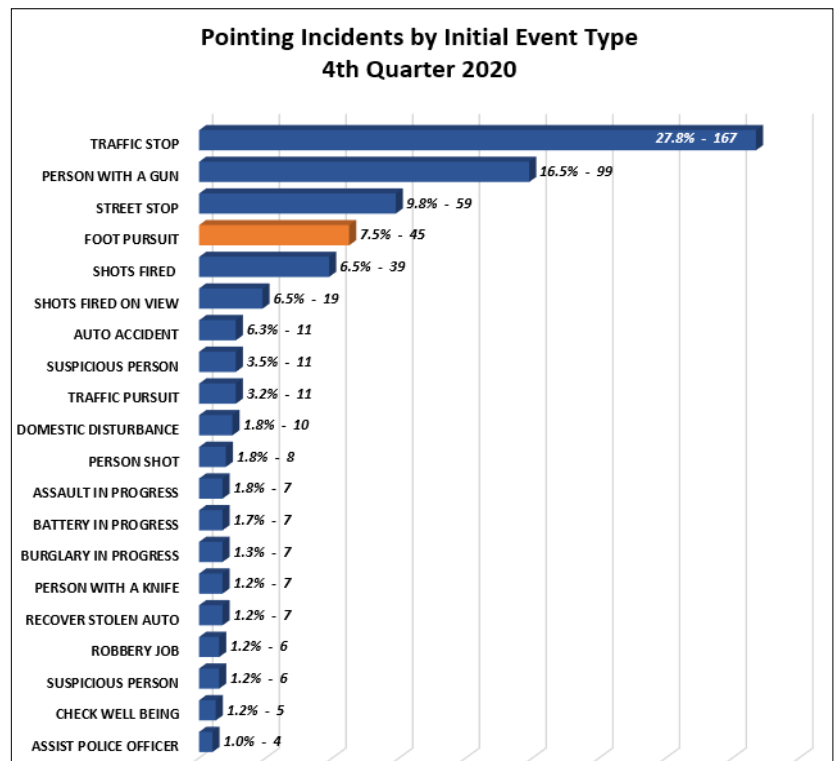


Figure 9— OEMC Incidents/Pointing Incidents by Initial Event Type 4th Quarter 2020





## D. Weapons Recovered by Event Type in Association with FPIRs

On 12 March 2020, the FRD began using an updated version of the FPIR. This was based on input from FRD review officers who were seeing a large number of firearm pointing incidents where a weapon was recovered.

Weapon recoveries are based upon the number of actual incidents involving a firearm pointing. Multiple beats may respond to the same incident and report a firearm pointing. Of the **600** FPIRs, there were **71** incidents in which multiple pointings were reported. Of the **529** incidents, weapons were recovered in **221** or **41.8%** of the time. Of those recovered weapons, **195** or **88.2%** were semi-automatic handguns

The most common event type which led to both a firearm pointing and the recovery of a weapon was “Traffic Stop.”

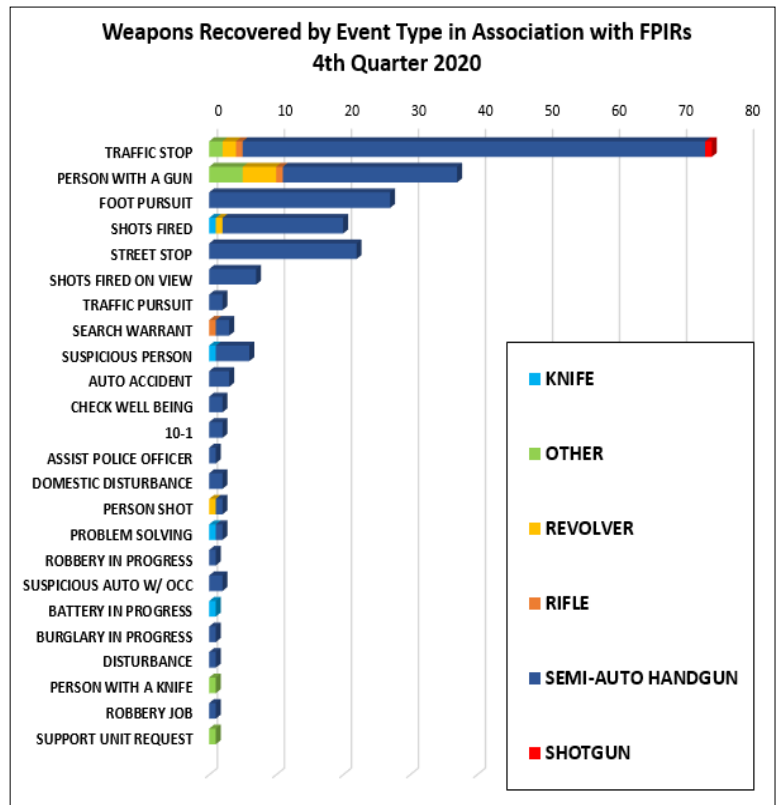


Figure 10— Weapon Recovered by Event Type in Association with FPIR 4th Quarter 2020

