

University of Chicago Police Department

GENERAL ORDER

		Effective Date: April 29, 2019	Number: GO 110
Subject: Firearm Discharge Incidents			
References: CALEA Standards 1.3.6			
Reevaluation Date: Annually			No. Pages: 12
Amends: 20 JUL 2018 Version (O.D.P) 27 OCT 2010		Rescinds:	
Approved By: Kenton W. Rainey, Chief of Police		Signature: Signed original on file in Accreditation Office	

110.1 PURPOSE

The purpose of this order is to establish guidelines governing the Department investigative and reporting procedures in firearm discharge incidents.

110.2 DEFINITION

Officer- All ranks of sworn personnel.

110.3 SCOPE

This order will **not** apply to the discharge of a firearm during:

- A. Department firearms training, or practice.
- B. Firearms practice or competition at a recognized range facility.
- C. Lawful hunting activity.
- D. Negligent discharge of a firearm where no person was killed or injured. See instead, GO 108, Use of Force.
- E. Use of the Department-issue Less-Lethal dedicated shotgun, with Department approved impact munitions.

110.4 FIREARM DISCHARGE OTHER THAN DESTRUCTION OF ANIMALS

See section 110.6 for Response to On-Duty Officer use of Deadly Force.

- A. Employee Responsibilities
The employee, if physically capable, will:

1. Notify the UCPD Emergency Communications Center (ECC) immediately and provide all relevant information.
2. Attend to the injured and maintain scene security.
3. Provide information required to effect arrests and fulfill immediate law enforcement necessities.
4. Inform the employee's immediate supervisor.
5. Remain on scene, if not injured, and report to the Shift Supervisor upon their arrival, if applicable.
6. Keep their firearm secured until it is submitted to the Chicago Police Department Forensic Services personnel, or appropriate personnel from the relevant jurisdiction.

NOTE: If the involved employee is injured and needs to be relieved of their firearm prior to medical treatment, the securing officer will take the firearm and duty belt and ensure that the firearm remains holstered and secured.

7. If disarmed during the incident, preserve the firearm as evidence until it can be collected by trained crime scene personnel.
8. Complete a Tactical Response Report (TRR) (UCPD-44.179) and other reports, unless the incident involved the use of deadly force, covered in section 6, below.

NOTE: When an employee who has discharged a firearm is unable to complete the TRR for any reason, it will become the responsibility of the Shift Supervisor to prepare this report.

9. Contact the University of Chicago Staff and Faculty Assistance Program via phone at 1-800-456-6327 within 24 hours of the incident to schedule a mandatory debriefing with counseling professionals.
10. Where an employee has discharged a firearm outside the UCPD jurisdiction, the employee will:
 - a. Notify the local police and the on-duty UCPD Shift Supervisor.
 - b. Submit all reports connected with the incident, including a Tactical Response Report, without unnecessary delay.

11. Any employee, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident will:
 - a. Remain on the scene until released by the UCPD personnel conducting the investigation, if UCPD personnel have responded to, or will be responding to, the scene.
 - b. Provide the UCPD personnel conducting the investigation with required information, assistance, and when requested, oral and written statements.
12. Provide interviews or statements to the on-duty supervisor conducting the preliminary investigation.
 - a. An employee involved in a firearm discharge incident will provide an oral report to the person responsible for conducting the investigation without delay.
 - b. When an employee who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview will be completed as soon as reasonably possible (to be determined by the Department).
 - c. For incidents in which an employee uses force resulting in death or great bodily harm, see Section 110.6 below.

B. UCPD Emergency Communications Center (ECC) Responsibilities
In cases in which an employee has discharged a firearm, the ECC will:

1. Dispatch sufficient patrol units to the scene, if applicable.
2. Determine if a medical emergency exists and if appropriate:
 - a. Notify emergency medical service to the scene.
 - b. Inform the emergency room of the receiving hospital.
3. Assign the appropriate Shift Supervisor to the scene. In the event that the employee has been injured, ECC will assign an available supervisor to respond to the medical facility treating the injured employee.
4. The ECC will not broadcast the name of the employee who has been involved in a firearm discharge incident over the radio.

