

Evanston Police Department

Policy Manual

CHIEF'S PREFACE

This Policy Manual is vital to providing guidance and direction to every member of the Evanston Police Department. Policing is an honorable, but profoundly complex profession. Laws and best practices are constantly evolving. In order to keep Department employees current with emerging laws, trends and best practices, we have chosen to utilize Lexipol to manage the Department's policy manual. Lexipol is a leader in law enforcement risk management and policy development.

All sworn employees are required to familiarize themselves with the contents of this Policy Manual and participate in the Daily Trainings. If clarification is needed on any content of this policy manual, please seek guidance from your supervisor. If any employee has recommendations for any changes to this Policy Manual, please direct them to your supervisor, who will forward them to me through the chain of command.

Our mission reflects a balance of traditional and innovative policing methods, supporting our view that crime and disorder problems are most successfully addressed by police working in partnership with the community. This Policy Manual should assist every member in that endeavor by providing the framework for all members in the completion of our mission of ensuring the safety and security of people while being mindful of Constitutional guarantees.

Richard Eddington

Chief of Police

Evanston Police Department

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LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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MISSION STATEMENT

MISSION AND VALUES STATEMENT

The mission of the Evanston Police Department is to enhance Evanston's quality of life through service to and protection of all who visit, live, and work within the city. The department fulfills its mission through the honor, integrity and teamwork department members demonstrate as they enforce the law with dignity, respect and a sense of self-worth, thereby reducing the incidence and fear of crime.

VALUES

Alliance

Work cooperatively with the department members, city departments, service agencies, the criminal justice system, the community

Problem Solving

Use problem-solving methods to reduce the incidence and fear of crime and to improve managerial and operational strategies

Accountability

Promote among department employees, other law-enforcement agencies, and the community and its government, responsible use of resources, strategies and outcomes.

Service

Provide supportive, professional service to the community and to employees, without discrimination and in a spirit of mutual respect and courtesy.

Empowerment

Encourage decision-making at all levels, as well as citizen involvement and responsibility. In matters affecting job satisfaction and effectiveness, involve employees in the decision making process

Respect

Members of the department-its greatest asset-will be afforded respectful, fair and consistent treatment, their professional career-development supported by management.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Evanston Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Evanston Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE EVANSTON POLICE DEPARTMENT

An officer may arrest a person when (725 ILCS 5/107-2):

- (a) There are reasonable grounds to believe that an arrest warrant exists.
- (b) There are reasonable grounds to believe that the person is committing or has committed an offense.

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE EVANSTON POLICE DEPARTMENT

The authority of officers outside the Evanston Police Department police district includes the ability to conduct temporary questioning or make an arrest (725 ILCS 5/107-4):

- (a) If the officer is engaged in the investigation of criminal activity that occurred in the officer's jurisdiction and the temporary questioning or arrest is in furtherance of that investigation.
- (b) If the officer, while on-duty as an officer, becomes aware of the immediate commission of a felony or a misdemeanor violation of the laws of this state.
- (c) If the officer, while on-duty as an officer, is requested by an appropriate state or local law enforcement official to render aid or assistance to the requesting law enforcement agency that is outside the Evanston Police Department jurisdiction.
- (d) If the officer is part of a Cyber Gang Unit established under 20 ILCS 2605/2605-580.

While outside the jurisdiction of the Evanston Police Department an officer shall make prompt notification to the local law enforcement agency of the county or municipality where any of the

Law Enforcement Authority

above occurs, and shall notify his/her immediate on-duty supervisor as soon as practicable (725 ILCS 5/107-4).

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other adjoining states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters Indiana, Iowa, Wisconsin or Missouri in fresh pursuit of a person who is in the immediate and continuous flight from the commission of a felony, and in Missouri the crime of driving while intoxicated or driving with excessive blood alcohol content (I.C. § 35-33-3-1 (Indiana); Iowa Code § 806.1 (Iowa); Wis. Stat. § 976.04 (Wisconsin); § 544.155, RSMo (Missouri)).

Whenever an officer makes an arrest in Indiana, Iowa, Wisconsin or Missouri, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (I.C. § 35-33-3-2; Iowa Code § 806.2; Wis. Stat. § 976.04; § 544.155, RSMo).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the federal and Illinois Constitutions.

Chief of Police

101.1 PURPOSE AND SCOPE

The Illinois Law Enforcement Training Standards Board (ILETSB) has mandated that all sworn officers within the State of Illinois receive certification and training within prescribed time periods.

101.1.1 CHIEF OF POLICE AND DEPUTY CHIEF REQUIREMENTS

Any Chief Executive Officer and Deputy Police Chief of this department must complete a minimum of 20 hours of certified training annually as prescribed by the Illinois Police Training Act (50 ILCS 705/10.7).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Evanston Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. The form of oath shall be as follows (65 ILCS 5/3.1-10-25; 55 ILCS 5/3-6004; 55 ILCS 5/3-6010):

"I do solemnly swear (affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of (state title) to the best of my ability."

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (65 ILCS 5/3.1-10-25; 55 ILCS 5/3-6004; 55 ILCS 5/3-6010).

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Evanston Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Evanston Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Evanston Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives (see Policy 201), which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CFR - Code of Federal Regulations.

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City - The City of Evanston.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/EPD - The Evanston Police Department.

Employee/personnel - Any person employed by the Department.

ILETSB - The Illinois Law Enforcement Training Standards Board (50 ILCS 705/1).

Juvenile - Any person under the age of 18 years.

Law enforcement officer - Any officer of a local governmental agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this State or any political subdivision thereof.

Manual - The Evanston Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is employed or appointed by the Evanston Police Department, including:

- Full- and part-time employees.
- Sworn peace officers.
- Officers
- Civilian employees.
- Volunteers.

Officer - Those employees, regardless of rank, who are sworn employees of the Evanston Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

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The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Deputy Chief will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Deputy Chiefs, who will consider the recommendations and forward them to the command staff as appropriate.

CONCURRENT JURISDICTION

104.1 POLICY

Within the corporate limits of the City of Evanston, the Evanston Police Department has concurrent police jurisdiction with federal law enforcement agencies, the Illinois Department of State Police, Cook County Sheriff's Police Department, and Northwestern University Department of Public Safety.

For purposes of this order, concurrent jurisdiction means the sharing of, or the possession of, equal authority within the same jurisdictional boundaries by two or more governmental entities.

The geographical boundaries of the Evanston Police Department's jurisdiction are the official boundaries of the City of Evanston.

104.2 JURISDICTIONAL AUTHORITY

Evanston Police Department

Within the corporate limits of the City of Evanston, the Evanston Police will enforce the ordinances of the City of Evanston and the laws of the State of Illinois, and will carry out all duties, responsibilities, and directives attributed through the Evanston City Council and the City Manager, pursuant to Title 9 of the City of Evanston Municipal Code.

Illinois Department of State Police

The Illinois Compiled Statutes enumerates the powers and duties of the Department of State Police, and includes the following concurrent jurisdictional authority: “. . . Persons exercising these powers within the Department (of State Police) are conservators of the peace and as such have all the powers possessed by policemen in cities and sheriffs, except that they may exercise such power anywhere in the state in cooperation with and after contact with the local law enforcement officials. . . .”

Cook County Sheriff's Police Department

The Cook County Sheriff's Police Department, by written directive, has established policy and procedure to be followed when taking police action within incorporated areas of Cook County.

It is the policy of the Cook County Sheriff's Police, insofar as is practical and possible, to assist and cooperate with law enforcement agencies of the incorporated areas of Cook County. Coordination of investigative and enforcement activities with these agencies is a desirable goal in the successful repression and prevention of crime.

Members of the Evanston Police Department have the authority to enforce laws on the Cook County Forest Preserve property known as Dwight Perkins Woods, located at the Northeast corner of Grant and Ewing. This includes ordinance liquor violations.

Northwestern University Police

CONCURRENT JURISDICTION

The Northwestern University Police have the same powers of a municipal peace officer per Public Act 84-459. Their powers may be exercised on their property, unless otherwise authorized by the Department. The Department will maintain a mutual aid agreement with the University Police regarding their authority off campus.

Federal Law Enforcement Agencies (including National Guard)

Federal law enforcement agencies have authority over incidents related to their area of responsibility.

104.3 GENERAL PROCEDURES

- (a) Although these agencies generally do not become involved in police activity within the corporate limits of the City of Evanston, nothing prohibits members of these agencies from taking action in situations that occur in their presence within the Evanston jurisdiction.
- (b) In any situation where a question arises concerning jurisdiction with another agency the responding Evanston member will make every attempt to resolve the matter in the most professional manner possible. When this is not possible, the matter will be brought to the attention of the member's supervisor for resolution. If it is unable to be handled, the issue will be brought to the attention of the Chief.
- (c) The Cook County Sheriff's Police Department, by written directive, has established policy and procedure to be followed when taking police action within incorporated areas of Cook County.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Evanston Police Department. Officers serve in job positions and specialized assignments at the discretion of the Chief of Police. The Office of Professional Standards and Executive Officer report directly to the Chief of Police. There are three divisions in the Police Department as follows:

- Support Services Division
- Field Operations Division
- Investigative Services Division

The organizational chart is attached. [See attachment: Organizational Chart Jan2017.pdf](#)

200.2.1 SUPPORT SERVICES DIVISION

The Support Services Division is commanded by a Deputy Chief, whose primary responsibility is to provide general management direction and control for the Support Services Division. The Support Services Division consists of Technical Services, Records Bureau, the Communications Bureau, Office of Administration and Service Desk/311..

200.2.2 FIELD OPERATIONS DIVISION

The Field Operations Division is commanded by a Deputy Chief, whose primary responsibility is to provide general management direction and control for the Field Operations Division. The Field Operations Division consists of Uniformed Patrol, Traffic Bureau, Animal Warden and Community Strategies.

200.2.3 INVESTIGATIVE SERVICES DIVISION

The Investigative Services Division is commanded by a Deputy Chief, whose primary responsibility is to provide general management direction and control for the Investigative Services Division. The Investigative Services Division consists of the Detective Bureau, Juvenile Bureau, Intelligence Unit, Forensic Services and the Special Operations Group.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate a Deputy Chief to serve as the acting Chief of Police. Deputy Chiefs will serve, in a monthly rotation, as the Acting Chief of Police. A schedule of rotation

Organizational Structure and Responsibility

will be issued by the Chief of Police and revised as necessary. Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Field Operations Deputy Chief
- (b) Investigative Services Deputy Chief
- (c) Support Services Deputy Chief
- (d) Commander

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

The authority, unity, and continuity of the Department's chain of command are officially established and revised by the Post Lists issued regularly by special orders. The chain of command for normal day-to-day operations is established by the current organizational chart and post list. All formal communications regarding police activities will be forwarded through the designated chain of command. No member will disregard this chain unless authorized by a higher authority. Members will not direct police-related matters or queries to other city departments or outside agencies unless authorized by the Chief of Police or a designee.

The limits for the number of personnel under the immediate control of command and supervisory staff members, under normal day-to-day operations, at all levels of the organization, are established by the Chief of Police in the Department's Post Lists. It is the responsibility of the Chief of Police to set a reasonable limit to the span of control under any one person to ensure adequate supervision, guidance, and coordination. Exceptional situations may occur during urgent situations and emergencies that may require larger than normal spans of control.

Each member of the Department is delegated the authority to make decisions and carry out the actions necessary to accomplish the tasks and execute the responsibilities assigned to the member in association with the member's job classification and position assignment.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Organizational Structure and Responsibility

200.4 EXCEPTIONAL SITUATIONS AND JOINT OPERATIONS

By City ordinance and State statute, the Chief of Police is in charge of any unusual occurrence, except in cases where authority is assumed by military forces in the face of insurrection or declared martial law, or when authority is transferred to the Evanston Emergency Preparedness Manager.

For anticipated and planned operations or planned responses to emergency operations, where personnel of different functions are engaged in a single operation, the command protocol will be predetermined in a written plan or directive.

At the scene of a crime, an accident or any other unscheduled or unplanned incident, the highest-ranking officer will assume command and direction of police personnel, until or unless a higher authority appoints a specific person to take charge. When two or more officers of equal rank are present, the officer whose primary assignment is most closely associated with the nature of the incident will assume command, until or unless a higher authority appoints a specific person to take charge.

Written Directives

201.1 PURPOSE AND SCOPE

Departmental Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with personnel rules and applicable guidelines. Departmental Directives will immediately modify or supersede sections of this manual to which they pertain. Department Written Directives include Personnel Orders, Special Orders, Standard Operating Procedures and Training Bulletins.

201.1.1 DEPARTMENTAL DIRECTIVES PROTOCOL

Departmental Directives related to policy, will be incorporated into the manual as required upon approval of Staff. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives related to policy have now been incorporated in the updated Policy Manual as of the below revision date.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year. For example, 08-01 signifies the first Departmental Directive for the year 2008.

201.2 RESPONSIBILITIES

201.2.1 STAFF

The staff shall review and recommend Departmental Directives for incorporation as revisions to the Policy Manual.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES

All employees are required to read and obtain any necessary clarification of all Departmental Directives. All employees are required to acknowledge in writing the receipt and review any new Departmental Directive that are related to department policy. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Office of Administration.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

The City has prepared an Emergency Operations Plan Manual for use by all employees in the event of a major disaster or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

202.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Police Department, the Chief of Police or the highest ranking official on duty may activate the Emergency Operations Plan in response to a major emergency.

The Emergency Operations Plan will be activated if the situation escalates to a serious level of danger to life and property.

202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Evanston Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

All members of the department will have on file with the department a current home address(place of residence) and telephone number to facilitate callouts in emergency situations.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 LOCATION OF MANUALS

Manuals are available in the Communications Center and the patrol supervisor's office. All supervisors should familiarize themselves with the Emergency Operations Plan and what roles personnel will play when the plan is implemented.

202.4 BUILDING EVACUATION PLAN

In the event of a disaster or emergency which requires evacuation of the police department , all employees shall follow implemented evacuation plans and posted exit strategies. The posted exit strategies shall include any special directions for physically impaired employees.

202.5 UPDATING OF MANUALS

The Chief of Police or designee along with the City of Evanston Emergency Preparedness Manager shall review and update, if necessary, the Emergency Operations Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS).

Emergency Operations Plan

202.6 EMERGENCY MOBILIZATION

If a situation requiring a large number of manpower resources exists, the emergency mobilization plan will be put into effect. The mobilization will be ordered by the Chief of Police or a designee. All personnel will be required to report promptly and alertly for duty. (See attachment: 202-1.pdf)

Training

203.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. The Department prefers courses that promote professional growth and continued development for Department personnel. Appropriate courses may include:

- Courses certified by ILETSB.
- Courses offered by ILETSB designated Mobile Team Units (MTUs).
- Courses offered by outside vendors and agencies.

203.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.
- (c) Provide for continued professional development of department personnel.

203.4 TRAINING PLAN

It is the responsibility of the Office of Professional Standards to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all members as needed or required. The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Office of Professional Standards shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

Training

203.4.1 STATE-MANDATED TRAINING

State-mandated training requirements every year include (50 ILCS 705/7):

- ILETSB-approved use of force training
- Legal updates

State-mandated training requirements every three years include (50 ILCS 705/7; 50 ILCS 705/10.19; 725 ILCS 203/20):

- Constitutional and proper use of law enforcement authority
- Procedural justice
- Civil rights
- Human rights
- Mental health awareness and response
- Cultural competency
- Training on sexual assault and sexual abuse response and report writing (refer to Sexual Assault Investigations Policy)

State-mandated training requirements every five years include:

- Domestic violence (725 ILCS 5/112A-27; 750 ILCS 60/301.1)

203.4.2 IN-SERVICE TRAINING

Sworn members will receive a minimum of 16 hours of annual in-service or refresher training.

In-service training may be provided to personnel in a variety of formats.

Acceptable formats include, but are not limited to, computer assisted training, video presentation, lecture, discussion, proficiency based training or in any other format capable of providing quality training to the officer, including Training Bulletins.

In-service training may be provided by qualified Department Specialist or by outside instructors approved by the Chief of Police.

Personnel shall be selected by the Compliance Sergeant for specialized advanced in-service training based upon an assessment of the needs of the department as well as the compatibility of the individual to the special assignment or position.

203.4.3 SPECIALIZED TRAINING

Specialized Training is defined as any training provided that is designed to provide skills, knowledge, and ability in addition to those taught in Recruit or In-Service Training Program.

The unit Commander is responsible for determining if a specialized training course is in line with the Department's Goals and Objectives. The Commander will review the specialized training request with one of the Department Subject Matter Experts. The current Post List has symbols to indicate the current Department Subject Matter Experts.

Training

Specialized Training will be provided to personnel when promoted or assigned to a position requiring specialized skills. Pre- and post-appointment specialized training will be provided depending on the needs and requirements of the position in question.

Upon promotion, the Department shall provide career specialty training in management techniques and other skill development and job related training. Newly promoted sergeants will complete the Supervision of Police Personnel Course or an equivalent course.

The Sergeants Training Check-Off List will be maintained in the Office of Administration personnel file cabinet.

203.4.4 ADVANCED TRAINING

Advanced training shall be defined as training designed to impart higher level supervisory and management skills to select personnel.

Advanced training may be considered to be the type of training as provided for the F.B.I. National Academy, Northwestern Center for Public Safety or similar institutions.

Personnel shall be selected to attend advanced training courses by virtue of their assignment within the agency and as directed by the present needs of the Department as determined by the Chief of Police.

203.5 TRAINING NEEDS ASSESSMENT

The Office of Professional Standards will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

203.6 TRAINING COMMITTEE

The Office of Professional Standards shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee should be comprised of at least three members, with the compliance sergeant acting as the chairperson. Members should be elected based on their abilities at post-incident evaluation and at assessing related training needs. The Office of Professional Standards may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

Training

The Training Committee should convene on a regular basis as determined by the compliance sergeant to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Office of Professional Standards . The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Office of Professional Standards will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

203.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor, in coordination with the Office of Administration. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation
 - 5. Emergency situations
 - 6. Other exceptions as approved by the supervisor or compliance sergeant.
- (b) When an employee is unable to attend mandatory training due to reasonable unforeseeable circumstances, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. Document his/her absence in a memorandum to his/her supervisor. This information should be forwarded to the Office of Professional Standards .
 - 3. Make arrangements through his/her supervisor and the Office of Professional Standards to attend the required training on an alternate date.
 - 4. Ensure that the absence is documented at the Service Desk.

Records will be kept for all training provided at the divisional and bureau level such as roll call, remedial, or on-the-job training. Records will include date/time of training, lesson plans, course topic/content, course objectives (performance and job-related), performance measures (if administered), and a list of attendees. Records will be maintained by calendar year and forwarded annually to the Office of Professional Standards.

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Training

Department personnel requesting training for local law enforcement training schools that are without cost to the Department (i.e. NEMRT, Homeland Security, etc.), may be approved by the commander of the unit or shift via the chain of command, provided that the school does not interfere with proper staffing levels.

All training schools that have a tuition cost or a free training school that is not local (i.e., out-of-state or beyond the Chicago Metropolitan area) must be submitted through the chain-of-command and have the Chief's approval before personnel can be registered and a travel training order issued (if applicable).

Personnel requesting training schools in which all costs such as tuition, travel, hotel are being paid for by the department member still requires approval of the Chief of Police for department approved training time in which a member is not using compensatory or vacation time to attend the school.

An "In-State Training Request" form has to be completed and turned into the Office of Professional Standards to create a Travel Training order through the chain-of-command. Attach course registration description to the training request. "In-State Training Request" forms can be found on the Department Y-drive. Submissions less than two weeks prior to the course date may not be approved.

Immediate notification to the Office of Professional Standards is necessary to cancel a scheduled training.

Training of course fields where a Department Specialist is assigned, has to be evaluated and reviewed by a Department Specialist to determine whether the course is in-line with Department goals and objectives.

Requests for training out of state should be emailed to the Office of Professional Standards who is responsible for arrangements and attendance notifications. Out of state travel requires an "Out of State Travel Authorization Form", signed by a supervisor, Chief of Police and City Manager. The form is located on the City of Evanston Intranet. After the authorization form is complete, the member must attach the form to the Travel Expense form to receive travel reimbursements. The expense form is also located on the City of Evanston Intranet.

203.7.1 TRAVEL REIMBURSEMENTS AND EXPENDITURES

All costs associated with attendance at department scheduled training programs shall be paid by the Department. Reimbursement shall be subject to the limitations and requirements of this directive. The Chief of Police may allow partial payment for certain training initiatives that serve the best interests of the Department. Special requests for training will be considered on a case by case basis.

Personnel assigned to training status shall be compensated for the time spent in training consistent with City of Evanston Policy and the provisions of any existing collective bargaining agreement.

Only expenses allowable under City Policy will be paid. All members receiving funds for out of state travel will complete a City Travel Expense Report.

Training

All expenditures must be approved prior to the disbursement of any funds in the name of the Department by the Chief of Police.

Requests for reimbursement will not be honored in those situations where the expense has not been pre-approved and is deemed to be unreasonable, unnecessary, or unassociated with the training provided. Employees may not obligate the Department to expenses for which advance approval has not been obtained.

During in-State travel training, where some or all of the meals are provided for the member, the reimbursement limit per meal is set at \$15.00. In out-of-state travel training, meal allowances are Per Diem (or \$10 for breakfast, \$15 for lunch, and \$25 for dinner).

The Office of Administration will maintain a list of Travel Time Zones for Outside Training Schools that do not require overnight accommodations. The Office of Administration will maintain a map (GIS Travel Time Map) of Travel Zones to be used to calculate Travel Time allowed. Exempt members do not collect Travel Time in time banks. This is applicable to Training ordered after 11/3/2015. The Travel Map is located on the department Y-drive.

The member is reimbursed at the current Internal Revenue Service Code level of mileage reimbursement if the member is required to use his personal vehicle for training travel.

203.7.2 EMPLOYEE CONDUCT AT IN-SERVICE OR OTHER TRAINING PROGRAMS

Department personnel attending training classes shall conduct themselves in a manner that is consistent with the professional image of the Evanston Police Department.

- The proper attire for training classes held outside of the Evanston Police Department is casual wear unless specified by order
- Members are required to be in attendance at all times that the training program is in session unless specifically excused by their Division Deputy Chief.
- Conduct that is disruptive, distracting or is otherwise inappropriate shall be prohibited.

All personnel are expected to be prepared to attend assigned training, which shall include at a minimum, notepaper and writing instruments as well as any other requirements that have been previously requested in the course description.

All members attending Department in-house training programs shall complete the Instructor Critique if requested and will be processed as necessary.

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Evanston Police Department policy manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Office of Professional Standards.

Training

Personnel assigned to participate in DTBs should only use login credentials assigned to them by the Office of Professional Standards. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

203.9 REMEDIAL TRAINING

In order to ensure that all officers are performing to the best of their abilities, it is essential to offer remedial training in those areas where an officer exhibits a lack of knowledge or poor performance. Remedial training shall be provided as needed.

Individual Shift/Bureau Supervisors and Deputy Chiefs shall be responsible to conduct and/or request remedial training for personnel assigned to their command in those cases where questionable performance, job knowledge or other concerns indicate the need for additional training.

Members may submit requests for training through the chain of command for areas they feel need to be addressed.

203.10 OUTSIDE TRAINING ACADEMIES

- (a) The Department will use training academies that provide programs that address the training needs of the Department, e.g. recruit, in-service and specialized training.
- (b) The Field Training Supervisor will be the liaison for all outside training academies used by the Department, and monitor the working relationship between members and the training academy. Members attending outside training academy are considered on-duty members. The Field Training Supervisor will review programs provided by the training academy to insure that the programs meet the needs of the Department. The Field Training Supervisor will handle all complaints or issues related to the training academy and process all financial obligations through the Office of Administration.
- (c) Members will receive training in Department policies, procedures, rules and regulations from Department sources: e.g. FTO, unless specifically a part of the outside academy program.

Training

203.11 ORIENTATION FOR NEWLY APPOINTED MEMBERS

All new sworn and civilian employees will receive information by the Human Resources Department and the Field Training Sergeant regarding the following:

- Orientation to the Department's role, purpose, goals, policies and procedures
- Working conditions and regulations
- Responsibilities and rights of employees

203.12 CIVILIAN PRE-SERVICE AND IN-SERVICE TRAINING

The following personnel shall receive pre-service or in-service training as appropriate to perform their job function. The responsibility for the provision of civilian in-service or pre-service training rests with their Shift/Bureau Supervisor or Division Deputy Chief. Training for these positions shall be coordinated by the Division Deputy Chief of the affected Division:

- **Communications** personnel shall receive pre-service "field training" prior to any assignment. Additionally, the Communications Supervisor shall prepare a training plan designed to maintain the skill level of communications personnel.
- **Clerical** personnel shall receive on the job pre-service training, and shall receive in-service or specialized training at the discretion of the Records Bureau Manager.
- **Animal Control** Officers shall receive pre-service job specific training relative to the duties and responsibilities of the assignment. Additional in-service training shall be periodically provided as determined by the Field Operations Divisions Deputy Chief.
- **Service Desk and 3-1-1** personnel shall receive pre-service field training prior to any assignment. Additionally, the Service Desk and 3-1-1 supervisors shall prepare a training plan designed to maintain the skill level of personnel.

Pre-Service Civilian Training shall address:

- Legal issues, powers, or responsibilities where applicable
- Safety concerns or issues related to the position
- The importance of the link they provide between the Department and citizens in the community
- The importance of their position to overall organizational effectiveness
- Other training approved or required for effective job performance

203.13 CAREER DEVELOPMENT

All supervisory personnel are authorized to conduct career counseling to employees. Training regarding career counseling will be conducted at the Management Staff Meeting or related schools.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Illinois Freedom of Information Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message, including any attachment, that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternative method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

204.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited, will not be tolerated and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Deputy Chief. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure should minimize the misuse of an individual's email, name and/or password by others.

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Illinois Freedom of Information Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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Electronic Mail

The Freedom of Information Officer or Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 PERSONNEL ORDERS

Personnel Orders may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status. Cross reference Policy 201-Written Directives

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

205.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or a Deputy Chief.

205.5 COORDINATION AMONG POLICE FUNCTIONS

All Department members, especially the command and supervisory staff, are responsible for promoting communication, coordination, and cooperation among all Department functions, as well as the functions of other City departments.

Command and supervisory staff are responsible for:

- Informing other police department units (divisions/bureaus) of their goals and activities
- Informing other units of how their activities and goals may have an impact on their activities
- Seeking cooperative assistance from other units for achieving division/bureau goals
- Seeking information about other agency functions/operations and their affect on their own unit activities
- Seeking ways to improve working conditions to enhance Department functions, services, mission and goals

Command and supervisory staff are responsible for using existing means of communication to coordinate Department functions, such as the daily bulletin, the administrative reporting system, electroic mail/message systems, and attending command staff meetings, divisional staff meetings, rollcalls, interdivisional meetings and deployment meetings.

Supervisory Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

206.2 MINIMUM STAFFING LEVELS

Minimum staffing levels in the field operations division should result in the scheduling of at least two regular supervisors on duty whenever possible. When possible, Commanders will ensure that at least one field supervisor is deployed during each watch. Minimum supervisory staffing levels for specialty units and bureau's will be determined by the Chief of Police.

Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Evanston Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Illinois law (18 USC § 926C; 50 ILCS 705/10).

207.2 POLICY

It is the policy of the Evanston Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

207.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as an officer for an aggregate of 10 years or more or, if employed as an officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

207.3.2 AUTHORIZATION

Any qualified former peace officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. A valid permit to carry a concealed firearm issued by the Illinois Law Enforcement Training and Standards Board (ILETSB) (20 Ill. Adm. Code 1720.260).
 - 2. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

Retiree Concealed Firearms

3. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Illinois law or by a private person or entity on his/her property if such prohibition is permitted by Illinois law.

207.4 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD PERMITS

Retirees who wish to carry a concealed firearm may apply for an ILETSB permit through the Illinois Retired Officer Concealed Carry (IROCC) office. Application information is available on the IROCC website (20 Ill. Adm. Code 1720.250).

207.5 FORMER OFFICERS RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

Administrative Reporting

208.1 MAJOR INCIDENT LOG

Uniform Patrol

At the end of each patrol shift tour of duty, the senior and/or ranking shift supervisor will prepare one written report of any major activities occurring during that tour. This report will be posted in the Patrol Supervisor's Office and emailed to department supervisors as well as posted in the major incident log on the X;drive. The purpose of this report is to advise on-coming shifts and the Command Staff of major incidents that have occurred.

Investigative Division (Detective and Juvenile Bureaus)

At the end of each investigative shift, the senior or ranking supervisor or investigator will prepare one written report of any major activities occurring during that shift. This report will be posted in the appropriate computer file and emailed to supervisors. The purpose of this report is to advise/update on-coming investigators and command staff of major incidents that have occurred.

The Chief of Police may require similar shift reports from other divisions or bureaus as needed.

208.2 MONTHLY REPORT

- (a) Bureau supervisors will prepare and forward to their Division Deputy Chief (or supervisor in charge of a functional area) a monthly report. The report will reflect the bureau's activities for the month. Comparative data on activities of the previous month, same month in the previous year, and year-to-date may be included, as appropriate.
- (b) Special problems, concerns, or accomplishments, etc. should also be included.
- (c) Division Deputy Chiefs/designated supervisors will forward it to the Chief by the 10th of the month.
- (d) The purpose of the monthly report is to keep the Chief of Police informed of Divisional activities for the month.

208.3 ANNUAL REPORT

- (a) By City Ordinance (9-1-3-4) the Chief of Police must report annually to the City Council on the activities of the Police Department. The purpose of the annual report is to provide an official document of police activities for the designated year for public distribution.
- (b) Data used in the preparation of the Annual Report will be based, in part, on the Monthly Report and Crime Data from the Records Bureau.
- (c) The Annual Report will be distributed to the City Council, City Manager, and filed at the public Library. Copies will be made available to the public upon request. The Annual Report is also accessible via the City of Evanston website.
- (d) The Chief of Police will designate the bureaus responsible for preparing the Annual Report.

Administrative Reporting

208.3.1 SPECIAL REPORTS AND STUDIES

The Planning/Research Function will assist in the research, review and preparation of special staff studies and projects as deemed necessary by the Chief of Police.

Special studies/reports may be assigned to members as directed by the Chief.

208.4 DEPARTMENT MAILBOX

- (a) Mailboxes are assigned to employees in order to insure the proper distribution of departmental mail and other pertinent information. Mailboxes will be checked at the beginning and end of each tour of duty or shift. Members will review information in their mailboxes. Mailboxes are Department property.
- (b) Mailboxes will be kept free of unnecessary and out-dated materials.
- (c) Mailboxes are for the use of departmental or work related information. Mailboxes will be purged by supervisors if they are not maintained in an appropriate manner. Mailboxes may be assigned in the Department mail room and/or the member's assigned area. All full-time members will have a mailbox area.

208.5 DEPARTMENTAL WRITTEN COMMUNICATIONS

- (a) Unless specifically directed, all Departmental matters in writing should be directed through the chain of command using the Departmental Memorandum format (AKA Green Sheet).
- (b) When a supervisor receives a memorandum, the supervisor will review it and provide comments to it. Supervisors will not merely initial or sign-off on memos.
- (c) All written communication will be as Departmental Memorandums using the To/From/Subject format. Each correspondence will be dated and signed by the author. All written communications will be professionally authored and prepared.

208.6 SHIFT CHANGES-INFORMATION TRANSFER

- (a) Divisions/Bureaus that have shift changes will insure that there is an informational exchange between the out-going and in-coming shift as to major events and activities occurring during the shift. The on-duty supervisor, or senior officers on shift without a supervisor, will be responsible for insuring this transfer occurs.
- (b) Shifts should also transfer information with other divisions and bureaus.
- (c) The on-duty patrol supervisor in charge of the shift on duty will meet with all other shifts on duty for any informational transfer.

Military Courtesies

209.1 POLICY

The Department recognizes it is perceived as a para-military organization. Therefore, officers are expected to render certain formal courtesies as they interact and perform their duties

209.2 TITLES - PROCEDURES

- (a) Officers will address each other using title (that is, Officer, Sergeant, Commander, Deputy Chief, Chief) and last name as a general practice.
- (b) Officers will show like courtesy to personnel of other agencies, the military, or dignitaries and address them by title.
- (c) It is accepted that in personal contact, out of the public eye or in an informal atmosphere where members are in agreement, the use of titles may be relaxed at times; but this in no way is to be done in such a manner that any insubordination or disrespect is shown.

209.3 SALUTES - PROCEDURES

- (a) A salute will not be rendered to command officers of higher rank as a general practice, but may be required by direction of the Chief of Police for certain special ceremonies or functions.
- (b) When a salute is rendered, officers will salute only when covered (that is, while wearing caps, hats or helmets.). Only officers of rank above Sergeant will be saluted. An officer who is saluted will return the salute.

Track Program

210.1 POLICY

The Evanston Police Department strives to improve the knowledge and abilities of all sworn officers. The purpose of the Track Program is to increase and develop skills of officers outside the Field Operations Division in other units of the police department. It will provide job enrichment opportunities for those officers interested in developing new skills.

210.2 PROCEDURE

The program will consist of four rotating assignments in the following units:

- Investigations (Detective Bureau and Juvenile Bureau)
- Neighborhood Enforcement Team/TAC Unit
- Problem Solving Team
- Traffic Management Bureau

The track Program is a year long assignment, coinciding with the Field Operations shift assignments. Officers chosen will spend one quarter of the year in each assignment.

210.2.1 WORKING CONDITIONS

In each track assignment, officers will be provided opportunities to learn the basic skills, knowledge and abilities needed to perform essential functions of the assigned position. Working hours, days off, apparel and equipment, and other working conditions will be determined by each Track supervisor and may vary by track assignment.

210.2.2 SUPERVISOR RESPONSIBILITIES

Bureau supervisors are responsible for ensuring members in rotating track assignments are provided opportunities to learn the basic skills, knowledge and abilities needed to perform essential functions of the track positions.

210.3 ELIGIBILITY REQUIREMENTS AND APPLICATION

- (a) Currently assigned to a patrol shift
- (b) Minimum overall satisfactory evaluations for a period of 12 months prior to application

210.3.1 APPLICATION PROCEDURE

The application for this assignment will coincide with the yearly shift requests. Officers interested in applying for this assignment should note their interest on the yearly shift request regarding specialized units. Those requests will then be submitted to the Deputy Chief of Field Operations.

210.3.2 SELECTION CRITERIA

Selection will be based on the following:

- (a) Performance ratings, sick time use, disciplinary actions

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- (b) Past performance: quality, consistency, quantity
- (c) Potential ability to perform special assignment duties
- (d) Previous training and career development activities and current career development plan
- (e) Department personnel resource development needs
- (f) Physical fitness test, physical exam, psych exam and/or drug test
- (g) Demonstrated possession of position-related prerequisite skills, knowledge and abilities
 - 1. Demonstrated ability to conduct a thorough preliminary investigation
 - 2. Demonstrated writing ability
 - 3. Demonstrated motivation and self-initiated activity
 - 4. Demonstrated ability to work without close supervision
 - 5. Demonstrated ability to work with others (department personnel, community)

210.3.3 SELECTION PROCESS

Review of performance evaluations and other employee records with supervisor input.

The Chief of Police will make the final selections based on the input from the Command Staff. Supervisor's input will be needed in the selection process to gauge each applicant's suitability for the Track Program.

210.4 LEAVING THE TRACK PROGRAM

Officers may request to leave the Track Program for any reason before completing the four track assignments without repercussions. Submit a written request to the track bureau supervisor to return to the original assignment or to apply for a position vacancy that opens during the term of the track program, including a promotion.

Members may be removed from the program by the Chief of Police before completing track assignments based on unsatisfactory performance, to meet department needs, for promotion or upon early termination of the Track Program.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

In addition, the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight and whether the officers' actions are objectively reasonable in the light of the facts and circumstances confronting them.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when it is safe and reasonable to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

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300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force. Officers shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training whenever possible and appropriate before resorting to force and to reduce the need for force. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer may use any force which he/she reasonably believes to be necessary to effect an arrest and may use any force which he/she reasonably believes to be necessary to defend him/herself or another from bodily harm while making an arrest (720 ILCS 5/7-5).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

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- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

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300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. A member shall not use a chokehold or any lesser contact with the throat or neck area of another in order to prevent the destruction of evidence by ingestion (720 ILCS 5/7-5.5).

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

- 1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
- 2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

Deadly force should not be used against persons whose actions are a threat only to themselves or property.

Warning shots are prohibited.

Directed fire

- (a) Deadly force gunfire aimed at the offender or where the officer reasonably believes the offender to be located in an effort to seize the offender, to allow officers to move into a tactically advantageous position and/or to deny movement to the offender in situations where failure to do so will cause risk of death or great bodily harm to officers or the public at large.
- (b) The use of directed fire must not place the public in greater danger than the actions of the offender. The aimed gunfire is at a specific threat; the offender in a position

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of cover or a doorway/window, etc..where the offender has just shot from or was last observed. Directed fire is used to close with and advance on the offender who is currently a deadly force threat or to affect the rescue of a downed citizen or officer where the offender poses an ongoing threat of death or great bodily harm.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force including the vehicle is directed at the officer or others; or where the escape of an offender(s) otherwise indicates that they will endanger human life or inflict great bodily harm unless arrested without delay. This may include the offender's use of a vehicle as a deadly weapon, not solely a means of escape.

Discharging a firearm from a moving vehicle should only be done in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle unless the vehicle is being used as a deadly weapon.

300.4.2 CHOKEHOLDS

A member shall not apply direct pressure to the throat, windpipe or airway of a person with the intent to reduce or prevent the intake of air (chokehold) unless deadly force is justified (720 ILCS 5/7-5.5). A member shall not use a chokehold or any lesser contact with the throat or neck area of another in order to prevent the destruction of evidence by ingestion (720 ILCS 5/7-5.5).

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department that involves physical effort to control, restrain, or overcome the resistance of another, shall be documented promptly, completely and accurately in an appropriate report, including a departmental Use of Force Report depending on the nature of the incident. A Use of Force report will also be submitted whenever an employee discharges a firearm including euthanizing an animal, other than training, or recreational purposes. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

All forms of physical force applied by an employee (i.e. strikes, pushing to the ground, and take downs) shall be reported as a use of force.

Soft empty-hand control techniques (i.e. holding, gripping, pressure points, joint manipulation, come alongs), non-impact baton techniques and simple handcuffing are not required to be reported as a use of force, but should be properly documented in the officer's police

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report. However, a use of force report will be completed shall be submitted if any of those actions results in, or is alleged to have resulted in, injury or death to another person.

Use of Force reports will be submitted to the officer's immediate supervisor before completion of the officer's tour of duty. If the officer is not physically or psychologically able to submit the report before completion of the officer's tour of duty, it will be submitted as soon as possible thereafter. Refer to Policy 305 for Officer Involved Shooting reporting procedures.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force, including but not limited to any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) The discharge of OC spray.
- (j) An individual alleges any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would

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be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITIES

Unless extenuating circumstances exist, a supervisor should respond to every scene where there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) If a separately recorded interview with the subject upon whom force was applied is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a supervisor internal memorandum or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Check the immediate vicinity for evidence, including video evidence. Search for and review all pertinent department video (station, in-car, body-worn camera, etc.)
- (g) Review and approve all related reports.
- (h) Determine if there is any indication that the subject may pursue civil litigation.

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- (i) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.
- (j) Make notification to the Office of Professional Standards via email or telephone, providing the basic information for them to began documentation and tracking of the investigation.
- (k) Make proper notifications through the chain of command if the use of force results in serious physical injury or death.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 COMMANDER RESPONSIBILITY

The Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING

Officers will receive annual training on this policy and demonstrate their knowledge and understanding. In addition, training shall be provided on a periodic basis that provides techniques for the use of and reinforce the importance of de-escalation, simulates actual shooting situations and conditions and enhances officers' discretion and judgement in using less-lethal and deadly force in accordance with this policy.

300.9 USE OF FORCE ANALYSIS

At least annually, the Office of Professional Standards should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Evanston Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The Evanston Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case due to the circumstances of the incident.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened within 7 to 14 calendar days of completion of a completed Use of Force investigation.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Office of Professional Standards Commander will convene the Use of Force Review Board as necessary. It will be the responsibility of the Deputy Chief or supervisor of the involved employee to notify the Office of Professional Standards Commander of any incidents requiring board review. The involved employee's Deputy Chief or supervisor will also ensure that all relevant reports, documents, digital media and materials are available for consideration and review by the board.

The investigating supervisor will turn in the completed use of force investigation packet to their Deputy Chief through the chain of command. The Deputy Chief will notify the Office of Professional Standards Commander of the completed use of force investigation that requires review. Each supervisor in the chain of command from the investigating supervisor to the Deputy Chief will make a recommendation as to the use of force prior to referring it to the review board. The review board is the final step in the process, prior to being sent to the Chief of Police.

Use of Force Review Boards

301.4.1 COMPOSITION OF THE BOARD

The Chief of Police or his designee will select Use of Force Review Board members who will consist of the following:

- Deputy Chiefs
- Commanders (minimum of 3)
- Sergeants (minimum of 3)
- Sworn officers (minimum of 6)

Commanders, Sergeants and sworn officers may be drawn from any area of the Department. Department defensive tactics and weapons trainers should be given consideration for Board membership.

Current board members: [See attachment: 301-1.pdf](#)

In the event of an incident requiring review, the Office of Professional Standards Commander will convene a Use of Force Review Board Panel consisting of the following committee members to conduct a review:

- Chairman (Commander of Office of Professional Standards or their designee)
- One Deputy Chief
- One Commander (additional to chairman)
- One Sergeant
- One sworn officer

For each panel a quorum shall consist of three members; two supervisory members and one sworn officer. A majority decision shall be necessary between the members for a Panel determination.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a union representative present through all phases of the review process on an observation basis only. Scheduled board reviews shall not be delayed in order to accommodate union attendance.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

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Use of Force Review Boards

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The employee's actions were within department policy and procedure.
- (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, weapons/equipment issues and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Deputy Chief for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be maintained by the Office of Professional Standards.

301.4.3 PANEL/BOARD MEMBER CONDUCT

While participating in a review, no member of the Panel shall release information regarding the incident or details of the review to any person not a member of the Panel. This shall also include discussing deliberations or releasing information to the employee whose actions are being reviewed.

Any documents obtained by the Panel shall be treated as confidential and shall not be released or removed from the Department without written approval from the Chief of Police or his designee or unless otherwise required by law.

All members of the Board shall conduct reviews in good faith and employ their best efforts to arrive at a fair and objective finding based on Department policy, the law, and the recognized standard of Objectively Reasonable.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The Evanston Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Evanston Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee. Restrained persons should be removed from public access and view as soon as possible.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

Handcuffing and Restraints

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape or injury.

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless the officer can articulate the circumstances handcuffing was needed, such as the severity of the offense, number of offenders, size of offender, reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property (this is not an exhaustive list). Juvenile prisoners will not be restrained to adult prisoners, except in emergency situations where no reasonable alternative exists. An exception may be made with an adult that has a legal relationship with the minor.

302.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the holding facility or jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. Unless impractical due to an arrestee being combative, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Multiple prisoners of the same sex may be handcuffed together if there is an insufficient supply of handcuffs available at the scene. Male prisoners will not be restrained to female prisoners except in emergency situations where no reasonable alternative exists.

If two persons are handcuffed together, the right hand of one prisoner should be handcuffed to the right hand of the second prisoner (or left to left).

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Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

Restraints will be removed at a medical facility only as necessary for medical examination or treatment. When possible, use leg restraints as an addition or alternative to handcuffs for restricting mobility during medical examinations and treatment.

If a detainee is to be secured to an immovable object, it will be designed and intended for such use, such as a wall-mounted handcuff ring or rails. This method of detention should be used when when no other suitable option(such as placement in a locked cell or interview room) or when necessary to maintain the safety and security of the prisoner and officers. In normal circumstances, prisoners will not be secured with handcuffs or any other restraining devices to any non-fixed or moveable object, such as a chair. Prisoners under medical care in a medical facility may be secured to the hospital bed, if allowed by the medical facility.

302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS

Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose to the point where they are having difficulty breathing, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

A supervisor should be notified whenever a spithood is applied to an arrestee.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term

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restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the department shall be used. Four-point constraints (commonly referred to as "hog tie" restraints) are prohibited.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device. The exception to this would be the use of leg irons as additional safety and security during routine and uneventful hospital runs, transportation to court or other long-term transports.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the lock-up or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe. If the person continues to struggle, do not sit on their back. Do not lay individuals on their stomach during transport. If necessary request immediate medical attention.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

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- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel or when determined necessary by a department member. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

If an individual is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints. If a report is generated in reference the incident, it should be documented in the incident report. If no report is generated, a contact card or the narrative portion of the CAD event number is an acceptable form of documentation.

If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

- (a) The amount of time the suspect was restrained.
- (b) How the suspect was transported and the position of the suspect.
- (c) Observations of the suspect's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Evanston Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 CHIEF OF POLICE OR DESIGNEE RESPONSIBILITIES

The Chief of Police or their designee may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 DIVISION DEPUTY CHIEF'S RESPONSIBILITIES

The Division Deputy Chief shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Division Deputy Chief or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to their immediate supervisor for disposition. An internal memorandum shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Department authorized impact weapons include the following: Monadnock expandable baton, straight stick and PR-24. ASP expandable baton (16in., 21in. or 26in.), Wooden baton.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

Whenever possible, officers should be upwind from the suspect before using OC and should avoid contact area. An officer should maintain a safe distance from the suspect. A single spray burst between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional bursts may be used if the initial or subsequent burst proves ineffective.

The use of OC spray should be avoided, if possible, under conditions where it may affect innocent bystanders, the young or the elderly.

303.6.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.6.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be provided with clean water to cleanse the affected areas as soon as reasonably possible. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.7 POST-APPLICATION NOTICE

Whenever OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible

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presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.8 TRAINING FOR CONTROL DEVICES

The Office of Administration shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device, including OC spray and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline, should they violate the agency's Use of Force or other department policy.

303.9 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Electrical Weapons

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER devices.

304.2 POLICY

The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory. When not in use the Taser shall be properly secured and not subjected to prolonged heat or cold. The Taser when not deployed for field use or training will be stored only in a designated department approved location.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

Members should also insure the Taser is fully charged, the cartridge has not expired and the Taser Cam is fully functioning. The cartridge should be removed prior to any testing. Expired cartridges can be used for training purposes once replacement cartridges are obtained.

Members will properly check out a Taser and completely fill out the sign-out sheet. The member will return the Taser to the approved designated area at the end of the member's tour of duty.