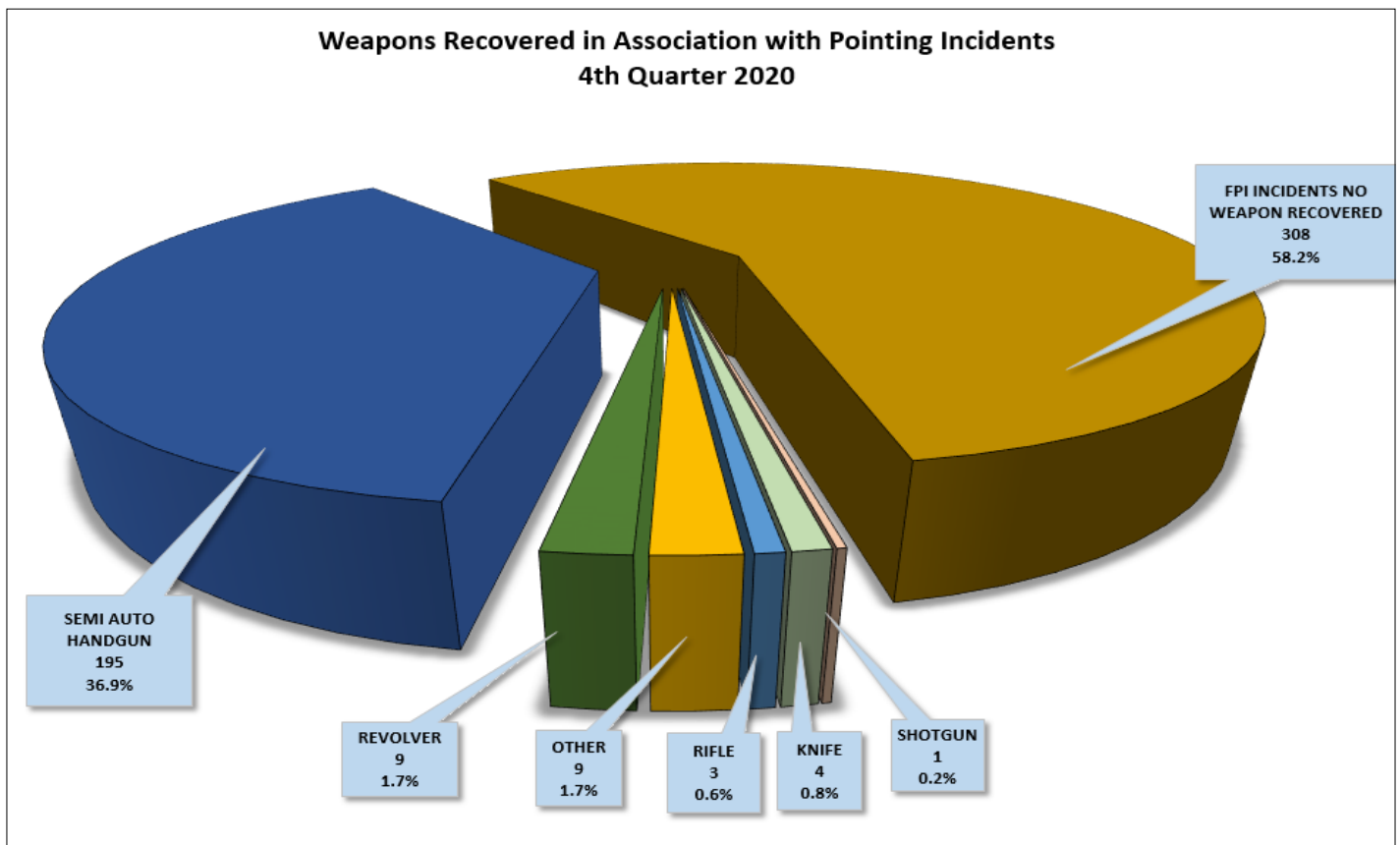


Figure 11— Weapon Recovered in Association with Pointing Incidents 4th Quarter 2020





### E. FPIRs With Pursuits

Of the **600** beats that reported pointing their firearm at a person in the 4th quarter, **218** or **36%** were identified by the FRD as having a foot or vehicle pursuit by the reporting beat

The majority of these incidents (200) involved a foot pursuit **Figure 11**.

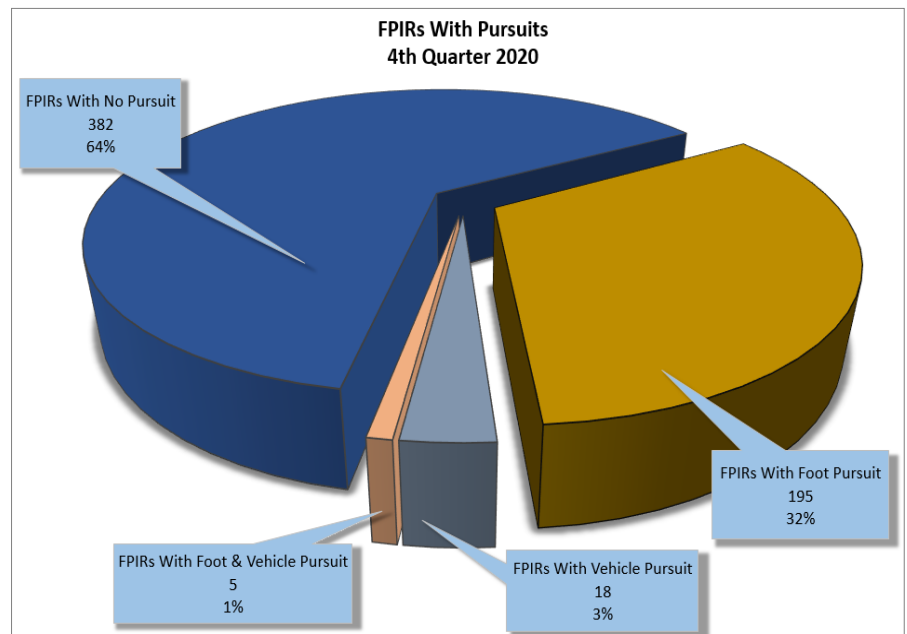


Figure 11— FPIRs with pursuits 4th Quarter 2020

### F. FPIRs With Pursuits and Weapon Recoveries

There were **529** incidents that Department members responded to which involved an officer pointing their firearm at a person. Of these, **184** involved a pursuit. Officer(s) recovered weapons in **106** (58%) of the pursuit related incidents **Figure 12**.

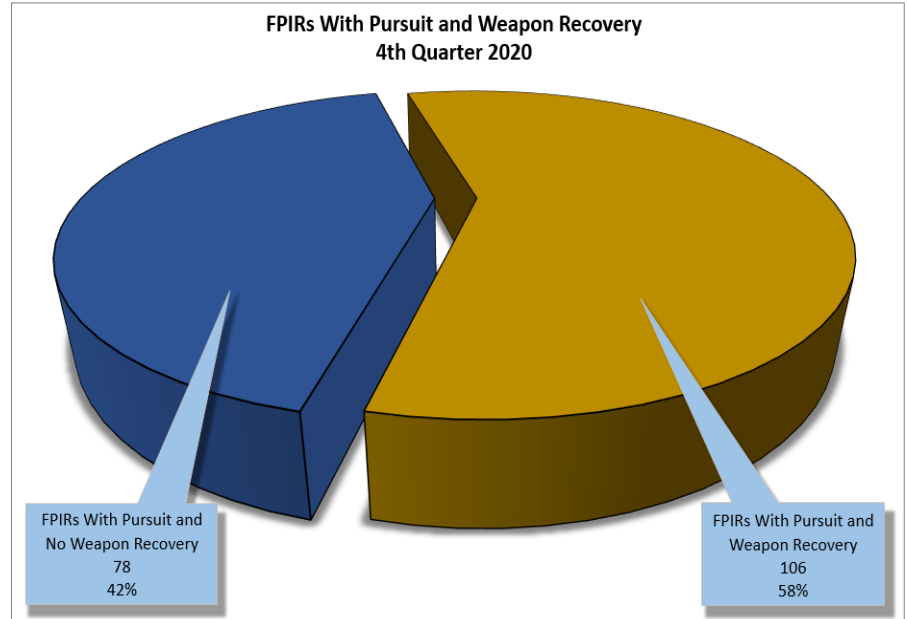


Figure 12— FPIRs with pursuits and Weapon Recovery 4th Quarter 2020



## G. FPIRs With Associated TRRs

Of the **600 beats** that reported pointing their firearm at a person in the 4th quarter, **56** or **9%** were identified by the FRD as having an associated Tactical Response Report (reportable use of force) **Figure 13**.

In incidents where a beat reports a firearm pointing, **9** percent of those incidents end up with the beat engaging in a reportable use of force.

There were **529 incidents** that Department members responded to which involved an officer pointing their firearm at a person. Of these, **44** involved an associated TRR. These **44** incidents involved weapons being recovered in **24** or **55%** of the instances. **Figure 14**

In more than half of the cases where a beat engaged in a reportable use of force in conjunction with a firearm pointing incident, a weapon was recovered. **Figure 14**.

