

**GANG AND NARCOTICS-RELATED LOITERING**

ISSUE DATE:	09 August 2024	EFFECTIVE DATE:	
RESCINDS:	17 June 2015 Version		
INDEX CATEGORY:	10 - Gang and Narcotics Abatement		
CALEA:			

I. PURPOSE

This directive and its addenda:

- A. outline the Department's implementation and enforcement of the the Gang and Narcotics-Related Loitering provisions of the Municipal Code of Chicago.
- B. revise the Department procedures for enforcing the City of Chicago Gang and Narcotics-Related Loitering Ordinances ("Loitering Ordinances").
- C. outline the records maintenance and training requirements which apply to the enforcement of the City of Chicago Gang and Narcotics-Related Loitering Ordinances.

II. GENERAL INFORMATION

- A. In furtherance of its partnership with the community, and in response to the overwhelming needs and concerns expressed by community members and community-based organizations, the Chicago Police Department recognizes that one of the methods by which criminal street gangs establish control over identifiable areas is by loitering in those areas. Further, the Department recognizes that criminal street gangs establish control over identifiable areas in order to conduct narcotic sales and other illegal activities and to intimidate law-abiding community members. It is the policy of the Chicago Police Department to utilize all strategies, resources, and legislative means available as tools to ameliorate these conditions.
- B. To that end, the Department will enforce those laws and ordinances which specifically address this situation. In doing so, the Department will uphold its obligation to protect the constitutional liberties of all persons within the jurisdictional boundaries of the City, and it is the policy of the Chicago Police Department to interact with members of the public and enforce all statutes and ordinances in a fair, unbiased, and respectful manner consistent with the Department directive titled "[Protection of Human Rights](#)."
 1. Department members will undertake enforcement actions under the Loitering Ordinances, in a manner consistent with the Constitution and laws of the United States and the State of Illinois, best practices, and the requirements of the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260).
 2. Any enforcement actions taken by Department members pursuant to the Loitering Ordinances, whether the issuance of a warning, dispersal order, or citation, or making a custodial arrest, will strive to improve the quality of life for residents, visitors, and other community members of the City of Chicago and to reduce any negative impact or community fear of illegal activity.
 3. As an alternative to the enforcement of the Loitering Ordinances, Department members who develop:
 - a. reasonable articulable suspicion for a violation of another Municipal Code of Chicago (MCC) or the Illinois Compiled Statutes (ILCS) may conduct an investigatory stop to confirm or dispel the suspicion of criminal activity.

NOTE: Department members will ensure that any investigatory stop is conducted and documented consistent with the Department directive titled "[Investigatory Stop System](#)."

- b. probable cause for a violation of another Municipal Code of Chicago (MCC) or the Illinois Compiled Statutes (ILCS) may take other enforcement action (e.g., issuance of a citation, custodial arrest) for the observed violation.

C. The Department **will not**.

1. permit the number of enforcement actions taken by a Department member under the the Loitering Ordinances to be considered as part of any bonus, incentive, or promotional process for any Department member.
2. implement any form of quota relating to the enforcement of the Loitering Ordinances.

D. The Department will collect the data and records related to the enforcement of the Loitering Ordinances necessary to accurately evaluate the Department's practices concerning the enforcement of the Loitering Ordinances.

III. PERTINENT ORDINANCES

- A. [Section 8-4-015](#) of the Municipal Code of Chicago (MCC), titled "Gang Loitering"
- B. [Section 8-4-017](#) of the Municipal Code of Chicago (MCC), titled "Narcotics-Related Loitering"

IV. POLICY REVIEW AND COMMUNITY ENGAGEMENT

A. The Department will periodically review and, to the extent necessary, revise its directives on the enforcement of the Loitering Ordinances to ensure they:

1. are consistent with the Department's vision, mission, core values, objectives, and practices,
2. provide clear and effective guidance to Department members,
3. are consistent with in applicable law,
4. meet the requirements of the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260), and
5. are consistent with the Department directives on conducting investigatory stops and protective pat downs, including the Department directive titled "[Investigatory Stop System](#)."

B. The Department will regularly conduct a community engagement process through which Department and community members, reflecting a broad cross section of the Chicago community the Department serves, can provide feedback on the Department's enforcement of the Loitering Ordinances.