When carried while in uniform, officers shall carry the TASER device in a on the side opposite the duty weapon. This applies to both belt and vest carry.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) officers are allowed to carry up to two cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.
- (d) Officers should not hold both a firearm and the TASER device at the same time.

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304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

304.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words and action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

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- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all TASER device discharges. Confetti tags (AFID's) should be collected and the expended cartridge, along with both probes and wire, should be submitted

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into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

The subject and all marks/injuries left by the Taser probes or drive stun will be photographed by an Evidence Technician and an Evidence Technician report will be completed. If the subject has been penetrated by a probe or probes in any of the sensitive areas listed, the Evidence Technician will photograph the area if possible prior to probe removal.

Deployed Taser data including Taser Cam video images will be downloaded from the device for documentation purposes. The supervisor or designated departmental Taser Instructor will download data from the Taser's data port and video images from the Taser Cam.

304.5.6 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.5.7 TASER® CAM™

The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the officer intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained as required by the department records retention schedule.

304.5.8 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Officers shall document all TASER device discharges in the related arrest/crime report and the Use of Force report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

304.6.1 USE OF FORCE FORM

Items that shall be included in the use of force report form [See attachment: Use of Force Report.pdf](#) are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.

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- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Office of Professional Standards should periodically analyze the report forms to identify trends, including deterrence and effectiveness. Taser device information and statistics, with identifying information removed, should periodically be made available to the public.

304.6.2 REPORTS

The officer should include the following in the field general/use of force report:

- (a) Identification of all personnel firing TASER devices
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

304.7 MEDICAL TREATMENT

Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.

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- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck, spinal column, bony prominence).
- (e) The person requests medical treatment.

Probes can be removed by Evanston Police Department personnel from all other areas of the body and transport to medical facility will only be necessary due to other medical needs, or at the patient's request.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If the subject is displaying symptoms of excited delirium they shall be transported to a medical facility. Signs of excited delirium may include a combination of agitation, violent or bizarre behavior, elevated body temperature or increased strength. If any individual refuses medical attention, such a refusal should be witnessed by a supervisor and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by a supervisor or Taser Instructor and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

The supervisor will complete a Use of Force Review and in addition to the issues to be documented in that report these additional items will be required:

- Copy of the Taser Cam recording
- Specific information regarding the number and length of exposures administered to the offender.

304.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of twelve months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

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Proficiency training for personnel who have been issued TASER devices should occur every two years. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by theTaser Instructors. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

TheOffice of Professional Standards is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

TheOffice of Professional Standards should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer (50 ILCS 727/1-10).

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.1.1 DEFINITIONS

Definitions related to this policy include:

Officer-involved death - Any death of an individual that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a law enforcement officer while the officer is on-duty, or otherwise acting within the scope of his/her employment, or while the officer is off-duty, but performing activities that are within the scope of his/her law enforcement duties. It also includes any death resulting from a motor vehicle crash, if the law enforcement officer was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or an attempt to apprehend (50 ILCS 727/1-5).

305.2 POLICY

The policy of the Evanston Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Evanston Police Department would control the investigation if the suspect's crime occurred in Evanston.

Officer-Involved Shootings and Deaths

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

305.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved EPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. Involved officer includes witness officer's and officer's who may have had an active role in the incident. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved EPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.

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- (b) If necessary, the supervisor may administratively order any EPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
 - 3. See attached Public Safety Statement [See attachment: SOP 305-1.pdf](#)
- (c) Provide all available information to the Commander and the Communications Center. If feasible, sensitive information should be communicated over secure networks (department cellular phone or department computer).
- (d) Take command of and secure the incident scene with additional EPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction. A police employee, preferably a friend, shall accompany the involved officer(s) and remain with him/her unless the involved officer chooses to be left alone.
 - 1. Each involved EPD officer should be given an administrative order not to discuss the incident with other involved officers or EPD members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers. Unless exigent circumstances exist, the officer's weapon will remain in the officer's holster until the officer returns inside the police station. The supervisor will ensure that the weapon and ammunition are secured in the manner prescribed for physical evidence.

305.5.3 COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Commander shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or a Deputy Chief.

All outside inquiries about the incident shall be directed to the Commander.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Investigative Services Deputy Chief
- Outside agency investigators (if appropriate)

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- Office of Professional Standards supervisor
- Psychological/Peer support personnel
- Chaplain (at involved officer's discretion)
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 1. Involved EPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-EPD officers should be referred to their employing agencies.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved EPD officer. A licensed psychotherapist may also be provided to any other affected EPD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

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Each involved EPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Commander to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

The Illinois State Police Public Integrity Unit is responsible for the criminal investigation into the circumstances of any officer-involved shooting that results in injury or death.. Officer-involved deaths shall be investigated by outside agency investigators as provided in the applicable intergovernmental agreements.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the State Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) EPD supervisors and Office of Professional Standards personnel should not participate directly in any voluntary interview of EPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 OFFICER-INVOLVED DEATH INVESTIGATIONS

The Chief of Police should ensure that the Evanston Police Department enters into appropriate intergovernmental agreements to investigate officer-involved deaths involving members of the EPD by appropriately trained outside investigators as required by the Police and Community Relations Improvement Act (50 ILCS 727/1-1 et seq.). The agreement should establish any compensation arrangement for participation in investigations and establish responsibilities for expeditiously providing a complete report to the State's Attorney and a public report if no charge or indictment is brought against the officer.

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305.6.2 REPORTS BY INVOLVED EPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved EPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved EPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved EPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

305.6.3 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

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- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.6.4 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Detective Bureau supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from outside investigatory agencies and may be assigned to separately handle the investigation of any related crimes not being investigated by outside investigatory agencies.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Detective Bureau supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Deputy Chief.

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved EPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Office of Professional Standards and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy) (50 ILCS 725/1 et seq.).

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
 - 1. A sample shall be compelled in the case of a shooting that caused injury or death of a person as soon as practicable but no later than the end of the officer's shift or tour of duty (50 ILCS 727/1-25).
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas, with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

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1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
2. The interview shall take place at the facility to which the administrative investigator is assigned or the police facility that has jurisdiction over the place where the incident occurred. The interview shall also be conducted at a reasonable time of day and during the time when the officer is on-duty as operational requirements and the nature of the incident permit. The interview shall be of reasonable duration and allow for reasonable periods of rest and personal necessities of the officer (50 ILCS 725/3.1; 50 ILCS 725/3.3; 50 ILCS 725/3.5).
3. The officer shall not be subject to professional or personal abuse, including offensive language (50 ILCS 725/3.6).
4. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview and shall inform the EPD of any person who will be present on his/her behalf (50 ILCS 725/3.4; 50 ILCS 725/3.9). The officer shall have the right to be represented by counsel and may request counsel at any time before or during the interview and shall have a reasonable time and opportunity to obtain counsel (50 ILCS 725/3.9). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
5. A complete record of the administrative interview shall be made and a complete transcript or copy shall be made available to the officer without charge and without undue delay. Such record may be electronically recorded (50 ILCS 725/3.7). The officer may also record the interview.
6. The officer shall be informed in writing of the nature of the investigation and the name, rank and unit/command of the assigned administrative investigator, the interviewers and all persons who will be present on behalf of the EPD (50 ILCS 725/3.2; 50 ILCS 725/3.4). If an officer refuses to answer questions, he/she should be given his/her *Garrity* rights in writing and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally (50 ILCS 725/3.8).
7. The Office of Professional Standards shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
8. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
9. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

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- (d) Investigators should take reasonable steps to avoid interfering with the outside criminal investigation conducted under the requirements of 50 ILCS 727/1-10 (50 ILCS 727/1-15).

305.8 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

305.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office as appropriate.

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Evanston Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Support Services Deputy Chief is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other civilian). Family or other support personnel may attend with the concurrence of those involved in the incident.

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The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Office of Professional Standards personnel.

305.10.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police or the authorized designee should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Commander, Investigative Services Deputy Chief and Public Information Officer in the event of inquiries from the media.

No involved EPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Deputy Chief.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.12 REPORTING

The Field Operations Deputy Chief will ensure that the Records Manager is provided with enough information to meet the reporting requirements for any officer-involved shooting or death that qualifies to be reported to the Department of State Police (50 ILCS 709/5-12).

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Evanston Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Range Officer or their designee. Firearms shall not be carried by civilian members while on-duty or while in any City-owned vehicle. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Deputy Chief. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

All sworn Department members are required to have a current Illinois Firearm Owner's Identification Card.

306.3.1 HANDGUNS

The authorized department-issued handgun is the Approved List. The following additional handguns are approved for on-duty use:

[See attachment: Firearms and Ammunition List.pdf](#)

MAKE	MODEL	CALIBER
see	attached	list

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306.3.2 SHOTGUNS

The authorized department-issued shotgun is listed below. The following additional shotguns are approved for on-duty use:

MAKE	MODEL	CALIBER
Remington	870	12 gauge

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle. Currently only members of the Special Operations Group are permitted to deploy shotguns.

306.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the Approved List. The following additional patrol rifles are approved for on-duty use:

[See attachment: Approved List Rifle-Carbine.pdf](#)

Authorized patrol rifles/carbines barrel length must be at least sixteen inches.

Authorized patrol rifles/carbines will not be altered, except for night sights. Aimpoint, ACOG, and EOTech systems designed for close-quarters battle may also be used. Iron sights must be functional regardless of what other sight system is installed. Flashlight mounted systems are required.

Slings will be equipped on all patrol rifles/carbines.

Ammunition will be department issued or authorized.

Members using patrol rifles/carbines will take the patrol rifles/carbines out at the beginning of their tour of duty each day. The patrol rifles/carbines will either be carried in the trunk of the member's squad car, cable-locked to the inside frame of the vehicle in a locked hard case or properly locked in the squad's rifle/carbine rack, if so equipped.

The patrol rifles/carbines will be kept with a loaded magazine in the magazine well, with the chamber empty. A second magazine can be inserted in the redi-mag, if so equipped.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

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- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm from the approved list must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Range Officer or their designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Office of Administration, who will maintain a list of the information. A copy of the written approval from the Chief of Police will be placed in the member's firearm qualification folder in the Office of Administration.

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (f) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

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- (g) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Office of Administration, who will maintain this information in the member's firearm qualification folder. A department qualification sheet completed by Range Officer suffices for this notice. A second weapon authorization form must be approved. [See attachment: Secondary Weapon Authorization Form.pdf](#)
- (h)

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) A personally owned or department issued firearm shall be used.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) Prior to carrying any off-duty firearm, the member shall demonstrate to the Range Officer that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (d) The member will successfully qualify with the firearm prior to it being carried.
- (e) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (f) Members shall only carry department-authorized ammunition.
- (g) When armed, officers shall carry their badges and Evanston Police Department identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Range Officer when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining duty ammunition in accordance with the above, at their own expense.

306.3.8 RECRUIT OFFICERS

Recruit officers will not carry side arms off-duty while in the police academy phase of training.

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306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Department Armorer..

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Chief of Police in writing..

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Range Officer.
- (c) Members shall not clean, repair, load or unload a firearm except in designated areas.
- (d) Rifles or shotguns should not be carried loaded unless deployed.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department Armorer for inspection and repair. Any firearm deemed in need of repair or service by the Department Armorer will be immediately removed from service. If the firearm is the member's primary duty

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firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

- (h) Members will store their patrol rifles/carbines in a locked hard plastic case in their locker, when not in training. A case will be provided for department-owned patrol rifles/carbines. Members will ensure that their lockers are locked at all times. Members may store rifles/carbines in a departmental approved locked location designated for such storage.

306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected by the member regularly. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

The department will provide one locking device to each sworn member as a first issue item.

306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (720 ILCS 5/24-9(a)).

306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members will qualify at least annually with their duty firearms (50 ILCS 710/0.01 et seq.).

Members will qualify with off-duty and secondary firearms annually.. Training and qualifications must be on an approved range course.

The Office of Administrations will:

- Maintain firearms training and qualification programs
- Maintain records relative to qualification scores and training participation.
- Report in writing to the Chief of Police all personnel undergoing training and firearms qualification.

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306.6.1 NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Deputy Chief or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal

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control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

Members will complete a Use of Force report when a firearm is discharged in the destruction of any animal.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS

Warning shots are prohibited.

306.8 RANGE SUPERVISOR, RANGEMASTER AND RANGE OFFICER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Office of Administration after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to Department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Office of Administration documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Office of Administration.

Range Supervisor and Rangemaster will:

- Monitor the Department's firearms instructors
- Identify any deficiency in firearms training
- Arrange for additional training for those who fail to qualify

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- Enforce safety standards on the range
- Control ammunition dispersment and all range equipment.
- Assure contact with appropriate personnel should repairs to range equipment be necessary

Range Officers will:

- Maintain safety standards as prescribed
- Follow the course of instruction as prescribed
- Maintain control of the range
- Keep the range clean
- Report any department member with an unsafe weapon to the department armorer and Office of Administration.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Evanston Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Evanston Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Evanston Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

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- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Evanston Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

306.11 RANGE RULES AND S.O.P.

See attachment: [SOP 306-1.pdf](#)

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual's desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

307.1.1 VEHICLE PURSUIT DEFINED

An active attempt by a peace officer in an authorized emergency vehicle to apprehend an actual or suspected law violator, who is attempting to avoid apprehension through evasive tactics.

307.2 OFFICER RESPONSIBILITIES

It shall be the policy of this department that a vehicle pursuit shall be conducted only with emergency lights and siren. The driver of an authorized emergency vehicle may proceed past a red or stop signal or stop sign, exceed the maximum speed limits, and disregard regulations governing direction of movement or turning in specified directions provided the driver slows as may be required and necessary for safe operation and does not endanger life or property (625 ILCS 5/11-205).

The driver of an authorized emergency vehicle is not relieved from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others (625 ILCS 5/11-205(e)).

To reduce the likelihood of a pursuit occurring, an officer intending to stop a vehicle for any violation of the law, except a traffic law, should, whenever possible and without creating a threat to public

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safety or officers, close the distance between the two vehicles. In situations where appropriate and prudent, awaiting the arrival of assisting officers, prior to activating emergency lights, an audible device, or otherwise signaling the suspect to stop may be warranted.

Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is an increased likelihood of a collision, the driver of any pursuit vehicle shall reduce the vehicle's speed so as to avoid a collision with another vehicle or pedestrian.

Officers should make every reasonable effort to ensure that the way is clear before proceeding through an intersection or otherwise increasing speed. Pursuing officers are expected to maintain complete control of their vehicles at all times. Throughout the course of a pursuit, pursuing officers should not attempt to overtake, pull alongside, or pass the suspect's moving vehicle without the specific authorization of a supervisor, if feasible. Officers are discouraged from passing other units involved in a pursuit unless the passing officer receives specific permission from the Primary Unit.

307.2.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle, where the suspect is believed to have committed or attempted to commit a forcible felony involving the infliction or threatened infliction of great bodily harm, or have committed a reckless homicide, or whose conduct indicates they are likely to endanger human life or inflict great bodily harm unless they are arrested without delay. All officers involved in a pursuit must, at all times, be able to justify their actions.

The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect(s) (e.g., whether the suspect(s) represent a serious threat to public safety).
- (d) The identity of the suspect(s) has been verified and there is comparatively minimal risk in allowing the suspect(s) to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.

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- (f) Pursuing officer(s) familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the telecommunicator/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources such as helicopter assistance.
- (l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner(s) in the police vehicle.

307.2.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s)' escape.

The factors listed in the previous subsection are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicle(s).

In addition to the factors listed in the previous subsection the following factors should also be considered in deciding whether to terminate a pursuit:

- (a) Distance between the pursuing officers and the fleeing vehicle(s) is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.
- (b) Pursued vehicle's location is no longer definitely known.
- (c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive.
- (d) Hazards to uninvolved bystanders or motorists.
- (e) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

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- (f) Directed by a supervisor.

307.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

307.3 PURSUIT UNITS

Pursuit units should be limited to two vehicles; however, the number of units involved will vary with the circumstances. For example, the seriousness of the offense the vehicle occupants are wanted for or the utilization of units going parallel to the pursuit. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect(s). All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

307.3.1 MOTORCYCLE OFFICERS

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

307.3.2 SEMI-MARKED AND UNMARKED VEHICLES

Semi-marked units may initiate a pursuit providing the proper justification exists, but will relinquish Primary Unit status immediately upon the participation of a marked police car. Upon relinquishing Primary Unit status, semi-marked units shall terminate active involvement in a pursuit unless they are needed to fulfill Secondary Unit responsibilities or are otherwise directed by a supervisor. A semi-marked police vehicle is not identifiably marked by a distinctive color scheme; red and/or blue lights may be mounted within the vehicle, equipped with siren, and could have partial police marking.

Unmarked or other departmental vehicles (squadrol/command van), except for marked, semi-marked and motorcycle units, may not initiate a pursuit without the authorization of a supervisor unless there is an imminent threat to life or great bodily harm represented by the continued freedom of the suspect. An unmarked police vehicle has no distinctive identifiable marking but may have portable emergency warning lights.

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307.3.3 PRIMARY UNIT RESPONSIBILITIES

The decision to initiate and/or continue a pursuit requires weighing the public safety need to immediately apprehend the suspect against the degree of risk to which peace officers and others are exposed as the result of a pursuit. Officers are reminded that they are under no legal obligation to initiate a pursuit, and that in many circumstances the safety of the public will dictate that no pursuit be initiated, and/or it be discontinued.

Upon the initiation of a pursuit, the pursuing officer shall immediately activate the vehicle's emergency warning lights, audible device, and headlights if not already activated.

The Primary Unit will notify the Communications Center that a vehicle pursuit has been initiated and as soon as practical provide information including, but not limited to:

- (a) Reason for the pursuit.
- (b) Location and direction of travel.
- (c) Speed of the fleeing vehicle.
- (d) Description of the fleeing vehicle and license number, if known.
- (e) Number of known occupants.
- (f) The identity or description of the known occupants.
- (g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

The police telecommunicator upon hearing that a pursuit has been initiated and after the initial information has been provided by the initiating unit, shall notify a supervisor and receive acknowledgement that a supervisor is monitoring the pursuit.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or police helicopter, if available to assist in joining the pursuit.

307.3.4 SECONDARY UNIT(S) RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

- (a) The officer in the secondary unit should immediately notify the telecommunicator and supervisor, if feasible, of entry into the pursuit. Until such time that a supervisor assumes responsibility, only one Secondary Unit shall become involved in an ongoing pursuit.
- (b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

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- (c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.
- (d) Upon joining the pursuit or being assigned Secondary Unit responsibilities, the vehicle's emergency warning lights, audible device, and headlights shall be activated.
- (e) If so requested by the Primary Unit or if directed by a supervisor to do so, the Secondary Unit may assume Primary Unit responsibilities. Otherwise, the Secondary Unit may not attempt to overtake or pull alongside the Primary Unit.
- (f) Secondary Unit personnel are responsible for serving as a backup to the Primary Unit. As such, they will respond to directions from the Primary Unit personnel unless otherwise directed by a supervisor or circumstances do not allow.

307.3.5 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing units should exercise due caution when proceeding through controlled intersections.
- (c) Police officers involved in a pursuit shall not proceed in a direction opposite to the flow of traffic on a divided highway without the specific authorization of a supervisor, if feasible. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from an police helicopter from an outside agency.
 - 2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 - 3. Requesting other units to observe exits available to the suspect(s).

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- (d) Notifying the Illinois State Police and/or other agency if it appears that the pursuit may enter their jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

307.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit, when the suspect is in custody should respond in a non-emergency manner, observing the rules of the road.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

307.3.7 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspect(s).

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

307.3.8 HELICOPTER ASSISTANCE

When available, helicopter assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of helicopter assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

307.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

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The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

- (a) Upon notification that a pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- (b) The supervisor shall immediately determine whether the pursuit was initiated in accordance with the provisions of this guideline and shall permit the pursuit to be continued only if said guideline has been fully complied with to the best of the supervisor's knowledge.
- (c) Upon being notified of a pursuit, the supervisor shall verify the following:
 - 1. That no more than the required or necessary number of units are involved in the pursuit.
 - 2. That the proper radio frequency is being used.
 - 3. That other agencies are notified as necessary and appropriate.
- (d) The supervisor shall continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- (e) The supervisor shall order a pursuit terminated after concluding danger to the pursuing peace officers or the public outweighs the need for the immediate apprehension of the suspect.
- (f) The supervisor may order a pursuit terminated if the suspect's identity is established to the point where later apprehension is likely and there is no immediate threat to public safety.
- (g) The supervisor should order a pursuit terminated whenever the weather, road, or traffic conditions substantially increase the danger to the public posed by the pursuit beyond the need for immediate apprehension.
- (h) The supervisor should order a pursuit terminated whenever the distance between the pursuing and fleeing vehicles is so great that further pursuit is futile.
- (i) In controlling the pursuit, the supervisor shall be responsible for the coordination of the pursuit as follows:
 - 1. Directing pursuit or support units into or out of the pursuit.
 - 2. The assignment of a Secondary Unit to the pursuit.
 - 3. The re-designation of Primary, Secondary, or other support units as necessary.
 - 4. The approval, disapproval, and coordination of pursuit tactics.

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5. The approval or disapproval to cross jurisdictional boundaries in the continuation of the pursuit.
 6. Ensure compliance with pursuit policy.
- (j) The supervisor may approve and assign additional backup or support units to assist the Primary and Secondary Units based upon their analysis of:
1. The nature of the offense for which the pursuit was initiated.
 2. The number of suspects and any known propensity for violence.
 3. The number of police officers in the pursuit vehicles.
 4. Any damage or injuries to the assigned Primary or Secondary Units or police officers.
 5. The number of police officers necessary to safely make an arrest at the conclusion of the pursuit.
 6. Any other clear and articulable facts that would justify the increased hazards caused by adding more than the Primary and Secondary Units to a pursuit.
- (k) When the pursuit is terminated, the supervisor shall require that all participating agencies are notified, and identify an on scene supervisor or designee to monitor the arrest and transportation procedures.
- (l) The supervisor shall require throughout the duration of the pursuit that this guideline is followed by all police officers.

307.4.1 WATCH COMMANDER RESPONSIBILITY

Upon becoming aware that a pursuit has been initiated, the Shift Commander, or highest ranking supervisor on-duty, should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Commander shall review all pertinent reports for content and forward to the Deputy Chief.

307.5 COMMUNICATIONS

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or telecommunicator. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

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307.5.1 THE COMMUNICATIONS CENTER RESPONSIBILITIES

- (a) Upon notification that a pursuit has been initiated, the Communications Center will:
 - 1. Give priority to the Primary Unit.
 - 2. Notify other units of pursuit, including location, direction of travel, and vehicle description.
 - 3. Keep the channel clear.
 - 4. Notify the supervisor and receive acknowledgement.
 - 5. Receive and records all incoming information on pursuit.
 - 6. Keep supervisor apprised of progress of pursuit.
 - 7. Request status when the pursuing police officer fails to make frequent contact.
 - 8. Notify neighboring jurisdictions of the pursuit approaching their boundaries.
 - 9. Perform relevant records and motor vehicle checks.
 - 10. Coordinate and dispatch backup assistance and outside agency helicopter support units under the direction of the supervisor.
- (b) Radio frequency management:
 - 1. Pursuit communication will be handled on the frequency designated by the pursuing agency unless one or more of the following conditions exist:
 - (a) The pursuit has or may extend into other jurisdictions.
 - (b) The supervisor directs a switch to ISPERN.
 - 2. Upon using the ISPERN frequency, the Primary Unit shall conform to ISPERN guidelines.

307.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspect(s). The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.6 INTER-JURISDICTIONAL PURSUITS

Officers involved in inter-jurisdictional pursuits are required to comply with their department's guidelines and inter-jurisdictional agreements. Only pursuit tactics permitted by this policy may be utilized by Evanston Police Department officers, irrespective of what is requested by the other agency.

When a pursuit enters another agency's jurisdiction:

- (a) The primary unit will advise the Communications Center that the pursuit is leaving this jurisdiction.

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- (b) The controlling supervisor will decide whether to continue the pursuit based upon the totality of circumstances known.
- (c) As soon as practicable the Communications Center will notify the involved jurisdiction.
- (d) If two units from the other agency are actively involved in the pursuit, the officers will not engage in the pursuit unless directed to do so by a supervisor.

307.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Evanston Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and ISP units, a request for ISP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, a request for assistance from the ISP should include confirmation that the ISP will relinquish control.

307.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

- (a) Ability to maintain the pursuit.
- (b) Circumstances serious enough to continue the pursuit.
- (c) Adequate staffing to continue the pursuit.
- (d) The public's safety within this jurisdiction.
- (e) Safety of the pursuing peace officers.

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As soon as practical, the supervisor or the Commander should review a request for assistance from another agency. The Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing police officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to police officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Police Immobilization Technique), ramming, heading off, or roadblock procedures. The Evanston Police Department does not utilize road spikes, blocking, boxing, PIT, or emergency roadblocks in conjunction with a vehicular pursuit, unless the vehicle being pursued is being utilized as a weapon for the purpose of committing great bodily harm or death.

Roadblocks for securing crime scenes or traffic accidents, or to close off an area to search for a subject is permitted.

Planned events, such as a roadside safety check point are allowed. A written plan must be written for each planned roadside safety check point, designating a supervisor in charge, providing for citizen and officer welfare, and meeting all other legal requirements.

307.7.1 WHEN USE AUTHORIZED

Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision.

It is imperative that officers act within the bounds of legality, good judgment and accepted practices.

307.7.2 DEFINITIONS

Boxing-in/Rolling Roadblock - The surrounding of a suspect's moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the suspect's vehicle. Boxing in/rolling roadblocks are mobile stop techniques.

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Heading Off - An attempt to terminate a pursuit by pulling ahead of, behind or toward a suspect's moving vehicle to force it to the side of the road or to otherwise come to a stop. Heading off is a forcible stop technique.

Roadblocks - A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect. This includes placement of vehicles as well as use of devices to disable a vehicle. A roadblock is a stationary stop technique.

Spikes or Tack Strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

Vehicle Contact Action (Ramming, Police Immobilization Technique (PIT)) - Any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle. Vehicle contact actions are forcible stop techniques.

307.7.3 USE OF FIREARMS/VEHICLE CONTACT ACTION

Officers involved in a pursuit shall not discharge any firearm from or at a moving vehicle, nor engage in any vehicle contact action except as a last resort in which it reasonably appears necessary to prevent imminent death or serious bodily injury to a police officer or another person where deadly force would otherwise be legally justified. Where feasible, an officer should obtain authorization from a supervisor before discharging a weapon from or at a moving vehicle.

307.7.4 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to peace officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Officers who have not received certified departmental training in the application and use of any intervention tactic or equipment shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

Those tactics which reasonably may be construed to be a use of deadly force should be employed only as a last resort in which it reasonably appears necessary to prevent imminent death or serious bodily injury to a police officer or another person where deadly force would otherwise be legally justified. Where feasible, an officer should obtain authorization from a supervisor before applying any tactic which may be reasonably foreseen to be a use of deadly force.

Intervention tactic application circumstances include:

- (a) Officers may use stationary stop techniques to terminate any pursuit so long as the technique is employed in a fashion that is not reasonably calculated to cause death or great bodily harm to persons in the pursued vehicle or others in the vicinity (e.g. the pursued vehicle has sufficient time and distance to stop before reaching the roadblock

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or the technology employed is designed to disable the vehicle without the loss of control). Where feasible, an officer should obtain authorization from a supervisor before implementing stationary stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.

- (b) Officers may use mobile stop techniques to terminate any pursuit so long as the technique is employed in a fashion that is not reasonably calculated to cause death or great bodily harm to persons in the pursued vehicle or others in the vicinity. Where feasible, an officer should obtain authorization from a supervisor before implementing mobile stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.
- (c) At low speeds the use of forcible stop techniques is permitted when there is legal justification for the use of force. Where feasible, an officer should obtain authorization from a supervisor before implementing forcible stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.
- (d) At high speeds the use of forcible stop techniques is permitted only when there is legal justification for the use of deadly force. Where feasible, an officer should obtain authorization from a supervisor before implementing forcible stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.

307.7.5 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor the primary officer should coordinate efforts to apprehend the suspect(s) following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

307.8 REPORTING REQUIREMENTS

Officers shall complete an appropriate report of the pursuit incident and assign a case reporting number to each pursuit incident. If involved in inter-jurisdictional pursuit involving the Illinois State Police Emergency Radio Network (ISPERN), obtain an ISPERN number in addition to their own case reporting number.

- (a) Pursuit incidents will be investigated thoroughly. The acquisition of statements, photographs, drawings, preliminary medical reports and any other evidentiary items

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that are or could be relevant to the conduct of the pursuit incident should be completed.

[See attachment: Vehicle Pursuit Report.pdf](#)

- (b) A memorandum shall be completed briefly summarizing the pursuit to his/her supervisor. This memo should minimally contain the following information:
 - 1. Date and time of pursuit.
 - 2. Length of pursuit.
 - 3. Involved units and officers.
 - 4. Initial reason for pursuit.
 - 5. Starting and termination points.
 - 6. Disposition: arrest, citation, etc. Arrestee information should be provided if applicable.
 - 7. Injuries and/or property damage.
 - 8. Medical treatment.
 - 9. Name of supervisor at scene.
 - 10. A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow up is warranted.
- (c) The "Pursuit Report" shall be completed. The "Pursuit Report" should be submitted through the chain of command for internal evaluation and review to determine:
 - 1. Guideline compliance.
 - 2. Operational needs.
 - 3. Future training needs.

(d)

307.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

All sworn members of this department will participate in periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

307.8.2 POLICY REVIEW

All department officers shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

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307.9 APPLICATION OF VEHICLE PURSUIT POLICY

This policy has been created with input from the Illinois Law Enforcement Training Standards Board; Police Pursuit Guidelines (revised March, 2004), in accordance with 50 ILCS 705/7.5.

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.2 RESPONSE TO CALLS

Officers responding using emergency lights and siren shall continuously operate emergency lighting equipment, and shall sound the siren as reasonably necessary.

The driver of an authorized emergency vehicle may (625 ILCS 5/11-205):

- (a) Park or stand, irrespective of the provisions of the Illinois Vehicle Code (625 ILCS).
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation.
- (c) Exceed the maximum speed limits so long as he/she does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

The driver of an authorized emergency vehicle is not relieved from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others (625 ILCS 5/11-205(e)).

Officers should only respond using emergency lights and siren when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond using emergency lights and siren shall observe all traffic laws and proceed without the use of emergency lights and siren.

In deciding how much physical and legal risk is acceptable, officers must balance the probable consequences of a slower response against the risk to officers/public inherent to emergency vehicle operation. The decision should be based upon these and similar considerations:

- Seriousness of the call
- Applicable speed limits and the speed of the pursuit
- Intersections and traffic controls
- Road conditions
- Weather conditions
- Congestion
- Type and condition of police vehicle

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- Preparedness of involved officers to drive with due safety in emergency situations
- Use of warning signals and lights.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance (10-1) should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify the Communications Center.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required, if known

308.4 RESPONSIBILITIES OF RESPONDING OFFICER(S)

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit.

308.5 COMMUNICATIONS RESPONSIBILITIES

When an officer requests emergency assistance (10-1) or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. The telecommunicator shall:

- (a) Attempt to assign the closest available unit to the location requiring assistance.
- (b) Confirm the location from which the unit is responding.
- (c) Notify and coordinate allied emergency services (e.g., fire and ambulance).
- (d) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

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- (e) Control all radio communications during the emergency and coordinate assistance under the direction of the field supervisor or on-scene incident commander.

308.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that 10-1 has been initiated, the Commander or the field supervisor shall verify the following:

- (a) Respond to the scene.
- (b) Once on scene, determine that no more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified, if applicable.

Commander

308.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and respond accordingly. In all cases, the officer shall notify the Commander, field supervisor, and the Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services to the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

309.2 POLICY

It is the policy of the Evanston Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Field Operations Division to function primarily in assist or cover assignments. However, they may be assigned by the canine supervisor to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time and then only with the approval of the canine supervisor.

309.4 CANINE ADMINISTRATIVE ACTIONS AND CANINE SUPERVISOR

The canine supervisor shall be appointed by and directly responsible to the Field Operations Deputy Chief or the authorized designee.

The responsibilities of the supervisor include, but are not limited to the below. The canine handler can also be delegated administrative duties under the direction of the canine supervisor:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

Canines

309.5 REQUESTS FOR CANINE TEAMS

Field Operations Field Operations members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Field Operations Division shall go directly to the canine handler, who will be responsible for notifying the canine supervisor.

309.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by an on-duty field supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5.2 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine supervisor prior to making any resource commitment. The canine supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine supervisor.

309.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed, is committing or threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing or threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Canines

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the canine handler or on-duty supervisor. Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine. Decisions that prohibit deployment of the canine should be reviewed with the canine handler.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine.

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The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES

Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in a field general. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine supervisor. Unintended bites or injuries caused by a canine should be documented in an internal memorandum.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements (510 ILCS 5/13(b)). The canine shall be under observation for 10 days following any bite. The observation shall consist of the canine being locked in a kennel, performing its official duties in a law enforcement vehicle or remaining under the constant supervision of its handler.

309.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

- (a) Absent a change in circumstances that present an immediate threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

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- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

309.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

309.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- (c) Off-street parking that can accommodate a canine vehicle. A garage space is preferred.
- (d) Living within reasonable travel time from the Evanston City limits.
- (e) Agreeing to be assigned to the position for a minimum of five years.

309.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.

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- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) Handlers shall permit the canine supervisor to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (d) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine supervisor as soon as possible.
- (e) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (f) Under no circumstances will the canine be lodged at another location unless approved by the canine supervisor.
- (g) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine supervisor or field supervisor.
- (h) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine supervisor so that appropriate arrangements can be made.

309.9.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

309.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine supervisor.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the memorandum of understanding (29 USC § 207).

309.11 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine supervisor or field supervisor as soon as practicable and appropriately documented.

Canines

All medical attention shall be rendered by an authorized canine veterinarian, except during an emergency where treatment should be obtained from the nearest qualified veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

309.12 TRAINING

Before assignment in the field, each narcotic detection canine team shall be trained and certified to meet current requirements established by the Illinois Law Enforcement Training and Standards Board (ILETSB) (50 ILCS 705/10.12).

All canine training should be conducted while on-duty unless otherwise approved by the canine supervisor or field supervisor.

309.12.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training at an approved canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine supervisor.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved through this department.

309.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.12.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's training file.

309.12.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Evanston Police Department may work with outside trainers with the applicable licenses or permits.

309.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f); 720 ILCS 570/302).

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The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Evanston Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

309.12.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine supervisor with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property Bureau or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency or destroyed through proper means with the Evanston Police Department Property Bureau.

309.13 CANINE RETIREMENT

When the Field Operations Deputy Chief determines a canine is no longer fit for duty it shall be offered to the handler assigned to the animal during its service. If the handler does not wish to keep the dog, the Field Operations Deputy Chief should offer the canine to another employee of the Evanston Police Department, or to a nonprofit organization or no-kill shelter that may facilitate the dog's adoption (510 ILCS 82/5).

Domestic Violence

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Persons protected under the Domestic Violence Act:

- Any person abused by a family or household member
- Any high-risk adult with disabilities who is abused, neglected, or exploited by a family or household member
- Any minor child or dependent adult in the care of such person
- Any person residing or employed at a private home or public shelter housing an abused family or household member

Family or household member as defined by Illinois law:

- Family members related by blood or marriage
- People who are married or used to be married
- People who share or used to share a home, apartment or other dwelling
- People who have or say they have a child in common or say they have a blood relation through a child
- People who are dating or used to date
- People with disabilities and their personal assistants.

310.2 POLICY

The Evanston Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

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310.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

310.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.
- (e) The Domestic Violence Detective should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (f) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (g) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. Conduct an inquiry to determine if the suspect has a Concealed Carry License (CCL) and/or a State of Illinois Firearm Owner's Identification Card (FOID).
- (h) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When

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Domestic Violence

reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

- (i) Members responding to a domestic investigation will complete a Domestic Violence Bond Screening Form if an arrest is being made, or if any arrest or warrant is anticipated based on the victim's desire to pursue criminal charges or mandated due to probable cause of an offense and signs of injury.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - (a) Marital status of suspect and victim.
 - (b) Whether the suspect lives on the premises with the victim.
 - (c) Claims by the suspect that the victim provoked or perpetuated the violence.
 - (d) The potential financial or child custody consequences of arrest.
 - (e) The physical or emotional state of either party.
 - (f) Use of drugs or alcohol by either party.
 - (g) Denial that the abuse occurred where evidence indicates otherwise.
 - (h) A request by the victim not to arrest the suspect.
 - (i) Location of the incident (public/private).
 - (j) Speculation that the complainant may not follow through with the prosecution.
 - (k) The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Document the victim's contact information on field general for proper follow up by the department's social services unit.
- (c) Advise the victim to contact the police social services unit to whether any type of court order will be in effect when the suspect is released from custody.

310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.

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2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

- (b) Document the resolution in a report.
- (c) Document any evidence including having photographs taken.
- (d) Advise the victim of the importance of collecting and preserving evidence.

310.4.3 ELECTRONIC SURVEILLANCE ALERTS

Certain individuals released after a violation of an order of protection may be subject to electronic surveillance by GPS as a condition of release, probation or conditional discharge (725 ILCS 5/110-5(f); 730 ILCS 5/5-8A-7).

Upon being dispatched in response to an electronic surveillance alert, officers should make a reasonable attempt to locate the domestic violence victim who is being protected and assist the victim in providing for his/her safety. A reasonable attempt to locate the offender should also be made.

If the offender is located within a prohibited location of the victim, an officer should consider whether an arrest for a violation of the conditional discharge, bail, supervision or order of protection is appropriate. Members should make proper notifications to the social services bureau if appropriate.

Each response to an electronic surveillance alert shall be documented in an incident or arrest report.

310.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (c) Alert the victim to the department's social service advocates who can assist in providing further assistance, including, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.

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- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.
- (i) Forward all domestic violence reports to the Evanston Police Department Social Services Bureau

In compliance with Illinois Public Act 99-413, provide the victim with a copy of the "Statement of Marsy's Rights" form. [See attachment: Marsys Law.pdf](#)

310.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be responded to without delay and dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

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Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

310.8.1 ORDERS OF PROTECTION

Before serving an Order of Protection the serving officer should conduct an inquiry to determine whether the respondent has been issued a concealed carry license (CCL), or a State of Illinois Firearm Owner's Identification Card (FOID). If the respondent is found to be in possession of a CCL/FOID, the officer shall seize the CCL/FOID and forward the notification of the order and license to the Illinois State Police within seven days of the date the order was served (430 ILCS 66/70).

When officers respond to an incident as defined by this order, and the victim has an Order of Protection against the offender, and it is learned the offender has not been served, the responding officer will:

- Serve the respondent with an Order of Protection Short Notification Form at the scene.
- Document the service in a field general

See SOP 310-1 in reference Orders of Protection and Stalking No Contact Orders [See attachment: SOP 310-1 OOP-SNCO.pdf](#)

310.9 LEGAL MANDATES AND RELEVANT LAWS

Illinois law provides for the following:

310.9.1 STANDARDS FOR ARRESTS

- (a) Whenever an officer has reason to believe that a person has been the victim of domestic abuse, the officer shall immediately use all reasonable means to prevent further abuse including arresting the abusing, neglecting and exploiting party, where appropriate.
- (b) Officers investigating reports of domestic violence should consider the appropriate charges, including Domestic Battery, Aggravated Domestic Battery and Interfering with the Reporting of Domestic Violence (720 ILCS 5/12-3.2; 720 ILCS 5/12-3.3; 720 ILCS 5/12-3.5).
- (c) Officers investigating a domestic violence incident, who encounter an individual on bail or bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition or bond or bail by making contact or communicating with the victim, or by entering or remaining at the victim's residence within 72 hours following the defendant's release (725 ILCS 5/110-10(d)).

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If there are questionable circumstances regarding a domestic violence case that an officer thinks may qualify as a felony, the officer should consult with either the Domestic Violence Investigator, Victim Advocate or contact Cook County State's Attorney's Felony Review.

Officer's will contact felony review for any domestic violence incident that qualifies as a Felony under the Illinois Compiled Statutes.

310.9.2 REPORTS AND RECORDS

The Evanston Police Department is required to record, compile and report to the Illinois State Police information regarding domestic crimes.

- (a) Officers shall include in their reports the victim's statements as to the frequency and severity of prior incidents of domestic violence by the person and the number of prior calls for law enforcement assistance to prevent domestic violence (750 ILCS 60/303).
- (b) Reports must also include information regarding the victim, suspect, date and time of the incident, any injury inflicted, any weapons involved, and the relationship between the victim and the suspect so that the Records Manager is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

310.9.3 SPECIFIC VICTIM ISSUES

Officers should:

- (a) Provide or arrange for accessible transportation for the victim (and, at the victim's request, any minors or dependents in the victim's care) to a medical facility for treatment of injuries or to a nearby place of shelter or safety (750 ILCS 60/304).
- (b) Provide the victim with one referral to an accessible service agency (750 ILCS 60/304).

310.9.4 COURT ORDER RELATED TO PEACE OFFICERS

If the respondent in an Order of Protection is a peace officer, the investigating officer shall determine if the order prohibits the peace officer from possessing any firearms during the duration of the order (725 ILCS 5/112A-14(b)(14.5)).

If the respondent officer is employed by the Evanston Police Department, the investigating officer shall notify a field supervisor for further consultation. The officer will then take any necessary enforcement actions, promptly submit the appropriate report and the field supervisor will notify the Chief of Police of the incident through the chain of command.

If the respondent officer is not a member of the Evanston Police Department, the investigating officer shall promptly notify his/her supervisor. The supervisor shall ensure prompt notification to the respondent officer's department.

Whenever a Department member is named as either a petitioner, respondent or protected person on any Order of Protection, either temporary or final in nature, that member shall notify by interdepartmental memorandum, the Deputy Chief of his/her Division or designee of that fact.

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- The fact that an Order of Protection has not been formally served does not preclude the member from notifying the Divisional Deputy Chief
- When available, the member shall provide the Deputy Chief a copy of the Order of Protection.
- The Deputy Chief shall review the Order of Protection and notify the Chief of Police
- The Chief of Police shall make a determination if any further action or investigation shall be conducted in regards to the Order of Protection and if so, the Commander of the Office of Professional Standards or their designee shall be the lead investigator
- Should the allegations of domestic violence be against the Chief of Police, the Deputy Chief assigned as Second-In-Command shall make the notification to the City Manager. The City Manager shall review all available documentation/evidence and determine if further action shall be taken. The City Manager will be the contact person for the victim and/or victim advocate.

If the Department is notified that a temporary or final Order of Protection has been issued against a Department member, the Department will serve the Order of Protection against the member without delay, if not already served.

- In the case of an incident outside the jurisdiction of Evanston, the Department will assist the investigating agency with the service of any Order. A supervisory member will be present when any Order is served against a Department member.
- A written report will be completed to document any service of an Order of Protection against a Department member.

310.10 DOMESTIC INCIDENT INVOLVING DEPARTMENT MEMBER

Whenever a member of the Evanston Police Department is involved in a reported incident of Domestic Violence that required a police response, regardless of jurisdiction, the member must make notification to the on duty shift commander of the contact as soon as practical.

When a member knows or is made aware of any information of another member's alleged abuse or violence against a domestic partner or family member, the officer shall make notification to a supervisor that another member may be involved in a domestic violence incident and request to speak to the Deputy Chief of the alleged member's Division.

Incident within City of Evanston jurisdiction:

- (a) When an officer is dispatched to a call and it is determined by the definition of the Illinois Domestic Violence Act of 1986 that an act of "abuse" has been committed against a "family or household member" and the offender or victim is a member of the Evanston Police Department (sworn/non-sworn), the responding officer will immediately request that the ranking supervisor on-duty, if available or other supervisor respond to the scene regardless of the accused officers Division or assignment.
- (b) The supervisor will be responsible to conduct the investigation of the incident.

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- (c) The supervisor will make immediate notification to the involved member's Deputy Chief or designee of the member for direction on the handling of the case. The Deputy Chief shall contact the Chief of Police to determine if any other action needs to be taken.
- (d) The investigating supervisor will assume command of the scene and ensure the scene is secured and that all evidence is collected in accordance with Department policy. An evidence technician will be contacted for the recovery, documentation and inventory of all evidence.
- (e) If after the investigation of the incident, the supervisor determines that the alleged acts of domestic violence rise to the level of a mandatory arrest situation, the supervisor will consult with the accused members Deputy Chief prior to taking such action.
- (f) If the alleged offender has left the scene and probable cause exists to believe a crime has been committed, attempts will be made to locate the offender.
- (g) If after consultation with the accused members Deputy Chief it is determined that further investigation is required, the Chief of Police will determine who will conduct the follow-up investigation.
- (h) Arrest of both parties involved in the domestic violence incident should be avoided. If evidence supports potential charges against both parties, the Cook County State's Attorney's Office should be consulted on how to proceed.
- (i) The investigating supervisor will document all actions taken in a field general report. a copy of the report shall be forwarded to the Commander of the Office of Professional Standards.
- (j) The investigating supervisor will ensure that all the requirements of the Illinois Domestic Violence Act are followed.

Incident Outside the City of Evanston jurisdiction:

- (a) When any member of the Evanston Police Department is notified that another member of the Department has been involved as the alleged offender in a Domestic Violence incident in another jurisdiction, the ranking shift supervisor or if not available, any other supervisor, shall be immediately notified. The supervisor, so notified shall contact a supervisor of the jurisdiction in question and request to be provided with a summary of the facts of the incident and whether the involved Department member has been arrested. A request for the agency's incident report will be made as well.
- (b) The supervisor will contact the members Deputy Chief or designee to report the facts of the incident.
- (c) The members Deputy Chief will obtain all reports, statements and other available information and make notification to the Chief of Police.
- (d) The Chief of Police will determine if the ranking supervisor on duty will respond to the jurisdiction of the incident for further investigation.

Any Department member involved in a domestic violence incident shall keep the Chief of Police advised of any court dates or other proceedings that they must attend.

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Any Department member arrested for domestic violence will be immediately put on administrative leave. Any weapon in the possession of that member, shall be secured and inventoried by this Department. The supervisor notified of such an arrest will obtain all available information, reports and other evidence and submit a memorandum through the chain of command to the Chief of Police.

310.10.1 FIREARMS-DEPARTMENT MEMBER

If an Order of Protection has been issued against a Department member that prohibits the respondent from possessing any firearm during the duration of the Order, after a hearing where such person has received actual notice of that stipulation, the Chief of Police will ensure that any and all firearms in the Department members possession are seized and held in temporary custody by the Department or investigating agency.