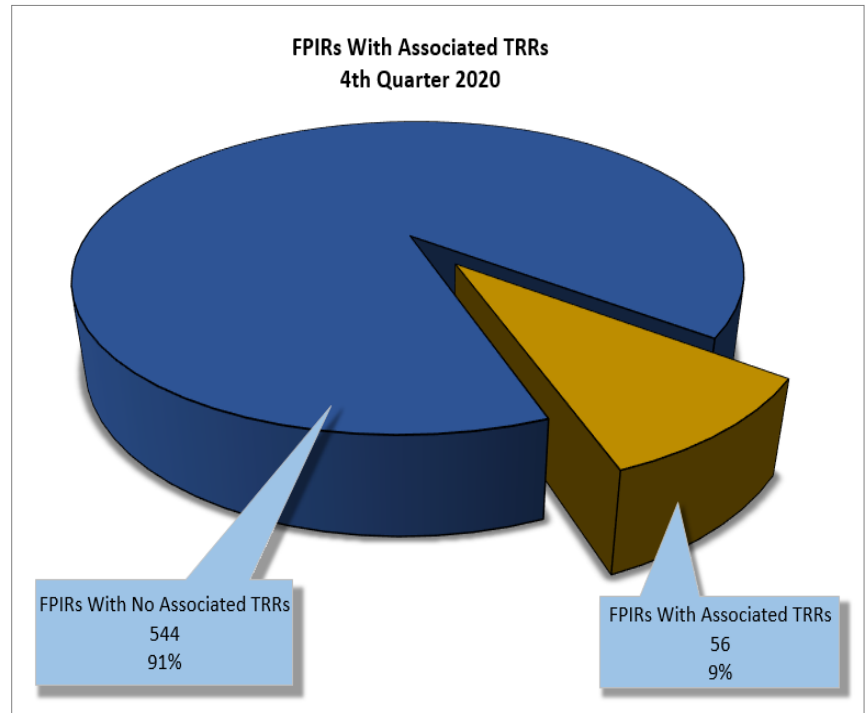


Figure 13— FPIRs with associated TRRs 4th Quarter 2020

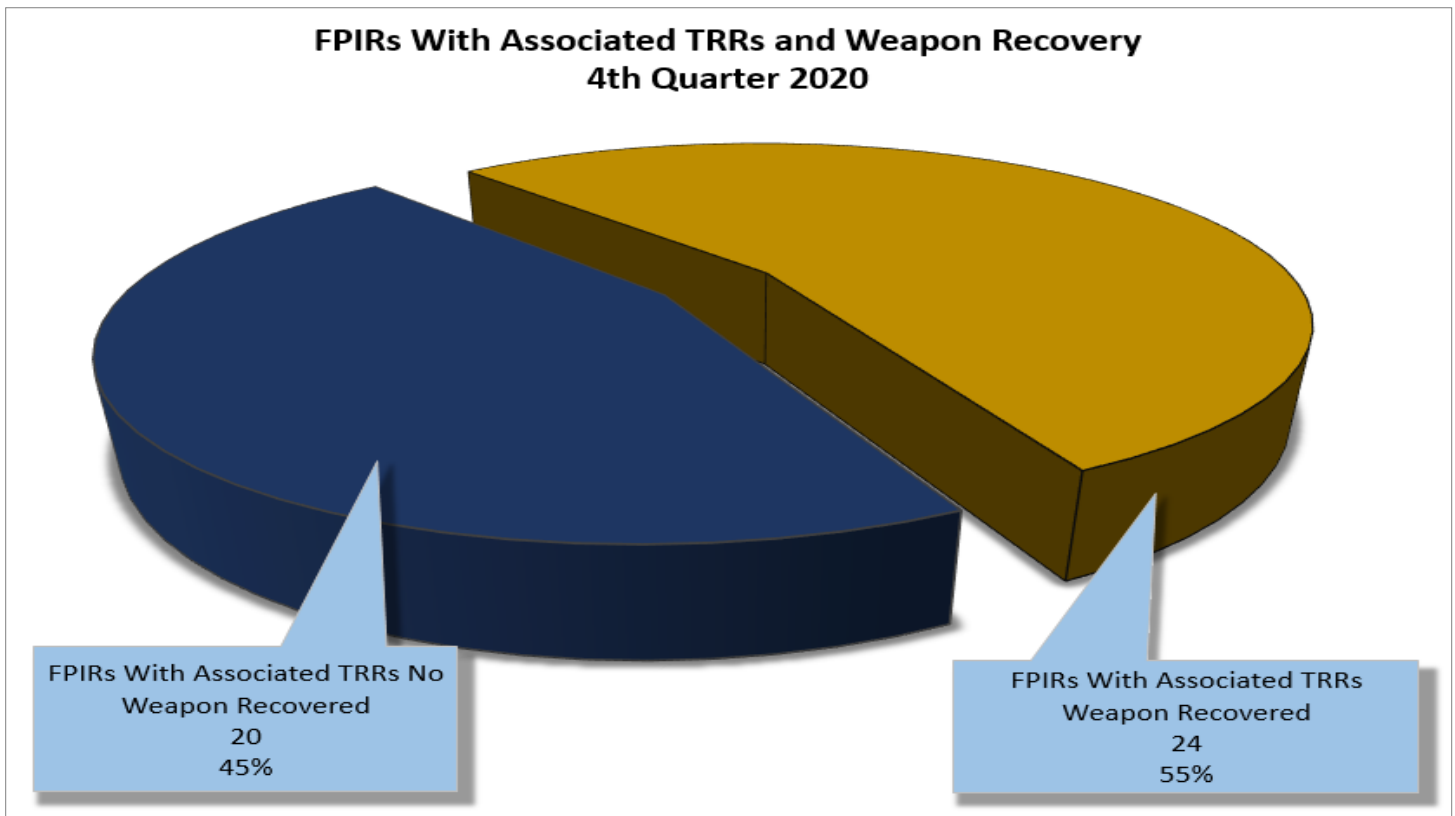


Figure 14— FPIRs with associated TRRs and Weapon Recovery 4th Quarter 2020



## H. FPIR Review and Recommendation Totals

The FRD currently reviews all FPIRs within 30 days of the incident.

Of the **606** FPIRs generated and completed by the FRD, **six** were duplicate FPIRs and **98** had no ISR or associated arrest. The FRD reviewed **502** FPIRs.

Of these **502** FPIRs, the FRD made **202** recommendations for training accounting for **33.3%** of all FPIRs generated and **40.2%** of all FPIRs reviewed **Figure 15**.

The FRD submitted **202** FPIRs with recommendations. These included a total of **239** recommendations for training, with some FPIRs having multiple recommendations.

Body worn camera usage recommendations account for **92%** or 220 of all the recommendations that were made during the 4th quarter.

Late Activation of the body worn camera alone makes up **69%** or 166 of all recommendations.

Of the **200** FPIs that involved a foot pursuit, the FRD made recommendations related to partner separation in **14** or 7% of the incidents **Figure 16**.