1. Consistent with the Department directive titled "[Community Engagement in Policy Development](#)," when developing and revising Department directives on the enforcement of the Loitering Ordinances, including this directive, the Department will:
 - a. provide a meaningful opportunity for review and comment by the public and Department members,
 - b. seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts, and
 - c. share a summary of the Department's policy review and community engagement efforts with Department members, the community organizations, and community members that participated in the community engagement process.

2. At a minimum, the Department will conduct this community engagement process every two years and will consider the recommendations, in accordance with the requirements of the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260), during the policy review process.

V. TRAINING

- A. The Department will train its members, including supervisors, how to enforce the Loitering Ordinances consistent with Department policies and all applicable laws. This training will:
 1. be consistent with the Department's commitment to procedural justice, de-escalation, impartial policing, and community policing,
 2. incorporate a scenario-based element, and
 3. instruct Department members, including supervisors:
 - a. to consider reasonable alternatives to the enforcement of the Loitering Ordinances based on the circumstances at the time, including lesser actions such as a repeated dispersal.
 - b. the documentation required for the enforcement of the Loitering Ordinances, including any applicable electronic applications, and their responsibilities to record the specific circumstances of the enforcement.
 - c. how Department supervisors will:
 - (1) review reports completed for the enforcement of the Loitering Ordinances, and
 - (2) discuss with the members the results of the supervisory review of these reports and Department members' practices.
- B. The Deputy Chief, Training and Support Group, will ensure:
 1. the Department training specific to the enforcement of the Loitering Ordinances is reviewed and, to the extent necessary, revised so that the training is sufficient in quantity, quality, type, and scope to prepare Department members to comply with the Department directives consistently, effectively, and in accordance with the law, best practices, and the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260).
 2. the Department determines any additional development and administration of training related to the enforcement of the Loitering Ordinances, as part of the Department's annual Training Needs Assessment, under the supervision of the Training Oversight Committee.

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

Authenticated by MWK

Larry Snelling
Superintendent of Police

22-067 mwk

ADDENDA:

1. S10-02-01 - Criminal Street Gang Arrest Information
2. S10-02-02 - Selection of Designated Enforcement Areas
3. S10-02-03 - Gang and Narcotics-Related Enforcement

**SELECTION OF DESIGNATED ENFORCEMENT AREAS**

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RESCINDS:	25 August 2021 Version		
INDEX CATEGORY:	10 - Gang and Narcotics Abatement		
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I. PURPOSE

This directive:

- A. outlines the process for identifying and designating special-enforcement areas.
- B. introduces the use of a revised "Hot Spot" Designation Application (CPD-21.372).

II. DISTRICT-INITIATED REQUEST FOR DESIGNATION OF ENFORCEMENT AREAS

- A. District commanders will identify and recommend geographically specific public places within their districts to be designated as special-enforcement areas by evaluating information based upon any reliable source of information, which may include, but is not limited to, the following:
 - 1. analysis of crime data and other intelligence related to criminal activity, in particular gang and narcotics-related crime and criminal activity and its relationship to crime or criminal activity in other areas within the district;
 - 2. objective input from the executive officer, watch operations lieutenants, district station supervisors, district tactical lieutenant, district coordination lieutenant (if applicable), and community policing sergeant;
 - 3. input from community members, local community-based organizations, and elected officials, including but not limited to information from Beat Community Meetings and District Strategic Plans; and
 - 4. personal observations and other verifiable information, including statistical data.
- B. Prior to the end of each six-month-enforcement period, the Chief, Bureau of Patrol, will notify district commanders to submit recommendations for the designation of hot-spot locations. Each proposed location will be identified in a separate recommendation, using a "Hot Spot" Designation Application (CPD-21.372) for each recommended location, indicating the requested designation of a Gang Loitering enforcement area, Narcotics-Related Loitering enforcement area, or both.
 - 1. All recommendations will include the exact boundaries of the area being recommended and a detailed justification that includes recent information from the reliable sources identified in Item II-A above.
 - a. Generally, the boundaries of the hot-spot locations will not exceed two linear blocks or one square block area.
 - b. The submitted justification will be related to the type designation requested pursuant to MCC 8-4-015, Gang Loitering or MCC 8-4-017, Narcotics-Related Loitering.
 - 2. Authorization for all designated areas will expire at the end of the six-month period in which they were approved. No location will be automatically continued as a designated enforcement area.