Note: If the respondent is a peace officer as defined in Section 2-13 of the Criminal Code of 1961, the court shall order that any firearms used by the respondent in the performance of his or her duties as a peace officer be surrendered to the chief law enforcement executive of the agency in which the respondent is employed, who shall retain the firearms for safekeeping for the duration of the order of protection.

If not already inventoried by the investigating law enforcement agency or law enforcement agency where the member resides, any Firearm Owner's Identification Card in the possession of the respondent of an Order of Protection shall be turned over to the Chief of Police or their designee and inventoried for safekeeping.

Note: The law states that this revocation does not apply to law enforcement officers while "engaged in the operation of their official duties." An officer must apply to receive an exception of FOID revocation with documentation from the department.

310.10.2 DOMESTIC INVOLVING OFFICER FROM OUTSIDE JURISDICTION

Whenever a member of this Department is called to investigate a Domestic Violence incident and investigation determines the perpetrator to be a law enforcement officer from another jurisdiction, the responding officer shall call for a shift supervisor to immediately respond to the scene.

The supervisor shall oversee the investigation of that incident (as per the procedure for Evanston Police Department members) and insure that the investigating officers follow all the requirements of the Illinois Domestic Violence Act including providing required assistance to the victim of that Domestic Violence incident and written notification of victim rights.

If the investigation of the incident results in a determination that a crime was committed, the supervisor will contact a supervisor from the agency employing the alleged offender to make notification of the incident and facts of the case. This contact shall be made regardless of whether an arrest is in fact made. The supervisor will also insure that all Evanston Police reports of the incident are forwarded to the Chief of Police of the other agency.

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The investigating supervisor will also make the proper internal notifications.

310.11 DEPARTMENT PROTOCOL-DOMESTIC INVOLVING DEPARTMENT MEMBER

Department Contact

- The Chief of Police shall designate a departmental contact for the victim of alleged abuse
- The designated contact shall provide the victim a method of contact on a 24 hour basis or an alternative contact should be appointed when the designated contact is not available. The victim may also appoint an alternate means of contact if they are in a secured domestic violence shelter.
- The victim will be advised to immediately report any violation of any issued Order of Protection, further alleged violence, harassment or intimidation by the offender of the alleged abuse to the law enforcement agency where such incident occurs and to make notification to the contact person.
- The contact person shall ensure that the victim is provided with a safety plan if needed. If the incident occurred in another jurisdiction, the contact person will work with that agency to provide that service.
- The contact person will ensure that all reasonable efforts are taken to provide for the safety of the victim of domestic violence by a Department member. This may include directed patrols of the victims residence, transportation to court proceedings and any other items that address safety concerns.
- The contact will ensure that notification of any violations of an Order of Protection or additional acts of domestic violence by a Department member is made to the Chief of Police and that the Chief of Police is regularly briefed on any criminal or civil actions.
- The Chief of Police will ensure that all officers involved in a response or investigation into an incident alleging domestic violence where either the victim or offender is a department member does not discuss the matter with anyone not authorized to have knowledge of the incident.
- These protective measures will remain in effect during the investigation and adjudication of the incident, even if the accused member has been dismissed as a result of an internal process.

Arrest Warrants:

- If the offender of an incident of domestic violence is not on the scene and cannot be located and probable causes exists to believe a Department member has committed a crime, the Chief of Police or his designee will consult with the Cook County State's Attorney's Office to determine the course of action to follow to include obtaining an arrest warrant for the offender.
- Any arrest warrant issued for a sworn member of the Department will be served by two sworn supervisors (at least one being senior to the member charged) designated by the Chief of Police.

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- In a case where weapons are to be seized, arrangements will be made to seize those at the time the warrant is executed.

Confidentiality:

- The Evanston Police Department maintains a policy of non-disclosure on the name, location or status of any victim of domestic violence, including when the alleged offender is a Department member.
- No Evanston Police Department member will provide any information to any outside source regarding the victim of domestic violence by a Department member.
- No member of the Evanston Police Department will attend any domestic violence court hearing regarding any Department member (victim or accused) unless subpoenaed to appear by the court or authorized by the Chief of Police

Workplace Violence

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines for responding to incidents involving workplace violence.

311.1.1 DEFINITIONS

Definitions related to this policy include:

Workplace violence - The commission or threatened commission of an act of violence, harassment or stalking as defined under the Illinois Criminal Code of 2012 against a person at his/her place of work. Place of work means any property that is owned or leased by the employer and at which the official business of the employer is conducted, as defined by the Workplace Violence Prevention Act (820 ILCS 275/10).

311.2 POLICY

It is the policy of this department to investigate workplace violence as a serious crime and to facilitate employer and victim access to appropriate civil remedies and community resources whenever feasible.

City of Evanston Personnel Manual [See attachment: Personnel-Manual-eff-1-1-16 \(4\).pdf](#)

City of Evanston Healthy Workplace Agreement [See attachment: Healthy-Work-Environment-Agreement-.pdf.pdf](#)

311.3 INVESTIGATIONS

The following guidelines should be followed by Department members when investigating workplace violence cases:

- (a) Calls of reported, threatened, imminent or ongoing workplace violence may also involve incidents of domestic violence. Members should consider whether a related domestic violence investigation should also be conducted, as provided in the Domestic Violence Policy.
- (b) Members should take reasonable steps to prevent any further workplace violence, including making an arrest where appropriate.
- (c) If the suspect is no longer at the scene, Department members should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (d) Department members should advise the employer and victim about seeking medical attention and preserving evidence (specifically including photographs of injury or damage).

Workplace Violence

- (e) When completing an incident or arrest report for violation of a court order, Department members should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (f) All responses to calls of workplace violence should be documented in an appropriate report.

311.4 EMPLOYER AND VICTIM ASSISTANCE

Department members should:

- (a) If a suspect is arrested, advise the employer and victim that there is no guarantee the suspect will remain in custody.
 - 1. Members should also provide the employer's and victim's contact information to the lock up staff to enable notification upon the suspect's release from custody.
- (b) If no arrest is made, inform the victim of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer or other official in accordance with local procedure. Also provide them with contact information for the Department's social services bureau.
- (c) Provide the victim with the department's domestic violence information handout, if appropriate.
- (d) Advise the parties of available resources, such as victim advocates, shelters or other community resources.
- (e) Accompany the victim to his/her place of residence for a reasonable period of time to remove essential items of personal property if appropriate.
- (f) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (g) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists. Relocation of the victim may require the assistance of the Department's social services bureau.
- (h) Members should make an inquiry in order to make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (i) Assist the employer and victim in obtaining an emergency order if appropriate.

Workplace Violence

1. Victims may require assistance with transportation to apply for an emergency order of protection.
 2. Employers may apply for workplace protection orders if any act of violence, harassment or stalking has been carried out or threatened to be carried out at the workplace (820 ILCS 275/15).
- (j) Members who are investigating a workplace violence incident and encounter a workplace violence suspect who is on bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of bail, for example by making contact or communicating with a domestic violence victim within 72 hours of release (725 ILCS 5/110-10(d)).

311.5 REPORTS AND RECORDS

The Evanston Police Department is required to record, compile and report to the Illinois State Police information regarding workplace crimes (750 ILCS 60/303).

- (a) Members shall include in their reports the employer's and victim's statements as to the frequency and severity of prior incidents of violence, harassment or stalking by the person and the number of prior calls for law enforcement assistance.
- (b) The Records Manager shall maintain and periodically report workplace violence information in the form and manner required by the Illinois State Police.

Search and Seizure

312.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Evanston Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY

It is the policy of the Evanston Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

312.3 SEARCHES

The U.S. Constitution generally provides that a valid search warrant is required in order for a search to be permissible. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with the subject's clearly established rights as determined by case law.

Whenever practicable, members are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Search and Seizure

For information relative to searches during street stops and temporary detentions, please see Policy 419 of this manual.

312.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated, unless such an attempt would compromise an active investigation.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 - (a) Another officer or a supervisor should witness the search.
 - (b) The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.
 - (c) If possible, conduct the search so that it can be documented on camera.

For further information on searches: [See attachment: SOP 312-1.pdf](#)

312.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

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Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Temporary Custody of Juveniles

313.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Evanston Police Department (42 USC § 5633).

313.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated 720 ILCS 5/24-3.1 by possessing a handgun (28 CFR 31.303; 705 ILCS 405/5-105).

Non-secure custody - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Temporary Custody of Juveniles

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession or tobacco, curfew violation or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

313.2 POLICY

The Evanston Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Evanston Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

313.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Evanston Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Evanston Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

313.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Evanston Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Evanston Police Department without authorization of the arresting officer's supervisor or a juvenile detective.

Any juvenile taken into custody for a non-status offense shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and shall not be held beyond six hours from the time of his/her entry into the Evanston Police Department (42 USC § 5633). Members shall notify a juvenile

Temporary Custody of Juveniles

detective or juvenile detective supervisor as soon as reasonably possible to seek advice any time a juvenile may be held beyond six hours.

Field operations personnel will be responsible for the initial handling of juvenile related complaints an incidents. Field personnel will conduct the preliminary investigation until such time as it is referred to the Juvenile Bureau. The Juvenile Bureau will be responsible for subsequent follow-up investigations and juvenile dispositions.

If a serious or major incident occurs involving a juvenile, a juvenile detective will immediately be assigned to handle the incident. If a juvenile detective is not on duty, the on-duty ranking supervisor will determine whether a juvenile detective should be called in. In making this decision, the supervisor will evaluate the nature and seriousness of the offense, age of the offender, availability of Patrol resources to handle the problem, etc. If an off-duty juvenile detective is needed, the on-call juvenile bureau supervisor will be contacted. The on-call Juvenile Bureau supervisor will be called on all child abuse and neglect incidents.

For information on alternatives to arrest and C-ticket violations: [See attachment: SOP 900-10.pdf](#)

313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Evanston Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).

A juvenile taken into protective custody for prostitution should be reported to the Illinois Department of Children and Family Services (720 ILCS 5/11-14).

313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (42 USC § 5633).

313.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Evanston Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when (705 ILCS 405/5-401):

- (a) Probable cause exists to believe he/she has violated, or attempted to violate, a law or ordinance.
- (b) The juvenile has been adjudged a ward of the court and has escaped from any commitment ordered by the court.

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- (c) An officer reasonably believes the juvenile has violated court ordered conditions of probation or supervision.

The officer shall promptly take the juvenile to the nearest juvenile police officer (705 ILCS 405/2-6; 705 ILCS 405/3-8).

The officer shall submit a completed report to a supervisor.

313.5 ADVISEMENTS

An officer who takes a juvenile into custody without a warrant shall immediately make a reasonable attempt to notify the parent, guardian or the person with whom the juvenile resides that the juvenile has been taken into custody and where the juvenile is being held (705 ILCS 405/2-6).

313.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Evanston Police Department.
- (c) Supervisor or juvenile detective approving temporary hold.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

313.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (42 USC § 5633). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Evanston Police Department shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

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313.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Evanston Police Department shall ensure the following:

- (a) A juvenile detective or juvenile supervisor should be notified if it is anticipated that a juvenile may need to remain at the Evanston Police Department more than four hours. This will enable the juvenile detective or juvenile supervisor to ensure no juvenile is held at the Evanston Police Department more than the time allowed by state law. .
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Blankets should be provided as reasonably necessary.
- (l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (m) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

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313.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Evanston Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of a supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

313.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Evanston Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence. The property should be kept in a monitored or secure location, such as the juvenile detective division, until the juvenile is released from the custody of the Evanston Police Department.

313.11 SECURE CUSTODY

Only juvenile offenders 10 years of age or older may be placed in secure custody (705 ILCS 405/5-410). A juvenile detective or supervisor's approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others or is an escape risk.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor or a juvenile detective's approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter.

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313.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire time in custody.
- (b) Juveniles shall have constant auditory access to department members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
 - 1. All checks shall be logged.
 - 2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room.
- (f) When possible, juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

313.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE

Juvenile division supervisor's will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Evanston Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police and juvenile bureau supervisor.
- (b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
- (c) Notification of the appropriate prosecutor/juvenile screening.
- (d)
- (e) Evidence preservation.
- (f) Illinois Department of Corrections Unusual Occurrence procedures.

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313.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

A juvenile under 15 years of age at the time of the commission of any of the offenses listed in 705 ILCS 405/5-170 (e.g., homicide, criminal sexual assault, criminal sexual abuse) must be represented by legal counsel during the entire custodial interrogation of the juvenile.

Oral, written or sign-language statements of a juvenile under the age of 18 who is subject to custodial interrogation while in custody at a police station or other custodial location are governed by the Investigation and Prosecution Policy (705 ILCS 405/5-401.5).

A juvenile who was under the age of 18 at the time of the commission of the offense should be read the simplified *Miranda* warning and asked the following questions as set forth in 705 ILCS 405/5-401.5 and 725 ILCS 5/103-2.1:

- (a) Do you want to have a lawyer?
- (b) Do you want to talk to me?

Officer's/Juvenile Detectives shall utilize the Department Juvenile Miranda Form. [See attachment: Juvenile Miranda Form.pdf](#)

All interviews/interrogations of juvenile suspects involving a felony or sex-related crime shall be conducted on video.

313.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

Juveniles shall be formally booked for offenses enumerated in 705 ILCS 405/1-7(B)(2).

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon approval of the Commander, Detective Bureau supervisor, or a juvenile detective giving due consideration to:

- (a) The gravity of the offense.
- (b) The past record of the offender.
- (c) The age of the offender.

No student booking station shall be established or maintained on the grounds of any school (105 ILCS 5/10–20.60; 105 ILCS 5/34–18.53).

Adult Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Evanston Police Department members as required by law.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency.

314.2 POLICY

The Evanston Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 MANDATORY NOTIFICATION

- (a) Within 24 hours members of the Evanston Police Department shall notify the Illinois Department on Aging, Adult Protective Services of Illinois or other designated social services agency when:
 - 1. There is reason to believe that an eligible adult, who because of a disability or other condition or impairment, is unable to seek assistance for him/herself, and;
 - 2. Has, within the previous 12 months, been subjected to abuse, neglect or financial exploitation (320 ILCS 20/4).
- (b) For purpose of this notification, an eligible adult means either:
 - 1. An adult whose disability impairs his/her ability to seek or to obtain protection from abuse, neglect or exploitation, and is 18 through 59 years old.
 - 2. A person 60 years of age or older who resides in a domestic living situation.
- (c) Incidents of alleged abuse shall continue to be reported pursuant to the Illinois Domestic Violence Act (320 ILCS 20/4).
- (d) The Evanston Police Department shall also notify the Department on Aging whenever it determines a death of an eligible adult was caused by abuse or neglect by a caregiver (320 ILCS 20/3).
- (e) The Evanston Police Department Victim Services Bureau shall be notified of the incident as soon as possible.

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314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the Cook County State's Attorney's Office for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Notify Police Social Services in order to provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (320 ILCS 20/3).

314.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.

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- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Whether a protective order petition should be filed on behalf of the victim when there is a reasonable belief that the victim is incapable of filing a petition for him/herself (750 ILCS 60/201). Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the Illinois Department on Aging or other designated social services agency. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the Illinois Department on Aging or other designated social services agency.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, initial investigating officers should defer interviews until a person who is specially trained in such interviews is available.

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314.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including Illinois Department on Aging or other social services agency designated to investigate adult abuse, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that he/she has responded to a drug lab or other narcotics crime

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scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives there.

- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives there should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

314.10.1 OTHER RESPONSIBILITIES

The Victim Service's Bureau is responsible for, providing a copy of the adult abuse report to the Department on Aging or the designated social services agency as required by law.

The Records Bureau will ensure that the original adult abuse report is retained with the initial case file.

314.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Management and Release Policy (320 ILCS 20/8).

314.10.3 SUMMARY REPORTS OF DEATH INVESTIGATIONS

This department will provide, upon request, a summary of actions taken in response to a reported death of an eligible adult to a public or nonprofit agency that has been approved by the Department on Aging to receive and assess such reports (320 ILCS 20/3).

314.11 TRAINING

This department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.

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- (f) Availability of victim advocates or other support.

Discriminatory Harassment

315.1 PURPOSE AND SCOPE

This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

315.2 POLICY

The Evanston Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against members in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

315.2.1 CITY OF EVANSTON POLICY

City of Evanston Workplace Harrasment Policy [See attachment: COE Policy.pdf](#)

[See attachment: Healthy-Workplace-Strategy.pdf](#)

[See attachment: Healthy-Work-Env_2017_signature_8x11.pdf](#)

315.3 DISCRIMINATION PROHIBITED

315.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation, pregnancy and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures; pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to the department's commitment to a discrimination free work environment.

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315.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

315.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile or offensive work environment.

315.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Illinois Department of Human Rights guidelines.
- (b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or departmental rules or regulations, or any other appropriate work-related communication between supervisor and member.

315.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, Division Manager-Human Resources or the City Manager.

Discriminatory Harassment

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violation of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

315.4.1 SUPERVISOR RESPONSIBILITY

Each supervisor and manager shall:

- (a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation.
- (b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensure their subordinates understand their responsibilities under this policy.
- (d) Ensure that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Notify the Chief of Police or Division Manager-Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

315.4.2 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
- (c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.
- (d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

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315.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

315.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

315.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Division Manager-Human Resources or the City Manager.

315.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

Discriminatory Harassment

315.6 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

315.7 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- Approved by the Chief of Police or the City Manager or Division Manager-Human Resources if more appropriate.
- Maintained for the period established in the department's records retention schedule.

315.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her affiliation with the Evanston Police Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

315.8.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, manager, the Chief of Police, Division Manager-Human Resources or the City Manager for further information, direction or clarification.

315.8.2 NOTICE

A notice of member rights under the Illinois Human Rights Act summarizing the requirements of the Act and information pertaining to the filing of a charge, including the right to be free from unlawful discrimination and the right to certain reasonable accommodations, shall be posted in a conspicuous location at the Evanston Police Department or in an employee handbook (775 ILCS 5/2-102(K)(1)).

Child Abuse

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Evanston Police Department members are required to notify the Illinois Department of Children and Family Services (DCFS) of suspected child abuse.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency (325 ILCS 5/3).

316.2 POLICY

The Evanston Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCFS is notified as required by law.

316.3 MANDATORY NOTIFICATION

Members of the Evanston Police Department shall notify DCFS when they have reasonable cause to believe a child known to them in their official capacity was abused by a parent, immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child or a paramour of the child's parent. Members must also report any case of a neglected child (325 ILCS 5/4; 325 ILCS 5/3).

For purposes of notification, abuse includes physical injuries, risk of physical injuries, sex offenses, torture, excessive corporal punishment, female genital mutilation, etc. Neglect includes failure to provide necessary nourishment or medical care or blatant disregard of parent or caretaker responsibilities. Full definitions of abuse and neglect are provided in 325 ILCS 5/3.

316.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (325 ILCS 5/7):

- (a) All notifications of suspected child abuse or neglect shall be made immediately, either to DCFS on the statewide, toll-free telephone number, in person or by telephone through the nearest DCFS office (325 ILCS 5/7.6; 89 Ill. Adm. Code 300.30).
- (b) Notification, when possible, shall include:
 1. The name and address of the child and his/her parents or other persons having custody.

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2. The child's age, the nature of the child's condition, including any evidence of previous injuries or disabilities.
 3. Any other information that the person filing the report believes might be helpful in establishing the cause of abuse or neglect and the identity of the person believed to have caused such abuse or neglect.
- (c) A member who suspects that a child has died as a result of child abuse or neglect shall also immediately report his/her suspicion to the appropriate Medical Examiner (325 ILCS 5/4.1).

316.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

Typically the victim advocate arranges, coordinates and attends the forensic interviews with the assigned detective, as well as court proceedings, and provides support to family.

316.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

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- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect where the offense occurred.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Other investigative steps taken in compliance with any applicable county Child Advocacy Advisory Board protocol the Evanston Police Department follows (55 ILCS 80/3).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

By law, police officers are mandated reporters to D.C.F.S. If an officer directly reports any suspected abuse or neglect to D.C.F.S., they should document such report in a field general. In an incident that is originated by a patrol officer and turned over to a juvenile detective, the juvenile detective will be responsible for the D.C.F.S. notification.

If a child is abandoned by a parent or guardian, the Juvenile Bureau will be immediately notified.

In those circumstances when a parent wishes to relinquish custody of a newborn infant, the procedures outlined in the Abandoned Newborn Infant Protection Act will be followed.

316.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCFS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DCFS.

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Whenever practicable, the officer should inform a supervisor or juvenile detective of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (325 ILCS 5/5):

- (a) A court has ordered the removal of the child.
- (b) A court has not ordered the removal of the child but there is reason to believe the child cannot be cared for at home or in the custody of the person responsible for the child's welfare without endangering the child's health or safety, and there is no time to apply for a court order for temporary custody of the child.

316.6.1 PROCEDURE

A department member taking a child into temporary protective custody shall immediately (325 ILCS 5/5):

- (a) Make every reasonable effort to notify the person responsible for the child's welfare.
- (b) Notify DCFS.

See the Abandoned Newborn Infant Protection Policy for guidance regarding the Newborn Infant Protection Act (325 ILCS 2/10 et seq.).

316.7 INTERVIEWS

316.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

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- (b) A court order or warrant has been issued.

316.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor or juvenile detective before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

316.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

316.9.1 SUPERVISOR RESPONSIBILITIES

Supervisor's should:

- (a) When appropriate, work with professionals from the appropriate agencies, including DCFS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Ensure that the Department of Children and Family Services is notified when an officer notifies the supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Ensure that officers that respond to drug labs or other narcotics crime scenes document the environmental, medical, social and other conditions that may affect the child.

316.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau Supervisor so an interagency response can begin.

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316.10 STATE MANDATES AND OTHER RELEVANT LAWS

Illinois requires or permits the following:

316.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (325 ILCS 5/11).

316.10.2 CHILD ADVOCACY ADVISORY BOARD PROTOCOL

This department has adopted the Illinois Child Advocacy Advisory Board's protocol governing the investigation of child maltreatment including sexual abuse, physical abuse, exploitation and neglect of a child.

All investigations and interviews conducted by this department shall comply with this protocol, with the procedures to be used in investigating and prosecuting cases arising from alleged child maltreatment and in coordinating treatment referrals for the child and his/her family (55 ILCS 80/3).

316.10.3 ACKNOWLEDGEMENT OF REPORTING RESPONSIBILITY

The Support Services Deputy Chief shall ensure that members of this department who are directly involved in the enforcement of the law sign statements acknowledging that they are mandated to notify DCFS of suspected child abuse and neglect. The statement shall be on a form prescribed by DCFS. It shall be signed before beginning employment and shall be retained by this agency as a permanent part of the personnel record (325 ILCS 5/4). The Field Training Coordinator will provide new officers' with the form during their initial on-boarding process.

Missing Persons

317.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

317.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk missing person - A person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include, but are not limited to, any of the following (50 ILCS 722/10(a)(1)):

- (a) The person is missing as a result of a stranger abduction.
- (b) The person is missing under suspicious circumstances.
- (c) The person is missing under unknown circumstances.
- (d) The person is missing under known dangerous circumstances.
- (e) The person is missing more than 30 days.
- (f) The person has already been designated as a high-risk missing person by another law enforcement agency.
- (g) There is evidence that the person is at risk because:
 - 1. The person is in need of medical attention or prescription medication.
 - 2. The person does not have a pattern of running away or disappearing.
 - 3. The person may have been abducted by a non-custodial parent.
 - 4. The person is mentally impaired.
 - 5. The person is under the age of 21.
 - 6. The person has been the subject of past threats or acts of violence.
 - 7. The person has eloped from a nursing home.
- (h) Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18, reported to the Department as abducted, lost or a runaway, whose identity is entered into the Law Enforcement Agencies Data System (LEADS) (325 ILCS 55/1(c)).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and LEADS (20 Ill. Adm. Code 1291.40).

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317.2 POLICY

The Evanston Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Evanston Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

317.3 REQUIRED FORMS AND DNA COLLECTION KITS

The Detective Bureau and Juvenile Bureau supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form (50 ILCS 722/5(c))
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- DNA collection kits
- Dental records request form

The original reporting officer will ensure that an Evanston Police Department Missing Person Documentation Form is completed and signed for an adult missing person. [See attachment: Missing Person Form.pdf](#)

317.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (50 ILCS 722/5(a)).

A signature to enter an adult or emancipated person into LEADS is required. In instances where the complainant may be out of the area, a faxed or scanned signed entry form can be utilized.

317.4.1 REPORTS OF MISSING CHILDREN

Any member taking a report of a missing person under the age of 18 shall provide the reporting party with the following information (325 ILCS 40/7.2):

- (a) The 24-hour toll-free telephone numbers for:
 1. The National Center for Missing and Exploited Children® (NCMEC).

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2. The National Runaway Safeline.
- (b) A description of the services provided to families of missing children by NCMEC and the National Runaway Safeline.

317.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be a high-risk missing person.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk or may qualify for a public safety alert, or both (see the Public Safety Alerts Policy).
- (d) Broadcast an alert if the person is under 18 years of age or there is evidence that the missing person is high-risk. The alert should be broadcast immediately if the missing person is under 18 or as soon as practicable but in no event more than one hour after determining the missing person may be high-risk (325 ILCS 40/7).
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 1. Immediately when the missing person is high-risk.
 2. In all other cases, as soon as practicable but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
 1. A photograph and fingerprint card of the missing person, if available.
 2. A voluntarily provided DNA sample of the missing person, if available (e.g., toothbrush, hairbrush) for any case believed to be related to a criminal event or missing beyond 30 days. Any DNA samples obtained shall immediately be forwarded to the crime lab for proper follow-up and analysis (50 ILCS 722/5(d) (3)).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.

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- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) If the missing person is a child, immediately contact the State Missing Persons Clearinghouse (325 ILCS 40/7(b)).
- (k) In the event that a missing child is not found during the shift in which the report was made, information regarding the missing child shall be disseminated to all sworn officers in the Department (325 ILCS 40/7(b)).
- (l) Ensure that the reporting person is aware of the procedure to cancel the missing person report if the missing person is found.
- (m) If the missing person is a child, search the immediate area and check with nearby friends and neighbors.

317.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

317.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Bureau.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public safety alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

317.6.2 RECORDS BUREAU RESPONSIBILITIES

The responsibilities of the Detective/Juvenile Bureau supervisor shall include, but are not limited to:

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- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Bureau.
- (e) Coordinating with the NCIC Terminal Contractor for Illinois to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

317.7 DETECTIVE BUREAU FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile. This should be done via the School Resource Officer assigned to the school.
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Shall attempt to obtain, if not previously received, the following (50 ILCS 722/5(d)):
 - 1. DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including, but not limited to, the Local DNA Index System (LDIS), State DNA Index System (SDIS) and National DNA Index System (NDIS).
 - 2. An authorization to release dental or skeletal X-rays of the missing person.
 - 3. Any additional photographs of the missing person that may aid with the investigation or an identification and enter the photograph into applicable missing person networks (34 USC § 41308). No written authorization to publicly release any photograph that would aid in the investigation or identification of the missing person is required.
 - (a) If the missing person is under 18 years of age, the photographs should be forwarded to the Illinois State Police and LEADS.
 - 4. Dental information and X-rays.

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5. Fingerprints.

- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update LEADS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and NCMEC if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records.
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) Shall immediately begin an investigation and notify the Illinois State Police if information is received that a request for the birth certificate, school record or any other information concerning a missing child has been made (325 ILCS 55/6).
- (l) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

317.7.1 NOTIFICATION TO REPORTING PERSON

The investigator shall notify the person making the report, a family member or other person in a position to assist the Department in its efforts to locate the missing person of the following (50 ILCS 722/5(d)(1)):

- (a) General information about the handling of the missing person case or about intended efforts in the case to the extent that the disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance.
- (b) That the person should promptly contact the Evanston Police Department if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information and cellular telephone records.
- (c) That any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.
- (d) That, dependent upon the missing person's age, the NCMEC and the National Center for Missing Adults may be contacted.

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317.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Illinois State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a missing person is high-risk, the fact that the person has been found shall be reported within 24 hours to the Illinois State Police.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

317.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

317.9 CASE CLOSURE

The Detective Bureau or Juvenile bureau supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Evanston or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

Public Safety Alerts

318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

318.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television, department social media, other internal city media outlets and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

318.3 RESPONSIBILITIES

318.3.1 MEMBER RESPONSIBILITIES

Members of the Evanston Police Department should immediately notify their supervisor, as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or the need to inform the public is necessary for gathering information.

318.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a potential public safety alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the appropriate Deputy Chief and the Public Information Officer(Executive Officer)when any public alert is requested or needs to be generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Requesting alerts or post alert if properly trained.
- (b) Requesting a cancellation of an alert or cancel alert if properly trained.
- (c) Ensuring all appropriate reports are completed and forwarded to the P.I.O.

318.4 AMBER ALERTS

The AMBER Alert Notification Plan is a tool for law enforcement to promptly notify the media of a confirmed abduction so the information can be broadcast to the public for assistance in locating the child and/or abductor.

318.4.1 CRITERIA

An AMBER Alert should only be implemented when all of the following criteria are met (20 Ill. Adm. Code 1292.30):

- (a) A confirmed abduction.

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- (b) The child must be under the age of 16 or have a proven mental or physical disability.
- (c) The agency has a belief the child is in danger of serious bodily harm or death.
- (d) There is enough descriptive information about the child, abductor, and/or suspect's vehicle to believe an immediate broadcast alert will help.

318.4.2 PROCEDURE

In the event a confirmed child abduction meeting the Illinois AMBER Alert criteria has occurred the following procedures designed to alert the media shall be followed:

- (a) Notify the nearest ISP district or call the Illinois State Police Communication Center (SCC) (217) 786-6677, or fax the AMBER Fax Packet (217) 786-7191.
- (b) Include detailed information which could be helpful to the public in identifying the child.
- (c) Designate a department contact, preferably the assigned detective, for the ISP SCC (include a name and telephone number).
- (d) Provide the telephone number for the department media line.
- (e) Follow department policy regarding the actual investigation process involving any abducted/kidnapped child incident which takes place within this department's jurisdiction.
- (f) Disseminate necessary abduction information via a LEADS/NLETS message (sent ISPERN messages shall be coordinated through the ISP district of occurrence).
- (g) If a current portrait of the child is available, forward it electronically along with a copy of all abduction details/summaries to the ISP Clearinghouse for Missing and Exploited Children Manager (missing@isp.state.il.us).
- (h) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate, after making supervisor notification:
 - 1. Federal Bureau of Investigation (FBI Local Office).
 - 2. Prompt entry of information into the Missing Person System (LEADS/NCIC).
 - 3. National Center for Missing and Exploited Children (800) 843-5678.
- (i) The assigned detective or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.
- (j) The assigned detective or other individual responsible for making notifications shall, immediately upon locating the abducted child, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing alerts.

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318.5 ENDANGERED MISSING PERSON ADVISORY

The Endangered Missing Persons Advisory is a voluntary partnership between law enforcement and local media to notify the public about a missing and endangered person.

318.5.1 CRITERIA

The advisory is initiated by the department utilizing the criteria established in the definitions section of the Missing Persons Policy (50 ILCS 722/10).

318.5.2 PROCEDURE

Upon receipt of a missing person report and using the above criteria, the assigned detective or other individual assigned to the investigation shall promptly determine if there is a basis to classify the missing person as high-risk and endangered and, following approval by a supervisor:

- (a) Immediately enter the missing person information, including any vehicle information, into the LEADS and the NCIC databases.
- (b) Complete the Endangered Missing Person Advisory available on the Amber Alert Task Force website (www.amberillinois.com) and fax the completed form to the Illinois State Police district of occurrence.
- (c) If appropriate, coordinate an ISPERN message through the Illinois State Police District of occurrence.
- (d) Upload DNA profiles as determined by the State Police into the State DNA Index System and the National DNA Index System for missing persons that have been missing for 30 days and the DNA is available.
- (e) Submit relevant information to the FBI Violent Criminal Apprehension Program (ViCAP), if applicable.
- (f) Notify department employees to be on the lookout for the high-risk missing person and/or suspected abductor and issue a Critical Reach Bulletin if appropriate.
- (g) Follow department policy regarding missing persons reporting and documentation, required notifications, conduct of the investigation and follow up investigation.
- (h) Immediately upon locating a missing high-risk individual, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing advisory.

318.6 CRIMES AGAINST POLICE OFFICERS ADVISORY

The Crimes Against Police Officers Advisory provides a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit certain crimes against a peace officer (20 ILCS 2605/2605-600).

318.6.1 CRITERIA

A Crimes Against Police Officers Advisory may be initiated under the following circumstances (20 ILCS 2605/2605-600):

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- (a) The Department believes that a suspect has committed one or more of the following offenses against a peace officer:
 - 1. First degree murder
 - 2. Second degree murder
 - 3. Involuntary manslaughter
 - 4. Reckless homicide
 - 5. Concealment of a homicidal death
- (b) The Department believes that the suspect may be a serious threat to the public.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

318.6.2 PROCEDURE

The Illinois Department of State Police will be contacted with a request to initiate a Crimes Against Police Officers Advisory (20 ILCS 2605/2605-600).

Hate Crimes

320.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

320.2 DEFINITIONS

Definitions related to this policy include:

Hate crime - A specified offense, as defined in 720 ILCS 5/12-7.1, motivated by prejudice based on the actual or perceived race, color, creed, religion, ancestry, national origin, gender, sexual orientation, gender identity, national origin or disability of the victim.

320.3 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for potential hate crimes by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Accessing assistance by community and victim groups when necessary.
- (c) Providing victim assistance and follow-up as outlined below, including community follow-up.

320.4 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practical and a detective will be assigned.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.
- (d) The assigned detective/officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

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- (e) Depending on the situation, the assigned supervisor may request additional assistance from detectives or other resources to further the investigation.
- (f) The assigned detective/officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned detective/officer(s) will notify the police department's social services to provide the victim(s) of any suspected hate crime with assistance from the advocates.
- (h) The assigned detective/officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further and that other citizens are not victimized.

320.4.1 DETECTIVE BUREAU RESPONSIBILITY

If a case is assigned to the Detective Bureau, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the Cook County State's Attorney's Office and other appropriate law enforcement agencies, as appropriate. Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on the circumstances (18 USC § 245).
- (b) Maintain contact with the victim and other involved individuals as needed.
- (c) Ensure that the Records Manager is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

320.5 TRAINING

All members of this department will receive ILETSB approved training on hate crimes as provided by 20 ILCS 2605/2605-390(b).

Conduct

321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Evanston Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

321.2 POLICY

The continued employment or appointment of every member of the Evanston Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

321.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

321.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. This policy is not intended to cover every possible type of misconduct.

321.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

Discipline is also covered under Policy 1010: Personnel Complaints.

Rule violations covering prohibited conduct can be located in the Department Personnel Manual [See attachment: Police Personnel Manual.pdf](#)

321.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

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- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

321.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Evanston Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

321.5.3 DISCRIMINATION OR OPPRESSION

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

321.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member

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knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

321.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without a reasonable excuse.

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
- (b) Disclosing active or protected investigation information to any unauthorized person.
- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Evanston Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

321.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within one week of any change in residence address, contact telephone numbers or marital status.

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321.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

321.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law

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enforcement agency or that may result in criminal prosecution or discipline under this policy.

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

321.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

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- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic crash.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable.

321.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance or driving.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

322.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Evanston Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

322.2 POLICY

It is the policy of the Evanston Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

322.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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The Department shall not request, require or coerce a member to provide a username, password or other related account information, or require or coerce a member to invite other members to join a group affiliated with any personal account of the member or to join a member's list of contacts in order to gain access to the member's account or profile on a personal online account (820 ILCS 55/10).

322.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

322.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

All software used by this department must be approved. Seek approval and purchase through the chain of command and regular purchasing process. The decision to purchase/approve new software will be based on issues of compatibility, cost/benefit, licensing, and other concerns.

Approval will be issued by the I.T. department. Only software that is properly licensed and registered with appropriate vendors or manufacturers will be approved.

Information Technology Use

322.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

322.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

322.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

322.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All employees have a duty to protect the system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

Information Technology Use

322.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause. The review of any files that contain sensitive or confidential information should only be done with prior approval from the Office of Professional Standards.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Report Preparation

323.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

323.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

323.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

323.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Incidents to be documented in a written report include:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving crimes against persons, threats or stalking behavior
- (d) Situations covered by separate policy (see the corresponding policy for guidance). These situations include:
 - 1. Use of Force

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2. Domestic Violence
 3. Child Abuse
 4. Adult Abuse
 5. Hate Crimes
 6. Suspicious Activity Reports
- (e) All misdemeanor crimes where the victim desires a report.
- (f) Any incident where a party involved or witness gives any indication that they may be filing a complaint. This can be completed in the CAD event narrative if a report is not mandatory for other listed conditions. The narrative must be descriptive and include all pertinent information.
- (g) Any incident where based on the circumstances involved (e.g. large crowd, media presence, involvement of elected/city official, related to an educational institution). These examples are not meant to be an exhaustive list. Members shall operate with the mindset that a report should be written in any questionable circumstances. A member shall seek direction from a supervisor if they have a question about whether or not to generate a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

323.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Any use of force against any person by a member of this department (see the Use of Force Policy).
- (b) Any firearm discharge (see the Firearms Policy).
- (c) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons policy).
- (d) Any found property or evidence.
- (e) Any traffic crashes above the minimum reporting level (see the Traffic Crash Reporting Policy).
- (f) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (g) All protective custody detentions.
- (h) Suspicious incidents that may place the public or others at risk.
- (i) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

323.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. The handling officer should

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notify and apprise a supervisor and evidence technician of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.
- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

323.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

323.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

323.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

323.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

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323.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

323.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should notify the authoring officer, stating the reasons for rejection. The original report and any supplements should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

The report will be perused by the Review Office for conformance to Departmental standards. Reports not passing review will be returned for compliance before being accepted into the Records Bureau.

323.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Bureau for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been approved by the review officer may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

323.6 SUPPLEMENTAL PROPERTY LISTING FORM

POLICY: The Supplemental Property Listing form will be used as a citizen's report supplementing an officer's original incident report. It will not be used as the initial (primary) report. When an officer is investigating an incident where property is reported lost, stolen or misplaced, the member will include in the report all information known at that time. In cases where the owner/victim indicates there may be additional articles missing, but he/she does not know what they are at the time of the report, the officer will supply the citizen with a copy (or copies) of the Supplemental Property Listing form. The citizen may bring or mail this form back to the Department. If a citizen enters the police station with a list of additional items missing, and they relate to a case that has already been reported to the Department, the citizen will be given a copy of the Supplementary Property Form and instructed to complete it.

FORMS PROCESSING

Completed forms will be forwarded to the attention of the Director of Records Bureau.

When a completed Supplemental Property Listing form is received, the Director of Records or designee, will:

- Sign and date the form, and note on the report the time it was received;
- Check the report form for a case number;

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- Attach to the form any photographs or drawing that may have been submitted;
- If any article(s) on the list are supplied with information that can be entered into LEADS (serial number, model number, etc.) The form will be forwarded to Communications for entry into LEADS. The communication operator will make the necessary computer entries, complete the message entered section of the form and return the form to the Director of the Records Bureau.

On receipt of the Supplementary Property Listing form in the Records Bureau, it will be processed as any other supplementary report is processed, including distribution to the appropriate bureau(s), along with any attached photographs or drawings. The original form will become a permanent part of that particular case file.

This form does not relieve officers of responsibility for completing follow-up reports during the course of their investigations.

Media Relations

324.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

324.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Deputy Chiefs, Commanders and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

Duties of the Public Information Officer include:

- assisting news personnel in covering news stories at the scenes of incidents
- being available for on-call responses to the news media
- preparing and distributing news releases
- arranging for, and assisting at, news conferences
- assisting in crisis situations within the agency
- coordinating and authorizing the release of information concerning agency operations
- developing procedures for releasing information during mutual aid events

324.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

Media Relations

Any authorized member of the Department who has provided the media with information regarding an ongoing investigation, major incident, or other event, will as soon as possible, notify the Public Information Officer detailing what information was released.

324.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations, including the processing of a crime scene. All information released to the media should be coordinated through the department Public Information Officer or other designated spokesperson.
 - 2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for TFR should be routed through the Incident Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.
- (e) Work areas of the police department are restricted to employees of the Department. Meetings with the public, including the media, will be held in designated offices or conference rooms.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical

Media Relations

operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

324.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

324.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner's Office or Detective handling the investigation.

Any requests for copies of reports or additional information shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Incident Commander. Such requests will generally be processed in accordance with the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.).

324.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Peace Officer Personnel Files policies) (5 ILCS 140). When in doubt, authorized and available legal counsel should be obtained.

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Evanston Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.2 POLICY

Evanston Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

325.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Service of a subpoena shall not be accepted unless witness fees are tendered as allowed by law (705 ILCS 35/4.3).

325.3.1 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

Department members will notify the Department of an Order of Protection where the member is a respondent.

325.3.1 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by any current collective bargaining agreement or City personnel rules.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

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- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Evanston Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Evanston Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

325.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

325.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

325.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

325.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with any current collective bargaining agreement or City personnel rules.

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325.8 STANDARD OPERATING PROCEDURE FOR COURT APPEARANCES

See attachment: [SO{ 325-1.pdf](#)

Outside Agency Assistance

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

326.2 POLICY

It is the policy of the Evanston Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

326.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be sent to the on-duty supervisor for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Commander or other supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable in a manner consistent with general notifications.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance of a detainee or arrestee is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

326.3.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Evanston Police Department shall notify his/her supervisor or the Commander and the Communications Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

326.3.2 SOCIAL SERVICES MUTUAL AID AGREEMENT

See attached SOP for information on the Social Services Mutual Aid Agreement

[See attachment: SOP 326-3.pdf](#)

Outside Agency Assistance

326.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The supervisor should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

326.4.1 NORTAF

See attached SOP in relation to NORTAF call outs

[See attachment: SOP 326-2.pdf](#)

326.4.2 NIPAS/ILEAS REQUESTS

See attached SOP in relation to requests for NIPAS and ILEAS

[See attachment: SOP 326-1.pdf](#)

326.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by a supervisor.

326.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Support Services Deputy Chief or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the supplies and equipment.
 - 2. The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to the Communications Center and the Command to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Office of Administration should maintain documentation that the appropriate members have received the required training.

Registered Offender Information

327.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Evanston Police Department will address issues associated with certain offenders residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

327.2 POLICY

It is the policy of the Evanston Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

327.3 REGISTRATION

The Detective Bureau Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Illinois State Police (ISP) (730 ILCS 150/8; 730 ILCS 154/45).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

327.4 CONTENTS OF REGISTRATION

The Detective Bureau Supervisor shall assign a detective to reasonably accommodate registration. The assigned detective will (730 ILCS 150/3; 730 ILCS 150/8; 730 ILCS 154/45):

- (a) Obtain proof of identity and residency.
- (b) Conduct a criminal history check.
- (c) Utilize the appropriate ISP Offender Registration Form to process registration and obtain the offender's signature on the completed form.
- (d) Photograph and fingerprint the individual.
- (e) Provide the offender with a registration receipt.
- (f) Enter registration information into Law Enforcement Agencies Database System (LEADS).

Registered Offender Information

327.5 MONITORING OF REGISTERED OFFENDERS

The Detective Bureau Supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the ISP website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the assigned Detective Bureau detective.

The Detective Bureau Supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Evanston Police Department personnel, including timely updates regarding new or relocated registrants.

327.6 DISSEMINATION OF OFFENDER INFORMATION

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the [Illinois Sex Offender Information website](#). Evanston Police Department

The Records Manager shall release local registered offender information to residents in accordance with applicable state law and in compliance with a Freedom of Information Act request (730 ILCS 152/120; 730 ILCS 154/95).

327.6.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

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Registered Offender Information

327.6.2 MANDATORY OFFENDER INFORMATION DISSEMINATION

Information on registered offenders shall be posted at department headquarters (730 ILCS 152/120; 730 ILCS 154/95) and must be made available for public inspection to any person, no later than 72 hours or three business days from the date of a request (730 ILCS 152/120/ 730 ILCS 154/95).

Upon registration of a juvenile sex offender who is also enrolled in school, the Cook County Sheriff's Police Department is responsible for school notifications and will provide a copy of the sex offender registration form only to the principal or chief administrative officer of the school and any guidance counselor designated by the chief administrative officer (730 ILCS 152/121).

327.7 REGISTRANT RESPONSIBILITIES

Any City of Evanston resident convicted or adjudicated as a sex offender, under the Sex Offender Registration Act (730 ILCS 150/2), must register in person with the Evanston Police Department within three days when any of the following events occur:

- Release from a correctional facility
- Release from a treatment facility
- Conviction, if sentenced to probation
- Relocation to Illinois
- A permanent change of residence; or
- A temporary change of residence for more than three cumulated days

Persons required to register under the Sex Offender Registration Act must re-register/update their registration information within three days of any of the following events:

- Change of residence/address
- Obtaining employment or a change of employment status
- Attending an institution of higher education or a change of attendance status at an institution of higher education

Persons required to register under the Sex Offender Registration Act who lack a fixed residence must notify the agency with jurisdiction of their last known address within three days after ceasing to have a fixed residence. If the offender leaves the last jurisdiction of residence, the offender must within three days after leaving, register in person with the new agency of jurisdiction and must report weekly in person with the agency having jurisdiction.

327.7.1 RENEWAL AND TERMINATION

Report in person within one year to their current agency of jurisdiction and every year thereafter for a period of registration as determined by the Illinois State Police.

Report in person every 90 days for natural life if adjudicated a sexually dangerous person.

Registered Offender Information

327.8 OFFICER PROCEDURES

When an officer is advised by Communications that the officer is in contact with an individual who is or should be registered per this Act, the officer will verify the individual's identity and obtain current residency information. Any contact for any reason, regardless of their city of residence, requires the officer to generate a case report.

Communications will run the LEADS number of the initial caution file to obtain the complete LEADS file for the officer.

The following information shall be included in the Offense/Incident Report:

- Subject's personal data
- Date and time of contact
- Specific location
- Reason for contact (e.g. traffic, suspicious activity, etc)
- Vehicle description and registered owner
- Names, D.O.B.'s, addresses of those in the company with the subject
- Any other miscellaneous information

A copy of the completed Offense/Incident Report, approved and signed by a supervisor, will be delivered without delay to the Communications Bureau for LEADS add-on purposes.

If the individual is NOT registered, the officer will advise the subject of their statutory obligation to register within three days and document this notification in the Offense/Incident report and in the LEADS Add-on. If the offender has been notified, but has not registered within 3 days of the notification, an arrest should be considered.