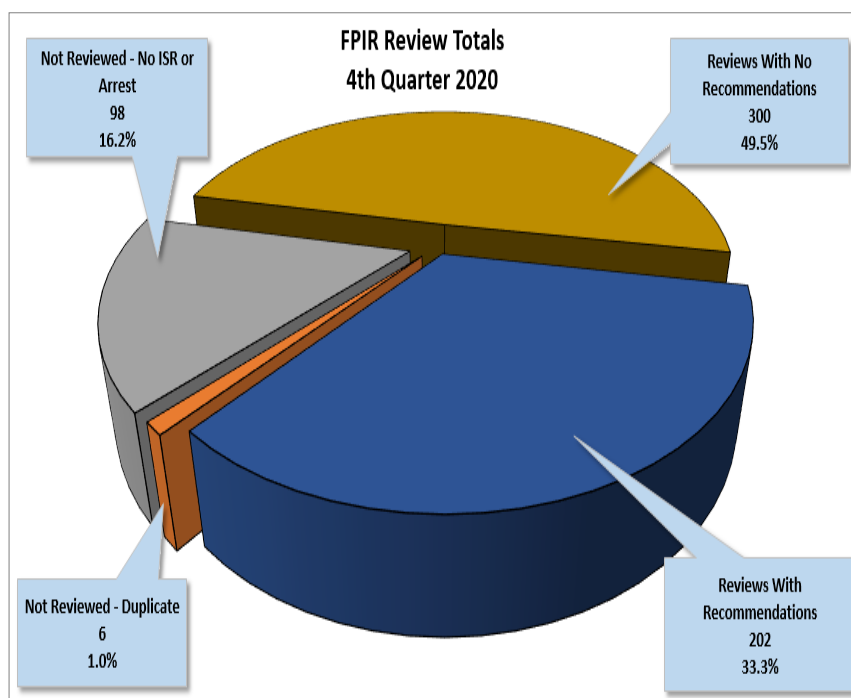


Figure 15— FPIR Review Totals 4th Quarter 2020

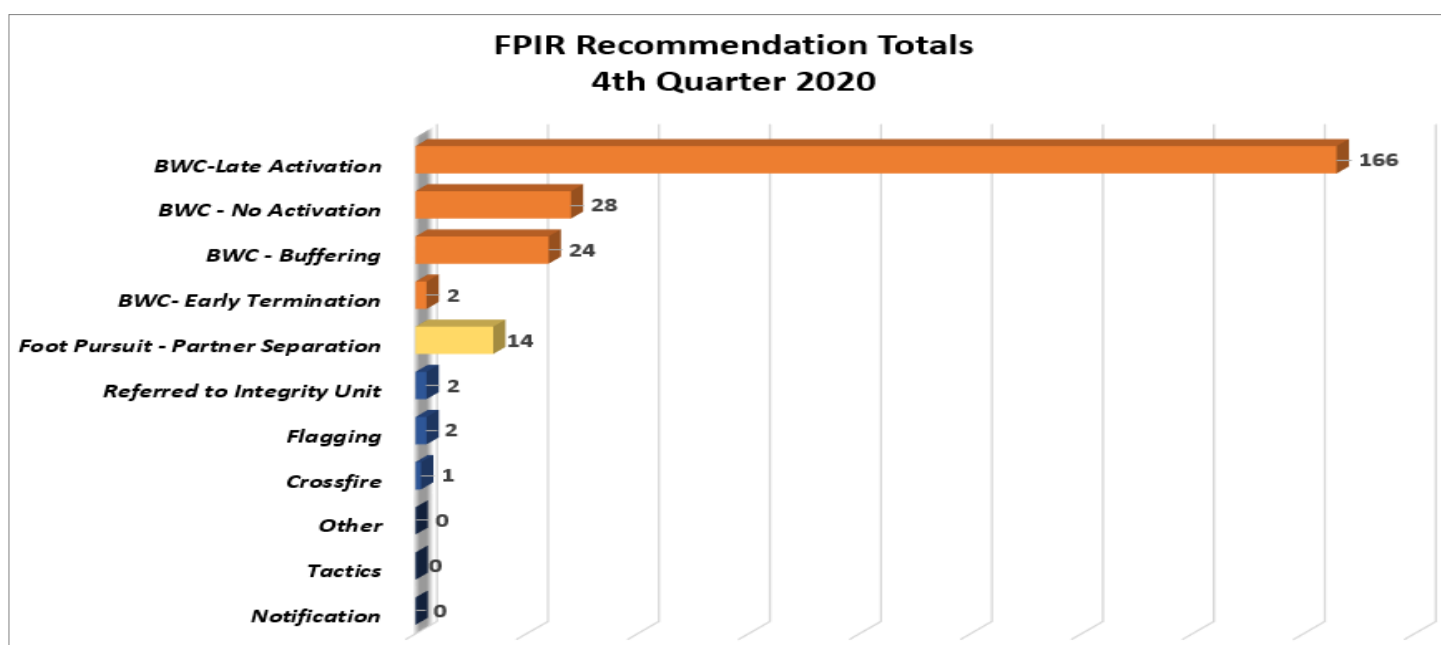


Figure 16— FPIR Recommendation Totals 4th Quarter 2020



## I. Firearm Pointing Incidents by Unit

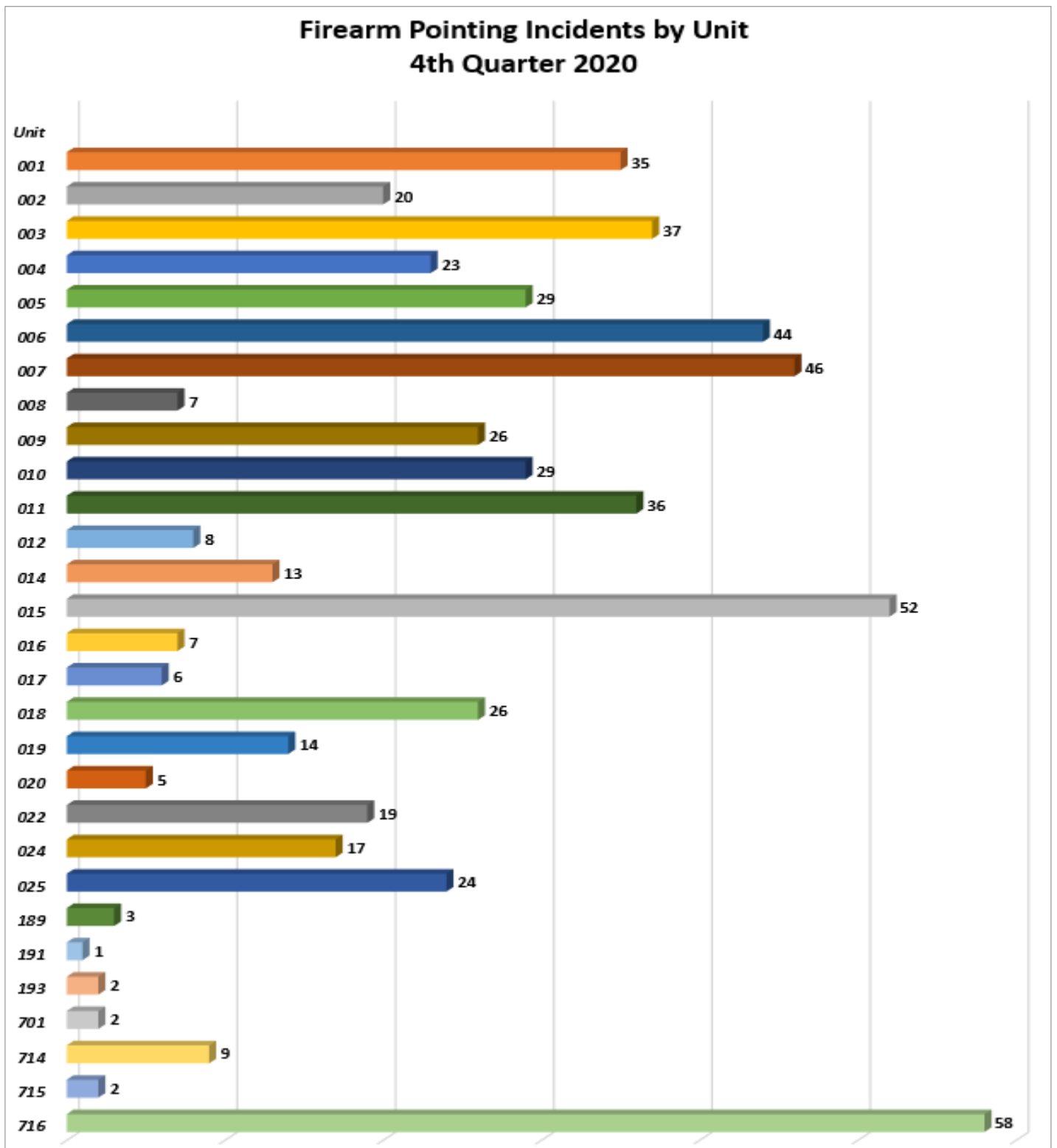


Figure 17— Firearm Pointing Incidents by Unit 4th Quarter 2020



## J. FPIRs With Recommendations by Unit

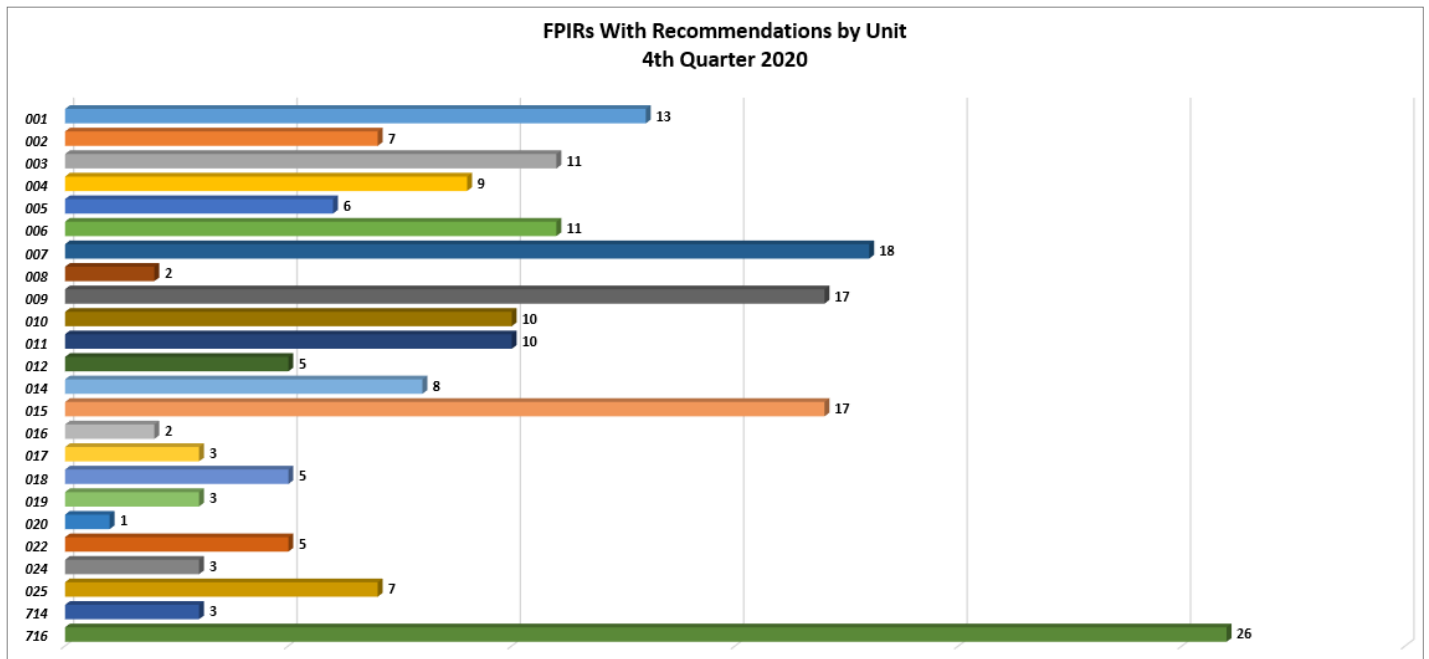


Figure 18— FPIRs With Recommendations by Unit 4th Quarter 2020

## K. FPIRs With Recommendations by Unit as a % of Unit's FPIRs

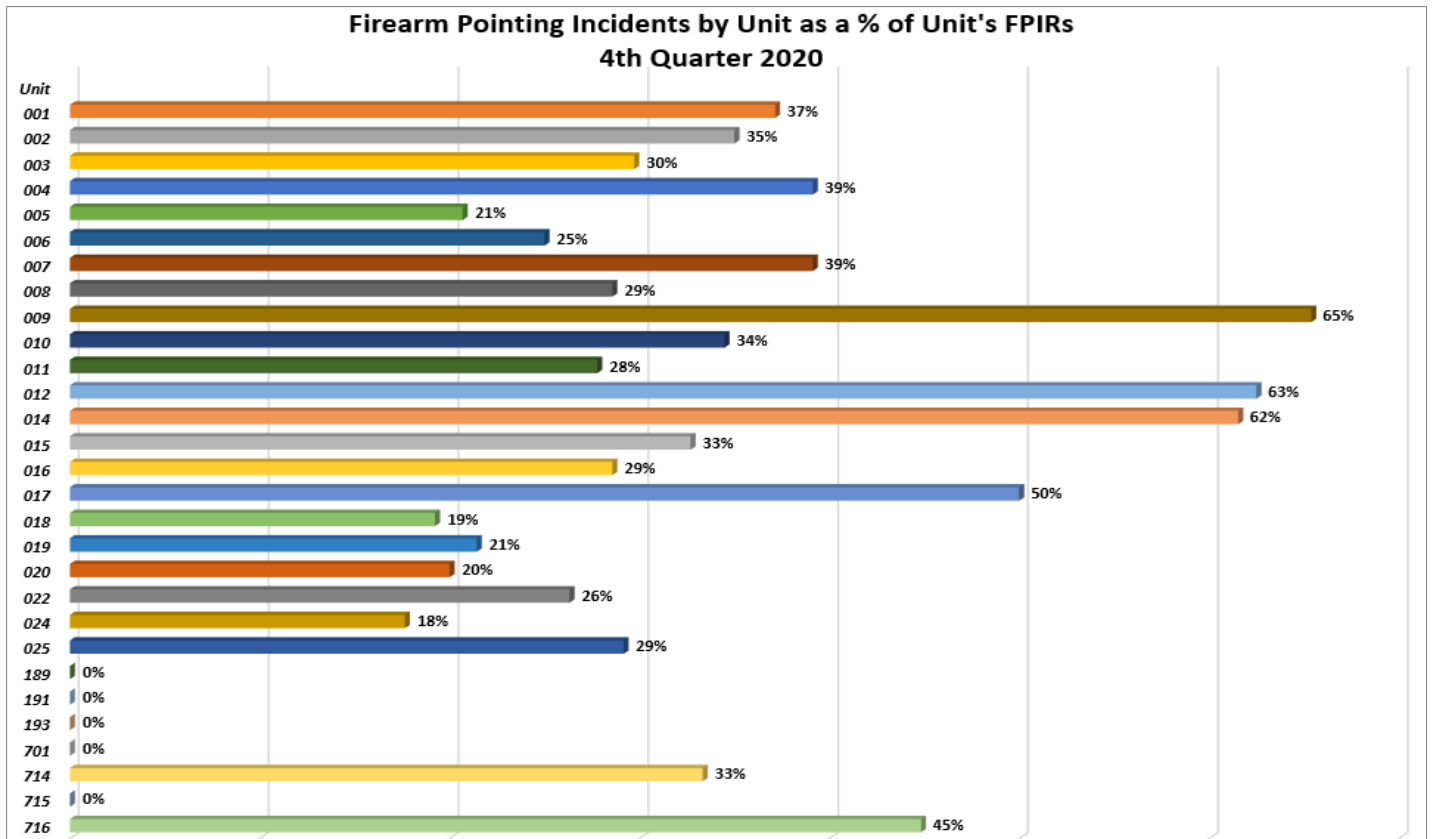


Figure 19— FPIRs With Recommendations by Unit as a % 4th Quarter 2020



## L. FPIR Investigatory Stop Reports and Arrests

There were a total of 600 firearm pointing incidents created for review in the 4th Quarter. In 43.8% of the incidents there was an associated arrest. Incidents that included both an arrest in conjunction with an investigatory stop report account for 23% of FPIRs. Only 16.8% of incidents had an investigatory stop report with no associated arrest. The smallest percentage (16.3%) of incidents had neither an arrest or investigatory stop report and were not reviewed by the FRD (Figure 20).