C. Shift Supervisor Responsibilities: On-Duty and within UCPD Patrol Jurisdiction
The Captain or Sergeant, only when a Captain is not on-duty, will:

1. Proceed immediately to the scene and assume command of the incident.
2. Ensure that medical attention is summoned and that adequate staffing and equipment are available.
3. Inform the following when an employee has discharged a firearm on-duty:
 - a. Bureau Deputy Chiefs.
 - b. Chief of Police.
 - c. Associate Vice President.
 - d. Executive Director of Campus Safety.
4. Establish inner and outer perimeters at the scene, if applicable.
 - a. The inner perimeter(s) is the area(s) at the scene of the incident where physical evidence is likely to be recovered.
 - b. The outer perimeter is the area(s) surrounding and encompassing the inner perimeter(s) where personnel can be briefed, deployed.
5. Ensure that UCPD personnel or other investigating agency complete the following:
 - a. All fired projectiles, and remaining ammunition within the firearm, have been accounted for, without contaminating or interfering with the collection and maintenance of evidence.
 - b. Witnesses and other persons (employees and non-employees) who may have relevant information are available for on scene interviews.
 - c. An officer other than the involved employee has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.
6. Inform the following when an employee has been injured or killed:
 - a. Chicago Police Department, if requested by the Chief of Police.
 - b. Staff and Faculty Assistance Program (800-456-6327), providing them with the name, star number, and unit of assignment of the involved surviving employee and the date the employee was instructed to contact the service for a mandatory appointment.

7. Inform the following when an individual has been injured or killed by a firearm discharge by an employee:
 - a. Chicago Police Department.
 - b. Staff and Faculty Assistance Program (800-456-6327), providing them with the name, star number, and unit of assignment of the involved employee and the date the employee was instructed to contact the service for a mandatory appointment.
8. If appropriate, assign transportation for the involved employee.
9. Verify the submission of written reports from involved employees.
10. Review all written reports submitted during the preliminary investigation.
11. Prior to the end of their tour of duty, complete the review process for the submitted Tactical Response Report(s) by:
 - a. Reviewing all Tactical Response Reports for legibility and completeness, but will not complete the “Shift Supervisor /Prof. Accountability Review” section of the report. All TRRs relating to the incident involving the firearm discharge, including any TRRs documenting a non-shooting employee’s use of lesser force, will be submitted to the Office of Professional Accountability for determination of conformity with Department directives.
 - b. Receive the completed Tactical Response Report(s) back from the Office of Professional Accountability and ensure that TRR(s) are attached to the original of the case report documenting the firearm discharge and forwarded in accordance with box 60 of the TRR.

D. Shift Supervisor Responsibilities: Off-Duty or outside UCPD Patrol Jurisdiction
The Captain or Sergeant, only when a Captain is not on-duty, will:

1. Proceed immediately to the scene, if appropriate.
2. Inform the following:
 - a. Bureau Deputy Chiefs.
 - b. Chief of Police.
 - c. Associate Vice President.
 - d. Executive Director of Campus Safety.

3. Ensure that UCPD personnel or other investigating agency complete the following:
 - a. All fired projectiles, and remaining ammunition within the firearm, have been accounted for, without contaminating or interfering with the collection and maintenance of evidence.
 - b. Witnesses and other persons (employees and non-employees) who may have relevant information are available for on scene interviews.
 - c. An officer other than the involved employee has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.
4. When an employee has been injured or killed, notify Staff and Faculty Assistance Program (800-456-6327), providing them with the name, star number, and unit of assignment of the involved surviving employee and the date the employee was instructed to contact the service for a mandatory appointment.
5. When an individual has been injured or killed by a firearm discharge by an employee, notify Staff and Faculty Assistance Program (800-456-6327), providing them with the name, star number, and unit of assignment of the involved employee and the date the employee was instructed to contact the service for a mandatory appointment.
6. If appropriate, assign transportation for the involved employee.
7. Verify the submission of written reports from involved employees.
8. Review all written reports submitted during the preliminary investigation.
9. Prior to the end of their tour of duty, complete the review process for the submitted Tactical Response Report(s) by:
 - a. Reviewing all Tactical Response Reports for legibility and completeness, but will not complete the “Shift Supervisor /Prof. Accountability Review” section of the report. All Tactical Response Reports relating to the incident involving the firearm discharge, including any TRRs documenting a non-shooting employee’s use of lesser force options, will be submitted to the Office of Professional Accountability for determination of conformity with Department directives.

- b. Receive the completed Tactical Response Report(s) back from the Office of Professional Accountability and ensure that TRR(s) are attached to the original of the case report documenting the firearm discharge and forwarded in accordance with box 60 of the TRR.