Officers may not search, detain, or arrest the individual based solely on the information derived from the LEADS Field Notification Caution Convicted Sex Offender file. An arrest may be made if the offender is in violation.

Questions and investigations regarding sex offenders and the Sex Offender Registration Act are to be referred to the registering official (EPD Detective) within the Evanston Police Department.

Certain restrictions on the presence and activities of convicted child sex offenders around children have been lifetime imposed by ILCS 720- 11/9.3

327.9 JUVENILE SEX OFFENDER REGISTRATION POLICY

Effective July 7, 1999, juveniles adjudicated delinquent in qualifying criminal sexual acts are required to register subject to the same provisions affecting adults with the sole exception that their data is not accessible to the public and that data are kept separate from adult data/files. Juvenile data will not appear on the internal SOR list but will appear in a segregated CSO Notes file and in the H.T.E. Hotfile. School liaison officers will be given this information.

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Registered Offender Information

This policy is not applicable to juveniles tried as adults.

Discretionary notification may provide the juvenile's name, address, DOB, conviction offense, adjudication as a sexually dangerous person, photographs and other helpful identifying information to any person when that person's safety may be compromised. Release of this information must be approved in writing by the Deputy Chief of Investigative Services Division.

The appointment for registration will be made through the liaison juvenile officer who will also be responsible for processing the juvenile through the Bureau of Identification according to the mandates of legislative and Illinois State Police requirements. This processing will be done in total privacy.

The juvenile will then be taken to the Juvenile Bureau for registration in the presence of the liaison juvenile officer and the juvenile's parent(s), legal guardian, or any other person appointed by the court.

Registration information, upon being entered into LEADS, will be designated as juvenile data and maintained completely separate from adult files. Juvenile documents will be stamped to be readily identified as a juvenile document. Information about juvenile sex offenders WILL NOT be transmitted over the air; it must be transmitted by secure landline.

The restrictions regarding parks, schools, and other activities outlined in 720 ILCS 5/11-9.3 and 4 imposed on convicted adult and tried as adult offenders are not imposed on adjudicated juveniles.

To insure effective utilization of the registration mandate the Juvenile Bureau Supervisor will provide a liaison officer to the detective in charge of registered offenders and monitor all cases wherein juveniles are arrested for qualifying sex offenses for a final disposition and compliance with registration requirements.

Major Incident Notification

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

328.2 POLICY

The Evanston Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

328.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police, the affected Deputy Chief and the Public Information Officer. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see the Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Evanston official
- Arrest of Department employee or prominent Evanston official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Disaster or potential disaster situation
- Riot, civil disorder, or any significant disturbance
- Public transportation accident or significant damage to a public facility
- Major fire
- Major traffic crash or MCAT call out
- NIPAS call out
- NORTAF call out

328.4 COMMANDER/SUPERVISOR RESPONSIBILITY

The on-duty Commander or supervisor in charge, is responsible for making the appropriate notifications. The Commander or supervisor shall make reasonable attempts to obtain as much

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information on the incident as possible before notification. The Commander or supervisor shall attempt to make the notifications as soon as practical. Notification should be made by calling the department issued cellular phone first, followed by alternate phone number or email.

When incidents occur over the weekend. The on-duty Commander or supervisor will first contact the appropriate Command Staff member that is assigned weekend duty. The Command Staff member that is responsible for weekend duty will make notifications to the Chief of Police if necessary.

328.4.1 STAFF NOTIFICATION

In the event an incident occurs as described in the Minimum Criteria for Notification section of this policy, the Chief of Police shall be notified along with the affected Deputy Chief and the Detective Supervisor if that division is affected.

328.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate bureau shall be contacted who will then contact the appropriate detective.

328.4.3 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then determine the appropriate response.

328.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified unless it appears the media may have a significant interest in the incident.

328.4.5 NOTIFICATION CONTENT

The synopsis of significant event notifications should be done in the following format:

- Case Number
- Type of Incident
- Date/Time of Incident
- Location of Incident
- Victim Information including injuries and treatment location
- Offender Information
- Subjects at large/in-custody
- Evidence recovered
- Other notifications

328.5 DEPARTMENT MEMBER RELATED ANNOUNCEMENTS

See attachment: [SOP 328-1.pdf](#)

Death Investigation

329.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

329.2 INVESTIGATION CONSIDERATIONS

Death investigations require certain actions be taken. Paramedics shall be called in all suspected death cases unless the cause of death is obvious (e.g., when the subject has been decapitated or the body is decomposed). Officers are not authorized to pronounce death. A patrol supervisor and evidence technician shall respond to all death investigations. The Medical Examiner should be notified in all deaths and shall be notified under those conditions listed below in this policy.

The responsible supervisor, based on the circumstances presented at the scene and input from the evidence technicians should determine whether follow-up investigation is required and ensure that an investigator is notified when appropriate.

Only officers who have successfully completed the Illinois Law Enforcement Training and Standards Board (ILETSB) program in death and homicide investigations, or who have been granted a waiver by the board, shall be assigned as lead investigator on any death or homicide investigation (50 ILCS 705/10.11).

The supervisor present should assume responsibility for notifying the Victim Services Bureau.

329.2.1 MEDICAL EXAMINER REQUEST

Every Medical Examiner has the responsibility to investigate the following as soon as he knows or is informed that the dead body of any person is found, or lying within his/her county, whose death is suspected of being (55 ILCS 5/3-3013):

- (a) A sudden or violent death, whether apparently suicidal, homicidal or accidental.
- (b) A maternal or fetal death due to abortion, or any death due to a sex crime or a crime against nature.
- (c) A death where the circumstances are suspicious, obscure, mysterious or otherwise unexplained or where, in the written opinion of the attending physician, the cause of death is not determined.
- (d) A death where addiction to alcohol or to any drug may have been a contributory cause.
- (e) A death where the decedent was not attended by a licensed physician.

The body shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner. If it is necessary to move the body to check for signs of life, carefully note the position and placement of the body. Also note the temperature of the body, as well as

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the room or outside air temperature. If an ambulance is already on scene, record the names of the attendants and note what they did to the body prior to your arrival.

For victims of hangings, do not cut or untie the knots. Instead, cut the rope near the top where it is tied, but not the knot. If the victim is obviously deceased, leave the rope in place.

It is the responsibility of the member handling the investigation to notify the medical examiner. Information that will need to be provided includes the following:

- Name, age and address of deceased
- Place where the body was found and place where the accident, injury, etc., occurred if different from the place where the body was found
- Name and address of any witness to the injury, attack, or death
- Name and address of the person finding the body and the time when the body was found
- Name and address of the last person to see the deceased alive and when the deceased was last seen alive
- Name, address, and telephone number of the next-of-kin
- Reporting Officer name, rank and case number

329.2.2 SEARCHING DEAD BODIES

The Medical Examiner or Deputy Medical Examiner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in 55 ILCS 5/3-3013. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card. If such a donor card is located, the Medical Examiner or Deputy Medical Examiner shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Medical Examiner or Deputy Medical Examiner; the investigating officer shall first obtain verbal consent from the Medical Examiner or Deputy Medical Examiner (55 ILCS 5/3-3019).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Medical Examiner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Deputy Medical Examiner, a receipt shall be obtained. This receipt shall be properly inventoried into evidence.

329.2.3 DEATH NOTIFICATION

When practical, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the victim advocate assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Medical

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Examiner may be requested to make the notification. The Medical Examiner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin. In suspected suicide investigations, members should indicate that the cause of death is still under investigation and that a final determination will be made by the Cook County Medical Examiner's Office. The supervisor handling the incident will notify the victim advocate and/or police chaplain.

In instances where the next-of-kin is unknown or unavailable, officers should inventory for safe keeping any money, jewelry or other valuables that are on the decedent and documented on the incident report.

REQUESTS BY OTHER AGENCIES

- Teletype or telephone messages from other law enforcement agencies requesting the Department's assistance in making a notification to next-of-kin will be reviewed and approved for assignment by the Patrol Supervisor in charge.
- Should any question arise regarding the legitimacy of the notification, or the information to be conveyed in the notification, the receiving supervisor should clarify the matter, and will have final authority over such notification.
- Any message received but not delivered, due to the fact that the notification is not a valid law enforcement mission or fails to meet the above criteria, will be forwarded to the Communications supervisor, along with a written explanation supporting the supervisor's decision.
- A Victim/Witness Advocate will make notification for valid outside agency requests. At the discretion of a Victim/Witness Advocate, a Police chaplain may be called.

329.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner's office will issue a "John Doe" or "Jane Doe" number for the report.

329.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

329.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

329.2.7 PRONOUNCEMENTS

The Medical Examiner of Cook County has authorized his/her investigators to make pronouncement of death either at the scene or at the Cook County Medical Examiner's Office. It will not be necessary to transport bodies to a medical facility for pronouncement of death in those cases where the deceased is destined for the Medical Examiner's Office.

One qualification should be noted: There are cases which fall within the Medical Examiner's jurisdiction despite the fact that all circumstances indicate death was due to natural causes. In

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these cases, prior to delivering the body to a funeral home the Department will notify the Medical Examiner's Office of the death, and obtain from that office approval to remove the deceased party to a medical facility for pronouncement.

329.2.8 REMOVAL AND TRANSPORTATION

The Department has jurisdiction and control over the scene with regard to obviously dead bodies.

Arrangements for removal of dead bodies, will in most cases, be handled by a member of the decedent's family. If no family member is available, or if circumstances dictate that a body be removed immediately to a hospital or funeral home in Evanston, the body will be transported by the funeral home under contract with the Department, after obtaining supervisor approval.

Members will assist the Fire Department and Body Removal Vendor with the body removal.

In a Medical Examiner's case, where the body is transported to the Medical Examiner's Office, the supervisor in charge of the case will contact the Body Removal Vendor under contract with the Department to provide such service. A sworn member will be assigned to assist the vendor in the physical removal of the body from the scene.

In Homicide investigations and other unique instances determined by the incident supervisor, a sworn member will accompany the vendor and body to the Medical Examiner's Office. The officer that conducts the transport will complete a supplemental report identifying the victim, time of transport and Medical Examiner case number.

329.3 SPECIMEN SUBMISSION

As soon as possible, but no later than 30 days after receipt of any blood, buccal or tissue specimen from the Medical Examiner, the Investigative Services Deputy Chief shall ensure the specimen and department case number is submitted to an approved National DNA Index System (NDIS) participating laboratory within this state for analysis and categorizing into genetic marker groupings and that the results are submitted to the Illinois State Police (55 ILCS 5/3-3013).

The above pertains to incidents where the cause of death is Homicide. The lead homicide or forensic investigator will ensure that the specimen will be transported to the crime laboratory for CODIS entering.

329.4 UNUSED MEDICATIONS

If an officer collects any unused prescription medication at the scene of a death investigation, the officer shall (210 ILCS 150/18(g)):

- (a) Document the number or amount of medication to be disposed of.
- (b) If the medication is collected as evidence, photograph the unused medication and its container or packaging, if available, and include the photograph and documentation with the report.

Identity Theft

330.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

330.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft shall initiate a report for victims residing within the jurisdiction of this department (720 ILCS 5/16-35). For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides.
- (b) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (c) Officers should also cross-reference all known reports made by the victim, with this or other law enforcement agencies (e.g., U.S. Secret Service, credit reporting bureaus and U.S. Postal Service with all known report numbers).
- (d) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

330.3 VICTIM ASSISTANCE

- (a) Officers should apprise all victims of identity theft about the Attorney General's Identity Theft Resource Guide and offer further information on Identify Theft through the Department's Social Services Bureau.
- (b) In a case where another person has been arrested, cited or charged in the victim's name, where a criminal complaint was filed against a perpetrator in the victim's name or where the victim's name has been mistakenly associated with a criminal conviction, the reporting officer should inform the victim of identity theft of his/her right to obtain an expedited judicial determination of factual innocence (720 ILCS 5/16-35(b)).

Limited English Proficiency Services

331.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

331.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Evanston Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

331.2 POLICY

It is the policy of the Evanston Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

331.3 OFFICE OF ADMINISTRATION

The Chief of Police shall delegate certain responsibilities to the Office of Administration to track bilingual Department members.

The responsibilities of the Office of Administration include, but are not limited to:

- (a) .Sharing identified bilingual Department members with other outside agencies through ILEAS.

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- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Department member. The list should include information regarding the following:
 - 1. Languages spoken
 - 2. Contact information
 - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

331.4 TYPES OF LEP ASSISTANCE AVAILABLE

Evanston Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

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LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

331.5 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

331.6 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

331.7 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

331.8 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

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331.9 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Evanston Police Department will take reasonable steps and will work with the Division of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

331.9.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in the Communications Center, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

331.10 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

331.11 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and

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suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

331.12 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

331.13 PROCESSING ARRESTEES

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

331.14 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate.

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Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. When possible, authorized interpreters or a qualified bilingual individual that is used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

331.15 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

331.16 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Office of Administration shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Office of Administration shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

Communications with Persons with Disabilities

332.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

332.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters shall have a valid Illinois license to practice interpreting for the deaf (225 ILCS 443/15), unless they are exempt under 225 ILCS 443/25.

332.2 POLICY

It is the policy of the Evanston Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

332.3 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members

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should ask the individual to communicate back or otherwise demonstrate their understanding.

- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

332.4 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Evanston Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

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332.5 TYPES OF ASSISTANCE AVAILABLE

Evanston Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

332.6 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

332.7 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speech reading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

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332.8 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

332.9 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

332.10 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

332.11 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related

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report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

332.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

332.12.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

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- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

332.13 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

332.14 ARRESTS AND PROCESSING

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

332.15 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

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Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. When possible, qualified interpreters used during the investigation of a complaint should not be members of this Department.

332.16 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

332.17 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Office of Administration shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Office of Administration shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

332.17.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

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Training should be mandatory for all the Communications Center members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

Chaplains

333.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Evanston Police Department chaplains to provide counseling and emotional support to members of the Department, their families and members of the public.

333.2 POLICY

The Evanston Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

333.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful clergy experience.
- (f) Possession of a valid driver's license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

333.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Evanston Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

333.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

333.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

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- (a) Submit the appropriate written application.
- (b) Include a recommendation from employers or volunteer programs.
- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e)

333.5 IDENTIFICATION AND UNIFORMS

Chaplains will be issued Evanston Police Department identification cards, which must be carried at all times while volunteering as a member of the Department's Clergy Team. The identification cards will be the standard Evanston Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service. Chaplains shall be issued an emergency parking permit.

333.6 CHAPLAIN COORDINATOR

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or the on-duty supervisor.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

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- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

333.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Field Operations Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Evanston Police Department.

333.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

333.7.2 OPERATIONAL GUIDELINES

- (a) Chaplains will be scheduled to be on-call for a period designated by the Chief or Police or Chaplain Coordinator..
- (b) Generally, each chaplain will serve with Evanston Police Department personnel a minimum of eight hours per month.
- (c)

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- (d) Chaplains shall be permitted to ride with officers during any shift and observe Evanston Police Department operations, provided the Commander has been notified and has approved the activity.
- (e) Chaplains shall not be evaluators of members of the Department.
- (f) In responding to incidents, a chaplain shall never function as an officer.
- (g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (h) Chaplains shall serve only within the jurisdiction of the Evanston Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (i) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

333.7.3 ASSISTING DEPARTMENT MEMBERS

Upon request by a Department member, the responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

333.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Commander or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

Chaplains

- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

333.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

333.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be approved by the chaplain coordinator.

333.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Evanston Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Evanston Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

333.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Office of Administration, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains

Chaplains

- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

Public Safety Video Surveillance System

334.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

334.2 POLICY

The Evanston Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

334.3 OPERATIONAL GUIDELINES

Only City of Evanston-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

334.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police may confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

Public Safety Video Surveillance System

- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Commander's office and the Communications Center. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

334.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

334.4.1 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

334.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

Public Safety Video Surveillance System

334.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

334.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Evanston Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Deputy Chief of Support Services for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

334.7 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

334.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Child and Dependent Adult Safety

335.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

335.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Evanston Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

335.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, the officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) If necessary, consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

The officer shall assist the arrestee in the placement of the children or dependent adult with a relative or other responsible person designated by the arrestee. If the officer has reasonable cause to believe that a child may be a neglected child as defined in the Abused and Neglected Child Reporting Act, he/she shall report it immediately to the Department of Children and Family Services (725 ILCS 5/107-2(2)).

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Child and Dependent Adult Safety

Whenever reasonably possible and it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

335.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. It is permissible for Officers to allow the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults, who are not able to care for themselves, until an appropriate caregiver arrives.
- (d) Notify the Illinois Department of Children and Family Services, if appropriate.
- (e) Notify a field supervisor or Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location through the school resource officer, if on-duty, or the juvenile bureau to inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

Child and Dependent Adult Safety

335.3.2 DURING ARREST PROCESSING

During the arrest process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

335.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, that require an adult to be present, the reporting officer will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether he/she reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

335.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a sDepartment social service advocate or a crisis telephone number, the appropriate referral information may be provided.

335.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact a juvenile detective or the Department's social service bureau to determine whether protective custody is appropriate.

Child and Dependent Adult Safety

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

335.5 TRAINING

The Office of Administration is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

Service Animals

336.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

336.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, the horse is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i); 720 ILCS 5/48-8).

Service animal also includes any animal that is trained in obedience and task skills to meet the needs of a person with a disability or that is trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental or intellectual disability (510 ILCS 70/2.01c; 720 ILCS 5/48-8).

336.2 POLICY

It is the policy of the Evanston Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

336.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.

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- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or to follow daily routines.

336.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed (720 ILCS 5/48-8; 775 ILCS 30/3). Department members are expected to treat individuals with service animals with the same courtesy and respect that the Evanston Police Department affords to all members of the public (28 CFR 35.136).

336.4.1 INQUIRY

If it is apparent, or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35-136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

336.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

336.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to

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an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

336.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Abandoned Newborn Infant Protection

337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper managing of incidents of newborn infant abandonment according to the Abandoned Newborn Infant Protection Act (325 ILCS 2/10).

337.2 ACCEPTANCE

Officers must accept a newborn infant relinquished at the Department (325 ILCS 2/20 (c)). The State of Illinois defines a newborn infant as a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished (325 ILCS 2/10). Although a person relinquishing a newborn infant retains the right to limited immunity and anonymity, officers should request the person's personal information. Absent any other information, officers should attempt to obtain any known medical information about the newborn infant. Any information obtained should be documented in the report and, if appropriate, transmitted to the hospital or medical facility to which the newborn infant is taken.

If there is no evidence of abuse or neglect of the newborn infant, the relinquishing person has the right to remain anonymous and leave the premises at any time without being pursued or followed. The act of relinquishing a newborn infant does not, in and of itself, constitute a basis for a finding of abuse, neglect or abandonment. If there is suspected abuse or neglect that is not based solely on the newborn infant's relinquishment, the relinquishing person no longer has the right to remain anonymous (325 ILCS 2/30).

337.3 MEDICAL CONSIDERATIONS

After accepting a relinquished newborn infant the officer will request paramedics for a medical evaluation and transportation to the nearest hospital (325 ILCS 2/20 (c)). If the infant is not being transported by the paramedics, the officer will see that transportation of the infant to the nearest hospital is accomplished as soon as transportation can be arranged. Newborn infants will not be transported in a department vehicle equipped with a prisoner screen or in any department vehicle without the appropriate child safety restraint and/or which does not allow for the proper placement of such child safety restraint.

337.4 NOTICE TO RELINQUISHING PERSON

When accepting a newborn infant, officers will offer the relinquishing person an information packet prepared and maintained by the Department for this purpose (325 ILCS 2/35). If possible, the employee will also inform the relinquishing person of the following:

- His/her acceptance of the information is completely voluntary.
- Registration with the Illinois Adoption Registry and Medical Information Exchange is voluntary.
- He/she will remain anonymous if they complete a Denial of Information Exchange.

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- He/she has the option to provide medical information only and still remain anonymous.
- By relinquishing the child anonymously, he/she will have to petition the court of jurisdiction if he/she desires to prevent the termination of parental rights and regain custody of the child.

Packets containing the necessary pamphlets are kept in the front lobby pamphlet rack. [See attachment: pamphlets.pdf](#)

[See attachment: Abandoned Newborn Infant Protection Act.pdf](#)

337.4.1 SUPERVISOR NOTIFICATION

When accepting a newborn infant, officers will notify their immediate supervisor as soon as practical.

337.4.2 DOCUMENTATION

When accepting a newborn infant, officers will generate a report and document all pertinent information.

337.5 RIGHT OF PARENT TO RETURN

If the parent of a relinquished newborn infant returns to reclaim the infant within 72 hours after relinquishing the infant at the Department, an officer must inform the parent of the name and location of the hospital where the infant was transported (325 ILCS 2/20 (c)).

337.6 INFORMATION DISCLOSURE

Employees will not publicly disclose any information concerning the relinquishment of a newborn infant and the individuals involved, except as otherwise provided by law (325 ILCS 2/37).

337.7 INVESTIGATIVE RESPONSIBILITIES

Neither a child protective investigation nor a criminal investigation should be initiated solely because a newborn infant is relinquished (325 ILCS 2/25 (c)).

After accepting a newborn infant, or upon being contacted to assist in regards to a newborn infant relinquished elsewhere, the handling employee should take the necessary steps to ensure that the infant is not a missing child.

If there is suspected child abuse or neglect that is not based solely on the newborn infant's relinquishment, as mandated reporters under the Abused and Neglected Child Reporting Act officers shall report their observations (325 ILCS 2/25(b)). In this instance, officers shall begin their criminal investigation.

337.8 REQUIRED SIGNAGE

The Support Services Deputy Chief will ensure that an appropriate sign is posted in a conspicuous place on the exterior of the police facility informing persons that a newborn infant may be

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relinquished at the facility. The sign and its placement will comply with the prescribed specifications to ensure statewide uniformity (325 ILCS 2/22).

Volunteer Program

338.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

338.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid auxiliary officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

338.2 VOLUNTEER MANAGEMENT

338.2.1 VOLUNTEER COORDINATOR

The Volunteer Coordinator shall be a sworn member of the Community Strategies Bureau. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with the Support Services Deputy Chief on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or his/her designee, shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions.
- (b) Facilitating the implementation of new volunteer activities and assignments.
- (c) Maintaining records for each volunteer.
- (d) Tracking and evaluating the contribution of volunteers.
- (e) Maintaining the volunteer handbook, which outlines expectations, policies and responsibilities for all volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completion and dissemination as appropriate of all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Administering discipline when warranted.

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- (j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

338.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through chain of command. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

338.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check. Fingerprints shall be obtained from all applicants and processed through the Illinois Law Enforcement Agencies Data System (LEADS).
- (b) Employment
- (c) References
- (d)

A polygraph exam may be required with the approval of the Chief of Police, of each applicant depending on the type of assignment.

338.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement

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of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

338.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

338.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

338.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department

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assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

338.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid Department member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

338.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

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338.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty, unless volunteering in a uniform capacity.

Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

338.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

338.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

Off-Duty Law Enforcement Actions

339.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Evanston Police Department with respect to taking law enforcement action while off-duty.

339.2 POLICY

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

339.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued star and police identification.

Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the officer's senses or judgment.

339.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.

Off-Duty Law Enforcement Actions

- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

339.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call, or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Evanston Police Department officer until acknowledged. Official identification should also be displayed.

339.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

339.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

339.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

339.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Department as soon as practicable. The member's Deputy Chief shall determine whether a memorandum should be filed by the member.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate, in accordance to Illinois law and the Constitution of the United States of America.

Department Use of Social Media

340.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

340.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

340.2 POLICY

The Evanston Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

340.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the Public Information Officer may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

340.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Department Use of Social Media

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

340.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, after consulting with the Incident Commander or supervisor in-charge.

340.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Evanston Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to the Public Information Officer through the chain of command. The Public Information Officer will ensure its removal from public view and investigate the cause of the entry.

340.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

Department Use of Social Media

The Department may provide a method for members of the public to contact department members directly.

340.6 MONITORING CONTENT

The Public Information Officer will review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

340.7 RETENTION OF RECORDS

The Support Services Deputy Chief should work with the City of Evanston's Chief Information Officer to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

340.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Private Person's Arrest

341.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

341.2 POLICY

It is the policy of the Evanston Police Department to accept a private person's arrest only when legal and appropriate.

341.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another when the person has probable cause to believe the other person has committed an offense other than an ordinance violation (725 ILCS 5/107-3).

341.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

341.5 PRIVATE PERSON'S ARREST DOCUMENTATION

Member's making an arrest after a private person conducts an arrest will document the action on a department arrest report and appropriate incident report. The narrative portion of the report will detail the probable cause established for the arrest that includes statements by the private person and arrestee. The narrative should also include recovered physical evidence and the existence of any audio or video evidence.

Native American Graves Protection and Repatriation

342.1 PURPOSE AND SCOPE

This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

342.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

342.2 POLICY

It is the policy of the Evanston Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

342.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Native American Graves Protection and Repatriation

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Medical Examiner (20 ILCS 3440/3)
- Tribal land - Responsible Indian tribal official

342.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

Long Term Care Facilities

343.1 POLICY

The City of Evanston houses many facilities designed for long term care of people, mainly senior citizens. There are strict conditions for these facilities to operate. Members responding to these facilities will report suspicious conditions as procedures indicate. All such incidents will be documented.

343.2 DEFINITIONS

The term "long-term care facility" will be understood to include any nursing home or home for the aged.

These facilities must be licensed with the City of Evanston.

343.3 CITY OF EVANSTON HEALTH DEPARTMENT

The City of Evanston Health Department monitors activities at long-term care facilities and investigates any potential or actual problems related to patient care. This includes acts or allegations of misconduct by staff members against residents.

343.4 INCIDENTS THAT REQUIRE NOTIFICATION

The City of Evanston Health Department will be notified regarding any incident involving death or serious injury which is of suspicious or criminal in nature. This includes:

- Homicide
- Suicide (or attempted)
- Sexual Assault
- Beating of patient
- Explosions or serious fire
- Incidents which may require evacuation of patients
- Anything else suspicious in nature

Other incidents involving long-term care facilities occurring either inside a facility (theft, patient disputes) or outside the facility (missing person, street victimization) will be reported to the Health Department by sending copies of such reports to that department.

Copies of these reports will be forwarded by the Records Bureau.

343.5 DETECTIVE BUREAU

Criminal incidents at a long-term care facility will be investigated by the Detective Bureau in conjunction with the City of Evanston Health Department.

Community Relations

344.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

344.2 POLICY

It is the policy of the Evanston Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

344.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department problem solving team to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify the Communications Center of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform the Communications Center of their location and status during the foot patrol.

344.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the Commander of Community Strategies. He/she should report directly to the Deputy Chief of Field Operations or the authorized designee and is responsible for:

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- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.
 - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (e) Working with the Field Operations Deputy Chief to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending City council and other community meetings to obtain information on community relations needs.
- (h) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
- (i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

344.5 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The Community Strategies Bureau should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer
- (e) Neighborhood Watch and crime prevention programs.

344.6 INFORMATION SHARING

The Community Strategies Bureau commander should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events)

Community Relations

between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.
- (d) Press releases

Information should be regularly refreshed, to inform and engage community members continuously.

344.7 LAW ENFORCEMENT OPERATIONS EDUCATION

The Community Strategies Bureau commander should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Instruction in schools.
- (d) Department ride-alongs (see the Ride-Alongs Policy).
- (e) Scenario/Simulation exercises with community member participation.
- (f) Youth related activities involving the Department.
- (g) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

344.8 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

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344.9 COMMUNITY ADVISORY COMMITTEE

The Chief of Police should establish a community group consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

344.10 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers.

344.11 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

Resisting/Obstructing Arrest

345.1 POLICY

The Illinois Compiled Statutes identify the circumstances which allow for resisting and/or obstructing charges. The law states:

- 720 ILCS 5/31-1. Resisting or obstructing a peace officer or correctional institution employee.
 - (a) A person who knowingly resists or obstructs the performance by one known to the person to be a peace officer or correctional institutional employee of any authorized act within his official capacity commits a class A misdemeanor.

To insure proper accountability for these types of situations, supervisors will review these situations before charges are placed. The Department will review these types of charges on an annual basis.

NOTE: The procedures outlined in this order also apply to the City Ordinance charge for Resisting or Interfering with Police (9-5-18-4) or Disorderly Conduct-Resisting Obstructing [9-5-3(B)].

345.2 PROCEDURE

When an arrest for resisting or obstructing an officer is made by any member of this Department, the following procedure will be followed:

- (a) The arresting officer will confer with the member's supervisor prior to officially lodging the charge of resisting or obstructing and will inform the supervisor of all the facts and actions which resulted in the arrest.
- (b) Based on the facts of the case, the supervisor will determine whether a charge of resisting or obstructing a peace officer should be filed.
- (c) If authorization for the charge of resisting or obstructing a peace officer has been approved, the approving supervisor will complete a Resisting or Obstructing Arrest Review form which will include a narrative reflecting approval rationale. The form will be completed immediately and forwarded through the chain of command to the Chief of Police. A copy of the officer's arrest report will be attached to the form.
- (d) The division Deputy Chief will review these reports. The reports will be submitted to the Chief of Police within twenty-four hours after the arrest was made.
- (e) If a supervisor reviews a situation and denies the charges, the supervisor will prepare a memorandum from the chain of command to the Division Deputy Chief regarding that particular case. The memorandum will be sent to the Chief of Police.

Differential Response

346.1 POLICY

The Evanston Police Department will provide an immediate response to all calls for service involving imminent threat to life, serious bodily injury or major property damage or loss, and other serious incidents and emergencies.

Selected non-emergency calls for service received by the Department will be diverted and investigated by members of the Differential Response whenever possible. The purpose of the Differential Response is as follows:

- To maximize the ability of the department to readily respond to serious criminal acts and emergency situations.
- To maximize the ability of the department to actively participate in proactive crime prevention and problem-solving activities.
- To provide optimal police service when a citizen's call for service is not an emergency.

346.2 INCIDENTS ELIGIBLE FOR DIFFERENTIAL RESPONSE

- (a) Non-emergency calls for service received from any source by the service desk members or the communications center that do not require the immediate dispatch of a beat car will qualify for the differential response program.
- (b) Other considerations will require the person receiving the call to notify a supervisor who will determine the appropriate response, such as missing, lost/found or stolen hazardous materials where there is a potential for harm to any person; the reported incident is unusual, suspicious or newsworthy; there is substantial evidence on the scene; or other significant factors.
- (c) Calls will be diverted to the Differential Response Unit by cellular phone or in-car computer.
- (d) Communication operators will hold no more than four differential response calls to insure a timely response. Additional calls will be assigned to available beat units.
- (e) All "walk-in" reports/complaints at the Department requiring the preparation of a police report will be completed at the police station unless the nature of the incident requires an on-scene preliminary investigation by a field unit. Desk members will continue to make desk reports when the incidents are of a minor nature and a follow-up is not possible.

346.3 DIFFERENTIAL RESPONSE OFFICER PROCEDURES

- (a) The Differential Response Officer (DRO) will answer all calls diverted to the Differential Response Unit, and provide the appropriate police service within the guidelines of this program.

Differential Response

- (b) When a call is diverted to the Differential Response Unit, the DRO then will determine whether the nature of the call requires completing the police report by telephone or responding to the scene of the incident with a police unit.

Telephone Preliminary Investigation Procedures

- Interview the complainant, record all pertinent information on the report form, and provide the complainant with the report number.
- Forward the report to the appropriate bureau or division for follow-up.

On-Scene Preliminary Investigation Procedures

- Respond to the scene and complete a field report or code the incident.
- Request an Evidence Technician at the scene when needed.

If the complainant/victim does not answer the phone when called by the DRO, the officer will go to the scene and attempt further contact before coding the call.

346.4 ASSIGNMENT

- (a) A differential response unit will be assigned to patrol shifts as needed.
- (b) Members assigned to differential response will work under the guidelines of this order
- (c) IOD or light duty officers may be assigned as Differential Response Officers as a station assignment.
- (d) Qualified civilians may serve in this capacity.

Save-A-Star Prescription Drug Drop Box

347.1 POLICY

The Evanston Police Department in a partnership with the Save-a-Star Foundation has acquired a green drop box for prescription drug turn-ins from citizens. This box allows for the safe disposal of prescription drug that otherwise may end up being abused, harmful to the public and environment.

This prescription drug turn in program is open 24 hours a day / 7 days a week.

347.2 SAVE-A-STAR PRESCRIPTION DRUG DROP BOX

- (a) Shall be located in the front lobby of the department and made available to all citizens for the purpose of turning in prescription drugs.
 - 1. Police Service Desk personnel will be responsible for monitoring the box.
 - 2. Citizens coming to the department requesting to turn in prescription drugs will be required to show items to a service desk officer or police officer to ensure that items being turned in are not hazardous in nature.
 - 3. If personnel become aware of a hazardous item, notification to a police supervisor will be made and a determination on how to handle the hazardous item will be made by the supervisor.
 - 4. Syringes will not be accepted for this program.
 - 5. If a hazardous item is believed to have been deposited in the drop box, a police supervisor will be notified and a key will be obtained from the service desk supervisor's office. The item will be removed from the box if safe to do so and properly disposed of in the property bureau or if it is determined that an immediate hazard is present in which police personnel cannot handle, the proper agency will be notified for removal of the item and precautions taken as to ensure the safety of persons nearby.
 - 6. No log or identification will be required for persons turning in prescription drugs. However, if an item is deposited without the authorization of service desk personnel, further action may be required by a police officer as to the identity of the person making the unauthorized disposal into the box.

347.3 REMOVAL AND DISPOSAL OF DEPOSITED ITEMS

- (a) Each month the property bureau manager or their designee will remove the deposited prescription drugs from the Save-A-Star drug box and weighed.
- (b) A log will be maintained with the date of removal and the weighed amount by the property bureau manager. All items will then be placed into a plastic bag and sealed by the property bureau manager or his designee. The item will then be marked for destruction.
- (c) A secondary key will be maintained by the property bureau manager for purposes of properly removing the deposited items each month from the Save-A-Star box.

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Save-A-Star Prescription Drug Drop Box

- (d) The retrieved amounts/weights from this program will occasionally be released to the Save-A-Star foundation which is a member of the Drug Enforcement Administration's Educational Foundation.
- (e) Disposal of these items will be done either through the DEA annual collection or during the EPD drug disposal. The preferred method will be the DEA disposal.

Firearm Owner's Identification Card Revocation

348.1 POLICY

It is the policy of the Evanston Police Department to remain in compliance with all state guidelines, procedures and forms as it pertains to the Illinois State Police and requirements for law enforcement agencies accepting a revoked Firearm Owner's Identification Card (FOID). This order introduces procedures for accepting FOID cards which have been revoked by Illinois State Police. It also introduces the Illinois State Police Firearm Disposition Record (ISP 2-636).

348.2 GENERAL INFORMATION

- (a) Pursuant to 430 ILCS 65/9.5, the Illinois State Police (ISP) is authorized to issue a FOID revocation notice.
 - 1. The person receiving notification is required to complete an Illinois State Police Disposition Record (ISP 2-636) and surrender both the form and the FOID card to the local law enforcement agency within 48 hours of receiving notification.
- (b) Departmental members will not direct the individual to an ISP facility

348.3 PROCEDURES

Desk personnel receiving a revoked FOID card will generate a case number and request an officer to complete the required paperwork.

- (a) The officer assigned to receive the revoked FOID card will:
 - 1. Accept the surrendered FOID card;
 - 2. Ensure the person issued the FOID card completes and signs an Illinois State Police Firearm Disposition Record (ISP 2-636); NOTE: If the person does not have a form, the officer will provide one (See Addendum)
 - 3. Sign and date the form in the appropriate fields;
 - 4. Make three copies of the form and distribute as follows
 - 1. (a) One copy will be provided to the person surrendering the FOID card and will act as a receipt;
 - (b) One copy will be attached to the field report completed
 - (c) One copy, along with the field report, will be forwarded will be forwarded to the Special Operations Group Gun Team.
 - (d) The receiving officer will place the original form, along with the surrendered FOID card, into a white envelope, seal it, address is as indicated below for delivery to the ISP:

Illinois State Police Firearms Services Bureau Attn: Enforcement

801 South Seventh Street, Suite 400-M Springfield, Illinois 62703

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Firearm Owner's Identification Card Revocation

- (a)
 - If it is determined the individual has not surrendered all required firearms, the reporting officer will take reasonable steps to recover and inventory such firearm(s)
- (b) Complete a Mobile One Field Report under the following classifications:
 - 1. Primary Code (UCR): ISP FOID Revocation
 - 2. Secondary Code (OFFENSE): FOID Revocation

NOTE: The Department member completing the report will indicate in the narrative section a copy of the ISP Disposition Record was given to the person surrendering the FOID card and a copy of the form and the surrendered FOID card was forwarded to the Illinois State Police.

Requesting Services from Other City Departments

349.1 POLICY

The Department is committed to working with other City Departments to identify service needs. Members of the Police Department are in a position, due to their role in the community, to identify problems and issues that affect the quality of life for the community. Therefore, when members identify service needs, they will contact 3-1-1 or Communications with the appropriate information. Some of the concerns that may be identified by members may include the following:

- Graffiti not cleaned
- Unsafe buildings
- Poor health conditions
- Poorly maintained property, etc.

The Department feels that the quick elimination of problems helps maintain the quality of life in neighborhoods.

This policy does not prohibit a member from contacting other city departments for assistance or information.

349.2 AVAILABLE CITY SERVICES

The following is a list of some of the most common City Departments and available services.

- (a) **Fire Department:** inspectional services available for conditions that may create a fire hazard.
- (b) **Parks:** conditions of parks, lakefront, and recreational facilities.
- (c) **Community Development:** inspectional services available for residences and businesses regarding the conditions of the property, e.g. appearances, conditions, etc. Graffiti Removal Program.
- (d) **Forestry:** conditions pertaining to trees on public property.
- (e) **Traffic Engineering:** conditions relating to public streets, traffic flow, parking, traffic signage, etc. Handle requests for street closings, block parties, etc.
- (f) **Public Works:** handles garbage collection and maintains alleys, curbs, sidewalks, potholes.
- (g) **Health Department:** inspectional services available for poor health conditions in residences and businesses, e.g., pest infestation, unclean premises, food sanitation.
- (h) **Water Department:** handle the distribution of water, water meters, water main breakage and sewers.

Requesting Services from Other City Departments

If an employee identifies an issue requiring attention that does not fall into the listed categories, 3-1-1 or Communications should be contacted and they, in turn, will describe the problem and send the request to the appropriate City department.

349.3 PROCEDURE

When a member observes a situation that he/she feels needs the attention of another City Department, the member has two options depending on the nature and extent of the request. The two options are as follows:

Report the need for other City services to the Communications Center (for immediate need) or utilize 3-1-1. The member receiving the request from the field unit will complete the Service Request form. If the request requires immediate action, the member will make the appropriate notification and record it on the Service Request. The Service Request will be forwarded to the Chief's Office.

Special Event Planning

350.1 POLICY

The Department must plan for special events such as parades, sporting events, concerts and other events that require advance planning to resolve potential traffic, crowd control or other problems.

350.2 SPECIAL EVENT PLANNING

350.2.1 ASSIGNED RESPONSIBILITY

A designate Deputy Chief (assigned by the Chief) shall have departmental responsibility to supervise and coordinate all special events involving the police department when those events require the utilization of a number of resources.

Authority to organize, plan and coordinate police activities may be assigned to the Deputy Chief's supervisor in cases where the event does not require direct Deputy Chief involvement.

350.2.2 COORDINATION

The supervisor assigned to develop department plans for the event shall ensure that event organizers are contacted prior to developing department plans, and that the following information is obtained:

- The exact nature of the event;
- The date, time and expected duration of the event; The location, including any specific routes involved; The number of participants;
- Anticipated problems;
- Special permits required, if any.

350.2.3 LOGISTICAL CONSIDERATIONS

- (a) The supervisor assigned to organize the police department event plan must evaluate the information provided by event organizers and the results of past events of a similar nature to successfully develop an operational plan that will meet the needs of the community.
- (b) Some of the logistical considerations that require advance planning are:
 1. The need to block off traffic, streets, sidewalks to ensure the safety of the participants;
 2. The number of personnel, blockades and other crowd control equipment required to handle the event;
 3. Notifications of other effected agencies and personnel including Fire Department, Public Works, other police agencies;
 4. Notification to those residences and businesses in the area of the event if necessary;

Special Event Planning

5. The need for additional radio channels, communication equipment and coordination with Communications Bureau.

350.2.4 ADDITIONAL LOGISTIC CONSIDERATIONS

For large events or demonstrations where there is a potential for violence, there may be a need for special considerations such as:

- Specialized personnel such as K-9 units, Ambulance Personnel, etc.
- Specialized equipment;
- Gathering of intelligence from various sources on groups planning activities which may involve violence.

350.2.5 DEVELOPMENT OF WRITTEN PLAN

- (a) The nature of the event will dictate the depth of the police action plan. In most cases a simple schedule of assignments and expected difficulties will be sufficient to allow departmental control of the crowd and event. In routine situations, the departmental coordinator shall prepare a written plan that considers the following:
 1. Staffing needs, scheduling and assignments (to include a commanding officer);
 2. Crowd control requirements;
 3. Traffic flow changes, estimates of traffic (based upon day of week, time of day or past events of a similar nature), street blockages and traffic direction and control contingency plans;
 4. Other pertinent information, including an assessment of anticipated criminal activity and contingency plans for police action on encountering expected problems.

350.2.6 PLAN APPROVAL

- (a) The officer assigned to complete the plan or serve as commanding officer shall forward a copy of the event plan to the Deputy Chief prior to the event for final approval.
- (b) The commanding officer of the event shall be responsible for ensuring coordination with other units and bureaus within the Department, and with outside agencies involved in the event. Department plans should be reviewed with event organizers in cases where the planning is mutual and sharing of information is beneficial.

350.2.7 AFTER ACTION REPORTING

- (a) The officer assigned responsibility for the special event shall conduct an after event assessment of the operational plan and logistical arrangements.
 1. In cases of routine or regular events, an informal series of notes regarding suggestions for future planning purposes may be sufficient. Records shall be maintained in an administrative file for future event planning.

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Special Event Planning

2. In cases of significant special events, a formal after action assessment and written plan shall be completed and forwarded to the Deputy Chief with recommendations for future planning.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department's Field Operations Division to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas (beats) of Evanston, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc. are generally assigned to the Problem Solving Team.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other divisions within the Department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
- (i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the Evanston Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Detective Bureau Supervisor in a timely fashion.

Patrol Function

Any information that appears to be terrorism related will be shared with the State Terrorism Intelligence Center (STIC) after being approved by a supervisor.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Evanston Police Department.

400.2.1 INTELLIGENCE UNIT

The Intelligence Unit will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Records Bureau for distribution to all divisions within the Department through daily and special bulletins.

400.2.2 CRIME REPORTS

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL ROLL CALLS

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol Roll Calls as time permits.

400.2.4 INFORMATION

Information will be shared through the department email system and weekly deployment materials. The watch commander and shift supervisor will share pertinent information at roll call.

Department information will also be made available on the Department computer system under the Y:drive-Digital Information Center.

400.2.5 BULLETIN BOARDS

A bulletin board will be kept in the Roll Call room. a

Various information may be displayed on the roll call room bulletin board that is related to official business. Non-police related information that does not meet the criteria of official business needs the approval of the Chief of Police or their designee prior to posting.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or

Patrol Function

responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

400.4 EARLY CARS/VEHICLES ENTERING AND LEAVING STATION

See attachment: [SOP 400-1.pdf](#)

400.5 ALARM CALLS

Alarm calls SOP See attachment: [SOP 400-2.pdf](#)

Motor Vehicle Alarm Violations: See attachment: [SOP 400-7.pdf](#)

400.6 LANDLORD-TENANT AND EVICTIONS/REPOSSESSIONS

Landlord-Tenant Ordinance: See attachment: [SOP 400-3.pdf](#)

Eviction/Repossessions: See attachment: [SOP 400-4.pdf](#)

400.7 ALCOHOLISM AND INTOXICATION ACT

Alcoholism and Intoxication Act: See attachment: [SOP 400-5.pdf](#)

400.8 LEAF BLOWER ORDINANCE

Leaf blower ordinance: See attachment: [SOP 400-6.pdf](#)

400.9 GRAFFITI COMPLAINTS

Graffiti Complaints: See attachment: [SOP 400-8.pdf](#)

400.10 CURRENCY TRACKER

Currency Tracker: See attachment: [SOP 400-9.pdf](#)

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Evanston Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Evanston Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 ACCEPTABLE PROFILING METHODS

Department members will use only proper and acceptable criteria and methods and lawful authority when selecting, approaching, stopping, interrogating, ticketing, frisking, searching, detaining, and arresting an individual or group or subjecting an individual or group to any other law enforcement action or legal process.

Department members will focus on a person's conduct, specific suspect descriptors or investigative or intelligence information.

Department members will follow Department directives and training, federal and state laws in conducting traffic stops, field contacts, searches, and asset seizures and forfeitures.

One or more group traits or characteristics may be part of a legitimate suspect descriptor when it is based on a specific, credible report.

Bias-Based Policing

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING STOPS

The Chief of Police or the authorized designee shall ensure stop cards, also known as contact cards, are created and available to members, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop for investigative purposes.

Department members are required to complete a data collection form on all traffic stops and pedestrian stops conducted. Department members shall enter the traffic stop information into the RMS Racial Profiling component of the records management system. Pedestrian stops are completed on an Illinois Department of Transportation Pedestrian Stop Data Sheet.

At the conclusion of the stop, department members shall provide their name and star number on a department issued receipt to the individual stopped and patted down and/or searched, unless exigent circumstances exist.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used

Bias-Based Policing

to document contact between officers and the public to ensure compliance with this policy.

1. Supervisors should document these periodic reviews.
 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Records Bureau shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

401.7 ADMINISTRATION

Each year, the Field Operations Deputy Chief should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the required state reporting forms and the annual report and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Office of Administration.

Roll Call Training

402.1 PURPOSE AND SCOPE

Roll Call training is generally conducted at the beginning of the officer's assigned shift. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call; however officers may conduct Roll Call for training purposes with supervisor approval.

Roll Call should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new Departmental Directives or changes in Departmental Directives, Special Orders, Training Bulletins and other procedural items.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

Daily roll call will begin promptly at the designated shift time. Anyone reporting after the roll call has begun will be marked late. During roll call, no unauthorized personnel will be allowed in the roll call room. Members will wear the complete uniform of the day.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call is responsible for preparation of the materials necessary for a constructive briefing.