3. If a district commander *determines* that an area meets conditions for continuation as a designated enforcement area, the commander will submit a new recommendation for the upcoming six-month-enforcement period. This recommendation for renewal should not duplicate the information contained in the original request; rather, it should address the justification for continuing enforcement in that particular designated area *that includes recent information from the reliable sources identified in Item II-A above.*
- C. District commanders will submit recommendations for the designation of hot-spot locations on a "Hot Spot" Designation Application to their respective area deputy chief for review and approval.

NOTE: District-level information identified on and supporting the application, including statistical data, will be submitted with the application.
- D. The appropriate area deputy chief, Bureau of Patrol, will review each recommendation for completeness and suitability and forward all approved recommendations through the chain of command to the Chief, Bureau of Patrol.
 1. The review and approval will be specific to each district and each submitted "Hot Spot Designation Application" and will consider the analysis, objective input, and observations provided in support of the applications.
 2. Recommendations not approved will be returned to the appropriate district commander.
- E. **Review and Approval of District-Initiated Request for Designation of Enforcement Areas**
 1. All submitted hot spot recommendations will be subject to a review and approval process under the direction of the Chief, Bureau of Patrol.
 2. The Chief, Bureau of Patrol, will:
 - a. establish and maintain a log documenting each recommendation received, assigning a unique numerical identifier to each,
 - b. review the submitted recommendations, and
 - c. forward the approved numbered requests with recommendations to the First Deputy Superintendent.
 3. The First Deputy Superintendent will review the submitted recommendations and forward approved requests with recommendations to the Superintendent or an authorized designee.
 4. The Superintendent or an authorized designee will:
 - a. review the submitted recommendations; and
 - b. approve the recommended areas of the City where enforcement of these ordinances is necessary.
 5. The designated hot spot locations will be communicated by the Superintendent or an authorized designee to the Chief, Bureau of Patrol, for dissemination.
 6. The Chief, Bureau of Patrol, will ensure:
 - a. the designated hot spot locations are communicated to the Chief, Bureau of Detectives; Chief, Bureau of Counterterrorism; and Bureau of Patrol command staff members for dissemination and enforcement by sworn members.
 - b. all data relative to dispersals and arrests are maintained consistent with existing records-retention requirements.
- F. All approved district-initiated area designations of hot-spot locations will expire on **31 March and 30 September**, whichever occurs first, regardless of what date during the enforcement period the area designation was approved by the Superintendent or authorized designee.

- G. Upon notice that a recommendation for a hot spot location within a district has not been approved, the district commander may file a written appeal through their respective area deputy chief to the Chief, Bureau of Patrol. Appeals will not exceed two pages nor include additional supporting documentation. Rather, the appeal report will summarize compelling reasons for selecting the hot spot location which may not have been best outlined in the original application process.

REMINDER: Department members are reminded that enforcement of MCC 8-4-015, Gang Loitering or MCC 8-4-017, Narcotics-Related Loitering may only take place in areas approved as a designated Hot Spot or a High Threat Level Gang Conflict Location, consistent with the Department directive titled "Gang and Narcotics-Related Enforcement."

III. IDENTIFICATION OF HIGH THREAT LEVEL GANG CONFLICT LOCATIONS

- A. The commanding officer, Crime Prevention and Information Center (CPIC), on a weekly basis, recommend the High Threat Level Gang Conflict Locations to the Superintendent through the proper chain of command.
- B. The Superintendent or an authorized designee will:
- review the submitted recommendations; and
 - if appropriate, approve the recommended High Threat Level Gang Conflict Locations.
- C. The designated High Threat Level Gang Conflict Locations will be communicated by the Superintendent or authorized designee to the Chief, Bureau of Detectives; Chief, Bureau of Counterterrorism; and Bureau of Patrol command staff members for dissemination and enforcement by sworn members.
- D. The weekly High Threat Level Gang Conflict Locations will automatically be designated enforcement areas for Gang and/or Narcotics-Related Loitering, unless the Superintendent (or authorized designee) designates otherwise. All locations identified through High Threat Level Gang Conflict Locations will be designated, modified, and rescinded in accordance with the established Crime Prevention and Information Center (CPIC) procedures.