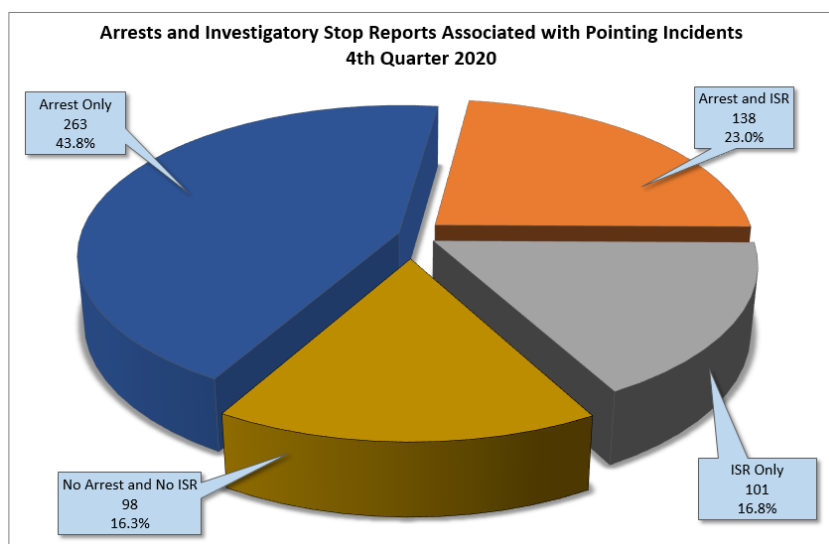


Figure 20— Arrest and Investigatory Stop Reports Associated with Pointing Incidents 4th Quarter 2020

## M. FPIR Review and Recommendation Totals

When FPIRs are submitted with recommendations, the involved beat's unit of assignment is notified of the training recommendation. The beat's unit of assignment then assigns a supervisor to debrief the involved beat on the training recommendation.

Of the recommendations made by the FRD for fourth quarter incidents, 137 incidents have been debriefed and closed by the unit of assignment. A total of 65 are still pending the completion of recommended training, debriefing, or the approval thereof by the involved beat's unit of assignment (Figure 21).

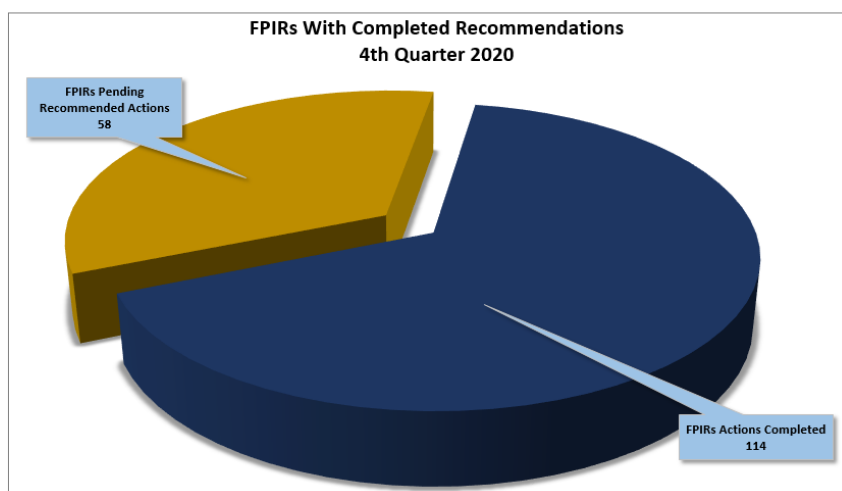


Figure 21— FPIRs With Completed Recommendations 4th Quarter 2020



## SECTION FOUR:

### I. PATTERN IDENTIFICATION ¶157, ¶190, ¶192, ¶220, ¶237, ¶238.

#### A. Summary

During 2020 Quarter 1, a pattern involving body worn camera usage in the 011th District was identified through the use of Tableau dashboards.

#### B. Plan History

A report outlining the findings was completed by the Commander of the Force Review Division and submitted through the chain of command that identified the pattern and made the following recommendations:

- 1) The 11th District Commander should formulate a specific plan, with a firm deadline, and accountable parties clearly identified, to address the issues within the tactical unit.
- 2) The plan should be detailed in writing to the Chief of Patrol within 7 days of receipt of the notification of the pattern.
- 3) Upon approval by the Chief of Patrol, the tactical unit should comply with the provisions of the plan within twenty one (21) days.
- 4) A copy of the approved plan, and a roster of all trained personnel, including the date of training should be forwarded through the chain of command to the Force Review Division for retention and reference regarding future debriefings.

In response to these recommendations, on April 24, 2020, the 11th District Executive Officer, submitted through his chain of command a Body Worn Camera Compliance Plan. The plan consisted of the following action items:

- 1) Conduct Roll Call Training [for all tactical teams] emphasizing the proper use of BWC.
- 2) Issue each member of the Tactical Team a copy of Special Order S03-14.
- 3) Discuss the Special Order.
- 4) Review the E-Learning module regarding BWC.
- 5) Direct each Tactical Sergeant to ensure his personnel are in compliance when responding to jobs in the field by inspecting the camera.
- 6) Direct the Tactical Sergeants to run the BWC report for his team weekly.
- 7) The Tactical Lieutenant when working will view a random BWC video daily.
- 8) The Tactical Lieutenant will run the BWC report after 30 days to check for improvement in BWC usage.

The Executive Officer's action plan was approved and he was

directed to submit reports to show compliance with the plan to document any improvements or areas of continued concern.

He indicated that the Tactical Lieutenant will submit a report to him by the end of his tour on May 15,

2020. A report was submitted by the Tactical Lieutenant on May 18, 2020 outlining the steps he had taken to comply with the plan.

Compliance reports were submitted by the Commander of the 11th District through his chain of command to the Deputy Superintendent of the Office of Constitutional Policing and Reform.

#### C. Compliance Evaluation

Based on FRD reviews conducted during 2020 Quarter 4, there is not yet any clear indication that the 11<sup>th</sup> District has improved BWC compliance in 2020. Due to the backlog in 2020, FRD completed reviews approximately 4-5 months after the original incident. Therefore, any improvements in compliance would not be seen until several months after an intervention.

When combining all BWC issues together, FRD 011<sup>th</sup> District reviews resulted in BWC debriefings approximately 21-31% of the time, a trend that continued through Quarter 4 (31%). The 011<sup>th</sup> District 2020 average of 28.2% is approximately 12 percentage points higher than the citywide average of 16.2%. The FRD continues to monitor this pattern and will communicate its findings in future reports.