402.3 RETENTION OF ROLL CALL TRAINING RECORDS

Roll Call training materials and a curriculum or summary shall be forwarded to the Office of Administration for inclusion in training records, as appropriate.

402.4 ROLL CALL PROCEDURES

The following format will be followed:

- Item 1 Call The Roll - Officers Respond
- Item 2 Beat Assignments and Vehicles
- Item 3 Daily Bulletin/ Deployment Information
- Item 4 Crime Analysis Patterns/Problem Solving Initiatives
- Item 5 Tactical Plans Reviewed

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Roll Call Training

- Item 6 Training – Periodically and when needed, at the discretion of the shift commander, roll call training may be conducted by a designated shift sergeant. See the general order on training for instructions.
- Item 7 Uniform Inspection. Formal uniform inspection will be conducted at least once per week by a designated shift sergeant. The uniform inspection report will be completed and given to the shift commander.
- Item 8 Comments/Concerns From Personnel. The supervisor may request members to provide feedback about the past and current beat activity.

Members will not eat, drink, or otherwise be inattentive during roll call. Members will have a pen and notebook ready to take notes.

A dismissal roll call or check out will be held at the completion of a tour of duty. Pertinent information will be shared at that time. Members will remain in an on-duty status until dismissed.

OTHER DEPARTMENT AREAS: All Division/Bureaus/Areas will conduct a roll call process to include the assembly and dismissal of members; the review and dissemination of information; and the inspection of members.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Evanston Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

403.3.1 METHODS OF SCENE PROTECTION

Methods of scene protection include, but may not be limited to:

- Natural or man-made physical barriers
- Barricade tape
- Additional personnel

403.3.2 ESTABLISHING PERIMETERS

Two types of scene perimeters shall be defined for major incident scenes that will include an inner and outer perimeter. This shall include either outdoor or indoor scenes.

A. Inner Perimeter

Crime and Disaster Scene Integrity

- The Inner Perimeter is defined as the area containing identifiable items of evidence that will be subjected to standard evidence processing and collection procedures.
- The boundary of the Inner Perimeter shall be defined by the use of red barrier tape marked with the wording "CRIME SCENE DO NOT CROSS".
- Access to the Inner Perimeter is restricted to department members and others having a bona fide investigative purpose within the scene.
- All persons entering the Inner Perimeter shall be required to sign in on a Crime Scene Log sheet.

B. Outer Perimeter

- The Outer Perimeter is established to serve as a staging area and buffer zone between the general public and the investigative police process. It is defined as the area deemed necessary to maintain order at a scene and where no identifiable evidence is located.
- The boundary of the Outer Perimeter shall be defined by the use of yellow barrier tape marked with the wording "POLICE LINE DO NOT CROSS".
- Access to the Outer Perimeter is restricted to scene investigators and department members and others who, while not actively engaged in the investigative process, have a valid command or support purpose for being on scene.
- Persons entering the Outer Perimeter shall not be required to sign in on a Crime Scene log sheet.

Perimeter Sizing

- Outer and Inner Perimeters shall be established that are large enough to properly protect evidence and establish command operations. While perimeter boundaries can be changed as the investigation progresses, it is always easier to make the boundaries smaller than to try and enlarge them.

403.4 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

In unusual situations (e.g. small items, high winds or items located outside the initial scene boundary) additional measures such as placing markers by the items to identify their locations and prevent disruption, movement or loss may be used.

Department members shall not handle or manipulate items prior to the arrival of an Evidence Technician unless the item poses a clear and immediate threat to others on the scene or the loss, destruction or contamination of the item is imminent.

Crime and Disaster Scene Integrity

403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 ESTABLISHING A COMMAND CENTER

A Command Post, located within the Outer Perimeter shall be established as soon as practical by the ranking department member in charge of the scene.

SWAT and Special Operations Group

404.1 PURPOSE AND SCOPE

The Special Operations Group (SOG) is comprised of a specialized team for situations that may involve an active shooter, barricaded subject or hostage situation. The SOG is trained in building entries and has equipment that the average street officer does not have readily available. The unit has been established to provide specialized support in handling critical field operations where negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary. The SOG is not a designated Special Weapons and Tactics (SWAT) Team, but an alternative response to assist when a critical incident is evolving and the presence of a more specialized team is needed. The SOG may be utilized when on-duty and does not function as an on-call unit. The NIPAS-EST serves in an on-call capacity.

404.1.1 OPERATIONAL POLICY

Since situations that necessitate the need for such a law enforcement response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to department personnel allowing for appropriate on scene decision making as required.

404.1.2 SWAT TEAM DEFINED

A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit. The Department does not have a designated SWAT team. SWAT team members are assigned the regional Northern Illinois Police Alarm System Emergency Services Team (NIPAS_EST).

404.2 POLICY

It shall be the policy of this department to maintain a SOG and to provide the equipment, manpower, and training necessary to maintain the SOG. The SOG should develop sufficient resources to perform three basic operational functions:

- (a) Command and Control.
- (b) Containment.
- (c) Entry/Apprehension/Rescue.

It is understood it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

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404.2.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SOG functions and operations appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SOG Commander or his/her designee.

404.2.2 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures which should address, at minimum, the following:

- (a) Locally identified specific missions the team is capable of performing.
- (b) Team organization and function.
- (c) Personnel selection.
- (d) Training and required competencies.
- (e) Procedures for deployment.
- (f) Command and control issues, including a clearly defined command structure.
- (g) Multi-agency response, such as an assist to NIPAS-EST.
- (h) Specialized functions and supporting resources.

404.2.3 OPERATIONAL PROCEDURES

This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should include, at minimum, the following:

- (a) Designated personnel responsible for developing an operational or tactical plan prior to, and/or during SOG operations (time permitting).
 - 1. All SOGteam members should have an understanding of operational planning.
 - 2. SOG team training should consider planning for both spontaneous and planned events.
 - 3. SOG teams should incorporate medical emergency contingency planning as part of the SOG operational plan.
- (b) Plans for mission briefings conducted prior to an operation, unless circumstances require immediate deployment.
 - 1. When possible, briefings should include the specialized units and supporting resources.
- (c) Protocols for a sustained operation should be developed which may include relief, rotation of personnel and augmentation of resources.

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- (d) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of NIPAS-EST.
- (e) The appropriate role for a trained negotiator, through NIPAS-EST.
- (f) A standard method of determining whether or not a warrant should be regarded as high-risk.
- (g) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
- (h) Post incident scene management including:
 - 1. Documentation of the incident.
 - 2. Transition to investigations and/or other units.
 - 3. A debriefing should be considered after every deployment of the SOG team.
 - (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.
 - (b) Such debriefing should not be conducted until involved officers have had the opportunity to individually complete necessary reports or provide formal statements.
 - (c) In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
 - (d) When appropriate, debriefing should include specialized units and resources.
- (i) Sound risk management analysis.
- (j) Standardization of equipment deployed.

404.2.4 DEPLOYMENT OF SOG

The SOG will only be deployed for an unplanned, evolving event only with approval of either the SOG Commander/supervisor, a Deputy Chief or the Chief of Police.

404.3 TRAINING NEEDS ASSESSMENT

The SOG Commander shall conduct an annual SOG Training needs assessment to ensure that training is conducted within team capabilities and department policy.

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404.3.1 SOG ONGOING TRAINING

Training shall be coordinated by the SOG Commander. The SOG Commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise in addition to specialized training. Training shall consist of the following:

404.3.2 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

404.3.3 SCENARIO BASED TRAINING

SOG teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

404.3.4 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Office of Administration. Such documentation shall be maintained in each member's individual training file. A separate agency SOG training file shall be maintained with documentation and records of all team training.

404.4 UNIFORMS, EQUIPMENT, AND FIREARMS

404.4.1 UNIFORMS

The SOG from this agency should wear uniforms that clearly identify team members as law enforcement officers. Attire may be selected appropriate to the specific mission.

404.4.2 EQUIPMENT

The SOG from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

404.4.3 FIREARMS

Weapons and equipment used by the SOG, should be agency-issued or approved, including any modifications, additions, or attachments.

404.4.4 OPERATIONAL READINESS INSPECTIONS

The SOG Commander shall perform operational inspections of all unit equipment at least annually. The inspection will include personal equipment issued to members of the unit, operational equipment maintained in the SOG facility and equipment maintained or used in SOG vehicles.

404.5 MANAGEMENT/SUPERVISION OF SPECIAL OPERATIONS GROUP

The Commander of the SOG shall be selected by the Chief of Police.

Ride-Alongs

405.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

405.1.1 ELIGIBILITY

The Evanston Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

405.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Deputy Chief, or Commander.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Supervisor . The participant will complete a ride-along waiver form. Information requested will include a valid ID or Illinois driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Supervisor will schedule a date, based on availability, at least one week after the date of application.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Chaplains, police applicants, and all others with approval of the Commander, Deputy Chief or Chief of Police

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An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

405.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Commander or field supervisor may refuse a ride along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an Automated check through LEADS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Evanston Police Department or a currently employed law enforcement officer with valid credentials).

405.3 OFFICER'S RESPONSIBILITY

The officer shall advise the telecommunicator that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The telecommunicator will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time. The Commander or on-duty supervisor shall be immediately notified of any injury or noteworthy incident involving the ride-along.

The Patrol Supervisor is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the yellow form shall be returned to the Patrol Supervisor with any comments which may be offered by the officer. Any injury or noteworthy incident involving the ride-along shall be documented or reported appropriately.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.

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- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.
- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure.

406.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Immediately notify communications of the situation.
- (b) Attempt to identify type of hazardous substance. Identification can be determined by placard, driver's manifest or statements from the person transporting the material.
- (c) Notify a supervisor.
- (d) Notify the Fire Department.
- (e) Provide first-aid for injured parties if it can be done safely and without contamination.
- (f) Begin evacuation of the immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary.

Under the direction of the field supervisor, officers will secure the area and establish perimeters -- inner and outer. The officers at the scene will not attempt to handle any suspected hazardous materials.

Police units at the scene will provide assistance to the Fire Department and the Emergency Services Coordinator.

406.2.1 HAZARDOUS MATERIALS

Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the state by truck, rail, air and waterborne transportation.

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In addition, numerous hazardous materials are transported throughout the state every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the officer who happens to be first on the scene.

Many accidents and other emergencies involve more than one agency, and require a cooperative emergency response. It is of extreme importance for all officers to be aware of what actions to take during hazardous material emergencies.

If radioactive materials are spilled or released, and if it is necessary to take immediate action in the involved area to preserve life and health, minimal contact with such radioactive materials by emergency personnel may be allowed, provided the following precautions are taken:

- Keep the public away from the accident. An exclusion area of 1,500 feet or more should be established. Souvenir collection should be forbidden.
- Segregate and detain those who may have been in contact with the radioactive materials, until they can be examined. Obtain names and addresses of those involved.
- Remove the injured from the area of the accident with as little contact as possible, and hold them at a transfer point. Take any measures necessary to save life, but carry out the most minimal first aid procedures possible, until help is obtained from radiological team physicians or other physicians familiar with radiation medicine.
- In incidents involving fire, fight fires from upwind, keeping out of smoke, fumes or dust arising from the accident. Treat incidents involving toxic chemicals in the same manner as those involving fire. Do not handle suspected material until it has been monitored and released by monitoring personnel. Segregate clothing and tools used at the fire until they can be checked by radiological emergency teams.
- In the event of an incident involving a vehicle accident, detour all traffic around the scene. If this is not possible, the officer will assure that the vehicle is moved the shortest possible distance consistent with clearing a right of way. If radioactive material is spilled, prevent passage through the area unless absolutely necessary.
- DO NOT eat, drink, or smoke in the area. Do not use food or drinking water which may have been in contact with material from the accident.
- DO NOT take too much action prior to the arrival of radiation specialists and physicians.

Hazardous Materials Identification:

The identification of shipments considered hazardous is the first priority. This usually is accomplished directly or indirectly by descriptive data in shipping documents, on containers, package labels, and vehicle placards. If this information is not readily obtainable due to an incapacitated driver, or due to destruction of a bill of lading or other shipping papers, immediately contact the Chemical Transportation Emergency Center (CHEMTREC) 800-424-9300. CHEMTREC provides technical expertise in handling hazardous material

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emergencies. It also can provide additional phone numbers for emergencies, such as accidental poisoning. When in doubt, immediately contact CHEMTREC

406.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Chief of Police. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report. The Office of Administration will maintain the documentation of all exposure incidents reported through the chain of command.

406.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Evanston Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS

Should circumstances at the scene permit, Department supervisors or negotiators may promptly contact the Cook County State's Attorney's Office for assistance in obtaining an ex parte order to intercept audio communications at the scene (725 ILCS 5/108B-3), if necessary.

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Additionally, approved Department negotiators or individuals summoned by officers to provide assistance, may use an eavesdropping device, including a camera or audio device, during an ongoing hostage and barricade incident when such use is necessary to protect the safety of officers or members of the general public (720 ILCS 5/14-3(o)).

407.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The first responding officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

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- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

407.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

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- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting the Special Operations Group, if on-duty and/or a NIPAS EST call out response if appropriate and apprising the Special Operations Group Commander or supervisor of the circumstances, if they are on-duty. NIPAS EST will always be contacted in hostage situations. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Communications Center.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

Hostage and Barricade Incidents

407.6 SPECIAL OPERATIONS GROUP RESPONSIBILITIES

It will be the Incident Commander's decision, with input from the Special Operations Group Commander, whether to deploy the Special Operations Group or contain the inner/outer perimeter and await a NIPAS EST response during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the Special Operations Group Commander or the authorized designee will be responsible for the tactical portion of the operation, until the conclusion of the event or take over by the NIPAS EST team. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the Special Operations Group or NIPAS EST. The Incident Commander and the Special Operations Group Commander or the authorized designee shall maintain communications at all times.

407.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

407.8 PROCEDURE

See attachment: [SOP 407-1.pdf](#)

Response to Bomb Calls

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Evanston Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY

It is the policy of the Evanston Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Watch Commander or on-duty supervisor is immediately advised and informed of the details. This will enable the Watch

Commander/supervisor to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

It is important that an attempt be made to obtain this information to assist the searchers. In addition, operators should attempt to make note of any background noises that might indicate whether the call might be a prank, or which could help identify or locate the caller.

408.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 EVANSTON POLICE DEPARTMENT FACILITY

If the bomb threat is against the Evanston Police Department facility, the Watch Commander or supervisor will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Evanston Police Department that is not the property of this department, the appropriate agency will

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be promptly informed of the threat. Assistance to the other entity may be provided as the Watch Commander or supervisor deems appropriate.

408.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

408.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Evanston, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Watch Commander or supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Watch Commander or supervisor should be notified when police assistance is requested. The Commander or supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

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Should the Commander or supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

If the evacuation order is to be given, it should be remembered that activation of any electrical device could set off a bomb. Preferably, any order to evacuate should be given verbally, or by a portable address system and NOT by a fire-alarm system or other internal system.

The doors and windows in the area of the device should be opened. A fire drill, in which windows and doors are closed, should not be used as a reason for evacuation. All persons should be evacuated from above, below, and on the immediate sides of the device. Elevators should not be used.

If possible, persons who work in the threatened building should participate in searching the areas with which they are familiar. However, the decision whether these employees should be exposed to any risk rests with the person responsible for their control on the job site. If that person declines the use of his or her personnel, police personnel will initiate the search without further discussion.

If police personnel are to conduct the search, the officer in charge should organize search teams and assign specific search areas. The size of the search teams and the search areas will vary, depending on police staffing available.

The search should be conducted in an organized and systematic manner. As each team completes its assignment, it should trade off areas for cross searching. As each area is completed, it should be marked to avoid omission. A paper ribbon, or a substitute similar in nature, can be used.

408.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

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Response to Bomb Calls

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The Cook County Sheriff's Police bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Commander /supervisor including:
 - The time of discovery.
 - The exact location of the device.
 - A full description of the device (e.g., size, shape, markings, construction).
 - The anticipated danger zone and perimeter.
 - The areas to be evacuated or cleared.

408.6.1 EXPLOSIVE SUBSTANCES/DANGEROUS WAR SOUVENIRS

When any dangerous war souvenirs, dynamite, percussion caps, fuses or other explosives or devices are recovered or found, the following procedures will be followed:

- Immediately notify the Communications Center, and request a field supervisor.
- Consider the item potentially dangerous
- Secure the item as best possible, given the circumstances.
- Take steps to protect people in the immediate area from any danger.
- If the item was received from a citizen, advise the citizen that he/she is relinquishing all property rights to the item surrendered.
- Inquire whether anyone has attempted to deactivate the device.

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- Do not handle unfamiliar items.
- With supervisory approval, contact the appropriate agency to handle and dispose of the suspected explosive device.
- Under no circumstances should a suspected item be transported in a police vehicle, or by Departmental personnel, until it has been examined by the appropriate explosives specialist.
- Communications should be made by telephone if there is any possibility the suspected device may be activated by radio transmission.

408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

408.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Cook County Sheriff's Police Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander and Command Staff including Public Information Officer

Response to Bomb Calls

- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

408.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

408.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Watch Commander or supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes. Supervisory personnel should consider obtaining additional resources to assist in traffic/crowd control and security such as ILEAS, NIPAS or neighboring law enforcement agency.

Crisis Intervention Incidents

409.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

409.2 POLICY

The Evanston Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

409.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Crisis Intervention Incidents

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate the Police Social Services to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

409.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

Crisis Intervention Incidents

409.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

Referrals to Community Mental Health Resources

- When, in the best judgment of the officer, the circumstances do not indicate that the individual need be taken into custody for his or her own protection or the protection of others, or for other reasons as specified by law, the responding officer will make a referral to the Police Social Services Bureau – Victim Services Section. The investigating officer will complete a field general report and indicate a referral to Victim Services.
- Victim Services will review the referral and contact the complainant. Victim Services staff will maintain a Resource Manual of Community services. The Victim Services advocate will help connect the client to the appropriate service.

409.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the telecommunicator provide critical information as it becomes available. This includes:

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- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

409.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources, including that a C.I.T. trained officer is responding to the incident.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Deputy Chief.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

409.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

All bonafide calls involving a mental health related issues, whether or not a report was completed shall be given with an 'M-Mary' disposition. [See attachment: Policy 409 Training bulletin.pdf](#)

409.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Voluntary and Involuntary Committal Policy.

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409.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

409.11 EVALUATION

The Deputy Chief designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

409.12 TRAINING

Subject to available resources, the Department will provide training to department members to enable them to effectively interact with persons in crisis.

Training may include the ILETSB's training on crisis response (50 ILCS 705/10.17).

Civil Commitment

410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under a civil commitment (405 ILCS 5/1-100 et seq.).

410.2 POLICY

It is the policy of the Evanston Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

410.3 AUTHORITY

An officer responding to or handling a call involving a suspected civil commitment may take that person into custody and transport him/her to an approved mental health facility when the officer has reasonable grounds to believe the person is in need of immediate hospitalization to protect him/herself or others from physical harm (405 ILCS 5/3-606).

There are two types of admission – voluntary and involuntary.

- A “voluntary admission” refers to taking a subject into custody who agrees to go to the hospital to admit themselves in for treatment.
- An “involuntary admission” refers to taking custody of a mentally ill person without their consent and petitioning them into the hospital. A third party or the on-scene officer must specifically attest to the need to involuntarily admit the subject.

Upon arrival at the facility, the officer should complete the written petition for involuntary admission, which includes (405 ILCS 5/3-601):

- A detailed statement of the reason for the commitment, including observed signs and symptoms, a description of any acts, threats, other behavior or pattern of behavior, and the time and place of occurrence.
- The name and address of the spouse, parent, guardian, substitute decision-maker, if any, and close relative, or if none, the name and address of a known friend. If this information is unavailable, the officer shall state that diligent inquiry was made.

If the petition is not completed by the officer transporting the person, the transporting officer's name, badge number and department shall be included in the petition (405 ILCS 5/3-606).

410.3.1 MINORS

An officer may take a minor into custody and transport the minor to a mental health facility when there is reasonable grounds to believe that the minor has a mental illness or emotional disturbance of such severity that hospitalization is necessary to protect him/herself or others from physical harm, and that the minor is likely to benefit from inpatient treatment (405 ILCS 5/3-503; 405 ILCS 5/3-504(b)).

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Upon arrival at the facility, the officer should complete the written petition for involuntary admission and shall further include (405 ILCS 5/3-503; 405 ILCS 5/3-504(b)):

- A detailed statement of the reason for the commitment, including a description of any acts or significant threats, and the time and place of occurrence.
- The name, address and telephone number of any witness.

410.3.2 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for civil voluntary commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual via Fire Department Ambulance to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

410.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for individuals who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

410.5 TRANSPORTATION

When transporting an individual for a civil commitment, the transporting officer should have the Communications Center notify the Evanston Fire Department for an ambulance to transport the committal to the appropriate facility.

Officers may transport individuals in a patrol vehicle, when approved by a supervisor and circumstances dictate that transport in a police vehicle best suits the situation for safety of both the individual and officer. Police personnel shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and

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the safety of any person, including the detainee, requires the presence of an officer during the transport, supervisor approval is required before transport commences.

Once a decision has been made to take an individual into custody, do it as soon as possible to avoid prolonging a potentially volatile situation. Remove any dangerous weapons from the immediate area.

410.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written petition for involuntary admission and remain present to provide clarification of the grounds for detention, upon request (405 ILCS 5/3-606).

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

410.7 DOCUMENTATION

The officer should complete a petition for involuntary admission, provide it to the facility staff member assigned to the individual and retain a copy of the petition for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

A Field General will be completed whether or not the committal was voluntary or involuntary. Ensure that the report contains details concerning the circumstances of the incident and behavior that was observed. Also include the results of a FOID and CCL check, including the status of each and whether the Illinois State Police was notified.

410.7.1 NOTIFICATION TO ILLINOIS STATE POLICE

A member who reasonably determines that a person poses a clear and present danger because he/she has engaged in verbally or physically threatening behavior (e.g., violent, suicidal or assaultive threats or actions), shall ensure this information is reported to the Illinois State Police (ISP) within 24 hours (430 ILCS 65/8.1). The fact that the ISP has been notified and the manner of notification should be documented.

410.8 CRIMINAL OFFENSES

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.

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- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

410.8.1 INTERVIEWS AND INTERROGATIONS

Officers conducting interviews or interrogations of a person who is, or who is suspected of being, mentally ill or developmentally disabled, should consult with a mental health professional and the assistant state's attorney's office to determine whether the person is competent to understand his or her rights to remain silent and to have an attorney present.

When interviewing such persons as suspects, victims, or witnesses, use the following guidelines to obtain valid information:

- Do not interpret lack of eye contact and strange actions or responses as indicators of deceit, deception, or evasion of questions.
- Use simple, straightforward questions.
- Do not employ common interrogation techniques, suggest answers, attempt to complete thoughts of persons slow to respond, or pose hypothetical conclusions, recognizing that developmentally disabled persons are easily manipulated and may be highly suggestible.

410.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officers should further advise the individual of the procedure for the return of any confiscated firearm or other weapon that has been taken into custody.

410.9.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer should detail those facts and

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circumstances in a report. The report should be forwarded to the Neighborhood Enforcement Team, which shall be responsible for contacting the Illinois State Police Firearms Services Bureau.

410.10 TRAINING

This department will endeavor to provide training approved by the Illinois Law Enforcement Training and Standards Board on interaction with mentally disabled persons, civil commitments and crisis intervention.

410.11 PERSONS UNDER ARREST WHO DEMONSTRATE A NEED FOR MENTAL HEALTH TREATMENT

The officer who is aware of the arrestee's behavior will notify a supervisor.

The supervisor will direct that the arrestee be transported to the nearest Evanston hospital emergency room by fire department personnel.

The officer who is aware of the behavior will prepare a petition for hospitalization asserting the person is in need of treatment.

The officer will deliver to the medical staff at the hospital the arrestee and the petition filled out completely describing the behavior that resulted in the conclusion that the arrestee is in need of treatment.

A copy of the form will be retained by the officer and attached to the incident report.

The officer will remain at the hospital with the arrestee until the physician releases the arrestee or until directed otherwise by a supervisor.

If the arrestee is to be hospitalized, the supervisor will assure that the order on prisoner-patient care is followed and either arrange for relief for officers at the hospital or assure that appropriate bonding or custody transfer actions take place.

410.12 PERSONS ON UNAUTHORIZED ABSENCE FROM A MENTAL INSTITUTION

When the department receives notification of an absence from a mental institution from the Illinois Department of Mental Health, a private institution, or the Veterans Administration, the appropriate information will be provided to the beat officers.

When persons on unauthorized absence from a mental institution are located they will be taken into custody.

- The officer taking the person into custody will notify the officer's supervisor.
- The supervisor will direct that the person be transported to the nearest Evanston hospital emergency room.
- The supervisor will direct the Service Desk to contact the hospital emergency room that the department has a person in custody for unauthorized absence from a mental institution, the name of the institution the person is from, and that the person needs transportation back to the institution. The hospital will make the transportation arrangements from the hospital to the institution.

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- The supervisor will direct the officer to remain at the hospital with the person until relieved by hospital security.

If an arrested person is identified as being absent without authorization from a mental institution, the arresting officer will:

- Notify a supervisor of the situation.
- Indicate that the person is on unauthorized absence from a mental institution on the arrest report and make the notation "Do not release on bond" in the report and on the lock-up card.
- Notify the reporting institution that the person has been apprehended.

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Evanston Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Evanston Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.2 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:

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Foreign Diplomatic and Consular Representatives

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers

411.2.1 PROVISIONS OF THE ACT

The act provides for concurrent federal jurisdiction when the following prohibited acts are committed: murder, conspiracy to murder, manslaughter, or kidnapping of a foreign official or official guest. Federal jurisdiction attaches automatically in the kidnapping of a foreign official or official guest; the victim need not be transported across state lines or international boundaries.

The act prohibits the assaulting, wounding, imprisoning, or offering of violence to a foreign official or official guest, and the intimidating, coercing, threatening or harassing of such persons. It also prohibits anyone from, within 100 feet of a foreign or international establishment or residence of a foreign official, parading, picketing, displaying any device or sign, uttering sounds, or congregating with two or more persons for the purpose of performing such acts, in order to intimidate, coerce, threaten or harass any foreign official or obstruct him/her in the performance of his/her duties. The act further prohibits anyone from damaging or attempting to damage any real or personal property belonging to, occupied by, or utilized by a foreign government, international organization, foreign official, or official guest.

411.2 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes note a	Yes	Yes	Yes	No for official acts Yes otherwise note a	No immunity or inviolability note a

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Career Consul Officer	Yes if for a felony and pursuant to a warrant note a	Yes note d	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise note a	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employee	Yes note a	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise note a	No immunity or inviolability note a
Int'l Org Staff note b	Yes note c	Yes note c	Yes	Yes note c	No for official acts Yes otherwise note c	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

411.2 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to the United States Department of State (DOS).

Foreign Diplomatic and Consular Representatives

411.2 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 , or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

411.7 PROCEDURE

See attachment: [SOP 411-1.pdf](#)

Rapid Response and Deployment

412.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

412.2 POLICY

The Evanston Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

412.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.

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- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (NIPAS-EST, Special Operations Group). See Policy 326 for outside agency assistance.

412.4 TRAINING

The Office of Administration should include rapid response to critical incidents in the department training plan.

This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

412.5 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.6 PLANNING

The Field Operations Deputy Chief or their designee should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

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- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

412.6.1 SCHOOL SAFETY DRILLS

The Juvenile Sergeant should work with the administration of public and private elementary and secondary schools that offer education to persons under 21 to schedule annual, on-site drills to respond to school shooting incidents (105 ILCS 128/15; 105 ILCS 128/20).

412.7 PROCEDURE

See attachment: [SOP 413-1.pdf](#)

Emergency Service from Public Works Agency

414.1 PURPOSE AND SCOPE

The City Public Works Agency has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by the Communications Center.

414.1.2 ELECTRICAL LINES

City Public Works Agency does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The appropriate utility company or City Public Works Agency should be promptly notified.

414.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

The City Public Works Agency maintains the public water equipment and may maintain other municipal utility equipment as well. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible. The Communications Center should be notified and make the proper notification.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by the Communications Center.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of Evanston contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the Illinois Department of Transportation or the City Traffic Engineering Department.

414.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise the Communications Center of the location and problem with the signal. The telecommunicator should make the necessary notification to the on-call traffic engineer.

Field Training

415.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Evanston Police Department.

It is the policy of this department to assign all new probationary police officers to a structured Field Training Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

415.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral probationary police officers in the application of their previously acquired knowledge and skills.

415.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of four years of patrol experience, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Evaluation by supervisors and current FTOs.
- (e) Possess an ILETSB certificate.

415.2.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved FTO course prior to being assigned as an FTO.

All FTOs must complete an FTO update course or in-service training approved by this department annually while assigned to the position of FTO.

415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program supervisor will be selected from the rank of sergeant by the Field Operations Deputy Chief or his/her designee and shall when practical, have completed the ILETSB certified (40 hour) Field Training Officer's Course.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.

Field Training

- (b) Conducting FTO meetings.
- (c) Maintain and ensure FTO/Trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO Coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete an ILETSB approved Field Training Administrator's Course, preferably within one year of appointment to this position.

415.4 TRAINEE DEFINED

Any entry level, lateral police officer, or person granted Conservators of the Peace Power newly appointed to the Evanston Police Department who has successfully completed an ILETSB training course.

415.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 20 weeks.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of 15 weeks.

To the extent practicable, officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

415.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Evanston Police Department. The manual is not intended to cover every contingency, but will be periodically reviewed and adjusted as appropriate. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Evanston Police Department.

Field Training

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

415.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO program supervisor on a daily basis.

415.6.2 IMMEDIATE SUPERVISOR

The FTO program supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the designated Field Training Administrator.

415.6.3 FIELD TRAINING ADMINISTRATOR

The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through the FTO program supervisor.

415.6.4 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

415.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of phase evaluations.
- (c) A Memorandum of Completion certifying that the trainee has successfully completed the requirements of the field training program.

Aircraft Accidents

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

416.2 POLICY

It is the policy of the Evanston Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 DOCUMENTATION

All aircraft accidents occurring within the City of Evanston shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of EPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

416.3.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.

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- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

416.3.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

416.4 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

416.5 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

416.6 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and

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the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

416.7 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

416.8 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.
- (d) Evacuation chutes, ballistic parachute systems and composite materials.

416.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the

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surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Obtaining Air Support Assistance

417.1 PURPOSE AND SCOPE

The use of a law enforcement helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

417.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the on-scene Incident Commander, or his/her designee, will request via the communications center helicopter support from the Chicago Police Department which is the closest helicopter support available. The on-scene Incident Commander or designee making the request will apprise that agency of the specific details of the incident prompting the request. The Chicago Fire Department and United States Coast Guard should be considered for incidents that occur in Lake Michigan.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law Enforcement helicopters may be requested under any of the following conditions:

- (a) When the helicopter is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.
- (c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.
- (f) Other incidents with supervisor approval.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

Field Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field Contact/Interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions, either from a self-initiated action or response to a call of possible criminal activity

Field photographs - Posed photographs taken of a person during a contact, temporary detention or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable Suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

418.2 POLICY

The Evanston Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field contact/interview, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

Field Contacts and Temporary Detentions

418.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an field contact/interview, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Evanston Police Department to strengthen community involvement, community awareness and problem identification.

418.3.1 INITIATING A FIELD CONTACT/INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include, but are not limited to, an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

418.4 PAT-DOWN SEARCHES

Once a valid stop has been made, an officer may pat a suspect's outer clothing if the officer has a reasonable, articulable suspicion that the suspect has a dangerous weapon. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include, but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions or demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

418.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

418.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should document the consent in a report, supplement or event ticket.

418.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy. If photographs are taken, photographs must be inventoried and a case number generated as a result of the field contact.

418.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and inventoried with a case number. Field contact information will be generated through the RMS. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Commander should review and forward the photograph to one of the following locations:

- (a) If the photo and associated FI or memorandum is relevant to criminal organization/enterprise enforcement, the Commander will forward the photo and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Bureau.

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When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

418.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

418.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

418.7 STOP RECEIPTS

Whenever an officer stops a person in a public place and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number (725 ILCS 5/107-14).

418.8 INVESTIGATORY STREET STOPS

A. Investigatory Street Stops

Field personnel who conduct an investigatory street stop are required to use the field inquiry module in MobLAN of the CAD/RMS system to document investigative stops. If the inability exists to enter investigative stops into the field inquiry module, a field contact card will be completed. This

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is required for all investigative stops, whether the stop involves a vehicle or a pedestrian. complete the appropriate contact information. The circumstances of the contact will be documented in the narrative portion. Documentation is required for all investigative stops whether self-initiated or in response to a call.

If, as a result of the investigatory street stop, the sworn member ascertains there is probable cause to arrest and an arrest is performed as a result of the stop, an investigative stop (contact information) card will be completed. The circumstances of the stop and the probable cause for arrest will be documented on the Arrest Report and any required case report as necessary. Case numbers will be documented on the contact card in the proper field and a short narrative is required on all contact information cards submitted.

All pedestrian investigative stops require that the Illinois Department of Transportation (IDOT) pedestrian stop form be filled out and submitted. Supervisors are responsible for ensuring their personnel file a form for each individual stopped by the police and that the form is submitted to the records bureau.

Officers who conduct an investigative stop based on articulable reasonable suspicion but lack probable cause for a lawful arrest on individuals that refuse to identify themselves, will be documented by either John Doe for males, or Jane Doe for females. Personnel will indicate in the narrative portion of the documentation that the individual refused to identify themselves along with the circumstances surrounding the stop.

B. Citizen Encounters

A citizen encounter does not require the completion of a contact information card/CAD-RMS documentation; however, field personnel will complete one if they believe the criteria exists that designate the individual as a suspicious person, registered sex offender or in response to a call or self-initiated activity that would necessitate a lawful detention of the person due to suspected criminal activity.

Failure to provide identification during a voluntary citizen encounter, in and of itself, is not grounds for arrest or detention.

A citizen encounter can develop into an investigatory street stop if the sworn member develops reasonable suspicion that a crime is taking place, is about to take place, or has taken place. A contact card/CAD-RMS documentation will then be required.

C. Adult and Juvenile Contact Cards (when CAD/RMS documentation is unavailable)

Use WHITE field contact cards for adult contacts (18 and older).

Use YELLOW field contact cards for juvenile contacts (17 and under).

Criminal Organizations

419.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Evanston Police Department appropriately utilizes criminal intelligence systems and temporary information files *to support investigations of criminal organizations and enterprises*.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

Vice control - May involve prostitution, illegal use/sale of alcoholic beverages, and the distribution/sale of obscene and pornographic materials.

Drug control - Focuses on the distribution/sale of illegal and controlled substances.

Organized crime control - should address unlawful activities by members of organized groups or associations engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or other offenses for profit, or engaged in supplying illegal goods and services -- prostitution, drugs, liquor, weapons -- or other unlawful conduct that may include intimidation or corruption.

419.2 POLICY

The Evanston Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

419.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.

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- (c) Any system security issues are reasonably addressed.

419.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Bureau. Any supporting documentation for an entry shall be retained by the Records Bureau in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Bureau are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.

419.3.2 SWORD SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information into the Statewide Organized Criminal Gang Database (SWORD) criminal intelligence system (20 ILCS 2605/2605-305). Entries into such a database should be based upon on reasonable suspicion of criminal activity or actual criminal activity, and should be supported by documentation, where documentation is available.

The designated supervisor may approve creation or submission of information into the SWORD criminal intelligence system when the individual has been arrested and there is a reasonable belief that the individual is a member or affiliate of an organized gang. The designated supervisor may notify the appropriate prosecutor of the individual's alleged gang membership or gang affiliate status (20 ILCS 2640/15).

419.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

419.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.

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- (b) Should not be originals that would ordinarily be retained by the Records Bureau or Property Bureau, but should be copies of, or references to, retained documents such as copies of reports, field interviews (FI) forms, the Communications Center records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

419.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

419.4.3 ACTIVE CASE FILES ON VICE, DRUG AND ORGANIZED CRIME INCIDENTS

Active case files and other records and reports on vice, drug, and organized crime incidents and complaints will be maintained securely and separately from other files and records by the division/bureau supervisor responsible for these incidents.

All commanders or designees whose units are responsible for, or share the responsibility for, the investigation and suppression of vice, drug and organized crime will submit quarterly, or at a minimum, a written status report to the Chief. The purpose of the report is to keep the Chief informed of current vice, drug and organized crime problems in the community and of the actions taken by the department to control those problems.

419.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Office of Administration to train members to identify information that may be particularly relevant for inclusion.

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419.5.1 TIP SHEETS

Calls for police service relating to vice, drug, and organized crime (including gang activity) will be received, processed, and investigated in the same manner as any other call for service. These incident reports will be handled by the designated divisions/bureaus responsible for those functions.

On some occasions, there may be other complaints or information made available regarding vice, drug and organized crime conditions from department members and citizens not normally reported as a call for service. For these situations, the department will maintain a separate information system, using Tip Sheets, for receiving, processing, and investigating this information.

All Tip Sheets will be completed and marked to indicate the type of information provided; that is, vice, drug, or organized crime. The Tip Sheet will then be forwarded through the chain of command to the Special Operations Group.

419.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

419.7 CRIMINAL STREET GANGS

The Special Operations Group supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity.
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

419.7.1 VALIDATION OF RECORDS IN THE GANG MEMBER FILE

The Evanston Police Department follows the validation of records in the gang member files as established by Illinois State Police-LEADS. The Illinois State Police-LEADS has established that agencies are required to determine whether these records should remain in LEADS or be cancelled. In making this determination, the Evanston Police Department, will assigned a sworn

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member of the Special Operations Group to conduct the validation of records in the gang member files. The assigned sworn member will conduct the following steps in the validation of records:

- review their supportive documentation along with any additional information available (case reports, booking information, knowledge held by the reporting officer or other investigators, add-ons by other agencies, etc.) to determine whether the entry should be validated or removed. Information that supports the retention of the entry must be retained to support your agency's decision to validate.
- Inquire as to whether the gang member is incarcerated in the Illinois Department of Corrections, which can be done on-line (<http://www.idoc.state.il.us/subsections/search/ISdefault2.asp>) or by phone (888/446-9103).

If the gang member is incarcerated, the five year "clock" stops during the incarceration and will begin again at release. Therefore, you should validate the record to keep the entry active in LEADS. When it comes up again for validation in five years, a new review must take place, including checking local records, supportive documentation, IDOC, etc.

It is not acceptable to leave the record in LEADS merely because the Evanston Police Department does not have anything that contradicts the initial identification of the individual's gang activity.

The "once a gang member, always a gang member" axiom is not acceptable. In order to keep the entry active in LEADS your agency must have recent information or evidence of gang activity to support the record's existence. If no evidence or information exists, the entry must be cancelled.

If a gang entry is cancelled, review the subject's background to determine if he/she qualifies for entry into the Caution File's Field Notification Program (see the LEADS eManual > Caution File chapter:

http://emanual.isp.state.il.us/Caution_File/Criteria_for_FNP_Entry_into_the_Caution_File.htm).

If the gang record should remain in LEADS, it must be validated on-line with the standard validation process (for additional information about validating LEADS records, refer the Validation chapter, which may be found in the Vehicles chapter of the LEADS eManual.)

The validation of Gang Member records will be an on-going monthly process to comply with the Gang Member File retention guidelines mandated by FBI CJIS (Criminal Justice Information Services).

VALIDATION and Add-Ons

If the Intelligence Officer determines that a Gang Member record is no longer valid, agencies with add-ons attached to the master record should be notified to allow them to make their own Gang Member entry on the subject, if applicable. A LEADS administrative message should be sent to the ORA of the add-on indicating the master record will be cancelled and if they desire to retain the Gang Member data in LEADS, they must establish their own LEADS record. When a master record is cancelled or voided, all add-on records attached to it are automatically removed.

Evanston Police Department Gang Files are protected LEADS Information (20 Ill. Adm. Code §1240.80(d) (2017))

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Section 1240.80(d) of title 20 of the Administrative Code (20 Ill. Adm. Code §1240.80(d) (2017), last amended at 23 Ill. Reg. 7521, effective June 18, 1999) provides that "LEADS data shall not be disseminated to any individual or organization that is not legally authorized to have access to the information." See also *Better Government Ass'n v. Zaruba*, 2014 IL App (2d) 140071, ¶27, 21 N.E.3d 516, 525 (2014) ("[T]he public is not entitled to view or possess data that is transmitted through, received through, or stored in LEADS."). Accordingly, law enforcement agencies may withhold information under section 7(1)(a) if it is specifically generated from the LEADS database

419.8 TRAINING

The Intelligence Officer should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

419.8.1 PROCEDURE

See attachment: [SOP 419-1.pdf](#)

Police Commanders

420.1 PURPOSE AND SCOPE

Each patrol shift/watch must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Police Commander heads each shift/watch.

Designated units/bureaus are also under the direction of a Police Commander, as set by the Chief of Police:

- Detective Bureau
- Juvenile Bureau
- Special Operations Group
- Community Strategies Bureau
- Executive Officer
- Office of Professional Standards

420.2 DESIGNATION AS ACTING COMMANDER

When a Police Commander is unavailable for duty as Commander, in most instances the senior qualified sergeant shall be designated as acting Commander. This policy does not preclude designating a less senior sergeant as an acting Commander when operational needs require or training permits.

420.3 WEEKEND DUTY COMMANDER DUTY ASSIGNMENTS FOR COMMANDERS

- Commanders will periodically be required to perform duty assignments on weekends and holidays, and at other times as required.
- Commanders will rotate these duty assignments so that assignments are distributed fairly.
- A schedule of duty assignments will be posted periodically via a special order indicating the dates of assignment for each staff member.

RESPONSIBILITY AND AUTHORITY

- The staff member working as Duty Commander will have the same authority as the Chief of Police.
- The Duty Commander will be in charge of the operations of the Department.

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- (c) The Duty Commander will be called regarding all major crime occurrences or incidents, personnel problems, press conferences, or any other matters normally brought to the immediate attention of the Chief of Police.
- (d) The Duty Commander will make the decision to contact the Chief of Police on any matter.
- (e) Members, while working as weekend/holiday Duty Commander, will not be required to make periodic station checks. However, the Duty Commander will be available to provide command level supervision when necessary. Availability will be provided by way of telephone, or informing the Communications Center and/or shift supervisor where he/she can be contacted at all times during his/her duty assignments. This information will be maintained at the Service Desk, Communications, and Patrol Supervisor's offices.

DUTY REPORT

The Duty Commander will complete a written report regarding the duty assignment, including major problems or activities which require attention by the Chief of Police.

CHANGES IN DUTY COMMANDER ROSTER

- (a) Any changes in the Duty Commander Roster will be requested of the Chief of Police, in writing, prior to the duty assignment. Only the Chief of Police will approve roster changes.
- (b) If a member is unable to fulfill his/her duty assignment, the Chief of Police will be notified immediately.

DUTY ASSIGNMENT

- (a) Prior to beginning a duty assignment the designated Duty Commander will contact the Chief of Police to identify any special concerns for that particular duty assignment.
- (b) The weekend duty assignment will begin at 5:00 p.m. on Friday and conclude at 8:00 a.m. on Monday. If a holiday is added to the weekend duty (at beginning or end) the hours will be extended to include the holiday. The Duty Commander should check with the Chief.

Mobile Audio/Video

421.1 PURPOSE AND SCOPE

The Evanston Police Department has equipped marked and semi-marked patrol cars with Mobile Audio and Video (MAV) recording systems to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

421.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car video and Mobile Audio Video (MAV) system -Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV coordinator - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

421.2 POLICY

It is the policy of the Evanston Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

421.3 OFFICER RESPONSIBILITIES

Prior to going into service, each police officer assigned a vehicle with audio/video, will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Evanston Police Department identified and labeled media with tracking numbers are to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name, badge number and the current date and time at the start and again at the end of each shift. If the system is

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malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

Equipment malfunctions, or damages needing repair, will be recorded on a vehicle equipment repair ticket.

All MDVR service and repair will be done at the earliest possible time. The status of the MDVR repairs will be reflected on the vehicle status board.

421.3.1 LOG-ON PROCEDURE

Activate the recording mode from the remote microphone, to ensure it is synchronized with the in-car unit.

Clearly announce: the date, time, beat, vehicle number, officer(s) name and star number(s).

Deactivate the audio and video recording by pressing the "Stop" button on the DVR or Overhead Monitor.

Check to ensure recording was successful.

421.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record. Additionally, the camera is automatically activated when the speed of the vehicle registers 60 miles per hour. The recorder can also be manually activated by pushing the button on the DVR or overhead monitor.

421.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident, due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated as soon as practicable in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct, within video or audio range, whether a primary or assist car:
 - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles

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5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Pedestrian stops/Investigative stops
 9. DUI investigations including field sobriety tests
 10. Crimes in progress
 11. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify the Communications Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
1. Domestic violence calls
 2. Disturbance of peace calls
 3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

421.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

421.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

421.5 ACTIVATION OF THE MAV

The MAV system shall be activated and used continuously throughout the officer's shift, as defined in this policy (50 ILCS 707/15).

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421.6 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of the Communications Center.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 - 1. The tracking number of the MAV system media.
 - 2. The date it was issued.
 - 3. The law enforcement operator or the vehicle to which it was issued.
 - 4. The date it was submitted.
 - 5. Law enforcement operators submitting the media.
 - 6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media by either download or taking possession of the video card. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

On a monthly basis, supervisors will conduct and document 4 random reviews for compliance of officers under their supervision. Any deviations will be addressed and handled appropriately.

421.7 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance

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- (d) To assess proper functioning of MAV systems
- (e) By a department investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
- (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (i) By the media through proper process or with permission of the Chief of Police or the authorized designee
- (j) To assess possible training value
- (k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to their supervisor. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

421.8 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

421.9 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15)).

421.9.1 RECORDING RETENTION REQUIREMENTS

Notwithstanding the 90 day retention period in 720 ILCS 5/14-3(h-15), if the Department receives funds under the Illinois Law Enforcement Camera Grant Act, MAV video records must be stored for no less than two years (50 ILCS 707/15).

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421.9.2 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

421.9.3 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Evanston Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

Video recordings of the following incidents will be submitted as evidence:

- Physical confrontations with violators or arrestees
- Arrests leading to either a DUI or felony charge
- Vehicle pursuits
- Any incidents that an officer feels are significant and in which a recording of the incident would be beneficial as evidence

When one of the above-listed incidents occurs, the officer shall notify his supervisor or the supervisor's designee and a Video Request Form will be completed.