IV. SUPPLEMENTAL REQUESTS FOR ADDITIONAL DISTRICT-INITIATED HOT-SPOT LOCATIONS

- A. At any time during each six-month-enforcement cycle, district commanders may submit supplemental requests for the designation of additional hot-spot locations outside of the announced bi-annual submission and approval timeframe.

NOTE: The standard application, submission packet, and approval process will be used for these requests consistent with Item II of this directive.

- B. District commanders will request the approval of supplemental hot-spot locations to mitigate continuing or emerging trends in criminal, gang, or narcotics-related activities that are identified and documented at the specified location.
- C. If approved, the district-initiated hot-spot location will be valid only through the remainder of the current six-month enforcement cycle.

NOTE: If a district commander decides that a supplemental hot-spot location meets conditions for continuation as a designated enforcement area, the commander will submit a new recommendation during the next six-month-enforcement period application process. This recommendation for renewal will address the justification for continuing enforcement in that particular location and will not duplicate the information contained in the original supplemental request.

(Items indicated by italic/double underline were added or revised)

Authenticated by MWK

22-067 mwk

Larry Snelling
Superintendent of Police

DRAFT

**GANG AND NARCOTICS-RELATED ENFORCEMENT**

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RESCINDS:	25 August 2021 Version		
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CALEA:			

I. PURPOSE

This directive:

- A. identifies the prerequisites to the enforcement of the Gang and Narcotics-Related Loitering ordinances.
- B. outlines enforcement criteria and the roles and responsibilities of Department members *for the enforcement of the City of Chicago Gang and Narcotics-Related Loitering ordinances ("Loitering Ordinances")*.
- C. introduces the:
 1. Gang/Narcotics-Related Loitering Dispersal Report (CPD-43.455).
 2. Gang & Narcotics-Related Loitering Dispersal Procedures Card (CPD-43.430).

II. PREREQUISITES TO ENFORCEMENT

- A. Members enforcing the Loitering Ordinances may familiarize themselves with, but are not limited to:
 1. the location of designated district hot-spot areas, which are published in the District Intelligence Bulletin System (DIBS).
 2. the location of designated district High Threat Level Gang Conflict Locations, which are published in the Daily Bulletin.
 3. information from Beat Community Meeting Logs ([CPD-21.220](#)), District Strategic Plan forms ([CPD-21.144](#)), and other relative information as it applies to the designated hot-spot area.
 4. efforts by street gangs to harass and intimidate of others or to maintain control over identifiable areas or locations (e.g., "turf"), or
 5. any associated patterns of loitering that support gang-related activity or illegal narcotics sales, delivery, or trafficking.
- B. Establishing the Identity of Criminal Street Gangs
 1. Prior to enforcing the Gang Loitering ordinance (MCC 8-4-015), Department members will be cognizant of the pertinent ordinances outlined in the Department directive titled "[Gang and Narcotics-Related Loitering](#)."
 2. A criminal street gang will be identified on the basis of specific, documented, and reliable information, including, but not limited to:
 - a. analysis of crime pattern information;
 - b. observations by Department members;
 - c. witness interviews;
 - d. interviews of admitted criminal street gang members; or

- e. information received from informants who have proven themselves to be reliable in the past.

NOTE: These are merely examples and information for identifying a criminal street gang may be gathered from a variety of law-enforcement sources or analyses.

C. Determining a Person's Criminal Street Gang Membership

Probable cause to establish a person's membership in a criminal street gang must be substantiated by the Department member's experience and knowledge of criminal street gangs and corroborated by specific, documented, and reliable information, including, but not limited to:

1. the person's admission of membership.
2. the wearing of distinctive emblems, tattoos, or similar markings indicative of a specific criminal street gang.

NOTE: This criteria applies only when such emblems, tattoos, or similar markings would not reasonably be expected to be displayed by any person except a member of that specific criminal street gang. Membership may not be established solely because a person is wearing clothing available for sale to the general public.