E. Office of Professional Accountability Responsibilities

1. Proceed to the scene, if appropriate. Coordinate with the investigating agency, as appropriate, to ensure that a complete and thorough investigation is conducted.
2. Conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the employee conformed to Department guidelines.
3. Review and complete the section of the Tactical Response Report(s) entitled "Shift Supervisor/Prof. Accountability Review" for all instances involving:
 - a. Discharge of a firearm by an employee except for incidents involving the destruction of an animal or negligent discharge.
 - b. An employee's use of force, by whatever means, that results in the death of an individual.
 - c. Any lesser use of force by an employee when that use of force stems from the same incident in which another employee used force described in sections E-3-a and E-3-b above (110.4).
4. In all cases where an employee has injured or killed a person by use of a firearm, the Office of Professional Accountability will conduct a fair and impartial investigation into the circumstances surrounding the incident and make a determination as to whether the conduct of the employee conformed to Department guidelines.
5. Return the completed Tactical Response Report(s) to the Shift Supervisor conducting the preliminary investigation.
6. Submit a report to the Associate Vice President outlining the pertinent facts of the investigation.

F. Officer-Involved Shootings resulting in injury or death to person(s)

1. Each officer involved who discharged their firearm, causing injury or death to a person or persons, during the performance of their official duties or in the line of duty, must submit to drug and alcohol testing. The

testing must be completed as soon as practicable after the officer-involved shooting, but no later than the end of the involved officer's tour of duty. (50 ILCS 727/1-25)

2. Chicago Police Department Responsibilities

In all cases, within the City of Chicago, in which an employee has injured or killed a person by use of a firearm, the Chicago Police Department will be responsible for the criminal investigation as well as evidence and firearms processing. The criminal investigation conducted by CPD can run concurrently to the administrative investigation conducted by UCPD.

110.5 DISCHARGE OF FIREARM TO DESTROY AN ANIMAL

If possible, officers shall discuss the need to destroy an animal by discharging a firearm with a supervisor, and receive supervisory approval. If destroying the animal in this manner would cause an imminent threat to community safety, it should be avoided.

- A. When an officer discharges a firearm to destroy an animal, the officer will:
 - 1. Notify the UCPD ECC and the on-duty Shift Supervisor.
 - 2. Complete a Tactical Response Report and a UCPD Incident Report.
 - 3. Submit all reports to their supervisor for review and approval.
 - 4. Request ECC contact the Chicago Animal Control Center upon approval of the responding supervisor.
- B. The ECC will assign the on-duty Shift Supervisor to the incident.
- C. The assigned supervisor will:
 - 1. Notify the Field Services Deputy Chief.
 - 2. Determine if there is any related personnel injury or property damage other than the destruction of the animal and ensure that the required report is completed.
 - 3. Review the Tactical Response Report for completeness.
 - 4. Complete the "Shift Supervisor/Prof. Accountability Review" section of the Tactical Response Report as indicated in GO 108, Use of Force and disseminate the TRR Packets in accordance with Box 60 of the TRR.

110.6 RESPONSE TO ON-DUTY OFFICER USE OF DEADLY FORCE

The following response shall be required in incidents where an on-duty officer uses force involving death or great bodily harm.

- A. The on-duty highest ranking shift supervisor shall respond to the scene immediately and oversee the preliminary response/investigation. The supervisor shall ensure the following:
1. All of the requirements of the above response (Section 110.4.C) are completed.
 2. No person handles, inspects, unloads, or otherwise tampers with the involved employee's firearm prior to the arrival of Chicago Police Department Forensic Services personnel.
 3. Unless the employee was disarmed, the firearm remains holstered and secured until the arrival of CPD Forensic Services personnel.
 4. In instances where the employee was disarmed during the incident, the firearm is preserved as evidence, in its final resting place unless doing so compromises community safety, until it can be collected by trained crime scene personnel.
 5. Ensure that the Chicago Police Department Forensic Services personnel conduct the firearm inspection on-scene in their presence.
 6. First aid and medical assistance have been provided to all injured parties.
 7. The officer provides to CPD immediate investigative information which shall consist of:
 - a. Is the officer or are others injured?
 - b. Are there any suspects not in custody? If so, what are their descriptions and/or I.D.? What was their direction of travel? For what crimes are they wanted? With what weapons are they armed?
 - c. What evidence is at the scene that may be lost or contaminated (i.e., suspect's weapon)? Where is it?
 - d. Were there any witnesses? If so, what are their descriptions and I.D. if they have left the scene?
 - e. What was the direction of known gunfire (by suspect and/or officer)?
- B. Generally, in situations involving the discharge of a firearm, the firearm will be replaced with an available replacement, by the Support Services Commander.
- C. Treatment of involved officer(s).