The assigned administrative personnel shall transfer the video and/or audio recordings associated with the incident to a read-only printable storage medium (DVD). The read-only portable storage media shall be given directly to the requesting officer. The officer will sign for the recording.

421.10 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.

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- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

421.11 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

421.11.1 ADDITIONAL MAV TECHNICIAN RESPONSIBILITIES FOR GRANT FUNDING

If the Department receives any grants under the Illinois Law Enforcement Camera Grant Act, the MAV technician is also responsible for (50 ILCS 707/15):

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- (a) Remaining familiar with the applicable requirements of the Illinois Law Enforcement Camera Grant Act including any model rules developed by the Illinois Law Enforcement Training and Standards Board (ILETSB).
- (b) Ensuring the MAV system includes audio of the officer when the officer is outside of the vehicle.
- (c) Limiting access to the camera to the officer's supervisor.
- (d) Working with the Records Manager to develop procedures to process requests from other law enforcement agencies and local State's Attorneys for video recordings, including procedures for protecting identities of individuals not related to the recorded incident.
- (e) Completing the annual MAV report required by 50 ILCS 707/15.

421.12 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

Mobile Data Terminal Browser Use

422.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT/MDB) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Center.

422.2 POLICY

Evanston Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

422.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

422.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Commanders.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

422.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

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In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

422.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by a supervisor or other department-established protocol, all calls for service assigned by a telecommunicator should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a telecommunicator.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

422.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

422.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor is notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

422.6 EQUIPMENT CONSIDERATIONS

422.6.1 MALFUNCTIONING

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify the Communications Center. It shall be the responsibility of the telecommunicator to document all information that will then be transmitted verbally over the police radio.

Mobile Data Terminal Browser Use

422.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

Portable Audio/Video Recorders

423.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Evanston Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

423.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

Law enforcement-related activities - Activities in which the member is enforcing the law, including traffic or pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd and traffic control. It does not include tasks unrelated to the investigation of a crime such as community caretaking functions such as participating in town halls or other community outreach; helping a child find his/her parents; providing death notifications; performing in-home or hospital well-being checks on the sick, elderly or persons presumed missing; or completing paperwork while alone or only in the presence of another law enforcement officer.

Portable recorder or recorder - Either an audio-only recording device or a body-worn camera.

Traffic Control: The maneuvering of traffic due to the disruption of traffic flow from a traffic crash, road obstruction or other unplanned emergency.

423.2 POLICY

The Evanston Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

The department recognizes that the body worn camera will not capture exactly what the officer sees and hears, or what an officer senses or experiences. The recorded images do not provide the totality of the circumstances that drives the officer's response to a particular situation.

423.3 BODY-WORN CAMERA ADMINISTRATOR

The Chief of Police or the authorized designee should designate a administrator responsible for (50 ILCS 706/10-20):

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- (a) Identifying members who are assigned body-worn cameras, to include all trained uniformed and non-uniformed members, who are assigned to street duty, including patrol officers, and sworn supervisors who are not assigned to in-station administrative or investigative duties.
- (b) Identifying members permitted to access recordings in order to redact, label or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:
 - 1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures or problems with the equipment.
 - 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.
 - 3. Security of recordings including access controls.
 - 4. Redacting, labeling and duplicating recordings.
 - 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).
- (g) Ensure members are properly trained in the use of body worn cameras prior to being assigned a camera.
- (h) Additional training and program assessment may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
- (i) Annually the Body Worn Camera Administrator will review agency compliance with this policy, the performance of hardware and software as well as the overall performance of the video evidence program. A report will be submitted to the Chief of Police detailing any problems, deficiencies or anticipated needs. This report will be completed for each preceding calendar year during the first quarter of the subsequent year.

423.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

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423.5 MEMBER RESPONSIBILITIES

Members will be trained by department personnel prior to utilizing a body worn camera. Prior to going into service, each uniformed and non-uniformed member who are assigned a body worn camera, will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. This includes all members who are assigned to street duty, including patrol officers, and sworn supervisors who are not assigned to an in-station administrative and investigative assignment. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable (50 ILCS 706/10-20). Uniformed members should wear the recorder in a conspicuous manner and notify persons that they are being recorded, whenever reasonably practicable. Members assigned a body worn camera will securely attach the body worn camera to the front of the member's person, above the waistline, facing outward, with an unobstructed view that provides for the effective recording of an incident.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use and notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, EPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

Members that are assigned body worn cameras who are assigned to a multi-jurisdictional task force (NIPAS, MCAT, NORTAF, ILEAS) will not wear a body worn camera during call-out activities until a memorandum of understanding with the particular task force executive board is approved. Department members who are assigned a body worn camera and are members of a multi-jurisdictional task force and who are responding to an initial, in-progress call while on duty in Evanston, must have their body worn camera activated.

423.5.1 OFF-DUTY DETAILS

Members who are assigned a body worn camera will wear their issued body worn camera while working off-duty details. The camera will be activated in accordance with this policy should any law enforcement-related activities occur during the detail. Any deviations to the wearing of a body worn camera while working an off-duty detail must be approved by the Chief of Police or their designee.

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423.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20).

Other portable recorders should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify the Communications Center
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20). The safety of the officer and public takes precedence over the recording of events.

Members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Members should remain sensitive to the dignity of all individuals being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable. The circumstances shall be documented in the officer's police report.

Officers shall ensure that the body worn camera is on buffering mode during his/her tour of duty. This ensures that the previous 30 seconds of captured video is captured when the camera transitions to the event mode.

Officers assigned a body worn camera shall activate the system from buffering mode to event mode to record an entire incident for all of the following:

- (a) Emergency driving situations

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- (b) Emergency vehicle responses to in-progress or just occurred dispatches where the fleeing suspects or vehicles may be captured on video leaving the crime scene.
- (c) Execution of a search warrant, arrest warrant, Fourth Amendment waiver search, knock and talk, or a consent search in which the officer is looking for a suspect.
- (d) Foot and vehicle pursuits.
- (e) High risk situations.
- (f) Routine calls for service.
- (g) Searching a detainee, without sacrificing officer safety. it is advantageous to position the search so that it is captured on video.
- (h) Situations that may enhance the probability of evidenced based prosecution.
- (i) Situations where the officer reasonably believes to serve a proper purpose. For example, recording the processing of an uncooperative arrestee, through the booking process and until they are placed in a cell.
- (j) Transporting detainee or persons not in police custody, regardless of gender. Two officer units will be required to record with at least one body worn camera.
- (k) When the officer has been dispatched to a call or when self-initiating a response to a call.

Evidence Technicians processing a crime scene after the initial response by officers, shall not activate their body worn camera while processing the scene, unless they encounter another law enforcement activity that requires the activation of the body worn camera.

Officers working a planned event that involves traffic direction do not have to activate their body worn camera unless they encounter another law enforcement activity that requires the activation of the body worn camera.

Unless exigent circumstances exist, upon initiating contact, officers shall announce to the individual(s) that they are being recorded. This notification shall be done whether there is a reasonable expectation of privacy or not.

Officers shall indicate in the police report narrative when recordings were made during the incident and follow proper protocol to document the use of body cameras in the records management system. If the officer fails to activate the body worn camera to event mode, does not record the entire incident or interrupts the recording for any reason, the officer shall document, on the recording, the time, place and reason why the recording was not made or was discontinued. This shall also be documented in the officer's police report.

423.6.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. In the event of an arrest, the incident is concluded when the subject is transported to the station and through the booking process. However, officers have the discretion to continue recording to when the subject is placed in a cell. Recording may be stopped during

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significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, witness or community member reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the officer should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20). Officer's shall turn off the body worn camera when interacting with a confidential informant or assisting a special division in a sensitive operation where confidentiality is imperative to the operation; in this instance, approval must be sought from the appropriate supervisor.

Cameras may also be turned off when the officer is not engaged in law enforcement-related activities or when completing paperwork alone or while only in the presence of another member (50 ILCS 706/10-20).

Department members are allowed to record individuals in private residences or other places where a reasonable expectation of privacy exists and there is a lawful reason for the presence of law enforcement officers. A subject who is being arrested does not have a reasonable expectation of privacy.

When the subject does have a reasonable expectation of privacy, officers shall inform individuals that they are being audio and video recorded. Consent to continue audio recording must be obtained. Proof of notification and consent must be evident in the recording and documented in the officer's police report. Once the initial notice has been provided, the notice requirement has been satisfied, even when another individual becomes a party to the communication. If an officer is uncertain as to whether a reasonable expectation of privacy exists, the officer shall provide the aforementioned verbal notice.

Officers shall turn off the body worn camera in locations where a reasonable expectation of privacy exists, such as a dressing room, medical and psychiatric facility or the incident involves the exposure of private body parts, unless required for capturing evidence or the officer reasonably believes it to serve a proper police purpose. Reasonable attempts shall be made to avoid recording persons other than the suspect.

Officers shall turn off the body worn camera during any court related manner, to include pre-trial conferences, depositions, or any other activity in the courtroom.

Body worn cameras worn by department members will be deactivated upon the order of the ranking supervisor that are involved at incident scenes that have been determined to be secure that are an officer-involved death investigation, firearm discharge, or any other use of force incident.

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NOTE: A scene may be considered secure when the offenders are in custody or otherwise not in the area, medical aid has been requested/administered or fire personnel/paramedics are on the scene, the involved officers have been identified and the incident scene has been established.

Members who are assigned as perimeter security at any secured crime scene do not have to have the body worn camera activated unless the scene assignment has a law enforcement-related function such as crowd control and other such public interaction.

423.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Illinois law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential (720 ILCS 5/14-2).

However, officers using body-worn cameras are not prohibited from recording a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the officer from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

423.6.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

423.6.4 MUTING OF AUDIO

Officers having short conversations with each other or supervisors that take place away from public contact may mute the audio for the purpose of discussing a tactical consideration or a topic that is unrelated to the law enforcement related activity they are currently recording.

423.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

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Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body worn camera recordings without prior written authorization by a supervisor. Any violations related to the unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.

423.8 UPLOADING AND CATEGORIZATION

All body worn camera recordings are considered evidence.

The body worn camera system will be placed in the proper charging receptacle at the end of each shift. It will be the responsibility of each member that is assigned a body worn camera to ensure the camera is properly placed in the charging receptacle and the videos are properly tagged and uploaded.

Once the recording has been uploaded, the officer is responsible for reviewing the footage and assigning data into categories in accordance with the records management system and department policy.

Identification for the footage shall be the case or event number along with officer name, badge number, date and applicable category(s).

Each recording shall be appropriately titled.

All footage shall be properly marked and identified as soon as possible.

423.9 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under the Freedom of Information Act or the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5; 50 ILCS 706-10-20).

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Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Recordings may be used for training purposes. Officers who are aware that a particular recording may be used for training should notify a supervisor who will review the recording to determine its feasibility as a training tool.

423.10 RETENTION OF RECORDINGS

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of an arrest or the recordings are deemed evidence in any criminal, civil or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

423.10.1 RETENTION REQUIREMENTS FOR BODY-WORN CAMERA RECORDINGS

Recordings made on body-worn cameras shall be retained for 90 days. Recordings shall not be altered, erased or destroyed prior to the expiration of the 90-day storage period (50 ILCS 706/10-20).

After the 90-day storage period, recordings must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed
- (b) The officer discharged his/her firearm or used force during the encounter
- (c) Death or great bodily harm occurred to any person in the recording
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense with a fine of more than \$1,000
- (e) The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct
- (f) The supervisor of the officer, prosecutor, defendant or court determines that the encounter has evidentiary value in a criminal prosecution
- (g) The recording officer requests that the video be retained for official purposes related to his/her official duties

Under these circumstances, the recording of the encounter shall not be altered or destroyed for two years. If the recording is used in a criminal, civil or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court. The above listed retention/storage requirements are obtained directly from the State of Illinois Law Enforcement Officer Body Worn Camera Act (50 ILCS 706/10-20)

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Recordings may be retained anytime a supervisor designates the recording for training purposes and may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training or ensuring compliance with department policies.

423.10.2 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Freedom of Information Act, Records Maintenance and Release Policy. Requests for the release of audio/video recordings are set by the State of Illinois Law Enforcement Body Worn Camera Act (50 ILCS 706/10-20). The State of Illinois Law Enforcement Body Worn Camera Act as well as the Illinois Freedom of Information Act (5/ILCS 140/6(a)) will be adhered to when completing any request for the release of audio/video recordings. The State of Illinois Law Enforcement Body Worn Camera Act, Illinois Freedom of Information Act and Evanston Police Department Policy Number 804 are all attached in this section. [See attachment: Illinois Body Worn Camera Act.pdf](#)
[See attachment: Illinois Freedom of Information Act.pdf](#)

423.11 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report. The recording officer and his or her supervisor may access and review recordings prior to completing incident reports or other documentation, provided that the officer or his or her supervisor discloses that fact in the report or documentation.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

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423.11.1 DOCUMENTING REVIEW OF RECORDINGS

Members who review recordings prior to completing incident reports or other documentation shall disclose that fact in the report or other documentation (50 ILCS 706/10-20).

423.12 ACCIDENTAL RECORDINGS AND DELETIONS

In the event of an accidental activation of the body worn camera during non-enforcement or non-investigative activities or in a situation where a reasonable expectation of employee privacy exists, officers may submit a Body Worn Camera Recording Deletion Request form. Said form shall be forwarded to the officer's supervisor or designee.

Approved requests shall be forwarded to the Body Worn Camera coordinator for review and final approval. Recordings deemed by the coordinator to hold no official purpose shall be deleted.

Once footage has been deleted, the forms shall be forwarded to the Records Bureau for record keeping purposes.

423.13 SUPERVISORY RESPONSIBILITIES

Supervisors shall ensure officers equipped with body worn cameras utilize them in accordance to policy and training.

When a supervisor becomes aware that a recorded incident has the propensity to generate community interest, the supervisor shall review only those recordings relevant to their investigative scope and conduct further investigation that he/she deems appropriate. The supervisor is responsible for forwarding the information via the chain of command.

Monthly, supervisors will randomly review 4 recordings (Axon BWC and/or Axon In-Car) pertaining to subordinates under his/her responsibility to ensure that the equipment is operating properly and that officers are using the cameras appropriately and in accordance with policy and training. Supervisors shall document their review on a Camera Supervisor Review form. Completed forms will be included in the shift/unit monthly report.

Recordings may not be reviewed indiscriminately for disciplinary purposes. Recordings will be reviewed when a complaint of misconduct has been made or discovered, or as part of the supervisory use of force or resisting/obstructing review.

Supervisors shall identify any areas in which additional training or guidance is required.

Recordings shall not be used to prepare performance evaluations, unless used for the purpose of correcting substandard employee performance that was brought to the supervisors attention.

In general, minor infractions and minor deviations from department policy observed through review of the recordings will not be subject to the disciplinary process and will be treated as a training opportunity.

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423.14 PUBLIC RECORDING OF LAW ENFORCEMENT

No officer may hinder or prohibit any person recording a law enforcement officer in the performance of his/her duties in a public place or in a circumstance where the officer has no reasonable expectation of privacy.

The unlawful confiscation or destruction of the recording medium of a person who is not a law enforcement officer may result in discipline or other penalties.

423.15 BODY WORN CAMERA PROCEDURE

[See attachment: Body Worn Camera Procedure.pdf](#)

Public Recording of Law Enforcement Activity

424.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence (50 ILCS 706/10-20).

424.2 POLICY

The Evanston Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

424.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (720 ILCS 5/14-2; 50 ILCS 706/10-20).
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to (50 ILCS 706/10-20):
 - 1. Inciting others to violate the law.
 - 2. Being so close to the activity as to present a clear safety hazard to the officers.
 - 3. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
 - 4. Engaging in any other action that could interfere with an officer's ability to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations or protect the public safety and order.

424.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Public Recording of Law Enforcement Activity

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

424.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

424.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a search warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

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Public Recording of Law Enforcement Activity

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department device.

Recording devices and media that are seized will be submitted within the guidelines of the Property Bureau Policy.

424.7 DISCIPLINE

Departmental discipline consistent with the Personnel Complaints Policy and criminal prosecution may result from unlawful confiscation or destruction of a public recording of law enforcement activity (50 ILCS 706/10-20).

Medical Marijuana

425.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of cannabis under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act (the Act) (410 ILCS 130/1 et seq.).

425.1.1 DEFINITIONS

Definitions related to this policy include (410 ILCS 130/10):

Authorized amount - No more than 2.5 ounces of usable cannabis unless the person has a Department of Public Health-approved quantity waiver for more than 2.5 ounces. The pre-mixed weight of cannabis used in making cannabis-infused products shall apply toward the authorized amount of cannabis.

Cardholder - A person who has been issued a valid registry identification card by the Department of Public Health.

Dispensary - An organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia or related supplies and educational materials to cardholders.

Medical use of cannabis - The acquisition, administration, delivery, possession, transfer, transportation or use of cannabis to treat or alleviate a person's debilitating medical condition or symptoms associated with the debilitating medical condition.

Qualifying patient - A person who has been diagnosed by a physician as having a debilitating medical condition listed in 410 ILCS 130/10(h).

Registered designated caregiver - A person who has a valid registry identification card to assist a qualifying patient with the medical use of cannabis.

Registry identification card - A document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

Usable cannabis - The seeds, leaves, buds and flowers of the cannabis plant. It does not include the stalks and roots of the plant or the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food or drink.

425.2 POLICY

It is the policy of the Evanston Police Department to prioritize resources to avoid making arrests related to cannabis that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Medical Marijuana

Illinois medical cannabis laws are intended to provide protection from arrest and prosecution to those who comply with the registration requirements of the law and who use, possess or provide care to mitigate the symptoms of certain chronic or debilitating medical conditions, or produce or deliver cannabis. However, Illinois medical cannabis laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of cannabis. The Evanston Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Illinois law and the resources of the Department.

425.3 INVESTIGATION

Investigations involving the possession, delivery, production or use of cannabis generally fall into one of two categories:

- (a) Investigations when no person makes a medicinal claim
- (b) Investigations when a medicinal claim is made by a cardholder

425.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production or use of cannabis or drug paraphernalia where no person claims that the cannabis is used for medicinal purposes, the officer should proceed with a criminal investigation. A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the cannabis was possessed or produced for medicinal purposes.

425.3.2 INVESTIGATIONS INVOLVING A CARDHOLDER

No arrest should be made when a person is in possession of, delivers or uses cannabis or cannabis paraphernalia when the following amounts of cannabis are not exceeded (410 ILCS 130/10):

- (a) 2.5 ounces of cannabis obtained from a dispensary
- (b) More than 2.5 ounces of cannabis obtained from a dispensary if the person has a Department of Public Health-approved quantity waiver

The total amount possessed between the patient and caregiver shall not exceed the patient's adequate supply.

Despite the existence of a valid registry identification card, if there is evidence that the conduct related to cannabis was not for the purpose of treating or alleviating the qualifying patient's medical condition or symptoms associated with the medical condition, a criminal investigation should occur (410 ILCS 130/25(a)-(d)).

Registered qualifying patients and their designated caregivers are required to possess their registry identification card at all times when engaging in the medical use of cannabis (410 ILCS 130/70). However, officers who reasonably believe that a person who does not have a registry identification card in his/her possession has been issued a card may treat the investigation as if the person had the card in his/her possession.

Medical Marijuana

425.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving cannabis possession, delivery, production or use (410 ILCS 130/25):

- (a) No person may be arrested solely for:
 - 1. Selling cannabis paraphernalia to a cardholder, if the person is employed and registered as a dispensing agent of a dispensary.
 - 2. Being in the presence or vicinity of the medical use of cannabis.
 - 3. Assisting a qualifying patient in possession of a registry identification card with the act of administering cannabis.
- (b) Cannabis, cannabis paraphernalia, illegal property, or interest in legal property that is possessed, owned or used in connection with the medical use of cannabis may not be seized or forfeited. However, nothing in this policy prohibits cannabis exceeding the authorized amounts or unrelated to any cannabis that is possessed, manufactured, transferred or used under the Act from being seized or forfeited
- (c) Possession of, or application for, a registry identification card or registration certificate does not itself constitute reasonable suspicion or probable cause to search, nor does it preclude the existence of other independent probable cause.
- (d) Because enforcement of medical cannabis laws can be complex, time consuming and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
 - 1. The suspect has been identified and can be easily located at another time.
 - 2. The case would benefit from review by a person with expertise in medical cannabis investigations.
 - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
 - 4. There are any other relevant factors, such as available department resources and time constraints.
- (e) Registered cultivation centers and dispensaries, as well as their officers, agents and employees, may not be searched or seized solely because they are a cultivation center or dispensary, or officers, agents or employees of such facilities.
- (f) Before proceeding with enforcement related to a cultivation center, officers should consider conferring with appropriate legal counsel.

425.3.4 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (410 ILCS 130/30):

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- (a) Undertakes any task under the influence of cannabis when doing so would constitute negligence, professional malpractice or professional misconduct.
- (b) Possesses or uses cannabis:
 - 1. In a school bus.
 - 2. On the grounds of any preschool, or primary or secondary school.
 - 3. In any correctional facility.
 - 4. In a vehicle, except that a person may possess medical cannabis if it is in a reasonably secured, sealed, tamper-evident container and is reasonably inaccessible while the vehicle is moving.
 - 5. In a private residence that is used at any time to provide licensed child care or other similar social service care on the premises.
- (c) Uses cannabis:
 - 1. In any motor vehicle.
 - 2. In any place except a private residence where an individual could reasonably be expected to be observed by others.
 - 3. Knowingly in close physical proximity to anyone under the age of 18.
 - 4. As an active duty law enforcement officer, correctional officer, correctional probation officer or firefighter.
 - 5. As a person with a school bus permit or a Commercial Driver's License (CDL).
- (d) Smokes medical cannabis in any place where smoking is prohibited under the Smoke Free Illinois Act.
- (e) Operates, navigates or is in actual physical control of any motor vehicle, aircraft or motorboat while using or under the influence of cannabis, in violation of Sections 11-501 and 11-502.1 of the Illinois Vehicle Code
- (f) Uses or possesses cannabis if that person does not have a debilitating medical condition and is not a registered qualifying patient or registered designated caregiver.
- (g) Allows another person who is not allowed to use cannabis under the Act to use cannabis that a cardholder is allowed to possess.
- (h) Transfers cannabis to any person contrary to the provisions of the Act
- (i) Drives any vehicle in violation of Section 11-503 of the Illinois Vehicle Code (reckless driving).

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425.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a cannabis investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

425.5 PROPERTY BUREAU SUPERVISOR RESPONSIBILITIES

The Property Bureau supervisor should ensure that cannabis, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical cannabis is not destroyed. The Property Bureau supervisor is not responsible for caring for live cannabis plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property Bureau supervisor should return to the person from whom it was seized any useable cannabis, plants, drug paraphernalia or other related property.

The Property Bureau supervisor should not destroy cannabis that was alleged to be for medical purposes except upon receipt of a court order.

The Property Bureau supervisor may release cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Bureau supervisor.

Bicycle Patrol Officers

426.1 PURPOSE AND SCOPE

The Evanston Police Department has established Bicycle Patrol Officers (BPO) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas, enhance community engagement and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

426.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow. Bicycles may be used only when the temperature is over 40 degrees unless otherwise directed by a supervisor and proper clothing is worn. Bicycles may not be used in adverse weather conditions such as high winds, rain, icy conditions and snow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Problem Solving Team supervisor, or on-duty patrol supervisor when staffing allows for bicycle officers to operate on a designated shift/watch.

426.3 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a request to their appropriate Deputy Chief, via the chain of command. A copy will be forwarded to the PST supervisor. Qualified applicants will be selected to attend a bicycle certification course. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as it pertains to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

426.3.1 PROBLEM SOLVING TEAM SUPERVISOR

The Problem Solving Team supervisor shall have responsibility for the following:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
- (c) Scheduling maintenance and repairs.
- (d) Evaluating performance of bicycle officers.
- (e) Coordinating activities with the Field Operations Division supervisors.

Bicycle Patrol Officers

- (f) Other activities as required to maintain the efficient operation of police bicycle patrol.

426.4 TRAINING

Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program.

Exception:

Officers assigned or approved to use bicycles as part of a surveillance assignment or other tactical deployment are exempt from the provisions cited above.

426.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department star and patches and department-approved bicycle patrol pants or shorts.

Optional equipment includes jacket in colder weather, turtleneck shirts or sweaters when worn under the uniform shirt, and a radio head set and microphone.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

Officers trained and assigned to Bicycle Response Team (BRT) operation/protest must have a bike uniform and gas mask readily available. BRT operation will occur in team form for the purposes of crowd control/management only if activated by a supervisor.

426.6 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle and gear.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a Police decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of the Illinois Vehicle Code (625 ILCS 5/11-1507). A bicycle is a police vehicle as authorized by 625 ILCS 5/1-162.3.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

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Each bicycle may be equipped with an oscillating, rotating or flashing red and/or blue warning light that is visible from the front, sides, or rear of the bicycle (625 ILCS 5/12-215).

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a memorandum will be completed and forwarded to the Problem Solving Team supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the Problem Solving Team supervisor, or in the event of an emergency.

Vehicle bicycle racks may be available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

426.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers operating an authorized emergency vehicle may park or stand, irrespective of the provisions of the Illinois Vehicle Code (625 ILCS); proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation; exceed the maximum speed limits so long as he/she does not endanger life or property; disregard regulations governing direction of movement or turning in specified directions (625 ILCS 5/11-205).

The driver of an authorized emergency vehicle is not relieved from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others (625 ILCS 5/11-205(e)).

Officers should ride in pairs when possible to increase officer safety.

Citation Dismissal, Correction, and Voiding

427.1 PURPOSE AND SCOPE

This policy outlines the responsibility for citations, the procedure for dismissal, correction, and voiding of citations.

427.2 RESPONSIBILITIES

The Records Manager shall be responsible for the development and design of all Department citations in compliance with Cook County standards, Illinois State law, or the Illinois Supreme Court.

The Records Bureau shall be responsible for the supply and accounting of all citations issued to members of this department.

427.3 DISMISSAL OF CITATIONS

Members of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the generating member's Deputy Chief. Upon a review of the circumstances involving the issuance of the citation, it is the decision of the Deputy Chief to recommend dismissal of the citation. If approved, the citation will be forwarded to the Cook County State's Attorney's Office, City Attorney or the parking systems manager with a request for dismissal. All recipients of citations whose request for the dismissal of a citation has been denied shall be referred to the appropriate court or administrative hearing.

Should an officer determine during a court proceeding that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the Assistant State's Attorney, City Attorney or Administrative Law Judge to dismiss the citation. Upon dismissal of the citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete a memorandum as directed or required. The citation dismissal shall then be forwarded to the appropriate Deputy Chief for review.

427.4 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed, but not issued. All copies of the citation shall be marked as voided and presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Records Bureau, along with an internal memorandum addressed to the Chief Clerk of the Second Municipal District, outlining the reason for voiding the citation.

Parking citations can be voiding utilizing the appropriate Parking Citation Void Form.

427.5 CORRECTION OF CITATIONS

When a citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation

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and letter shall then be forwarded to the Records Bureau. The Records Bureau shall prepare a letter of correction to the Cook County Clerks Office having jurisdiction, or the Administrative Adjudication office and to the recipient of the citation via certified letter

427.6 DISPOSITION OF CITATIONS

The court and file copies of all citations issued by members of this department shall be forwarded to the Records Bureau.

Upon separation from employment with this department, all members issued citations books shall return any unused citations to the Office of Administration, who will forward them to the Records Bureau.

Foot Pursuits

428.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue a pursuit of suspects on foot.

428.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

428.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued.

Members may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in illegal, criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances present at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.

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- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

428.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the telecommunicator or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm, radio, or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

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- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

428.5 RESPONSIBILITIES IN FOOT PURSUITS

428.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, such as the foot pursuit ending quickly, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the telecommunicator of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

428.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

428.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall monitor the radio traffic and if necessary and when practical attempt to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously

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assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

428.5.4 THE COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the telecommunicator is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit, when radio traffic dictates.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Assigning incident number and logging all pursuit activities.

428.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting;

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Direction of travel.
- (d) Offense committed.
- (e) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (f) Arrestee information, if applicable.
- (g) Any injuries and/or medical treatment.
- (h) Any property or equipment damage.

Assisting officers taking an active role in the apprehension of the suspect may complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation or establish a crime has been committed, the initiating officer need not complete a formal report unless extenuating circumstances occur such as recovering contraband, damage to property or some type of injury as a result of the foot pursuit.

Automated License Plate Readers (ALPRs)

429.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Evanston Police Department to convert data associated with vehicle license plates for official law enforcement purposes including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

429.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Support Services Deputy Chief. The Support Services Deputy Chief will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

429.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (b) An ALPR shall only be used for official and legitimate law enforcement business.
- (c) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (d) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (e) If practicable, the officer should verify an ALPR response through the Illinois Law Enforcement Agencies Data System (LEADS) before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may access LEADS unless otherwise authorized to do so.

429.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Evanston Police Department and because such data may contain confidential LEADS information, it is not open

Automated License Plate Readers (ALPRs)

to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

The Support Services Deputy Chief is responsible to ensure proper collection and retention of ALPR data and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by the department's record retention guidelines and thereafter may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

429.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Evanston Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password protected system capable of documenting all access of information by name, date and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted on a regular basis.

Homeless Persons

430.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Evanston Police Department recognizes that members of the homeless community are often in need of special protection and services. It is the goal of the Evanston Police Department to address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

430.1.1 POLICY

It is the policy of the Evanston Police Department to provide law enforcement services and to protect the rights, dignity and private property of all members of the community, regardless of their socioeconomic status. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

430.2 PROBLEM SOLVING TEAM

The Problem Solving Team will be responsible for:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.
- (c) Maintain a list of those areas within and near this jurisdiction that are used as frequent homeless encampments.
- (d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 - 1. Proper posting of notices of trespass and clean-up operations.
 - 2. Proper retention of property after clean-up, including procedures for owners to reclaim their property in accordance with the Property Bureau Policy and other established procedures.
- (e) When possible, be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.
- (f) Develop training to assist officers in understanding current legal and social issues relating to the homeless, when needed.
 - 1. This should include what constitutes a reasonable expectation of privacy for the property of a homeless person (775 ILCS 45/5).

Homeless Persons

430.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. When encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace officers may consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest. However, nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

430.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

430.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public (775 ILCS 45/10(a)(7)). Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of homeless persons.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a

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supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the Problem Solving Team. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Problem Solving Team.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property without supervisor authorization. If such property appears to involve a trespass, is a blight to the community or is the subject of a complaint, officers shall notify a supervisor for direction.

430.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see the Civil Commitments Policy).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

430.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to our environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Firearm Concealed Carry

431.1 PURPOSE AND SCOPE

This policy provides guidance for responding to situations involving individuals who possess concealed carry handgun licenses under the provisions of the Illinois Firearm Concealed Carry Act (430 ILCS 66/1 et seq.).

431.2 POLICY

The Evanston Police Department respects the rights of individuals to carry concealed handguns in compliance with the Illinois Firearm Concealed Carry Act.

It is the policy of the Evanston Police Department to not unreasonably interfere with or discriminate against individuals who lawfully carry concealed handguns.

431.3 OFFICER RESPONSIBILITY

When an officer initiates an investigative stop, including a traffic stop, and determines that any persons contacted, including passengers, are in possession of concealed firearms and are license holders, the duration of the contact may only be extended by the amount of time reasonably necessary to verify the validity of the license or to verify that possession of the weapon is lawful, absent reasonable suspicion of other criminal activity.

If an officer reasonably believes a person is a clear and present danger because the person has engaged in verbally or physically threatening behavior (e.g., violent, suicidal or assaultive threats or actions), the officer shall report this information to the Illinois State Police (ISP) within 24 hours (430 ILCS 65/8.1). The fact that ISP has been notified and the manner of notification should be documented.

The officer should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent). Officers are cautioned that a search warrant may be needed before seizing weapons or entering a residence or other place to search, unless a lawful, warrantless entry has already been made (e.g., exigent circumstances, consent).

431.3.1 OFFICER SAFETY

If an officer reasonably believes it is necessary for the safety of anyone present, the officer may secure a firearm or direct that it be secured during any contact with a licensee lawfully carrying a firearm or non-resident lawfully transporting a firearm in a vehicle. The officer shall return the firearm to the person after it is determined he/she is not a threat to the safety of any person present unless he/she is being transported to another location for treatment, in which case the officer shall proceed as provided in the Firearms in Non-Custody Situations section of this policy (430 ILCS 66/10(h-1)).

Firearm Concealed Carry

431.4 FIREARMS IN CUSTODY SITUATIONS

No person shall be transported in a department vehicle or be brought into a department facility or other prohibited facility while armed. If no other reasonable accommodation for the firearm is available, officers should take possession of the firearm, safely secure it during transport and retain possession until the person is released. If the person is not released, the firearm will be submitted to the Property Bureau as evidence or for safekeeping.

If a licensee's vehicle is towed and his/her firearm is in the vehicle, officers should handle the vehicle inventory in a manner that is consistent with the Vehicle Towing Policy. The officer should remove any firearms and submit them to the Property Bureau for either safekeeping or evidence, whichever is appropriate for the circumstances.

If the firearm is locked in a storage container inside the vehicle and is not considered evidence, officers should ask the licensee whether he/she prefers to have the firearm secured for safekeeping in the Property Bureau or left with the vehicle. If the licensee chooses to leave the firearm with the vehicle, his/her decision should be documented in the incident report or towed vehicle report.

The handling officer should provide a receipt, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Property Bureau Policy.

431.5 FIREARMS IN NON-CUSTODY SITUATIONS

If a licensee who is in lawful possession of a firearm is encountered under circumstances where he/she cannot adequately secure the firearm, (i.e., is incapacitated or being transported to the hospital for medical reasons), the firearm shall be retained and submitted to the Property Bureau for safekeeping.

The handling officer should provide a receipt documenting the make, model, caliber and serial number of the firearm, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Property Bureau Policy (430 ILCS 66/10(h-1)).

431.6 OBJECTIONS TO LICENSE APPLICATIONS

State law allows law enforcement agencies to file an objection to a license applicant when there is reasonable suspicion that the applicant is a danger to him/herself or others, or poses a threat to public safety (430 ILCS 66/15(a)). Any member who becomes aware of a license applicant who the member reasonably suspects is a danger to him/herself or others, or who poses a threat to public safety should promptly forward an incident report or a memorandum, as appropriate, to the Chief of Police or the authorized designee for approval and forwarding to ISP.

431.7 SURRENDER OR SEIZURE OF LICENSES

Members receiving a concealed carry license that has been voluntarily surrendered to the department because it has been revoked, suspended or denied shall provide the individual

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surrendering the license with a receipt and ensure that the license is forwarded to ISP (430 ILCS 66/70).

Officers should seize concealed carry licenses when the officer serves an order of protection and the person served is known to possess a concealed carry license. A notification of the order and the license must be forwarded to ISP within seven days of the date the order was served (430 ILCS 66/70).

It is a misdemeanor for a person to fail to surrender a concealed carry license within 48 hours of receiving notice of the revocation, denial or suspension of the license. Officers observing a license in the possession of a person whose license has been revoked, suspended or denied should consider seizing the license as evidence, if there are articulable facts that establish the person was aware of the revocation, suspension or denial. If the license is seized as evidence, ISP should be notified as soon as practicable. A copy of the report should be forwarded to ISP.

Suspicious Activity Reporting

432.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

432.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Race, ethnicity, national origin or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include, but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

432.2 POLICY

The Evanston Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism, and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

432.3 RESPONSIBILITIES

The Investigative Services Deputy Chief and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Investigative Services Deputy Chief include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

Suspicious Activity Reporting

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

432.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

432.5 HANDLING INFORMATION

The Records Bureau will forward copies of SARs, in a timely manner, to the following:

- Detective Bureau supervisor
- Intelligence Unit
- Other authorized designees

Medical Aid and Response

433.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

433.2 POLICY

It is the policy of the Evanston Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

433.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Communications Center and request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex and age, if known.
 - 4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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433.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

433.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

433.5.1 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to arrest processing. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to arrest processing.

If the Cook County Sheriff or Juvenile detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Medical Aid and Response

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

433.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

433.7 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

433.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member should use an AED only after he/she has successfully completed a course of instruction in accordance with the standards of a nationally recognized organization or rules existing under the AED Act, 410 ILCS 4/20.

433.8.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Office of Administration who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member using an AED shall notify the Communications Center as soon as possible and request response by EMS (410 ILCS 4/20).

433.8.2 AED REPORTING

Any member using an AED will notify responding paramedics so proper documentation is listed on the paramedic response form.

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433.8.3 AED TRAINING AND MAINTENANCE

The Office of Administration shall ensure that the Evanston Police Department is equipped with at least one operational and functional AED and that all AED are appropriately maintained and tested (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

Records of all maintenance and testing should be maintained in accordance with the established records retention schedule.

The Office of Administration shall ensure that an adequate number of members receive training in the use of an AED (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

433.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

The Office of Administration shall maintain written procedures to manage the department's acquisition, storage, transportation, training and administration of opioid overdose medication (20 ILCS 301/5-23).

Members who have received training may administer opioid overdose medication in accordance with protocol specified by the health care professional who prescribed the overdose medication for use by the member (20 ILCS 301/5-23).

433.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Office of Administration.

Any member who administers an opioid overdose medication should contact the Communications Center as soon as possible and request response by EMS.

433.9.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

433.9.3 OPIOID OVERDOSE MEDICATION TRAINING

The Office of Administration should ensure training is provided to members authorized to administer opioid overdose medication that includes information and training on drug overdose prevention, recognition, the administration of an overdose medication and care for the person after administration of the medication as provided in 20 ILCS 301/5-23.

433.10 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS

The Office of Administration shall create and maintain procedures for the acquisition, storage, transportation, administration and disposal of epinephrine auto-injectors (50 ILCS 705/10.19(e)).

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Members who have successfully completed ILETSB-approved training program to recognize and respond to anaphylaxis and administer an epinephrine auto-injector may carry and administer an epinephrine auto-injector for suspected anaphylaxis (50 ILCS 705/10.19(d)).

433.10.1 EPINEPHRINE USER RESPONSIBILITIES

Members who are qualified to carry and administer epinephrine should handle, store and administer epinephrine auto-injectors consistent with their training, any protocol specified by the health care professional who prescribed epinephrine auto-injectors to the Evanston Police Department and department procedures.

Members should check the auto-injectors at the beginning of their shift to ensure they are not expired. Any expired medication should be removed from service and given to the Office of Administration or disposed of in accordance with department procedures.

Any member who administers epinephrine should contact the Communications Center as soon as possible and request response by EMS.

433.10.2 EPINEPHRINE REPORTING

Any member who administers epinephrine should detail its use in an appropriate report.

433.10.3 EPINEPHRINE TRAINING

The Office of Administration should ensure that members authorized to administer an epinephrine auto-injector are provided with initial and refresher training that meets the requirements of 50 ILCS 705/10.19(c).

433.11 TRANSPORTATION AND STAND-BY REQUESTS

Police units will not be dispatched to private care/assisted living facilities or local hospitals to stand-by while a private ambulance service effects the removal and transport of a patient. The requesting facility and the ambulance service should provide sufficient personnel to cope with a potentially resistant/combatative patient. Should a disturbance erupt beyond the capabilities of facility staff and transport personnel to handle, upon request police units will respond to render aid. Effecting the removal and transport of the patient remains the responsibility of the facility and ambulance service. A field supervisor will respond to such calls. The unit assigned will submit a report documenting the action taken.

At the request of the Evanston Fire Department, police units will be dispatched to stand-by/assist Fire Department paramedic units while they perform their assigned duties.

433.12 FIRE DEPARTMENT CALLS INVOLVING JUVENILES

Officers will respond to all Evanston Fire Department paramedic calls involving juveniles. Telecommunicators will assign an officer to all of these calls. Officers will assess each situation, and make a determination of whether or not a crime has been committed, and whether a juvenile Detective needs to respond to the scene or the hospital.

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The officer's presence on scene may prevent the tampering of evidence. It is the duty of the Evanston Police Department to protect all juvenile victims.

If the call warrants an investigation, the responding officer will begin the initial investigation. If a crime has not been committed, the officer may code the call appropriately.

433.13 EMERGENCY ESCORTS AND RELAYS

Emergency vehicles (ambulances, etc.) shall not be escorted except under extreme circumstances. An exception to this policy is the escort of emergency vehicles to Hospital when the driver of the emergency vehicle is unfamiliar with the location of the hospital.

Police escort of civilian vehicles in medical or other emergencies is generally prohibited.

When confronted with emergency medical situations, the officer should request ambulance response for treatment and transport.

Although transport of medical emergencies in police vehicles is generally prohibited, there may be times when it is the only or best option available to the officer.

- In these cases, a supervisor must specifically authorize the police vehicle transport, and the hospital shall be notified of the emergency transport and provided as much medical information as is available.
- If in the opinion of the officer, delay or transfer would jeopardize the patient's life the officer may, with specific approval of the supervisor, escort the civilian vehicle to the nearest emergency medical facility.

During such escort:

- All emergency equipment shall be utilized, and the officer shall not exceed the posted speed limit by more than 20 MPH.
- The officer shall not proceed through traffic control devices without first stopping and insuring that both vehicles can safely proceed.
- Officers shall terminate emergency escort and resume normal vehicular operation when continuation of the escort would constitute unacceptable risk to the public.

In cases where the Police Department is required to conduct an emergency medical transport (relay) of blood/organs or other time critical supplies, the following procedures shall apply:

- All emergency equipment shall be utilized, and the officer shall not exceed the posted speed limit by more than 20 MPH.
- The officer shall not proceed through traffic control devices without first stopping and insuring that it is safe to proceed.
- Officers shall terminate emergency escort or relay services when continuation would constitute an unacceptable risk to the public

Civil Disputes

434.1 PURPOSE AND SCOPE

This policy provides members of the Evanston Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Illinois law.

434.2 POLICY

The Evanston Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

434.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

Civil Disputes

434.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available.

434.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

434.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented either in a CAD event narrative or field general report, whichever is appropriate.

434.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

First Amendment Assemblies

435.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

435.2 POLICY

The Evanston Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

435.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disorderly conduct. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

First Amendment Assemblies

435.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

Care should be taken to ensure that any simultaneous audio recording does not violate the Illinois Eavesdropping Act (720 ILCS 5/14-2; 720 ILCS 5/14-3).

435.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are needed.

435.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

435.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.

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- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

435.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

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- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

435.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

435.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

435.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

435.8 ARRESTS

The Evanston Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see Cite and Release Policy).

435.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

435.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

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435.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

435.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

435.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Breathalyzer Test - Other City Employee

436.1 POLICY

The Department will honor requests from other City departments to test City employees suspected of being under the influence of alcohol while working

436.2 PROCEDURE

The following procedures will be followed when a supervisor of another city department suspects an employee of being intoxicated during working hours, and requests that a breathalyzer test be administered to that person.

- (a) The City department supervisor will transport the suspected subject to the station.
- (b) The supervisor will ask an on duty patrol supervisor that a breathalyzer test be administered to the suspected employee.
- (c) The patrol supervisor will assign a licensed breathalyzer operator to administer the test.
- (d) The subject will be ordered to take the test by employees' supervisor. The officer administering the test will act as an operator/observer, and will not participate in the directing/ordering of the suspected employee.
- (e) If the employee agrees to take the test, the officer will run the test, which is to include the alcoholic influence report form.
- (f) If the employee refuses to take the test, the employee's supervisor may request that the officer run several Alcoholic Influence Tests (Field Sobriety Tests). If this is requested, the officer will fill out the appropriate forms. If this is refused, the officer will note the employee's behavior and condition.
- (g) The officer will give all the reports to the employee's supervisor and retain a copy as a matter of record and for possible future testimony.
- (h) Test results may be used in disciplinary hearings, but may not be used for criminal proceedings. The administering officer may be called upon to testify at the disciplinary hearing.
- (i) The patrol supervisor and officer will each complete an Interdepartmental Memorandum covering the actions performed in reference to this matter. These memos will be forwarded to the Chief of Police through channels.
- (j) If the employee is the driver in a traffic accident where a citation for driving under the influence of alcohol or drugs is appropriate, procedures as required by traffic statutes and department policy for said offenses will be followed.

Snow Emergencies

437.1 POLICY

The Director of Public Works has the authority to declare a snow emergency. Police will act in concert with other city employees in snow removal efforts. The snow emergency will remain in effect until canceled by the Director.

437.2 SNOW COMMAND

- (a) On notification of a snow emergency, the designated Traffic Management Bureau supervisor will be the Snow Command Supervisor. The supervisor in charge of the Traffic Bureau, in this capacity, will be the Department's liaison with the Director of Public Works.
- (b) The Snow Command Supervisor has the following responsibilities:
 - 1. Implement the Department's snow emergency procedures;
 - 2. Fill personnel and staffing needs in accordance with the Department's snow emergency procedures, and maintain accurate duty rosters and records;
 - 3. Supervise the snow emergency vehicle-towing/vehicle-release procedures;
 - 4. Coordinate with the Director of Public Works the Department's performance of its duties in snow removal;
 - 5. Oversee post-emergency duties and assignments

437.3 NOTIFICATION TO THE PUBLIC

Upon the authority of the Director of Public Works, Communications Center personnel will sound the city warning sirens periodically throughout the duration of the snow emergency, as a notice to the public that a snow emergency exists.

- (a) Personnel and Staffing
 - 1. The Snow Command Supervisor will make the following assignments:
 - 1. (a) Field snow-tow supervisors;
 - (b) Towing officers;
 - (c) Snow-tow/vehicle-release personnel (snow desk)
 - (d) Call out the registered towing companies to supplement the tow services provided by the towing company under contract with the Department.
 - 2. The Snow Command Supervisor will also maintain duty rosters on all personnel (sworn and non-sworn) supervised by the Department during the emergency, and will verify their hours worked.
 - 3. Staffing of snow-tow and vehicle-release personnel will be assigned to off-duty officers. Initial assignments will go to Traffic Bureau members. Additional off-

Snow Emergencies

duty personnel required to supplement this effort will be solicited for hire-back by the Snow Command Supervisor.

Additional information regarding the implementation of snow emergency procedures is contained in the Department's snow emergency procedures manual.

437.4 TOWING VEHICLES FOR SNOW REMOVAL

The Director of Public Works will advise the Snow Command Supervisor to direct Department personnel to specific streets or areas in the city to tow illegally parked vehicles, to facilitate the plowing and removal of snow from city streets.