3. the use of signals or symbols distinctive of a specific criminal street gang.
4. the identification of the person as a member or affiliate of a specific criminal street gang by a person who has provided reliable information to the Department in the past and whose information can be independently corroborated.
5. the identification of a person as a member of a specific criminal street gang by another Department member who has specialized knowledge and expertise concerning the subject criminal street gang.
6. an active gang membership status in a Department record.
 - a. The criteria for making an active gang membership status in a Department record have been derived solely for that record.
 - b. The lack of an active gang membership status in a Department record:
 - (1) does not establish and is not evidence that a person is not a member of a criminal enterprise or street gang, or
 - (2) does not limit, in any way, the other criteria that are or may be relevant to determining membership in a criminal enterprise or street gang for the enforcement of the Loitering Ordinances.

D. When a Department member observes person(s) loitering in an area designated as a Hot Spot or a High Threat Level Gang Conflict Location, the member will determine if the person(s) is engaged in gang or narcotics-related loitering substantiated by the Department member's specific, documented, and reliable observations in accordance with the following criteria:

1. For Gang Loitering, the presence of two or more persons and, consistent with MCC 8-4-015 "Gang-Loitering," a determination that:
 - a. any criminal street gang member is present, and
 - b. it is reasonable to believe that the loitering's purpose is to establish control, intimidate others, or conceal illegal activities.

2. For Narcotics-Related Loitering, the presence of one or more persons and a determination that, consistent with MCC 8-4-017 "Narcotics-Related Loitering", it is reasonable to believe that the loitering's purpose is to facilitate the distribution of substances in violation of the Cannabis Control Act or the Illinois Controlled Substances Act.

NOTE: The presence of a member of a criminal street gang is **not** a required element of narcotics-related loitering.

3. Conduct or activities associated with collective advocacy (e.g., engaging in a First Amendment assembly) are exempted from the enforcement provisions of these ordinances.
4. Circumstances are not present that provide some innocent explanation for the person's conduct.

EXAMPLE: If a person is waiting at a marked bus stop, attempting to hail a cab, engaged in a game of basketball on a basketball court, or otherwise engaged in activity that provides a reasonable basis for the conclusion that the presence at the location has an innocent explanation, these ordinances will not be enforced.

REMINDER: Loitering, in and of itself, within a designated Hot Spot or High Threat Level Gang Conflict Location is not unlawful or grounds for a lawful dispersal.

III. ENFORCEMENT PROCEDURES (803)

A. Gang and Narcotics-Related Loitering Dispersal - Initial Contact

If a Department member determines that a person(s) is engaged in loitering prohibited by the Loitering Ordinances, the member will:

1. verbally inform the person(s) engaged in prohibited gang or narcotics-related loitering that they are doing so in an area where such loitering is prohibited.
2. order the person(s) to disperse and remove themselves from sight and hearing of that location.
3. inform the person(s) that they will be subject to arrest if they fail to obey the order promptly or return within sight or hearing of the location where the order was issued and engage in further gang or narcotics-related loitering within eight hours.
 - a. The initial contact with a person(s) engaged in gang or narcotics-related loitering for the purposes of giving a loitering dispersal order, in and of itself, is not an investigatory stop.
 - b. Department members will not detain the person(s) engaged in gang or narcotics-related loitering at initial contact unless:
 - (1) a previous loitering dispersal order has been given and documented for that person(s) at that location within eight hours of the initial contact, or
 - (2) they have separate and distinct reasonable articulable suspicion, based on specific and articulable facts, that the person has committed, is committing, or is about to commit a crime.
4. notify the Office of Emergency Management and Communications (OEMC) dispatcher and obtain a Police Computer-Aided Dispatch (PCAD) event number for the gang or narcotics-related loitering dispersal order, citing the exact location (valid street address) the order was issued and the number of persons the order was issued to.
5. complete a Gang/Narcotic-Related Loitering Dispersal Report (CPD-43.455) for each person engaged in gang or narcotics-related loitering.
 - a. Department members will:

- (1) include the dispersal *location and time*, the number of persons dispersed, a *physical description of the person being dispersed*, the basis for the initial dispersal, and the event number on each *Gang/Narcotic-Related Loitering Dispersal Report* associated with a *person dispersed*.

NOTE:

If a Strategic Decision Support Center (SDSC) provided the on-scene member with the identified factors used in determining that a person(s) is engaged in prohibited gang or narcotics-related loitering (e.g. use of signals or symbols distinctive of a specific criminal street gang), the reporting member will document this fact and the SDSC beat number on the *Gang/Narcotic-Related Loitering Dispersal Report* (CPD-43.455).