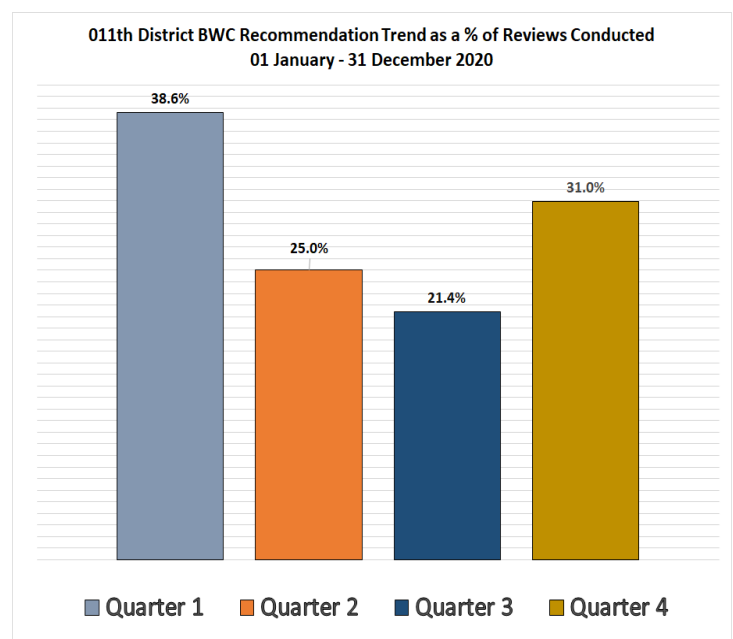


Figure 22— 011th District BWC Recommendation Trend 2020





## **II. FOLLOW UP TO PREVIOUSLY REPORTED PATTERN: BODY WORN CAMERA**

In response to the availability of quantifiable data, this finding was brought to the Training Oversight Committee Meeting by the Commander of the Force Review Division. As a result, the committee unanimously voted to re-enroll the entire department in the Body Worn Camera e-Learning module.

By the end of fourth quarter 99% of the department had completed the mandatory e-Learning module on body worn camera usage.

## **III. FOLLOW UP TO PREVIOUSLY REPORTED PATTERNS: FPIs AND TRAFFIC STOPS**

A pattern showing that the greatest number of Firearm Pointing Incidents were reported when department member conducted a traffic stop.

This pattern was presented to the Training Oversight Committee where it was decided that this issue would be addressed via incorporation of scenario-based training in the 2021 in-service training plan.

This pattern will continue to be monitored and reported on in future reports.

## **NARRATIVE DEFICIENCIES RE: FORCE MITIGATION EFFORTS**

This pattern will be addressed using a multi-faceted approach. First, after reporting on this pattern at a Training Oversight Committee meeting, the Deputy Chief of the Training Division relayed that 2021 use of force in-service training will contain a scenario-based training component that will require participants to engage in an exercise where they must utilize force mitigation techniques. Participants will then be required to complete the narrative of a Tactical Response Report detailing with specificity their use of force mitigation techniques in order to successfully complete the exercise.

Second, the Force Review Division recommended extensive revisions to TRR-R that will allow for more precise tracking of narrative deficiencies regarding involved member's documentation of force mitigation principles. The revisions to the TRR-R will allow for more efficient and accurate data collection of related to Force Review Division recommendations. The revisions to the TRR-R are currently underway and are expected to be launched during Quarter 1 of 2021.

This pattern will continue to be monitored and reported on in future reports



## APPENDIX A:

### A. *Acronyms and Terms*

The following is a listing of acronyms and terms utilized by the Force Review Division.

#### **Advisements and Recommendations**

The Force Review Division training recommendations are classified as either Advisements or Recommendations. Advisements are informal training insights provided to the involved member or involved supervisor from observations made in the course of a TRR review. Recommendations are formal training advisements made to the involved member and or involved supervisors requiring documentation in the Performance Recognition System.

<b>AXON</b>	Company that provides the Body Worn Camera system worn by CPD officers.
<b>BATIP</b>	Battery in progress call
<b>BURGIP</b>	Burglary in progress call
<b>BWC</b>	Body-Worn Camera
<b>BWC Early Termination</b>	Indicates that the Involved Member deactivated his BWC before the conclusion of an incident.
<b>BWC Late Activation</b>	Indicates that the Involved Member did not activate his BWC at the beginning of an incident.
<b>BWC No Activation</b>	Indicates that the Involved Member did not activate his BWC at any point during an incident.
<b>BWC Other Issues</b>	Indicates that FRD reviewers identified a miscellaneous issue relating to BWC usage.
<b>CHECKWB</b>	Check the well-being call
<b>CL Numbers Obtained by Units</b>	Complaint Log Numbers obtained by the Reviewing or Approving Supervisor prior to any review by the FRD.
<b>Control Tactics Not Articulated</b>	The Involved Member indicated that they used control tactics by checking the action on their TRR but did not articulate how or when they were used.
<b>CRIMTI</b>	Criminal trespass in-progress call
<b>DD</b>	Domestic disturbance call
<b>ET</b>	Evidence Technician
<b>Foot Pursuit Issue</b>	Indicates that FRD reviewers identified a miscellaneous issue relating to a foot pursuit.
<b>Foot Pursuit – Radio Communications</b>	Indicates that FRD reviewers identified that the Involved Member did not follow the guidelines laid out in Training Bulletin 18-01 as
<b>Force Mit – Communication</b>	Indicates that FRD reviewers observed an issue with either the reporting or application of communication as a Force Mitigation tactic.



<b>Force Mit. – Not Articulated</b>	The Involved Member indicated that they used the principals of Force Mitigation by checking it on the TRR but failed to articulate the actions in their narrative portion of their TRR.
<b>Force Mit. – Positioning</b>	Indicates that FRD reviewers observed an issue with either the reporting or application of positioning as a Force Mitigation tactic.
<b>Force Mit. – Time</b>	Indicates that FRD reviewers observed an issue with either the reporting or application of time as a Force Mitigation tactic.
<b>Force Options</b>	Indicates that the Involved Member incorrectly identified subject’s actions or member’s response in relation to the CPD Force Options Model
<b>FP</b>	Foot Pursuit.
<b>FPIR</b>	Firearm Pointing Incident Report.
<b>ISR</b>	Investigatory Stop Report
<b>MISION</b>	Mission (seat belt, narcotics, etc...)
<b>Narrative Deficiency</b>	Refers to various issues identified by Force Review Division reviewers regarding an Involved Member’s narrative or that of a Reviewing or Approving Supervisor. Typically this involves the member failing to adequately articulate, in writing, portion(s) of the incident.
<b>OEMC</b>	Office of Emergency Management & Communications
<b>Other – Policy Procedure</b>	Indicates that FRD reviewers identified a miscellaneous policy or procedure issue.
<b>Other – Tactics</b>	Indicates that FRD reviewers identified miscellaneous tactical issues.
<b>Performance Recognition System</b>	The Performance Recognition System is an assessment tool for assisting Department supervisors in recognizing exceptional or adverse behavior related to the job performance of members under their command.
<b>PERGUN</b>	Person with a gun call
<b>PERKNI</b>	Person with a knife call
<b>PERSTB</b>	Person stabbed call
<b>Pursuit Box Not Checked</b>	Foot or vehicle pursuit box on the Tactical Response Report was either omitted or incorrectly checked.
<b>PNT</b>	Pointing notification
<b>Radio Communications</b>	Indicates FRD reviewers identified an issue relating to the involved member’s use of radio to communicate with dispatchers or other officers.
<b>Recommendations and Advisements</b>	Force Review Division debriefings are classified as either Advisements or Recommendations. Advisements are informal training insights provided to the involved member or involved supervisor(s) from observations made during the course of a TRR review. By comparison, recommendations are more formal in nature. Recommendations require specific follow-up training