- (a) Illegally parked vehicles: Any vehicle which is parked in violation of snow route or snow emergency regulations will be ticketed and towed to the Police Pound or relocated per the tow plan in effect at the time.
- (b) When a vehicle is towed, a Towed-Auto Report will be written. Processing of Towed-Auto Reports will be as follows:
 - 1. Towing officers will leave their Towed-Auto Reports with the snow desk officer.
 - 2. The storage lot officer will remove the pink copy of the report and place it in the "street file."
 - 3. A field snow-tow supervisor will pick up and deliver the remaining two copies of the Towed-Auto Report to the snow desk.
 - 4. Snow desk personnel will attach the Dispatch Ticket to the corresponding report and enter license plate information on the report. Snow desk personnel will enter each report into the towed-auto log.
 - 5. The snow command supervisor will sign the remaining copies of the Towed-Auto Report in the space provided for supervisor's signature.
 - 6. After being entered into the towed-auto log, and signed by the snow command supervisor, the white copy of the report, with the CADS Ticket attached to it, will be placed in the report pick-up basket for retrieval by Records Bureau personnel; the yellow copy of the report will remain at the snow desk for filing.

437.4.1 VEHICLE RELEASES

- (a) The owner or agent of a vehicle towed for snow removal will be required to pay the cost of towing and storage prior to the vehicle being released.
- (b) Snow-tow releases will be conducted at the snow desk during the hours the snow-tow desk is open. Releases will be conducted at the Service Desk by Service Desk personnel when the snow-tow desk is not open.

Additional information regarding the towing of vehicles for snow removal is contained in the Department's snow emergency procedures manual.

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.1.1 TRAFFIC DATA AND ANALYSIS

Traffic collision and enforcement data will be collected and analyzed, as needed and available, to plan selective traffic enforcement activities. Collected data may include, but is not limited to:

- Collision data, such as temporal factors (time, day, season), visibility, location, road and weather conditions, violations, drug/alcohol use, safety equipment, traffic/road engineering factors.
- Traffic volume and distribution patterns.
- Traffic enforcement data by time and location.
- Roadway hazard reports.
- Traffic problems and concerns reported by the community and elected officials.

Traffic data should be analyzed to identify the times and locations where collisions and specific categories of unlawful or reckless driving behavior are most likely to occur. Analysis also should include the identification of possible root causes of these patterns and recommend solutions to reduce the frequency of violations and collisions, such as traffic engineering improvements, selective enforcement, or public awareness and education campaigns.

Sources of traffic data may include Department records, problems observed and reported by Traffic Bureau and other Department personnel, citizen and aldermanic complaints, City Traffic Engineering reports, Illinois Department of Transportation, and other outside agencies.

Traffic data may be collected and analyzed by Traffic Bureau personnel, City Traffic Engineering personnel, and/or personnel from other qualified departments or agencies.

Traffic analysis results will be shared with other Department field units and other personnel, departments, or agencies, as appropriate, needed or requested, to enable their personnel to participate in selective traffic enforcement activities.

The Traffic Bureau supervisor regularly will evaluate selective enforcement activities and report the findings through the chain of command to the Chief of Police.

Traffic Function and Responsibility

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Evanston Police Department. Traffic crash information provided by the Illinois Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

Under normal circumstances, marked squads and motorcycles shall be used for traffic patrol purposes. Specific circumstances may warrant the use of unmarked/unconventional vehicles and concealed observation. These unmarked units shall be equipped with emergency lights and siren.

500.2.1 COVERT ENFORCEMENT TACTICS

Unmarked cruisers are the most appropriate for covert patrol, as the officer remains less visible to the violator.

Covert patrol tactics are particularly applicable when the intent is to take enforcement actions, or when visible patrol has not had the desired impact.

Caution must be taken when using unmarked cars for covert motor vehicle law enforcement. Stationary observation shall be conducted at a location that allows the officer to safely position the vehicle.

Officers must be aware that violators may not immediately identify the squad as a police vehicle when the stop is attempted and may question the officer's authenticity.

Officers shall be in uniform, and shall allow the violator certain allowances if requested to relocate the stop to a well-lit area, or to the police station in cases where the violator is unsure of the authenticity of the officer.

After the stop is made, other motorists may not recognize the unmarked car as an emergency vehicle, even with emergency lights activated. Officers should get as far off the roadway as possible.

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Traffic Function and Responsibility

500.2.2 SPEED MEASURING TECHNIQUES

Officers may utilize approved methods of speed measuring techniques:

Pace

- The officer will maintain a constant speed with the violator vehicle for 1/4 mile neither gaining nor losing distance between the police vehicle and the violator's vehicle.

Radar

- Specifications
 - Officers will use only Department-issued radar equipment. The radar will be F.C.C. approved.
- Operational Procedures
 - Radar may be used in either the moving or the stationary mode according to the manufacturer's specifications and instructions
 - Radar units will be tested before and after use
 - Radar units will be secured properly and handled safely. The officer using the equipment will insure its proper care
 - If the unit malfunctions, the officer will take it out of operation, initiate a repair slip, and direct it to the Traffic supervisor.
- Proper Care and Upkeep
 - The Traffic supervisor or designee will monitor the radar units in order to insure their operational readiness.
 - The Traffic supervisor or designee will insure that malfunctioning units will be repaired.
- Programmed Maintenance
 - The Traffic supervisor or designee will make certain that regular programmed maintenance on the units is conducted.
- Maintenance and Calibration Records
 - The Traffic supervisor will maintain the maintenance and calibration records for the radar units.
- Operator Training and Certification
 - Only trained personnel will operate radar units. Officers may receive their radar training from outside training courses or from other EPD officers who are trained and experienced.

Laser

- Specifications
 - Officers will use only Department-issued laser equipment.

Traffic Function and Responsibility

- Operational Procedures
 - Laser may only be used in a stationary position
 - Laser units will be tested before and after use
 - Laser units will be secured properly and handled safely. The officer using the equipment will insure its proper care
 - If the unit malfunctions, the officer will take it out of operation and notify the Traffic supervisor.
- Proper Care and Upkeep
 - The Traffic supervisor or designee will monitor the laser units in order to insure their operational readiness.
 - The Traffic supervisor or designee will insure that malfunctioning units will be repaired.
- Programmed Maintenance
 - The Traffic supervisor or designee will make certain that regular programmed maintenance on the units is conducted.

500.3 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of citations issued by any officer shall not be used as criterion for evaluating officer overall performance, but the number of traffic stops completed, arrests, written warnings, and crime prevention measures are appropriate evaluation criterion (55 ILCS 5/5-1136; 65 ILCS 5/11-1-12).

Traffic enforcement is a responsibility of all field personnel.

Supervisors of other operational divisions and bureaus are responsible for ensuring their personnel are conducting traffic enforcement activities, including selective traffic enforcement, as time, workload, and staffing levels permit

Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.

Traffic Function and Responsibility

- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Criminal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Reckless homicide.
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs.
- (c) Felony or misdemeanor hit-and-run.
- (d) Refusal to sign notice to appear.
- (e) Suspended or Revoked Driver's License
- (f) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

500.4 STOP RECEIPTS

Whenever an officer stops a motorist under 725 ILCS 5/107-14 and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number. The individual stopped has the right to decline acceptance of the stop receipt.

500.5 SEIZURE OF ITEMS

Officers who reasonably believe that any certificate of title, registration card, permit, license, registration plate, license plate, disability license plate, parking decal or device, or registration sticker is fictitious, expired, revoked, cancelled, suspended or unlawfully issued shall seize such items for return of the items to the Secretary of State (625 ILCS 5/2-111).

500.6 SUSPENDED OR REVOKED DRIVERS LICENSES

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to 625 ILCS 5/6-303. Officers will make reasonable efforts to ensure that drivers who do not possess a valid drivers license will not operate a motor vehicle.

500.7 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

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Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.7.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.7.2 CARE AND STORAGE OF HIGH-VISIBILITY VEST

High-visibility vests shall be issued and readily available. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Office of Administration should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.8 TRAFFIC DIRECTION AND CONTROL

POLICY: Police officers and designated civilians shall perform traffic direction and control functions as necessary to ensure the safe operation of vehicles or passage of pedestrian traffic in cases where an incident or special event causes a traffic hazard that requires police intervention.

Traffic direction and control may be accomplished with temporary barricades and mechanical controlling devices or may be accomplished by manual direction and control/

Members shall utilize reflective safety vests when they are directing or controlling traffic except when there are exigent circumstances.

Members performing a traffic function at night should utilize an illuminated traffic wand, or flashing flashlight, in addition to their reflective vest.

500.8.1 AUTHORIZATION AND USE OF TEMPORARY TRAFFIC CONTROL DEVICES

Traffic Engineer has the authority to establish or modify traffic patterns, establish parking areas, restrict parking, or modify the provisions of city ordinances relating to vehicles and traffic on a temporary basis.

These provisions are generally used for special events where unusual traffic patterns or parking restrictions must be implemented.

Traffic Function and Responsibility

- (a) It shall be the responsibility of the Shift Commander or Officer in Charge of any special event to insure that special restrictions on traffic flow or parking are clear to motorists and pedestrians.
- (b) Proper signs shall be posted and appropriate traffic control devices, such as traffic barricades shall be used.
- (c) Sufficient signs and traffic control devices shall be placed at intersections or other key areas to minimize confusion to any users of the roadway.
- (d) Officers in charge of special events shall ensure that any barricades or signs used for temporary traffic direction and control are removed following the event.

500.8.2 ASSIGNMENT TO TRAFFIC POSTS

Members may be assigned to manual traffic direction and control posts in certain cases where there is a demonstrated need for police intervention as a result of high traffic volume or speed, unusual volume of pedestrian traffic at specific times of day or other special or regular events, such as school crossings, funerals, etc.

500.8.3 TRAFFIC DIRECTION AND CONTROL AT MECHANIZED INTERSECTIONS

Manual traffic direction should generally not be performed by officers when the location is controlled by an operating traffic light.

Mechanical traffic control devices should not be continuously operated by Department personnel. It is permissible, however, for an officer to change the sequence or status of a traffic control device (for example, change a traffic light from normal sequence to "flash").

500.8.4 OTHER CIRCUMSTANCES REQUIRING MANUAL TRAFFIC DIRECTION

Special Events: A variety of public events may require special accommodations for parking and traffic flow. These events include such things as road races, parades, sporting events, and other events that attract a high number of people into a given area.

- (a) Although the nature and extent of the traffic direction and control required by the police will vary depending on the type of event, the superior officer preparing for these events shall consider the following as is appropriate:
 - (a) Ingress and egress of vehicles and pedestrians;
 - (b) Provisions for parking, spectator control and public transportation;
 - (c) Provisions for relief of officers assigned to fixed points for extended periods of time;
 - (d) Provisions for the News Media;
 - (e) Alternate routes for through traffic;
 - (f) Temporary traffic controls and parking prohibitions; and,
 - (g) Emergency vehicle access.

Traffic Function and Responsibility

Highway Construction: Manual traffic direction and control is not necessary in every instance of highway construction. The use of officers to direct traffic in these situations depends on the nature and scope of the work being conducted on the roadway as well as the nature of the roadway itself. The Shift Commander shall be responsible to check all officers working on highway construction sites and will ensure that the traffic direction and control at that location is consistent with the considerations in above section.

Adverse Road and Weather Conditions: Although traffic direction and control under adverse road and weather conditions requires officers to consider most of the same issues and concerns that are applicable under normal road and weather conditions, it is critical that they also take into account the following depending upon the type of adverse condition.

- (a) In the case of fog, rain, snow, ice, smoke or other conditions, concerns over officer safety, and the safety of other highway users is greatly heightened.
 - 1. Officers shall make themselves as visible as possible by using reflective clothing and gear.
 - 2. Much greater warning must be provided to motorists that an impending hazard or obstruction is ahead. This may be done by using flares or other warning and traffic control devices.
 - 3. Officers may make use of other resources as is necessary. These resources may include such things as requesting assistance from the Department of Public Works or the Fire Department.
 - 4. The officer may use an emergency police vehicle to provide additional lighting or to make use of the emergency lights to warn on- coming traffic[DB2] .

Fire Scene: The Police Department shall assist the Fire Department at the scene of any fire where traffic direction and control may be required.

- (a) Generally speaking, the same concerns exist at fire scenes as at motor vehicle accident scenes relative to traffic flow and pedestrian safety.
- (b) Officers assigned to traffic control at fire scenes may have additional responsibilities relative to the protection of fire hoses and fire equipment in the roadway.

500.9 VEHICLE LOCK-OUT REQUESTS

Units will be dispatched to assist motorists locked out of their vehicles only if an emergency situation exists. Generally, the Department will not handle these requests, and refers the caller to a private agency[DB1] .

- (a) Telecommunicators and officers will use good judgment and proper discretion in determining which lock-out requests for assistance are of an emergency nature. When uncertain, the telecommunicator or officer should consult with an immediate supervisor. Some examples of “emergency nature” include: child or disabled person in the vehicle; motorists stranded late at night; the vehicle impedes the flow of traffic or is parked in an emergency/fire zone; the motor is running, which creates a safety hazard; or an animal is in immediate danger.

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- (b) In non-emergency requests for lock-out assistance, the telecommunicator or officer will advise the motorists of the Department's policy to maintain police units in crime prevention and patrol duties. If he requests it, the motorist should be given information necessary to acquire assistance, e.g. nearest service station or locksmith.
- (c) Prior to dispatching a unit to a vehicle lock-out call, confirmation of ownership will be made by the Communications Center if possible. If a person other than the registered owner is requesting assistance, the owner will be notified to verify that this person has the vehicle with the owner's knowledge and consent.

500.10 SOP'S

Bail bonds: [See attachment: SOP 500-1 Bail Bonds.pdf](#)

Traffic Stops: [See attachment: SOP 500-2 Traffic Stops.pdf](#)

Confronting the traffic violator: [See attachment: 500-3 Confronting Traffic Violator.pdf](#)

Traffic Crash Reporting

501.1 PURPOSE AND SCOPE

The Evanston Police Department prepares traffic crash reports in compliance with the Illinois Department of Transportation, Division of Traffic Safety Illinois Traffic Crash Report (Form SR1050) Manual and as a public service makes traffic crash reports available to the community with some exceptions.

501.2 RESPONSIBILITY

The Traffic Bureau Supervisor will be responsible for distribution of the Illinois Traffic Crash Report Manual. The Traffic Bureau Supervisor will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC CRASH REPORTING

All traffic crash reports taken by members of this department shall be forwarded to the Records Bureau for approval and data entry into the Records Management System. The Records Bureau Supervisor will be responsible for reports on traffic crash statistics to be forwarded to the Field Operations Deputy Chief, or other persons as required.

Reporting and Investigation Procedure: [See attachment: SOP 501-1.pdf](#)

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC CRASHES INVOLVING CITY VEHICLES

Traffic crash investigation reports shall be taken when a City-owned vehicle is involved in a traffic crash upon a roadway or highway or on private property when any damage or injury results. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Deputy Chief.

Photographs of the crash scene and vehicle damage shall be taken by the evidence technician or supervisor.

A diagram and narrative, including any driver/witness statements will be included in the crash report when any public vehicle or property are involved.

501.4.2 TRAFFIC CRASHES WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic crash within the jurisdiction of the Evanston Police Department resulting in a serious injury or fatality, the Traffic Bureau Supervisor or the Commander, should notify an allied agency, the County Sheriff, Major Crash Assistance Team or the Illinois State Police for assistance.

The term serious injury is defined as any injury that may result in a fatality.

Traffic Crash Reporting

501.4.3 TRAFFIC CRASHES WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Bureau Supervisor or on-duty Commander should request assistance from an allied agency, the County Sheriff, or the Illinois State Police for the investigation of any traffic crash involving any City official or employee where a serious injury or fatality has occurred.

501.4.4 TRAFFIC CRASHES ON PRIVATE PROPERTY

Generally, traffic crash reports shall not be taken for traffic crashes occurring on private property, unless there is a death or injury to any person involved, damage to the property of any one person in excess of \$1,500 (or \$500 if any of the involved vehicles are uninsured in violation of 625 ILCS 5/7-601), a hit-and-run violation, other criminal traffic violation or a school bus is involved. A Crash Report may be taken at the discretion of any supervisor (625 ILCS 5/11-406).

A diagram and narrative, including any driver/witness statements will be included in the crash report when any city vehicle or property is involved.

501.4.5 TRAFFIC CRASHES ON ROADWAYS OR HIGHWAYS

Traffic crash reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

- (a) When there is a death or injury to any persons involved in the crash.
- (b) When there is damage to the property of any one person valued over \$1500, including the driver.
- (c) Whenever a school bus is involved.
- (d) Upon request of a supervisor.

For more information see attached training bulletin [See attachment: Training Bulletin 501-1.pdf](#)

One or more officers will be dispatched to respond to the scene of any traffic crash reported to involve any of the following:

- Death or injury
- Hit and run
- Impairment of an operator due to alcohol and/or drugs
- Hazardous materials
- Damage to public vehicles or property
- Disturbances between principals
- Major traffic congestion as a result of the accident
- Damage to vehicles to the extent that towing is required

501.4.6 OFF-SCENE AND DELAYED REPORTING

No delayed traffic or off scene crash reports will be taken over the phone. All drivers involved in a traffic crash will be required to appear in person at the police station and have a written report

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completed by an officer. If they are unable to come to the station, then an officer will respond to their current location providing it is in the Evanston City limits.

501.4.7 FOLLOW-UP INVESTIGATIONS

The member assigned the investigation will handle it from start to finish.

When follow-up activities exceed the officer assigned to the investigations abilities, the supervisor will make this determination and assign follow-up activities to another officer.

Hit and run investigation will be followed-up by the Traffic Bureau.

501.4.8 DAMAGE TO POLICE VEHICLES

Notifications:

- (a) When a police vehicle is involved in a traffic crash, the member's on-duty supervisor will be dispatched to the scene.
- (b) A traffic crash investigation unit will be assigned to the crash.
 - 1. The traffic crash investigation unit will proceed with the investigation, following standard operating procedures for crashes, and will complete all necessary reports.
 - 2. A diagram and narrative, including any driver/witness statements will be included on the crash report.
 - 3. Should the police vehicle involved in the crash be the traffic crash investigation unit, another unit will be assigned by the supervisor to conduct the investigation.

Supervisory Responsibilities

- (a) The supervisor will direct that photographs be taken of the damaged vehicles.
- (b) The supervisor will make an investigation at the scene of the crash, and will make a report to the officer's Division Deputy Chief. This report, an original and two copies, is to be made on an interdepartmental memorandum. The original and one copy are to go to the Division Deputy Chief, while the second copy is to be retained by the member's Shift Commander.
- (c) In all instances where mechanical failure is claimed or suspected, the vehicle must be towed to Fleet Services immediately. In addition, all city vehicle accidents will be investigated by the Department.
 - 1. It is the supervisor's responsibility to ensure that the vehicle is towed to Fleet Services.

Responsibilities of Officers involved in Traffic Crashes

- (a) Members involved in a traffic crash will, as soon as possible, make a written report on an interdepartmental memorandum.
- (b) The purpose of analyzing this information is to determine responsibility for the crash. Any disciplinary action recommended by the Division Deputy Chief should accompany the reports to the Chief of Police.

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Required City Reports

Members will notify their supervisor immediately when involved in a traffic crash or a vehicle collision when a City vehicle or city equipment is a factor, even if there is no apparent damage or injury. In addition to filing the appropriate police report regarding the incident, the involved member and his/her supervisor will complete the Employee and Supervisor Vehicle Accident Report form. The completed form with all other related documents will be forwarded to the Chief of Police through the chain of command.

Other Damage to Police Vehicles

- (a) Damage to Departmental vehicles through acts other than traffic crashes will be investigated by the member assigned to the vehicle.
- (b) A written report on an interdepartmental memorandum, an original and two copies will be submitted to the Deputy Chief of the division responsible for the vehicle. The original and one copy will be forwarded to the Division Deputy Chief through the chain of command. One copy will be retained by the member.
- (c) If damage results because of a criminal act, the appropriate police report will be completed.

Members with Police Vehicles Outside the City of Evanston

Members, who take vehicles outside of the Evanston city limits, including members assigned to take vehicles home, will follow the procedures below when the vehicle is involved in a collision:

- (a) Immediately report the incident to the police or sheriff's department in the local jurisdiction where the collision occurred and request an accident investigation and report. Ask the responding officer/investigator to take photographs of the scene. Obtain, or arrange to obtain, a copy of the responding agency's accident investigation report.
- (b) Call the member's supervisor (or another appropriate supervisor if the immediate supervisor is unavailable) as soon as possible. If the incident occurs outside normal, non-holiday business hours (Monday through Friday, 8:30 a.m. to 5:00 p.m.), contact the on-duty watch Deputy Chief who will make any necessary notifications. The supervisor will make a determination whether to respond to the scene.
- (c) Obtain all pertinent information from the driver(s) of the other vehicle(s) and witness(s): name, address, phone numbers (work/home), insurance, vehicle make and model, license plate number and driver's license number.
- (d) Prepare an interdepartmental memo to the Chief of Police and complete any required City/Department accident report forms, describing all details of the incident. The memo and report forms should be completed and submitted within one working day of returning from out of town, or as soon as possible.
- (e) Submit all material, through the chain of command, to the Chief of Police.

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501.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

In the event of a serious injury or death related traffic crash, the supervisor or Commander shall notify the Traffic Bureau Supervisor to relate the circumstances of the traffic crash and seek assistance from the Traffic Bureau. In the absence of a Traffic Bureau Supervisor, the Commander or any supervisor may assign an accident investigator or motor officer to investigate the traffic crash.

501.5.1 SUPERVISORY DISCRETION

A supervisor may, if appropriate to the circumstances, request assistance from an allied agency, the County Sheriff, Major Crash Assistance Team or the Illinois State Police for the investigation of any traffic crash.

501.6 TRAFFIC CONTROL DIRECTION AT ACCIDENT SCENES

Officers shall ensure that the scene of the accident is protected. Police vehicles shall be parked in such a manner as to allow oncoming traffic sufficient warning to slow or stop as necessary.

- Police vehicles shall be positioned a sufficient distance from the accident scene to safeguard the scene of the collision and to ensure that the police vehicle does not provide a source of combustion for any spillage of hazardous materials at the accident scene.
- Officers shall utilize warning flares as necessary to provide advance warning to oncoming traffic.
- Caution shall be used in those cases where there is a potential for flammable liquid spills as a result of the collision. As a general statement, flares should not be utilized in those cases where there is spillage of fuel or hazardous materials that are combustible in nature.

Officers shall perform traffic direction and control as necessary to ensure the safe travel of vehicles in the area of the collision.

- Whenever possible, vehicles shall be moved from the roadway after the officer has made note of all evidence and information necessary for the accident report/investigation. The data collected will vary greatly, depending upon the level of the investigation.
- In cases where traffic direction and control is necessary, the officer shall request a second police unit to assist in the movement of traffic. Traffic direction and control shall be provided as long as necessary to ensure the safe travel of vehicles around the scene of the collision.
- In serious cases, it may be necessary to close roadways or otherwise re-route traffic. The Shift Commander shall immediately be notified if the closing of the roadway is necessary as a result of the accident.

501.7 EMERGENCY TRAFFIC CRASH PLAN

The Field Operations Deputy Chief may put the Emergency Traffic Crash Plan into operation when any or all of the following conditions exist.

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- (a) Extremes of weather create conditions during which the number of minor traffic crashes would overwhelm the ability of the Department to provide police services.
- (b) The number of calls for high priority emergency service creates a lack of available units to handle minor traffic crashes.
- (c) A special event creates a lack of units available to handle minor traffic crashes.

When the Emergency Traffic Crash Plan is put into effect, the shift Deputy Chief will direct that participants in all traffic crashes in which there are no reported injuries and the vehicles are drivable be directed to the service desk. Reports will be taken in the order the drivers arrived to the station. Officers will be sent into the station as soon as they become available.

If there is a question as to whether or not a traffic crash being reported fits the criteria for reporting under the Emergency Traffic Crash Plan, the Telecommunicator or Service Desk Officer will cause a unit to be dispatched to handle the incident.

501.8 MAJOR CRASH ASSISTANCE TEAM

The Evanston Police Department is a member of the NORTAF Major Crash Assistance Team or MCAT, and may utilize their assistance in the following circumstances:

- Death
- Great Bodily Harm
- Extensive property damage
- Unusual circumstances that support the need for a crash reconstruction specialist.

The on scene supervisor who determines that MCAT is needed will secure the scene and arrange for current medical condition updates. The on scene supervisor will contact the MCAT Operations Supervisor and brief him or her on the crash circumstances and should be prepared to answer the following questions:

- Where did the crash occur?
- When did the crash occur?
- What type of traffic crash occurred? (Fatal, PI, pedestrian, motorcycle, train etc.)
- Is the crash accidental or intentional?
- Did alcohol or drugs appear to be a factor?
- How many victims?
- What are the types of injuries?
- Is extrication required?
- Is the fire department on scene?
- Which hospital or hospitals will the victims be transported to?
- Are there any special circumstances regarding this crash?

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- Is flight for life on scene or en route?

A determination will be made at this time if activation will take place. Once activated, the on scene supervisor will contact the Deputy Chief of Field Operations.

The on scene supervisor will retain command and control of the scene which Includes scene security and injury updates. The on scene supervisor will be the first point of contact and provide any assistance needed.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 POLICY

The Evanston Police Department will tow vehicles when appropriate and in accordance with the law.

SOP: [See attachment: SOP 502-1.pdf](#)

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through the Communications Center to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (625 ILCS 5/4-203).

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

Members will not drive the arrestee's vehicle to the station or the pound.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.

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- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.
- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

502.6 RECORDS

Records Bureau members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.6.1 VEHICLE STORAGE REPORT

Department members towing a vehicle shall complete a vehicle tow report. One copy of the report should be submitted to the Traffic Bureau and another copy to the Records Bureau as soon as practicable after the vehicle is towed.

A copy of the vehicle tow report for a vehicle towed pursuant to 625 ILCS 5/4-202 or 625 ILCS 5/4-203 shall be provided to the tow service (625 ILCS 5/4-204).

The Traffic Bureau will be responsible for:

- Issuing tow notices to the registered owner of any vehicle towed within the designated time limit;
- Handling the disposition of any unclaimed vehicles as defined in the ordinance;
- Maintaining records pertaining to these responsibilities;
- Immediately forwarding any request for a tow hearing to the City Hearings Division;
- Forward the yellow copy (and requested copies of accident or other tows) to the City Hearings Division.

502.6.2 NOTICE OF TOW

The Records Bureau should send a notice of tow to all registered owners, lienholders and others having a recorded interest in the vehicle within 48 hours, excluding weekends and holidays, but in no event shall the notice be sent later than 10 business days after the tow. Notice shall be sent to all such individuals by certified mail (625 ILCS 5/4-205). The notice shall include:

- (a) The name, address and telephone number of the Evanston Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle, including:

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1. Color.
 2. Manufacturer year.
 3. Make and model.
 4. License plate number and/or Vehicle Identification Number (VIN).
 5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing.
- (f) A request for disposition for the vehicle and any information regarding a public sale of the vehicle, if applicable.

If the registered owner, lienholder or other persons having a recorded interest in the vehicle cannot be immediately determined, the notice shall be sent no later than two days after such determination can be made (625 ILCS 5/4-205).

502.7 TOWING SERVICES

Members shall utilize the towing services that has been authorized for use by the Department.

502.7.1 CANCELING TOWS

If the owner of the vehicle to be towed arrives on the scene prior to the tow's actually having been begun, i.e. both ends of the vehicle are still on the ground; neither has yet been raised, the tow will be canceled and the vehicle released to the owner. If the vehicle is "in police custody," however, i.e. at least one end of the vehicle has been raised off the ground, the owner of the vehicle will be directed to the police pound to obtain a Notice of Tow Hearing and Release for the vehicle. The exception here will be for declared snow emergencies.

502.7.2 TOW SERVICE COMPLAINTS

A department member receiving a complaint against a contract tow service vendor, or his/her employee, will document the complaint on a Contract Vendor Complaint form. The member receiving the complaint will ensure that all required information is obtained and entered on the form. The completed form will be forwarded to the Traffic Supervisor by the member receiving the complaint.

A file on all such complaints will be maintained in the office of the Traffic Supervisor. The Traffic Supervisor will investigate each complaint and determine the appropriate disposition.

The Traffic Supervisor will conduct an annual inspection of these complaints.

A supply of Contract Vendor Complaint forms will be maintained at the Service Desk and Records Bureau.

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502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will be opened for inventory purposes if the container can be opened without damaging it.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the inventory report.

When practicable and appropriate, cash, jewelry or other small valuables located during the inventory process should be removed from the vehicle and given to the owner, or booked into property for safekeeping in accordance with the Property Bureau Policy.

The case number will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

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Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

502.10 RECOVERED STOLEN VEHICLES

PROCEDURES

- (a) It is the responsibility of the Service Desk to notify the owner of a locally reported stolen vehicle that has been recovered, either inside or outside of Evanston.
- (b) The Service Desk member will furnish the owner with any pertinent information provided by the recovering agency.
- (c) Notification will be made only after receipt of a LEADS message from the recovering agency.
- (d) The Service Desk member will complete a Service Desk Field Supplement Report (Vehicle Theft Recovery Report) and attach the LEADS message.
- (e) If the Desk member is unable to make the notification, he/she will inform the Service Desk Supervisor or Division Deputy Chief. The supervisor will insure that every effort is made to contact the owner.
- (f) Reports related to the recovery of stolen autos will be forwarded to the Detective Bureau for further action.

502.11 DISPOSAL OF UNCLAIMED VEHICLES (SECTION 10-6-8)

- (a) When an abandoned or unclaimed vehicle seven (7) years of age or newer remains unclaimed by the registered owner or other person legally entitled to the possession of said vehicle for thirty (30) days after notice has been given, the Chief of Police or a designee will cause it to be sold at public sale to the highest bidder. Notice of time and place of sale will be posted in a conspicuous place on the premises where the vehicle has been impounded, for at least ten (10) days prior to the sale.
- (b) At least ten (10) days prior to the sale, the Chief of Police or a designee will cause a notice of the time and place of sale to be sent by certified mail to the registered owner or other person known to be legally entitled to possession of the vehicle. Such notice will contain a complete description of the vehicle to be sold, and the steps to be taken to reclaim the vehicle.
- (c) Where certified notification required by the ordinance has been returned by the postal authorities to the department, due to the addressee's having moved or its being unclaimed at the address obtained from the registration records, the sending of a second certified notice will not be required.

Vehicle Towing

- (d) All costs not recovered in a sale authorized by this ordinance will be paid by the owner of such vehicle. No member of the department, or any other employee of the city, directly or indirectly, will purchase or participate in the bidding for the purchase of any vehicle so offered for sale.

DISPOSAL OF UNCLAIMED VEHICLES WITHOUT NOTICE

- (a) When identification of the registered owner or other person legally entitled to possession of abandoned or unclaimed vehicles seven (7) years of age or newer cannot be determined, the vehicle may be sold without notice.
- (b) When an unclaimed abandoned vehicle of more than seven (7) years of age is impounded as authorized by this ordinance, it will be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, contacting the registered owner by United States mail, public service or in person, and an examination of the Illinois State Police stolen motor vehicle files for theft and wanted information. At the expiration of the ten (10) days period, without benefit of disposition information having been received from the registered owner, the Chief of Police or a designee may authorize disposal of the vehicle as junk only.

DISPOSITION OF PROCEEDS OF SALE

The proceeds of the sale authorized by this ordinance, after deducting the costs of removal and storage and the expense of advertising and conducting the sale, will be paid to the Police Department.

Vehicle Tow, Storage and Impound Hearings

503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings.

503.2 VEHICLE TOWS, STORAGE OR IMPOUNDS

When a vehicle is towed or stored by any member of the Evanston Police Department, a hearing may be conducted upon the request of the registered or legal owner of the vehicle or their agent. Hearings for vehicles that are impounded pursuant to a local impound ordinance shall follow hearing procedures provided within the ordinance. Vehicles that are impounded for the purpose of statutory seizure shall have hearings in compliance with the statute.

503.2.1 HEARING PROCEDURES

The vehicle tow or storage hearing is an informal process to evaluate the validity of the tow or storage of a vehicle. Any relevant evidence may be submitted and reviewed by the hearing officer to determine if the vehicle in question was properly towed and/or stored in accordance with the law and Evanston Police Department policies and procedures. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a towed and/or stored vehicle shall be submitted to the City Hearings Division who will conduct post-tow hearings as per City Ordinance 10-6-5. Hearings will take place as determined by the Hearings Division. The hearing officer has the authority to require the presence of the enforcement officer issuing the citation, or any other city personnel or witnesses at such hearing. i

Impaired Driving

504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY

The Evanston Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Illinois's impaired driving laws.

504.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Bureau Supervisor will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Illinois or another jurisdiction.

504.3.1 DUI COUNTERMEASURES PROGRAM

- (a) The goal of the DUI Countermeasures Program is to reduce alcohol and drug-related traffic offenses and collisions
- (b) Personnel will be deployed to target the times and locations where persons who are alcohol and drug-impaired are known to be, or most likely to be, driving.
- (c) Planning DUI Countermeasures Program activities may be based on one or more of the following:
 - (a) DUI-related collision/enforcement data and analysis

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- (b) Selective surveillance of roadways on which there have been an unusual incidence of DUI-related collisions or reports of impaired drivers;
- (c) The experience and knowledge of Department officers;
- (d) Complaints from citizens and aldermen;
- (e) Other reports of DUI-related collision/violation problems.
- (d) Strategies implemented for the DUI Countermeasures Program should be chosen to best suite the mission of each countermeasure operation and may include, but are not limited to:
 - 1. Visible patrols in marked vehicles
 - 2. Visible stationary assignments
 - 3. Covert patrols in unmarked vehicles
 - 4. Covert stationary assignments
 - 5. Roadside safety checks
- (e) Personnel assigned to DUI countermeasures activities should be experienced or trained in detecting, apprehending, and processing persons who are under the influence of alcohol or drugs. Inexperienced personnel may be assigned to accompany trained and experienced personnel to develop these officer skills.
- (f) Officers will use recognized signs of alcohol/drug-impaired driving to establish probable cause for conducting a traffic stop.
- (g) Drivers suspected of being impaired should be given field tests recognized as having validity in establishing probable cause for a DUI-related arrest.
- (h) DUI countermeasure operations are one of the primary responsibilities of the Traffic Bureau and will be implemented periodically.
- (i) Patrol officers are responsible for DUI enforcement while on routine patrol. In addition, patrol officers should be familiar with where and when impaired drivers are most likely to travel in their regular beats and conduct selective DUI countermeasures as time, staffing levels and workload permit.
- (j) Officers in other field units may be assigned to assist with major DUI countermeasure operations, as needed. Plans for DUI operations involving multiple units or personnel from multiple units will be approved by the Chief of Police before implementation.

504.4 FIELD TESTS

The Traffic Bureau Supervisor should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.4.1 MEDICAL CANNABIS CARDHOLDER

A person who is a medical cannabis card holder and is reasonably suspected of driving or in actual physical control of a motor vehicle while impaired by the use of cannabis is deemed to have consented to standardized field sobriety tests (625 ILCS 5/11-501.9(a)).

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504.5 CHEMICAL TESTS

A person implies consent under Illinois law to a chemical test or tests, and to providing the associated sample, under any of the following:

- (a) The arresting officer has probable cause to believe that the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds or any combination thereof (625 ILCS 5/11-501.1).
- (b) The person is arrested for driving a vehicle involved in a motor vehicle accident resulting in personal injury or death of any person (625 ILCS 5/11-401).
- (c) The person was driving or in actual physical control of a vehicle and involved in a personal injury or fatality accident (625 ILCS 5/11-501.6).
- (d) The person is under the age of 21, was driving or in actual physical control of a vehicle and the officer has probable cause to believe that the person has consumed any amount of an alcoholic beverage (625 ILCS 5/11-501.8).

Chemical tests shall be taken pursuant to the standards promulgated by the Department of State Police (625 ILCS 5/11-501.2(a)).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.5.1 STATUTORY NOTIFICATIONS

An officer requesting that a person submit to a chemical test, or to a field sobriety test during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis, shall provide the person with the mandatory statutory warning.

If the person refuses to acknowledge in writing receipt of the warning regarding failure to submit to a chemical test, the officer shall document on the warning that the person refused to sign (See generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).

504.5.2 BREATH SAMPLES

The Traffic Bureau Supervisor should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Bureau Supervisor.

Impaired Driving

504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (625 ILCS 5/11-501.2(a)(2)). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood test because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be treated as a refusal. However, that arrestee may be required to complete another available and viable test.

504.5.4 URINE SAMPLES

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the person giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

504.5.5 DESIGNATION OF CHEMICAL TESTS

The Traffic Bureau Supervisor shall designate which type of chemical tests may be administered by officers.

Officers may generally administer up to two additional tests of urine or other bodily substance even if a blood or breath test, or both, has been administered (625 ILCS 5/11-501.1(a); 625 ILCS 5/11-501.6(a); 625 ILCS 5/11-501.8(a)).

504.6 REFUSALS

When an arrestee refuses to provide a chemical sample during a DUI investigation, or to submit to field sobriety tests during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis, officers should:

- (a) Advise the arrestee of the requirement to provide a sample or submit to field sobriety tests (see generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

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504.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, or to submit to a field sobriety test during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis as required by law, officers shall personally serve the notice of statutory summary suspension or revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a temporary driving permit (625 ILCS 5/11-501.1(f); 625 ILCS 5/11-501.9).

504.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained. The Cook County State's Attorney's Office will be consulted with prior to any blood sample draw without consent.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to a crash investigation or medical treatment of the person.
- (c) Exigent circumstances exist and the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds or any combination thereof and caused death or personal injury to another person (625 ILCS 5/11-501.2).

504.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances. The Cook County State's Attorney's Office will be consulted with prior to any forced blood sample draw.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.

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1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 ARREST AND INVESTIGATION

504.7.1 ADDITIONAL TESTING

A person submitting to a chemical test may have qualified medical personnel of his/her own choosing administer an additional chemical test (625 ILCS 5/11-501.2).

504.7.1 PRELIMINARY BREATH SCREENING TEST

An officer having reasonable suspicion to believe that a person is DUI may, prior to arrest, request that the person provide a sample of his/her breath for a preliminary breath screening (PBS) test using a portable device approved by the Department of State Police. The person may refuse the test, however, if a test is administered, the results may be used by the officer for the purpose of determining whether probable cause exists to require a chemical test as authorized by 625 ILCS 5/11-501.1 and 625 ILCS 5/11-501.2 (625 ILCS 5/11-501.5).

504.7.2 OFFICER RESPONSIBILITIES

If a person refuses to submit to a chemical test or submits to a test that discloses a prohibited alcohol or drug concentration, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the Secretary of State (SOS) (625 ILCS 5/11-501.1(d)).

If a medical marijuana card holder refuses to submit to field sobriety tests or submits to a test that discloses impairment by the use of cannabis, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the SOS (625 ILCS 5/11-501.9(e)).

504.7.3 COLLISIONS

An officer having probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drugs, or intoxicating compounds or any combination thereof has caused the death or personal injury of another person, shall request that the person submit to a chemical test (625 ILCS 5/11-501.2(c)(2)).

504.7.4 REPORTING

The Traffic Bureau Supervisor shall ensure that the Department complies with all state reporting requirements pursuant to 20 ILCS 2630/5.

Impaired Driving

504.8 RECORDS BUREAU RESPONSIBILITIES

The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

504.8.1 WARNING NOTIFICATION

The Records Manager shall forward the warning notification and sworn report in accordance with 625 ILCS 5/11-501.1, 625 ILCS 5/11-501.6, 625 ILCS 5/11-501.8, and 625 ILCS 5/11-501.9.

504.9 ADMINISTRATIVE HEARINGS

The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the SOS.

Any officer who receives notice of required attendance at an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the SOS file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The Records Bureau should forward this to the prosecuting attorney as part of the case file.

504.10 TRAINING

The Office of Administration along with the Traffic Unit Supervisor should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Office of Administration should confer with the prosecuting attorney's office and update training topics as needed.

504.11 STANDARD OPERATING PROCEDURE

See attachment: [SOP 504-1.pdf](#)

Disabled Vehicles

505.1 PURPOSE AND SCOPE

All law enforcement agencies having responsibility for traffic enforcement should develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

505.2 POLICY

It is the policy of the Evanston Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

505.3 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the telecommunicator should be advised of the location of the disabled vehicle and the need for assistance. The telecommunicator should then assign another available officer to respond for assistance as soon as practical.

505.4 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

505.4.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

505.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

505.4.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

Abandoned or Derelict Vehicle Violations

506.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Evanston City Ordinance or state laws regulating abandoned or derelict vehicles.

506.1.1 DEFINITIONS

Definitions related to this policy include:

Abandoned vehicle - Means any vehicle parked or otherwise located on the public way in a state of disrepair rendering the vehicle incapable of being driven in its condition or any vehicle that has been left unattended for any amount of time and is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic; or for 2 hours or more on a toll highway, interstate highway, or expressway or expressway; or on a highway in an urban district 10 hours or more; or outside of an urban district for 24 hours or more; or on private property for 7 consecutive days or more or that has been unmoved for a period of 7 days or left on the public way without valid state registration or a valid temporary state registration placard for 2 or more days 625 ILCS 5/4-201; 625 ILCS 5/4-203).

Derelict vehicle - Means any inoperable, unregistered, discarded motor vehicle, regardless of title, that constitutes a danger, hazard, or blight (625 ILCS 5/4-301). A vehicle which lacks wheels, motor, transmission, battery or any other component part such that it is inoperable or constitutes a hazard to the public.

506.2 MARKING VEHICLES

Vehicles suspected of being in violation of the City of Evanston abandoned or derelict vehicle ordinance shall be marked and noted on the Evanston Police Department Abandoned/Derelict Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Abandoned/Derelict Vehicle Card.

All Abandoned/Derelict Vehicle Cards shall be submitted to the Traffic Bureau.

If a marked vehicle has been moved, no further action will be taken. If the markings have been removed during the period of observation, the vehicle shall be marked again for the 7-day abandonment period and a Abandoned/Derelict Vehicle Card completed and forwarded to the Traffic Bureau.

506.2.1 MARKED VEHICLE FILE

The Traffic Bureau shall be responsible for maintaining a file for all Marked Vehicle Cards.

Officers assigned to the Traffic Bureau shall be responsible for the follow up investigation of all abandoned or derelict vehicle violations noted on the Abandone/Derelict Vehicle Cards.

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506.2.2 VEHICLE STORAGE

Any vehicle in violation shall be towed and stored by the authorized towing service and a Towed Motor Vehicle report shall be completed by the officer authorizing the storage of the vehicle.

The Towed Motor Vehicle report form shall be submitted to the Records Bureau immediately following the storage of the vehicle.

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Towing Officer to determine the names and addresses of any individuals having an interest in the vehicle. Notice to all such individuals shall be sent certified mail, return receipt requested or by personal delivery.

506.2.3 PROCESSING DERELICT OR ABANDONED VEHICLES AS JUNK

If this department elects or is otherwise required to process a derelict or abandoned vehicle as a junk vehicle the department shall, within 15 days complete the following (625 ILCS 5/3-117.1):

- (a) Surrender the junk vehicle's certificate of title, salvage certificate, certificate of purchase, or a similarly acceptable out of state document of ownership to the Secretary of State along with an application for a junking certificate.
- (b) Dispose of the vehicle as junk upon receipt of the junking certificate.

Vehicles or vehicle parts that have had the manufacturer's identification number removed, altered, defaced or destroyed shall be identified in compliance with 625 ILCS 5/4-107(i) before processing as junk.

The above procedure is handled by North Shore Towing.

506.3 ABANDONED VEHICLE PROCEDURE

- (a) Abandoned auto complaints are to be directed to 3-1-1 during business hours.
- (b) When 3-1-1 is closed, desk personnel will handle abandoned auto complaints in the following manner:
 - 1. Obtain all information regarding the abandoned auto, and enter the information into WebQA.
 - 2. Run a registration steal-check on the vehicle;
 - 3. If the vehicle has been reported stolen, a beat car will be dispatched to handle the recovery;
 - 4. If the vehicle is not stolen, the information regarding the abandoned vehicle should be referred to the Traffic Bureau via WebQA.
- (c) Any member observing an apparently abandoned vehicle will:
 - (a) Obtain all necessary information about the vehicle.
 - (b) Complete an Abandoned Auto Card.
 - (c) Run a check on the vehicle.

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Abandoned or Derelict Vehicle Violations

- (d) If the vehicle is not stolen, the officer should contact 3-1-1 or the Service Desk to input the information into WebQA.

4. The Traffic Bureau Supervisor will assign a member to:

- (a)
 - 1. Check all reported abandoned autos, and obtain all vehicle identification available;
 - 2. Affix an "Abandoned Auto" sticker to the windshield;
 - 3. After the prescribed period of time:
 - (a) Make arrangements to have the vehicle towed to the auto pound;
 - (b) Complete a Towed-Auto Report;
 - (c) Log the vehicle into the towed-auto log at the Service Desk.

Notify the last registered owner by certified mail, as outlined by Department procedures.

Commercial Vehicle Enforcement

507.1 POLICY

With commercial vehicle traffic comes the increased risk of serious crashes, fatalities and severe injuries due to the weight and size of the vehicles involved. To mitigate these risks, the Department shall provide for specialized enforcement efforts focused on Commercial Vehicle equipment, safety and weight/size violations.

507.2 DEFINITIONS

- **Commercial Vehicle.** Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise. For-Hire or Not-For-Hire, but not including a commuter van, a vehicle being used in a ridesharing program, or a recreational vehicle not being used commercially.
- **Commercial Vehicle Coordinator.** Traffic Bureau supervisor, or designee, responsible for monitoring and coordinating the Department's Commercial Vehicle Enforcement effort.
- **Commercial Vehicle Enforcement Officer.** Officer certified to conduct Commercial Vehicle Enforcement, including overweight and safety inspection actions.

507.3 REQUIRED TRAINING

- (a) Only officers who have completed the State of Illinois certified overweight-enforcement-training program will conduct overweight-enforcement patrol.
- (b) Only officers who have completed the State certified portable scale operators training program will weigh vehicles on the Department portable scales.
- (c) Officers not certified for overweight enforcement may stop a truck with reasonable suspicion that an overweight violation is occurring, but a certified officer must be called to conduct the follow-up investigation. Any citations issued using the portable scale will be issued by the certified enforcement officer.

The traffic bureau supervisor will be the commercial vehicle enforcement program coordinator and is responsible for portable scale certification status and operational readiness as well as training certifications for officers.