- (2) document the perceived or estimated physical descriptions of the person(s) dispersed based only on their personal observations.

NOTE:

Department members will not detain a person(s) given an initial dispersal for gang or narcotics-related loitering to obtain or verify identification information for reporting purposes.

- b. Department members will submit only one revised version of a *Gang/Narcotic-Related Loitering Dispersal Report* for a *Loitering Ordinance* dispersal order, upon a supervisor's review and rejection of the originally submitted report. It is prohibited to submit multiple revised versions of a *Gang/Narcotic-Related Loitering Dispersal Report* once a revised version has been submitted.

B. Gang or Narcotics-Related Loitering Enforcement - Subsequent Contacts

1. If a Department member observes a person(s) fitting the description of a person(s) previously documented as being dispersed for gang or narcotics-related loitering from that location and determines that the person(s) is engaging in further gang or narcotics-related loitering within the eight-hour time period of the original dispersal, the member will:
 - a. conduct an investigatory stop based on their observations and the information and description contained in a *Gang/Narcotic-Related Loitering Dispersal Report*.
 - b. verbally inform the person(s) engaged in the gang or narcotics-related loitering that they are doing so in an area where such loitering is prohibited.
 - c. document the investigatory stop by completing an *Investigatory Stop Report* for each person engaged in gang or narcotics-related loitering consistent with the procedures outlined in the Department directive titled "[Investigatory Stop System](#)," including documenting the justification that the stop or enforcement action complies with the law and Department policy on the completed *Stop Report*.
2. When probable cause for a violation of the gang or narcotics-related loitering ordinances **has not been established** (e.g., lack of a previously documented dispersal order given to an identified person within the preceding eight hours), the Department member will:
 - a. order the person(s) to disperse and remove themselves from sight and hearing of the place where the order was issued.
 - b. inform the person(s) that they will be subject to arrest if they fail to obey the order promptly or return within sight or hearing of the location where the order was issued and engage in further gang or narcotics-related loitering within eight hours.
 - c. notify the OEMC dispatcher and obtain a PCAD event number for the **gang or narcotics-related loitering dispersal order**, citing the exact location (valid street address) the order was issued and the number of persons the order was issued to.

- d. include the person's name, dispersal time, the number of persons dispersed, the basis for the dispersal, and the event number on each Investigatory Stop Report associated with a person dispersed.
3. When probable cause for a violation of the gang or narcotics-related loitering ordinances **has been established** (e.g., a previously identified person returned after a documented dispersal order was given within the preceding eight hours), the Department member may:
 - a. make an arrest for the violation of the gang or narcotics-related loitering ordinances.
 - b. consider reasonable alternatives to an arrest for the enforcement of the Loitering Ordinances based on the circumstances, including ordering a repeated dispersal.

REMINDER: Consistent with the Department directive titled "[Gang and Narcotics-Related Loitering](#)," any enforcement actions taken by Department members pursuant to the Loitering Ordinances, whether the issuance of a warning, dispersal order, or citation, or making a custodial arrest, will strive to improve the quality of life for residents, visitors, and other community members of the City of Chicago and to reduce any negative impact or community fear of illegal activity.

4. When making an arrest for the violation of the gang or narcotics-related loitering ordinances, Department members:
 - a. must ensure that the person arrested for engaging in gang or narcotics-related loitering was previously given a dispersal order and that the dispersal order was documented on a Gang/Narcotic-Related Loitering Dispersal Report or Stop Report.
 - b. will notify OEMC and obtain a PCAD event number for the arrest for the violation of the gang or narcotics-related loitering ordinances.
 - c. will complete an Arrest Report for each person arrested for violating these ordinances in accordance with the Department directive titled "[Processing Persons Under Department Control](#)." The narrative section must support the totality of circumstances that led to the arrest, including the type of designated area (e.g., designated hot-spot area, High Threat Level Gang Conflict Location), exact location (valid street address), and the OEMC event numbers assigned to both:
 - (1) a previous dispersal order within the preceding eight hours, and
 - (2) the subsequent arrest.

NOTE: If the arrestee is charged with gang loitering, the narrative section of the arrest report must also include the probable cause establishing the arrestee's membership of a criminal street gang.