The officer shall be transported by ambulance to the hospital for evaluation and/or treatment, and any required drug and alcohol testing (section 4.F.1 above). The officer may have an injury which is not immediately apparent. In addition, the physiological effects of the incident should be monitored to ensure the officer's well-being. A police employee, preferably a friend, shall accompany the involved employee(s) and remain with him/her unless the involved officer(s) chooses to be left alone.

1. Officers involved in use of force involving death or great bodily harm are likely to experience one or more of the following physiological and/or psychological reactions:
 - a. A sense of slow motion.
 - b. A sense of detachment, including auditory blocking.
 - c. Tunnel vision.
 - d. A skewed sense of time and space relations.
 - e. Nausea or vomiting.
 - f. Involuntary urination.
 - g. Speech impairment.
 - h. Uncontrollable crying.
 - i. Shock.
 - j. Guilt.
 - k. Anger.
 - l. Disbelief.

The Department's goal is to minimize the negative effects of any of these.

2. The involved employee(s) shall not clean, remove, or alter clothing so that potential evidence would be destroyed until authorized by a member of CPD Investigations or Forensic Services, or required by medical necessity.
3. Obtaining a complete statement from an officer involved in a deadly force incident is essential. The Department recognizes scientific studies finding that physiological responses during a traumatic event lead to immediate recall issues, as well as the effects of trauma on event recall and the benefits of sleep to improve memory of a traumatic event.
 - a. A reasonable recovery time of 2 days shall be allowed before any questioning, except for limited questioning critical to the on-scene investigation. Two sleep cycles are needed to most effectively allow accurate recall of details.
 - b. During the recovery time, the officer may speak with family members, clergy, psychologist/psychiatrist and/or legal counsel. However, officers will not discuss the circumstances of the deadly

force incident with anyone other than legal counsel prior to interview.

- c. Prior to the interview(s), if feasible, the officer and their legal counsel will be afforded the opportunity to do a scene walk-through. The purpose of the walk-through is to facilitate memory. Research has shown that this is effective in facilitating the most effective and clearest memory of events.
 - d. Prior to the interview(s), if feasible, the officer will be afforded the opportunity to view their own body cam footage, and any in-car camera footage which relates to the visual perspective of the officer related to the incident.
- 4. An investigative interview will be conducted by CPD Investigations. Prior to that interview, a UCPD supervisor will advise the officer that this interview is not administrative and therefore the officer is not compelled by Departmental authority to answer the questions.
 - 5. Arrangements to contact the involved officer's family shall be made only with the officer's knowledge and consent, so long as they are capable of giving consent.
 - a. The family shall be contacted in person when possible and advised of the procedures to be followed. A contact person within the Department will be established for the family to contact to obtain information on the status of the investigation.
 - b. If the involved officer is injured and hospitalized, arrangements shall be made to transport the officer's spouse and/or other immediate family members to the hospital.
 - c. When possible, another officer will accompany the injured officer to the hospital and remain with the officer unless medical necessity requires otherwise.
- D. Post-incident procedures.
- Involved officers shall be placed on leave with pay for a period of time as determined by the Associate Vice President.
- 1. Reassignment or placement on leave does not imply guilt or innocence of the employee.
 - 2. While on leave, the involved officer shall remain available to the case investigators.

3. While on leave, the involved officer shall not discuss the incident with anyone except:
 - a. The State's Attorney's office.
 - b. Law enforcement personnel assigned to the investigation.
 - c. Private attorney.
 - d. Psychologist/psychiatrist.
 - e. Clergy.
4. Officers directly involved in the incident shall be required to attend a post-incident debriefing session with a Department designated clinical police psychologist/psychiatrist as soon as practical after the incident.
 - a. Information exchanged in sessions with a clinical police psychologist/psychiatrist will remain confidential under the doctor/therapist-patient communications privilege.
 - b. The psychologist/psychiatrist shall provide the Department a recommendation on the employee's ability and readiness to resume duty.