<b>ROBJO</b>	Robbery just occurred call
<b>SUSPER</b>	Suspicious person call
<b>Search Issue</b>	Indicates an issue was identified by FRD reviewers relating to the Involved Member's search of a subject.
<b>SHOTSF</b>	Shots fired call
<b>SS</b>	Street Stop
<b>SS</b>	Street Stop
<b>Taser – Accidental Discharge</b>	The Involved Member reported accidentally discharging a Taser device.
<b>Taser – Crossfire</b>	Indicates that FRD reviewers identified a crossfire situation involving a Taser.
<b>Taser – Other</b>	Indicates FRD reviewers identified an issue regarding Taser handling, use or reporting.
<b>Taser – Over 5 Seconds</b>	Involved Member utilized a Taser cycle that exceeded 5 seconds.
<b>TRR</b>	Tactical Response Report
<b>TRR-I</b>	Tactical Response Report Investigation
<b>TRR Box Issue</b>	One or more boxes on the Tactical Response Report were either omitted or incorrectly checked.
<b>TRR Inconsistency – External</b>	Indicates that FRD reviewers identified an inconsistency between the TRR or TRR-I and other reports (e.g. Arrest Report or Case Incident Report).
<b>TRR Inconsistency – Internal</b>	Indicates that FRD reviewers identified an inconsistency within the TRR or TRR-I.
<b>TS</b>	Traffic Stop
<b>Vehicle Extraction</b>	Indicates FRD reviewers identified an issue regarding the Involved Member's actions while extracting (removing) a subject from a motor vehicle.
<b>VIRTRA</b>	A 300-degree small arms judgmental use of force and decision-making simulator for law enforcement training. This intense, immersive training environment takes into account every detail from the smallest pre-attack indicators to the most cognitive overload stimuli situations imaginable.

## **B. *Consent Decree Paragraphs***

- ¶157 CPD will collect and analyze information on the use of force by CPD members, including whether and to what extent CPD members use de-escalation techniques in connection with use of force incidents. CPD will use this information to assess whether its policies, training, tactics, and practices meet the goals of this Agreement, reflect best practices, and prevent or reduce the need to use force.
- ¶169 For foot pursuits associated with reportable use of force incidents, by January 1, 2020, CPD will review all associated foot pursuits at the headquarters level to identify any tactical, equipment, or training concerns.



- ¶190 Beginning July 1, 2019, CPD officers will, at a minimum, promptly after the incident is concluded, notify OEMC of investigatory stop or arrest occurrences in which a CPD officer points a firearm at a person in the course of effecting the seizure. The notification will identify which CPD beat(s) pointed a firearm at a person in the course of effecting the seizure. The City will ensure that OEMC data recording each such notification is electronically linked with CPD reports and body-worn camera recordings associated with the incident, and all are retained and readily accessible to the supervisor of each CPD beat(s) identified in the notification.
- ¶192 A designated unit at the CPD headquarters level will routinely review and audit documentation and information collected from all investigatory stop and arrest occurrences in which a CPD officer pointed a firearm at a person in the course of effecting a seizure. The review and audit will be completed within 30 days of each such occurrence. This review and audit will:
- identify whether the pointing of the firearm at a person allegedly violated CPD policy;
  - identify any patterns in such occurrences and, to the extent necessary, ensure that any concerns are addressed; and
  - identify any tactical, equipment, training, or policy concerns and, to the extent necessary, ensure that the concerns are addressed.
- The designated unit at the CPD headquarters level will, where applicable, make appropriate referrals for misconduct investigations or other corrective actions for alleged violations of CPD policy. At the completion of each review and audit, the designated unit at the CPD headquarters level will issue a written notification of its findings and, if applicable, any other appropriate actions taken or required to an immediate supervisor as described above.
- ¶193 CPD will ensure that the designated unit at the CPD headquarters level responsible for performing the duties required by this Part has sufficient resources to perform them, including staff with sufficient experience, rank, knowledge, and expertise.
- ¶220 In completing the TRR, or whatever similar documentation CPD may implement, CPD members must include a narrative that describes with specificity the use of force incident, the subject's actions, or other circumstances necessitating the level of force used; and the involved member's response, including de-escalation efforts attempted and the specific types and amounts of force used. The narrative requirement does not apply to CPD members who discharged a firearm in the performance of duty or participated in an officer-involved death in the performance of duty. Any CPD member who observes or is present when another CPD Case: 1:17-cv-06260 Document #: 703-1 Filed: 01/31/19 Page 70 of 236 PageID #:5063 64 member discharges a firearm or uses other deadly force must complete a written witness statement prior to the end of his or her tour of duty. CPD members will note in their TRRs the existence of any body-worn camera or in-car camera audio or video footage, and whether any such footage was viewed in advance of completing the TRR or any other incident reports. CPD members must complete TRRs, or whatever similar documentation CPD may implement, and other reports related to the incident, truthfully and thoroughly.
- ¶237 CPD will continue to require all officers assigned to patrol field duties to wear body-worn cameras and microphones with which to record law-enforcement related activities as outlined in the Illinois Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-1 et seq.), with limited exceptions, including, but not limited to, when requested by a victim or witness of a crime, or interacting with a confidential informant. CPD will develop and implement a written policy delineating the circumstances when officers will not be equipped with bodyworn cameras.
- ¶238 CPD will continue to maintain a policy regarding body-worn camera video and audio recording that will require officers to record their law-enforcement related activities, and that will ensure the recordings are retained in compliance with the Department's Forms Retention Schedule (CPD-11.717) and the Illinois Law Enforcement Officer-Worn Body Camera Act. At a minimum, CPD's body-worn camera policy will:
- clearly state which officers are required to use body-worn cameras and under which circumstances;
  - require officers, subject to limited exceptions specified in writing, to activate their cameras when responding to calls



for service and during all law enforcement-related activities that occur while on duty, and to continue recording until the conclusion of the incident(s);

c. require officers to articulate in writing or on camera their reason(s) for failing to record an activity that CPD policy otherwise requires to be recorded;

d. require officers to inform subjects that they are being recorded unless doing so would be unsafe, impractical, or impossible;

e. address relevant privacy considerations, including restrictions on recording inside a home, and the need to protect witnesses, victims, and children;

f. establish a download and retention protocol;

g. require periodic random review of officers' videos for compliance with CPD policy and training purposes;

h. require that the reviewing supervisor review videos of incidents involving reportable uses of force by a subordinate; and Case: 1:17-cv-06260 Document #: 703-1 Filed: 01/31/19 Page 75 of 236 PageID #:5068 69

i. specify that officers who knowingly fail to comply with the policy may be subject to progressive discipline, training, or other remedial action.

**¶575** CPD recently established a Force Review Unit ("FRU") and tasked the FRU with certain responsibilities described in the preceding paragraph. CPD will ensure that the FRU or any other unit tasked with these responsibilities has sufficient resources to perform them. CPD will ensure that the FRU or any other unit tasked with these responsibilities is staffed with CPD members, whether sworn or civilian, with sufficient experience, rank, knowledge, and expertise to: effectively analyze and assess CPD's use of force practices and related reporting and review Case: 1:17-cv-06260 Document #: 703-1 Filed: 01/31/19 Page 181 of 236 PageID #:5174 175 procedures; conduct trend analysis based on use of force data; identify tactical, equipment, training, or policy concerns based on analysis of use of force incidents and data; and develop recommendations regarding modifications to tactics, equipment, training, or policy as necessary to address identified practices or trends relating to the use of force.