- C. Department members may arrest a person for gang or narcotics-related loitering when the person was issued a dispersal order and:
 1. did not remove themselves in a prompt manner from the location where the order was issued, or
 2. returned within sight or hearing of the location where the order was issued within an eight-hour period, and engaged in further loitering prohibited by the Loitering Ordinances.
- D. Consistent with the Department directive titled "[Prohibitions Regarding Racial Profiling And Other Bias-Based Policing](#)," Department members will not transport an individual for the purpose of intentionally displaying or leaving the individual in locations where known rivals or enemies live or congregate.

IV. ADDITIONAL ROLES AND RESPONSIBILITIES

A. Field Supervisor Responsibilities

1. Field supervisors will:

- a. ensure compliance with the dispersal, stop, and enforcement procedures, as outlined in this directive, in the designated areas within their districts or areas of responsibilities.
- b. review Gang/Narcotic-Related Loitering Dispersal Reports, and any associated Stop Reports, submitted during their tour of duty, to ensure they are properly completed and conform to Department policy and approve or reject the reports consistent with the provisions of this directive and other established report-reviewing procedures by the end of their tour of duty.

2. When a supervisor rejects a Gang/Narcotic-Related Loitering Dispersal Report, the supervisor will document in writing the reason for the rejection. Supervisors will:

- a. inform the submitting Department member of the reason for any rejection of a submitted Gang/Narcotic-Related Loitering Dispersal Report.
- b. take the appropriate action, such as after-action support recommendations, with respect to the supervisory review and rejection of submitted Gang/Narcotic-Related Loitering Dispersal Reports to address any rejected reports, deviations from Department policy related to the report, or the conduct described in the report.

EXAMPLE: The after-action support recommendations may include, but are not limited to individual debriefing with a supervisor, reviewing Department policy with the submitting member, mandatory re-training, reviewing BWC footage the submitting member, formal counseling, enhanced supervision, or initiating progressive discipline.

- c. document the appropriate after-action support within the report rejection.

B. When a custodial arrest is made, the watch operations lieutenant will:

1. review the Arrest Report and ensure it clearly articulates probable cause for the person's arrest, consistent with the Department directive titled "[Processing Persons Under Department Control](#)."
2. ensure **adults** charged with either Gang Loitering (8-4-015 MCC) or Narcotics-Related Loitering (8-4-017 MCC) ordinance offenses are **fingerprinted, photographed**, and processed in accordance with the Department directives titled "[Processing Persons Under Department Control](#)" and "[Pretrial Fairness Act Arrest Processing Procedures](#)."
3. ensure **juveniles** charged with either Gang Loitering (8-4-015 MCC) or Narcotics-Related Loitering (8-4-017 MCC) ordinance offenses are **fingerprinted, photographed**, and processed in accordance with the Department directive titled "[Processing of Juveniles and Minors Under Department Control](#)."

C. If a Strategic Decision Support Center (SDSC) provided the on-scene member with the identified factors used in determining that a person(s) is engaged in gang or narcotics-related loitering (e.g., use of signals or symbols distinctive of a specific criminal street gang), the SDSC member will ensure that the digital information (e.g., video) used in this determination is retained consistent with the Department directive titled "[Strategic Decision Support Center Initiative](#)."

D. District commanders will:

1. monitor the enforcement of the ordinances in designated areas within their districts.
2. coordinate enforcement efforts when designated areas border or overlap district boundaries.

- E. The Deputy Chief, Training and Support Group, will ensure training is provided to support the appropriate enforcement of these ordinances, consistent with the Department directive titled "Gang and Narcotics-Related Loitering."
- F. The Chief, Bureau of Patrol, will ensure the records of dispersal orders issued and arrests made for each designated Hot Spot area or High Threat Level Gang Conflict Location are maintained, utilizing Department reporting applications and OEMC PCAD event data, if available.
- G. The Office of Public Safety Administration, Field Technology and Information Section, will:
1. maintain and preserve all electronic versions of any Gang/Narcotic-Related Loitering Dispersal Reports submitted or re-submitted by Department members.
 2. maintain the data and records related to the enforcement of the Loitering Ordinances necessary to accurately evaluate the Department's practices concerning the enforcement of the Loitering Ordinances.

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