507.4 SCALE USE

- (a) Prior to weighing any truck, the scales to be used must be checked for State certification and portable scales must be "zeroed."
- (b) The Traffic Bureau Supervisor, or designee, will monitor scale certification to ensure that all Department portable scales are certified and recertified annually.
- (c) Portable scales will be used for overweight enforcement and only when the outside temperature is between 14 and 100 degrees Fahrenheit.

Commercial Vehicle Enforcement

- (d) Portable scales will be used only on a level, hard surface.
- (e) Officers assigned to truck-enforcement patrols may use certified platform or axle scales for overweight enforcement within the City limits and in other jurisdictions if so authorized by the facility providing the scale.

507.5 ENFORCEMENT

Conditions which may provide reasonable suspicion that a truck is overweight include, but are not limited to:

- Compressed coil springs or leveled leaf springs
- Compressed suspension air bags.
- Tire bulges or tires which appear to put more than the normal amount of tread in contact with the roadway (tires appear to have low air pressure).
- Tandem tires rubbing against each other.
- Hard pulling and laboring engines from a stopped position or on an upgrade, judged by the force of exhaust emitting from the exhaust pipes. Another similar indication would be a driver shifting the transmission several times to get through an intersection or up a grade.
- Bowed trailer frame or trailers leaning to one side of the vehicle.
- Unusual load location or exposure:
 - A heavy mass cargo (sand, wet dirt, broken concrete) over one axle.
 - A load piled high above sides of the trailer.

Upon reasonable suspicion of an overweight, the enforcement officer shall:

- Escort the suspect vehicle to scales located at a safe location on a hard level surface out of direct traffic.
- While there is no mileage limit that a suspect vehicle may be escorted to a scale operation, it is the policy of the Department that portable scales of a fixed platform scale will be located as close as is reasonable to the enforcement area.
- When possible, suspect vehicles will be weighed at or near the location of the first detaining stop by the officer.
- Perishable loads will, whenever possible, be weighed at or near the location of the first detaining stop by the officer so as to minimize the delay in delivering the load to the drop site.

Upon verification of an overweight violation the officer will take reasonable steps to render the load safe and in compliance with the law.

- When the overweight load is a non-divisible load, the officer will determine whether or not required permits have been issued.

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- When the overweight load is a divisible load and when possible, the driver will be required to shift or remove part of the load until the load is in compliance with law.
- Any costs associated with shifting or removing an overweight load to bring the load into compliance will be borne by the driver or owner of the violating vehicle.
- Perishable loads (concrete or hot asphalt) will be allowed to proceed to their destination after weighing without shifting or removing part of the load.

507.6 SAFETY INSPECTIONS

Full Inspection: Includes each of the items specified under the North American Standard Inspection procedure. As a minimum, full inspections must include examination of: driver's license, seat belt, vehicle inspection report, brake system, steering mechanism, wheels, tires, coupling devices, suspension, frame, fuel system, exhaust system, windshield, wipers, lighting devices, cargo securement, and hazardous materials requirements, if applicable.

Walk-Around Inspection: As specified under the North American Standard Inspection procedure. As a minimum, includes examination of the following: driver's license, seat belt, vehicle inspection report, warning devices for stopped vehicles, head lamps, turn signals, stop lamps, windshield, wipers, wheels, tires, fuel system, exhaust system, visible brake components, visible coupling devices, cargo securement, low air warning device, visible suspension components, and hazardous materials requirements, if applicable.

Whenever a safety inspection reveals safety violations sufficient to indicate the commercial vehicle poses a significant risk to others using the roadway if allowed to continue, the violating vehicle will be impounded until violations are corrected or actions are initiated by the owner which will cause the violations to be corrected. If the vehicle owner either refuses to tow the violating vehicle or, given the facts and circumstances of the specific enforcement action, an owner authorized tow would require an unreasonable period of time, a tow will be initiated by the officer with the towing company under contract.

507.7 BOND PROCEDURES

Once correct fines, court costs and State surcharges have been determined, one of the following bond types will be accepted:

- Cash (C-Bond)
- Certified cashier's check made payable to the Circuit Court Clerk of Cook County (C-Bond)
- Commercial vehicle check (COMCHECK) make payable to the Circuit Court Clerk of Cook County (C-Bond)
- I-Bond

Whenever possible, bonding procedures will be completed on-scene at the site of the stop or scale location.

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Commercial Vehicle Enforcement

Cash bonds will not be accepted at the site of the stop or inspection. If the driver or owner wishes to post a cash bond, they will be brought to the police station where the bonding procedures will be completed.

Parking Control and Enforcement

508.1 POLICY

Parking enforcement is no longer a priority activity for Evanston Police Officers. Parking enforcement is done primarily through the Parking Systems Department by Parking Enforcement Officers. Evanston Police Officers may issue parking tickets due to a citizen complaint to the department.

This order establishes procedures for (1) the control and accountability of parking ticket books to prevent the waste of unused parking tickets and the potential for unauthorized use or abuse and (2) voiding parking tickets and (3) processing citizen complaints. The department is responsible for all parking and traffic tickets received and issued by its members. Tickets are legal documents that must be properly administered and protected from negligent handling, loss and misuse.

508.2 ISSUING PARKING TICKET BOOKS

Traffic Bureau Procedures

- (a) The Traffic Bureau supervisor, or the supervisor's designee, is responsible for obtaining, storing and issuing parking ticket books for the Police Department. The need for additional books will be anticipated and books will be ordered in a timely manner to maintain an adequate supply and to avoid shortages. The parking ticket books will be stored securely to avoid unauthorized distribution and use.
- (b) The Traffic Bureau will issue parking ticket books to unit supervisors as requested and will log the date of issuance, to whom the books were issued, the ticket series numbers and the person issuing the books. Parking ticket control logs and records will be maintained on file and secured in the Traffic Bureau for at least three years. Disposal or transfer of the logs and records will not occur without permission of the Chief of Police.

Patrol Shift and Bureau Supervisor Procedures

- (a) Unit supervisors will anticipate their unit needs and securely maintain an adequate supply of parking ticket books. Unit supervisors will issue parking ticket books to authorized members in their units and will log the date of issuance, to whom the books were issued, the ticket series numbers and the person issuing the book. Parking ticket control logs and records will be maintained on file and secured in each unit for at least three years. Disposal or transfer of the logs and records will not occur without permission of the Chief of Police.

Member Procedures

- (a) Members are responsible, and will be held accountable, for all tickets in each parking ticket book they have been assigned. Each ticket must be issued to a violator, voided by proper procedures or returned to a member's unit supervisor. Unused or spoiled tickets may not be discarded.
- (b) When a member discovers the theft or loss of a parking complaint book or one or more tickets, the member will initiate the following procedure:

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1. Prepare a memorandum indicating the date and time the theft or loss was discovered, the numbers of the missing tickets and all other relevant information.
 2. Address the memorandum to the Traffic Bureau supervisor and submit the memorandum to the member's supervisor before the end of the tour of duty during which the tickets were discovered missing.
- (c) The Traffic Bureau supervisor will monitor reports of missing parking tickets and take appropriate action as needed.
- (d) On termination of employment with the Department, each member will surrender to his/her supervisor all unused parking tickets. The supervisor will reassign, or void as necessary, the unused tickets.

Office of Professional Standards Inspections

The Office of Professional Standards will conduct quarterly random audits of the parking ticket control logs and records maintained by the Traffic Bureau and each unit issued parking ticket books. Audits will be conducted more frequently as needed to ensure compliance to these procedures. The OPS will maintain records of all such audits. All discrepancies or problems will be reported promptly to the Chief of Police.

508.3 VOIDING SPOILED PARKING TICKETS

The Department recognizes that a member may need to void a parking ticket before it is issued:

A member may spoil a ticket through errors in filling it out; the ticket may be damaged before issuance (such as being torn); the member may realize that it is being issued in error; or a member may wish to exercise discretion in issuance (as when a parking violator returns to the car before the ticket was actually issued, but the ticket was partially or completely made out). The following procedure will be followed by members when they spoil parking tickets.

- (a) The member will fill out a Parking Ticket Void Request form, explaining the member's reasons, and attach all copies of the ticket to it.
- (b) Before the end of the member's tour of duty, the member will submit all spoiled tickets and Parking Ticket Void Request forms to the Service Desk to be forwarded to the Traffic Bureau supervisor for review and inclusion on the Parking Ticket Void List. All spoiled or unissued tickets will be turned in for voiding. Do not discard any tickets.

508.3.1 CITIZEN COMPLAINTS ABOUT PARKING CITATIONS

Officer Procedures

When a member receives a complaint from a citizen who has received a parking ticket, the member will professionally handle the complaint. Members will politely attempt to explain the ticket and answer the citizen's questions. If the citizen is not satisfied by the explanations, the member may contact a supervisor as well as refer the citizen to the City Collector's Office to have a court date set or to the Traffic Bureau for possible voiding of the ticket.

Service Desk Procedures

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- (a) When it appears an error in the issuance of a parking ticket may have been made, the Service Desk member taking a citizen's complaint of an error, will enter the appropriate information from the ticket on the Parking Ticket Void Request Form. Members will not take the citizen's copy of the ticket.
- (b) If the citizen's copy of the parking ticket is illegible and the required information cannot be obtained, the citizen should be directed to the City Collector's Office to determine the violation or other information.
- (c) When the citizen complains that the parking ticket was issued in error due to a malfunctioning parking meter, the Service Desk member will enter the meter information and malfunction as reported by the citizen on the City of Evanston Meter Maintenance Report.
- (d) When the Service Desk member taking the complaint can immediately verify that an error in issuance has been made, the citizen will be advised that the ticket will be voided. The appropriate information will be entered on the Parking Ticket Void Request form indicating this decision and the form will be forwarded to the Traffic Bureau supervisor to be recorded on the Parking Ticket Void List.
- (e) When a member cannot immediately verify that an error has been made, because further investigation is necessary or a meter must be inspected, the member will forward the Parking Ticket Void Request form to the Traffic Bureau supervisor and advise the citizen to call the Traffic Bureau supervisor in five (5) days to learn the results of the investigation.

Traffic Bureau Supervisor Procedures

- (a) The Traffic Bureau supervisor will investigate all parking ticket void requests where further investigation is needed.
- (b) The Traffic Bureau supervisor will advise the citizen that the parking ticket will be voided if an error is substantiated.
- (c) The Traffic Bureau supervisor will advise the citizen to either pay the fine or contact the City Collector's Office to set a court date if the ticket was found to be properly issued.

508.3.2 PARKING TICKET VOID LIST

- (a) After investigating citizen void requests and tickets voided by members, the Traffic Bureau supervisor will enter those tickets onto the Parking Ticket Void List which the member recommends for voiding.
- (b) The void list will be forwarded to the Division Deputy Chief over the Traffic Bureau for approval.
- (c) The Division Deputy Chief will sign and return the void list to the Traffic Bureau supervisor after approval.
- (d) Deputy Chiefs voiding parking tickets will forward a Parking Ticket Request form, with any tickets attached, to the Traffic Bureau supervisor indicating their decision and directing the Traffic Bureau supervisor to enter the tickets on the void list.

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- (e) In the absence of the Traffic Bureau supervisor, the Division Deputy Chief over the Traffic Bureau will assume the responsibilities of the Traffic Bureau supervisor for the purposes of this order.
- (f) In the absence of the Division Deputy Chief, the Traffic Bureau supervisor will assume the responsibilities of the Division Deputy Chief for the purposes of this order.
- (g) The Parking Ticket Void List for the previous month will be submitted to the supervisor of the Office of Professional Standards by the tenth (10th) working day of each month for review with any related forms, memoranda and tickets.
- (h) The Office of Professional Standards supervisor will review the void list. If discrepancies are found, the OPS supervisor will investigate the matter and forward his/her recommendations to the Chief of Police. If no discrepancies are noted, the OPS supervisor will sign the list and return it to the Traffic Bureau supervisor.
- (i) Following receipt of the void list returned from the OPS supervisor, the Traffic Bureau supervisor will file a copy of the Void Request and forward the original Void Request to the City Parking Systems.

508.3.3 MEMBERS RECEIVING PARKING TICKETS ON DEPARTMENT VEHICLES

When members park a police department vehicle in the City of Evanston in violation of parking regulations while responding to an emergency or in the course of a duty-related activity and receive a City of Evanston parking ticket for the violation, the following procedures will be followed.

- (a) The member receiving the ticket will fill out a Parking Ticket Void Request form explaining the circumstances under which the ticket was received and requesting that it be voided.
- (b) The void request form, with the ticket attached, will be forwarded to the member's Division Deputy Chief through the chain of command.
- (c) The Division Deputy Chief will review the request and either approve or deny it.
 - 1. If the request is denied, the Division Deputy Chief will return the void request form and the attached ticket to the member through the chain of command advising the member that the request was denied and directing the member to either pay the fine or contact the City Collector's Office to set a court date.
 - 2. If the request is approved, the Division Deputy Chief will forward the void request form and ticket to the Traffic Bureau supervisor directing him/her to enter the ticket on the Parking Ticket Void List.
- (d) No parking tickets received by members assigned outside the Traffic Bureau will be brought directly to the Traffic Bureau supervisor.
- (e) Members receiving parking tickets for parking violations where their activities were not of an emergency or duty-related nature will be responsible to pay the fines, request a court date for the adjudication of the matter, or receive disciplinary action.

508.4 PARKING ON PRIVATE PROPERTY

Evanston City Code -- 10-4-6

Parking Control and Enforcement

- “No person shall stand or park a vehicle on any private lot or lot area without the express or implied consent of the owner there[DB1] .”

Procedure

- (a) When a member receives a complaint for the above violation, the member will issue and sign a parking ticket after determining that there are reasonable grounds to believe such an infraction exists.
- (b) The complainant's (owner's or property-agent's) name, address and phone number will be recorded on the CADS Ticket.
- (c) If the situation necessitates a tow, the following procedures will be followed:
 1. A reasonable attempt will be made to locate the owner of the vehicle to be towed.
 2. The complainant will complete a tow-release form.
 3. A towed vehicle report will be completed, clearly indicating the circumstances for the tow.

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Evanston Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine if additional investigative resources (e.g., detectives or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a field supervisor or the Watch Commander.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Arrange for the collection of any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

See attachment: [SOP 600-1.pdf](#)

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take

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any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies.

600.4.1 AUDIO/VIDEO RECORDINGS

All custodial interrogations at the Evanston Police Department of suspects in investigations of offenses as provided in 725 ILCS 5/103-2.1 shall be electronically recorded in their entirety (motion picture, audiotape or videotape, or digital recording) (725 ILCS 5/103-2.1; 705 ILCS 405/5-401.5). Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Recordings of other custodial interrogations or investigative interviews will be conducted at the direction of the assistant state's attorney.

No recording of an interrogation should be destroyed or altered without written authorization from the Cook County State's Attorney's Office and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes. Electronic recordings of a custodial interrogation in connection with an investigation for the offenses listed in 725 ILCS 5/103-2.1 shall be preserved until the conclusion of all criminal proceedings, including the exhaustion of habeas corpus appeals or the prosecution is barred by law (725 ILCS 5/103-2.1(c); 705 ILCS 405/5-401.5(c)).

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The offender of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - 1. In these cases, the detective shall document that the person was warned and why prosecution was not sought.
 - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a assistant state's attorney.

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- (c) The case has been submitted to the appropriate assistant state's attorney but no charges have been filed. Further investigation is not reasonable nor has the assistant state's attorney requested further investigation.
- (d) The case has been submitted to the appropriate assistant state's attorney, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that a trained computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available, including the Department's Technical Systems Coordinator.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

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Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with the state's attorney's office as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek advice from the state's attorney's office before any such interception.

600.8 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the assistant state's attorney or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Deputy Chief or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the assistant state's attorney. This does not include normal officer/state's attorney conversations in reference case status or plea agreements.

600.9 CELL SITE SIMULATOR USE

A member may only use a cell site simulator device for the purpose of locating, tracking or identifying a communications device and only after obtaining a warrant unless an exception exists as provided by 725 ILCS 168/15 (725 ILCS 137/10).

The member shall delete non-target data that is obtained no later than once every 24 hours if a cell site simulator device is used to locate or track a known communications device, and no later than within 72 hours of the time that the unknown communications device is identified if a cell site simulator device is used to identify an unknown communication device (725 ILCS 137/15).

600.10 OPEN HOMICIDES

Detectives assigned to open homicide investigations will offer a re-interview of the immediate family of the victim with the assistance of Social Service Advocates. The purpose of the meeting

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will be to determine if the family has developed any additional information and brief the family on the status and progress of the investigation.

These interviews will be conducted one month, six months and one year after a homicide. These contacts and any information pertinent to the investigation will be documented in an Investigative Supplementary Report. The timeline for family updates and contact can be altered at the request of the family members.

Asset Forfeiture

601.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Evanston Police Department seizes property for forfeiture or when the Evanston Police Department is acting as the fiscal agent pursuant to a multi-agency agreement. Currently the Manager of Budget and Finance serves as the Department's Fiscal agent.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney. Currently the Commander of the Special Operations Group serves as the forfeiture reviewer.

Property subject to forfeiture -

- (a) Profits, proceeds, property, etc. derived from or used for the following crimes may be subject to forfeiture after a successful criminal prosecution:
 - 1. Involuntary servitude or certain prostitution offenses (725 ILCS 5/124B-300)
 - 2. Obscenity (725 ILCS 5/124B-405)
 - 3. Child pornography offenses (725 ILCS 5/124B-500)
 - 4. Computer crimes (725 ILCS 5/124B-600)
 - 5. Women, Infants and Children (WIC) fraud (food program for women, infants and children) (720 ILCS 5/17-6.3; 725 ILCS 5/124B-700)
 - 6. Terrorism (725 ILCS 5/124B-800)
 - 7. Animal offenses (725 ILCS 5/124B-905)
 - 8. Calculated and gang criminal drug conspiracies (720 ILCS 570/405; 720 ILCS 570/405.2)
- (b) Profits, proceeds, property etc. forfeitable through civil action under the Illinois Controlled Substances Act, the Cannabis Control Act, the Illinois Food, Drug and Cosmetic Act, or the Methamphetamine Control and Community Protection Act (725 ILCS 150/3)

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- (c) Counterfeit trademark items and instrumentalities used for a violation of the Counterfeit Trademark Act (765 ILCS 1040/9)
- (d) Vehicles, vessels or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit, many enumerated offenses (720 ILCS 5/36-1)

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

Article 36 Seizures

[Article 36](#) provides for seizure of any vessel, vehicle or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in 720 ILCS 5, section 8-4, the following offenses: under [720 ILCS 5/36-1](#)

601.2 POLICY

The Evanston Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Evanston Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

601.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

601.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property that is subject to forfeiture because it constitutes evidence of a crime and may be legally seized as part of a criminal investigation, search warrant or by other court order.
- (b) Property may be seized without a court order when there is probable cause to believe that the property is subject to forfeiture under the Illinois Controlled Substances Act; the Cannabis Control Act; the Illinois Food, Drug and Cosmetic Act; the Methamphetamine Control and Community Protection Act; or the Counterfeit Trademark Act and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable (i.e., property would be lost without immediate

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seizure) (720 ILCS 570/505; 720 ILCS 550/12; 410 ILCS 620/3.23; 720 ILCS 646/85; 765 ILCS 1040/9).

- (c) Vessels, vehicles and aircraft may also be seized without a court order when there is probable cause to believe that the property is subject to forfeiture under 720 ILCS 5/36-1 and the property would be lost without immediate seizure. Officers may request the state attorney to seek a court order to seize property when there is probable cause to believe that it may be subject to forfeiture upon a successful criminal prosecution (725 ILCS 5/124B-805; 725 ILCS 5/124B-150).

Officers may request the state attorney to seek a court order to seize property when there is probable cause to believe that it may be subject to forfeiture upon a successful criminal prosecution (725 ILCS 5/124B-805; 725 ILCS 5/124B-150).

Whenever practicable, a court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

601.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the state attorney's current minimum forfeiture thresholds should not be seized.
- (b) If reasonably known to the officer, property held by a person known as an "innocent owner" or a "lender" who did not have knowledge or intent that would reasonably justify a seizure (725 ILCS 5/124B-130; 725 ILCS 150/8).

601.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms as soon as possible after the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

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The officer will inventory seized property as evidence with the notation in the comment section of the property form, "Seizure".

Photographs should be taken of items seized, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

601.5 MAINTAINING SEIZED PROPERTY

The Property Bureau manager is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

601.6 FORFEITURE REVIEWER

The Chief of Police will appoint a forfeiture reviewer, who is currently the Commander of the Special Operations Group. Prior to assuming his/her duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly 725 ILCS 150/3 et seq., 725 ILCS 5/124B-100 et seq., and the forfeiture policies of the state attorney.
- (b) Serving as the liaison between the Department, the state attorney and the Illinois State Police and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

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Asset Forfeiture

- (f) Ensuring that seizure forms are available and appropriate for department use. See the attached forms from the Cook County State's Attorney and Illinois State Police.
[See attachment: 601-1.pdf](#)
- (g) Ensuring that those who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Departmental Directive. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner, if necessary.
 - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
 - 4. Property is promptly released to those entitled to its return.
 - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 - 6. Any cash received is deposited with the fiscal agent.
 - 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 - 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 - 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (j) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.
- (k) Upon completion of any forfeiture process, ensuring that no property is retained by the Evanston Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.

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- (l) Forwarding a copy of inventories related to property seized and an estimate of the property's value to the Director of the State Police, when applicable (vehicles seized for narcotics).
- (m) Ensuring that vehicles seized under 720 ILCS 5/36-1 are delivered to a city approved vendor.
- (n) Ensuring compliance with the requirement that a probable cause determination be sought within 14 days of the seizure (725 ILCS 150/3.5).
- (o) Notifying the State's Attorney for the county in which an act or omission giving rise to the forfeiture occurred or in which the property was seized within 52 days of the seizure if the property is subject to forfeiture under the Illinois Controlled Substances Act, the Cannabis Control Act or the Methamphetamine Control and Community Protection Act. Notice shall include the facts and circumstances giving rise to the seizure and include an inventory of the property and its estimated value (725 ILCS 150/5).
- (p) When the property seized for forfeiture is a vehicle, notifying the Secretary of State immediately that forfeiture proceedings are pending against the vehicle (725 ILCS 150/5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

601.7 DISPOSITION OF FORFEITED PROPERTY

Distribution and use of forfeited assets related to obscenity offenses are set forth in 725 ILCS 5/124B-420. Use this statute for enforcing laws or ordinances governing obscenity and child pornography.

Distribution and use of forfeited assets related to computer crimes are set forth in 725 ILCS 5/124B-605. Use this statute for training or enforcement purposes related to detection, investigation or prosecution of financial crimes, including computer fraud.

Distribution and use of forfeited assets related to WIC fraud are set forth in 725 ILCS 5/124B-710. Use this statute for enforcing laws related to WIC fraud.

Distribution and use of forfeited assets related to the Illinois Controlled Substances Act are set forth in 720 ILCS 570/505. (use for the enforcement of laws governing cannabis and controlled substances or for security cameras used for the prevention or detection of violence).

Distribution and use of forfeited assets related to the Illinois Cannabis Control Act are set forth in 720 ILCS 550/12. Use this statute for enforcing laws governing cannabis and controlled substances or for security cameras used for the prevention or detection of violence.

Distribution and use of forfeited assets related to the Food, Drug and Cosmetic Act are set forth in 410 ILCS 620/3.23. Use this statute for enforcing laws.

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Distribution and use of forfeited assets related to the Methamphetamine Control and Community Protection Act are set forth in 720 ILCS 646/85.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Informants

602.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Evanston Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Evanston Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

602.2 POLICY

The Evanston Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

602.3 USE OF INFORMANTS

602.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

602.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

Informants

602.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

602.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Deputy Chief, Neighborhood Enforcement Team supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Evanston Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Neighborhood Enforcement Team supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Neighborhood Enforcement Team supervisor.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

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602.4.1 DEACTIVATED INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "seactivated" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

602.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Neighborhood Enforcement Team. The Neighborhood Enforcement Team supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Deputy Chief, Neighborhood Enforcement Team supervisor or their authorized designees.

The Investigative Services Deputy Chief should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Neighborhood Enforcement Team supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by the Investigative Services Deputy Chief.

Informants

602.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 - 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

602.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Neighborhood Enforcement Team supervisors will take the above factors into consideration when determining the type and level of payment.

602.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

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- (a) Payments of \$500 and under may be paid in cash from a Neighborhood Enforcement Team buy/expense fund.
- (a) The Neighborhood Enforcement Team supervisor shall sign the voucher for cash payouts from the buy/expense fund.

602.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as other income and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

602.6.3 AUDIT OF PAYMENTS

The Neighborhood Enforcement Team supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least annually, the Office of Professional Standards should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process. This is in addition to the monthly audits completed by the Neighborhood Enforcement Team supervisors as part of their monthly report.

Felony Investigation Discovery

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for proper management of discovery issues in homicide and “non-homicide felony” investigations as mandated by 725 ILCS 5/114-13.

603.2 INVESTIGATIVE MATERIALS

In every homicide investigation and “non-homicide felony” investigation conducted by the department, or when the Department participates in an investigation of a homicide or “non-homicide felony,” the Department shall exercise due diligence to provide to the State’s Attorney’s Office all investigative materials that have been generated or come into the possession of the department concerning the homicide or “non-homicide felony.”

Investigative materials include, but are not limited to, reports and memoranda. In homicide investigations, investigative materials also include field notes. Field notes generated in a homicide or non-homicide felony should be documented on the Evanston Police Department’s General Progress Report.

603.3 COMPLIANCE

The Investigative Services Deputy Chief shall implement appropriate procedures, including the periodic review of all homicide and “non-homicide felony” case files to ensure that all investigative materials and exculpatory evidence has been provided to the State’s Attorney’s Office.

All department personnel shall document in writing the tendering of investigative materials to the State’s Attorney’s Office and include the date, description of materials transmitted and to whom the materials were tendered.

The Department shall cooperate with all requests for investigative materials made by the State’s Attorney in a timely and efficient manner.

603.4 CONTINUING OBLIGATIONS

The duty to disclose exculpatory information under this policy continues throughout the course of the prosecution of the case, remains after a defendant’s conviction and until the fact finding proceedings, or the possibility of further proceedings, have ended.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (725 ILCS 5/107A-2).

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Show-up identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Evanston Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Detective Bureau supervisor or Juvenile Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (725 ILCS 5/107A-2):

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

Eyewitness Identification

- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) Notice that if an audio/video recording of the lineup is made it will be of the persons in the lineup and the witness.
- (j) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (k) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary to ensure compliance with 725 ILCS 5/107A-2 and applicable judicial decisions.

604.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses shall view suspects or a lineup individually and outside the presence of other witnesses (725 ILCS 5/107A-2). Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses. Witnesses should be separated or monitored and the lineup administrator shall ensure that all eyewitnesses are monitored to prevent them from conferring with one another while waiting to view the lineup and during the lineup (725 ILCS 5/107A-2).

Whenever feasible, the eyewitness identification procedure shall be audio and/or video recorded and the recording should be retained according to current evidence procedures. If the witness refuses to allow a recording of the process, the refusal shall be recorded and the member shall document in the report that no recording was made and the reason (725 ILCS 5/107A-2).

Eyewitness Identification

604.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup shall not be involved in the investigation of the case or know the identity of the suspect (725 ILCS 5/107A-2).

In no case should the member presenting a lineup to a witness know which photograph or person in the live lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.6.1 ADDITIONAL CONSIDERATIONS

Members presenting a lineup shall also ensure that (725 ILCS 5/107A-2):

- (a) Only one suspect is presented in a photo lineup and a minimum of five filler photos is utilized.
- (b) When practicable there should be five filler subjects used in a live lineup. In no case will fewer than three filler subjects be used.
- (c) No writings or information related to the persons presented is visible or made known to the witness.
- (d) If the witness requests to view a photograph or person again, he/she may do so, but only after first viewing each person or photograph.
- (e) If the witness identifies a person as the perpetrator, he/she shall not be provided with any information concerning the person until after the lineup is completed.
- (f) An automated computer program or other device may be used to display a photo lineup to an eyewitness provided the member administering the lineup cannot view the photos until completion of the lineup process.

604.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. Field identifications should be conducted within one hour of the reported crime and within reasonable proximity of the offense. A field show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated, in felony cases.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.

Eyewitness Identification

- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of a show-up as the perpetrator, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

604.8 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification shall be documented in the case report (725 ILCS 5/107A-2). If practicable, an audio or video recording of the witness statements shall be made.

If a photographic lineup is utilized, the actual photographic lineup presented to the witness shall be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report. If a live lineup is utilized, a photograph or other visual recording shall be included in the case report (725 ILCS 5/107A-2).

If an automated computer process or other similar device is used to conduct a photographic lineup, the results of that lineup, including the photographs displayed, will be saved in a manner that permits the process to be repeated and shall be made part of the case report.

Eyewitness Identification

Additionally, the witness should sign and date the photographic line-up along with the detective administering the photographic line-up.

604.8.1 PROCEDURE

[See attachment: SOP 604-1.pdf](#)

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called *Brady* information) to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information -Information known or possessed by the Evanston Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Evanston Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Evanston Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

Brady Material Disclosure

605.4 DISCLOSURE OF PERSONNEL INFORMATION

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or the Office of Professional Standards file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the assistant state's attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The assistant state's attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.
 - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Office of Professional Standards member shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any materials pursuant to this process, the Office of Professional Standards member should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the state's attorney's office should be notified of that fact in all future cases involving that member.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the state's attorney's office should be notified.

605.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

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605.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which unmanned aerial systems (UAS) may be used, and the storage, retrieval and dissemination of images and data captured by such systems.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft or drone of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

606.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

Unmanned Aerial System (UAS) Operations

Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, especially regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic program reports to the Chief of Police.

606.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

The UAS, or images and data produced by its use, shall not be used for personal business of any type. Any use of the UAS that is not specifically related to the operation or mission of this department shall require the express authorization of the Chief of Police or the authorized designee.

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The Evanston Police Department may not use the UAS to gather information except (725 ILCS 167/15):

- (a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is a risk.
- (b) Pursuant to a search warrant based on probable cause. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
- (c) Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect or prevent the destruction of evidence. The use of a UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of UAS initiation under this paragraph, the Chief of Police must report its use, in writing, to the State's Attorney.
- (d) To locate a missing person while not also undertaking a criminal investigation.
- (e) To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. The use of the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.
- (f) To obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts.

606.5.1 PRIVATE UAS OWNERS

This policy and its restrictions apply to the department's directed use of a UAS owned by a private third party and information gathered by a UAS voluntarily submitted to the Department by a private third party (725 ILCS 167/40).

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 RETENTION AND DISCLOSURE OF UAS INFORMATION

Within 30 days of UAS use, the Records Bureau supervisor shall destroy all information gathered by the UAS except when there is reasonable suspicion that the information contains evidence of

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criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/20).

The disclosure of information gathered by the UAS is prohibited except to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/25).

606.8 REPORTING

The Records Bureau manager shall report annually, by April 1, to the Illinois Criminal Justice Information Authority the number of UAS's owned by the Evanston Police Department (725 ILCS 167/35).

Sexual Assault Investigations

607.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims (725 ILCS 203/15).

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any of the following (725 ILCS 203/10):

- (a) Any crime or attempted crime defined in 720 ILCS 5/11-1.20 through 720 ILCS 5/11-1.60 of the Criminal Code of 2012
- (b) Any crime or attempted crime defined in sections 720 ILCS 5/12-13 through 720 ILCS 5/12-16 of the Criminal Code of 1961
- (c) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/11-0.1 of the Criminal Code of 2012
- (d) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/12-12 of the Criminal Code of 1961

607.2 POLICY

It is the policy of the Evanston Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

607.2.1 WRITTEN GUIDELINES

The Detective Bureau supervisor should ensure that written procedures are in place for members responding to reports of sexual assaults or assigned to these investigations. These procedures shall be consistent with the Illinois Attorney General guidelines on response to, and investigation of, sexual assaults (725 ILCS 203/15).

607.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations (50 ILCS 705/10.19).
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the state's attorney for review.

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- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.

607.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

607.4.1 REPORTING REQUIREMENTS

Written reports shall include to the extent reasonably known to the reporting member the following (725 ILCS 203/20):

- (a) The victim's name or other identifier
- (b) The victim's contact information
- (c) The time, date and location of the offense
- (d) Information provided by the victim
- (e) The suspect's description and name, if known
- (f) The names of persons with information relevant to the time before, during or after the offense, and their contact information
- (g) The names of medical professionals who conducted a medical forensic examination of the victim, and any information provided about the offense
- (h) Whether an Illinois State Police Sexual Assault Evidence Collection Kit was completed, the name and contact information for the hospital, and whether the victim consented to testing of the Evidence Collection Kit by law enforcement
- (i) Whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement
- (j) Information the victim related to medical professionals during a medical forensic examination and which the victim consented to disclose to law enforcement
- (k) Other relevant information

607.4.2 THIRD-PARTY COMPLAINTS

A written report shall be completed even if the information regarding a sexual assault or sexual abuse is reported by a third party, unless the third party fails to provide the following (725 ILCS 203/22):

- (a) His/her name and contact information
- (b) Affirmation that the victim of the sexual assault or sexual abuse gave consent to the third party to provide information about the sexual assault or sexual abuse

A written report shall be completed even if the victim's name is not disclosed or the alleged sexual assault occurred outside of the Department's jurisdiction.

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607.4.3 JURISDICTIONAL ISSUES

If the sexual assault investigation determines that the sexual assault occurred outside the jurisdiction of Evanston, the supervisor should ensure that the report is forwarded to the appropriate agency within 24 hours by fax or email (725 ILCS 203/20).

Within 24 hours of receiving a report from a law enforcement agency in another jurisdiction regarding a sexual assault that occurred in our jurisdiction, the supervisor should ensure that a written confirmation or receipt is sent by fax or email or delivered in person. The written confirmation shall contain the name and identifier of the officer who is confirming receipt of the report and a name and contact phone number that will be given to the victim (725 ILCS 203/20).

In all reported or suspected cases of sexual assault that may have occurred in another jurisdiction, a report should still be written and forwarded to the appropriate law enforcement agency within 24 hours unless the other agency promptly responds to the location of the initiating interview and takes responsibility for the investigation (725 ILCS 203/20). If an agency from the other jurisdiction responds to take responsibility for the investigation, the Evanston member who initially responded should report any statements obtained up until that point, relevant observations and the name and contact information of the member of the agency that is taking responsibility for the investigation.

607.5 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor along with the Public Information Officer should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

607.6 TRAINING

Training will be provided to (725 ILCS 203/20; 50 ILCS 705/10.19):

- (a) Members who are first responders. This includes:
 - 1. Initial response to sexual assaults.
 - 2. Legal issues.
 - 3. Victim advocacy.
 - 4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
 - 1. Interviewing sexual assault victims.
 - 2. Medical and legal aspects of sexual assault investigations.
 - 3. Serial crimes investigations.
 - 4. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).

Sexual Assault Investigations

5. Techniques for communication with victims to minimize trauma.

607.7 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center or Police Service Desk, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the police social services should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified detective.

No opinion of whether the case is unfounded should be included in a report.

No victim shall be compelled or required to submit to an interview (725 ILCS 203/20).

Victims shall not be asked or required to take a polygraph examination or any form of a mechanical or electrical lie detector test (42 USC § 3796gg-8; 725 ILCS 200/1).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

607.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a police social service member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be collected.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should still be collected and stored appropriately.

607.8.1 MEMBER RESPONSIBILITIES

Members investigating sexual assaults or handling related evidence are further required to do the following (725 ILCS § 203/30; 725 ILCS 202/10):

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- (a) Take custody of sexual assault evidence as soon as practicable. Sexual assault evidence collected from a forensic examination shall be collected within 5 days after the completion of the exam.
- (b) Document the date and time the sexual assault evidence is picked up from a hospital and the date and time the sexual assault evidence was sent to a lab.
- (c) Prior to submitting forensic examination evidence for testing, obtain the appropriate written consent from the victim or authorized representative (410 ILCS 70/6.5(a)).
- (d) Document the date when consent was given by a victim to have his/her forensic examination evidence tested.
- (e) Submit any sexual assault evidence for testing within 10 business days of the consent of the victim or authorized representative.

Additional guidance regarding evidence retention and destruction is found in the Property Bureau Policy.

607.8.2 RELEASE PROTOCOL

The Detective Bureau supervisor shall ensure that a procedure is in place for responding to a victim who wants to sign a consent form for the release of sexual assault evidence for testing (725 ILCS 203/30).

607.8.3 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of the status and results of any DNA test as set forth in 725 ILCS 203/35.

A police social service member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assault cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

607.9 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Bureau supervisor.

Classification of a sexual assault case as unfounded requires the Detective Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

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607.10 CASE REVIEW

The Detective Bureau supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

Victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

607.11 CRIMINAL INVESTIGATION OF AN OFFICER

Any member uncovering or receiving a complaint of a criminal sexual assault involving an officer of the Evanston Police Department should as soon as practicable notify his/her supervisor, who should immediately notify his/her chain of command so that the Chief of Police can contact an outside agency to conduct the criminal investigation (5 ILCS 815/10).

The Chief of Police or the authorized designee may pursue an intergovernmental or interagency agreement to facilitate such an investigation should it be needed (5 ILCS 815/20).

An administrative investigation of the involved officer may be conducted pursuant to the Personnel Complaints Policy and will be conducted in a manner that does not interfere with the criminal investigation (5 ILCS 815/15).

Warrant Service

608.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

608.2 POLICY

It is the policy of the Evanston Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

608.3 SPECIAL OPERATIONS GROUP COMMANDER

The Special Operations Group Commander or their designee (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The Special Operations Group Commander or their designee will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

608.4 SEARCH WARRANTS

Detectives should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the detective will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

608.5 ARREST WARRANTS

If the service of an arrest warrant is classified as high risk, service will be coordinated by the Special Operations Group Commander or their designee. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

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608.6 SEARCH WARRANT PREPARATION

A detective who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for a no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched (numerical address, location relative to other buildings, color, unique identifying features, etc.), including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

608.7 HIGH-RISK WARRANT SERVICE

The Special Operations Group Commander or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of personnel deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b)
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

Warrant Service

- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

608.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

608.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge as soon as reasonably possible, but in any event no later than any date specified on the warrant.

608.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The Special Operations Group Commander will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement

Warrant Service

- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Special Operations Group Commander. The Special Operations Group Commander should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The Commander should ensure that members of the Evanston Police Department are utilized appropriately. Any concerns regarding the requested use of Evanston Police Department members should be brought to the attention of the Chief of Police or the authorized designee via the chain of command. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the Special Operations Group Commander is unavailable, the Watch Commander or ranking supervisor should assume this role.

If officers intend to serve a warrant outside Evanston Police Department jurisdiction, the Special Operations Group Commander should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Evanston Police Department when assisting outside agencies or serving a warrant outside Evanston Police Department jurisdiction.

608.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

608.12 TRAINING

The Office of Administration should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

Operations Planning and Deconfliction

609.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

609.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

609.2 POLICY

It is the policy of the Evanston Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

609.3 SPECIAL OPERATIONS GROUP COMMANDER

The Chief of Police will designate a member of this department to be the Special Operations Group Commander.

The Special Operations Group Commander will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The Special Operations Group Commander will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The commander will also have the responsibility for coordinating operations that are categorized as high risk.

609.4 RISK ASSESSMENT

609.4.1 RISK ASSESSMENT MATRIX PREPARATION

Officers assigned as operational leads or case agents for any operation that may qualify as a high-risk operation shall complete a risk assessment matrix.

When preparing the matrix, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal

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justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

609.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment matrix and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the Special Operations Group Commander.

The supervisor and Special Operations Group Commander shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

609.4.3 HIGH-RISK OPERATIONS

If the Special Operations Group Commander, after consultation with the involved supervisor, determines that the operation is high risk, the Special Operations Group Commander should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 - 1. NIPAS EST
 - 2. Additional personnel
 - 3. Outside agency assistance, including ILEAS/NIPAS

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4. Special equipment
 5. Medical personnel
 6. Persons trained in negotiation
 7. Additional surveillance
 8. Canines
 9. Property Bureau or analytical personnel to assist with cataloguing seizures
 10. Forensic specialists
 11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
 - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
 - (d) Coordinate the actual operation.

609.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead or case agent shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system (HIDTA) to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

609.6 OPERATIONS PLAN

The Special Operations Group Commander should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)

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2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment matrix by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (k) Communications plan
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

609.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

Operations Planning and Deconfliction

609.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The Special Operations Group Commander shall ensure that all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made by the Special Operations Group Commander for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the Special Operations Group Commander to ensure that the Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by the Communications Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
 - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

609.8 EST PARTICIPATION

If the Special Operations Group Commander determines that EST participation is appropriate, the Special Operations Group Commander and the EST supervisor shall work together to develop a written plan. The EST supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the EST supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

Operations Planning and Deconfliction

609.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

609.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any EST debriefing.

609.11 TRAINING

The Office of Administration should ensure officers and EST team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Chapter 7 - Equipment

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.2.1 DEPARTMENT OWNED PROPERTY

DEPARTMENT-OWNED PROPERTY (I.E. LOCKERS, DESKS, CLOSETS, OFFICES, CABINETS, VEHICLES, ETC.)

A. No lock other than one owned by the Department will be placed on any locker, desk, closet, or office, etc., belonging to the Department. The Chief of Police or a designee will retain the master keys to all such locks. If a member feels that their locker is not adequately secured with the existing locking device, a secondary lock may be placed on the locker at the employee's expense. However, prior to using such a lock (key or combination), the member must submit a memo indicating their wish to do so with the Deputy Chief of Support Services. After receiving approval, the member will be required to supply the Property Officer with either the key or combination to that lock. Any unauthorized locks will be removed.

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Department Owned and Personal Property

B. The lockers, desks, closets, or offices provided are Department-owned property and are not the private property of the individual employee. All lockers, desks, closets, offices, and vehicles provided are subject to unannounced inspection by the Chief of Police or a designee.

C. The Chief of Police or a designee may remove, when necessary, the contents of any locker, desk, closet, and store the contents in another secured location.

D. Seized or evidentiary items will not be stored in lockers, desks, closets, offices, or vehicles, but will be immediately inventoried in accordance with the general order concerning recovered property and evidence.

E. The Department is not responsible for personal items left in any Department-owned place or vehicle.

Members will not store or park any personal items or vehicles in the police building, nor use Department-owned or city property as a personal storage area.

Department-owned telephones should be used for Department-related activities. Moderate, occasional use of Department telephones for personal use is allowed if limited to short discussions that do not interfere with job performance and responsibilities

POSTING OF MATERIAL: No sign, bulletin, poster or other form of written communication may be placed or posted throughout the building unless authorized through the Chief's Office

DEPARTMENTAL STATIONARY: Department stationary will not be used in any capacity without the authorization of the Chief of Police. Members may not use department stationary for recommendations, references, or other special considerations without the approval of the Chief of Police.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made by submitting a departmental memorandum via the chain of command to the Office of Administration.

The supervisor's memorandum shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Office of Administration.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written memorandum shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

Department Owned and Personal Property

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written memorandum shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written memorandum before going off duty or as otherwise directed by the supervisor.

These written memorandum's, accompanied by the supervisor's written memorandum, shall promptly be forwarded to the appropriate Deputy Chief.

700.4.2 DAMAGE TO CITY OWNED PROPERTY BY A CITIZEN DAMAGE TO CITY-OWNED EQUIPMENT BY CITIZENS

To ensure that the Department has every opportunity to be reimbursed for the cost of replacing equipment damaged at the hands of arrestees or from other similar incidents of damage to property under the control of this Department, it will be necessary to follow the procedures listed below.

Written Documentation: When property is damaged subsequent to an arrest or the temporary detention of a subject, a written account of the incident must be included in the Incident Report. When property is damaged under other circumstances, an Incident Report will be filed and the nature of the incident recorded as "Damage to City Property."

In addition, when investigating traffic accidents, officers will indicate in the report the name of the driver's insurance company.

Notification: Copies of all "Damage to City Property" reports, and any other reports which include accounts of damage to city property, will be forwarded by the Records Bureau to the Legal Department.

This procedure is not a substitute for filing charges of damage to city property, when appropriate, but is in addition to current Department procedures.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Evanston Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.4 DEPARTMENT-ISSUED OR FUNDED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD for the member's use to facilitate on-duty performance. Department-issued PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Personal Communication Devices

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to the provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should as soon as practical be transferred to the Evanston Police Department

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.

Personal Communication Devices

- (e) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (f) Members will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles while performing official duties should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (625 ILCS 5/12-610.2). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.2 POLICY

The Evanston Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

702.4 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.4.4 REPAIR PROCEDURES

The following procedures will be used to obtain repairs to vehicles:

If a vehicle needs repairs, a computerized repair order will be completed by the person using the vehicle and sent to fleet services.

The form, properly completed, will be turned over to the member's supervisor. Having approved and signed the order, the supervisor will either

- take the car out of service
- send it to the garage for immediate service (lights burned out, etc.)

Vehicle Maintenance

- leave it in service until the garage is available to repair it

The Day-Shift Supervisor of each bureau will oversee the repair of all bureau vehicles. This Supervisor will be responsible for setting priorities, monitoring repairs and will be the go-between with Fleet Services and the Police Department. Personnel with questions, complaints or ideas about the repair of vehicles should contact the Day-Shift Supervisor rather than Fleet Services.

Members with permanently assigned vehicles may deal directly with Fleet Services.

All requests to repair specialized electronic equipment in vehicles (such as cameras, MDTs) will be submitted to the Department's Technical Systems Coordinator.

702.5 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

702.5.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- emergency road flares
- crime scene barricade tape
- first-aid kit and CPR mask
- blanket
- fire extinguisher
- bloodborne pathogen kit, including protective gloves and a National Institute for Occupational Safety and Health (NIOSH) particulate respirator mask (issued to individual officers)
- hazardous waste disposal bag

702.5.2 UNMARKED VEHICLES

Members driving unmarked department vehicles shall ensure that the minimum following equipment, at a minimum, is in the vehicle:

- crime scene barricade tape
- first-aid kit and CPR mask
- blanket
- bloodborne pathogen kit, including protective gloves and NIOSH particulate respirator mask (issued to individual officers)
- hazardous waste disposal bag
- fire extinguisher

Vehicle Maintenance

702.6 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles shall only be refueled at the authorized location.

702.7 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the department.

Patrol officers shall notify communications before going to the car wash.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle provided for shredding this material.

702.8 WEEKLY INSPECTION

Each division Deputy Chief and/or supervisor will assign appropriate personnel to conduct a weekly inspection of vehicles in use by the division.

The Weekly Vehicle Inspection form will be completed for each vehicle and submitted promptly to the supervisor. Members assigned permanent vehicles need not complete this form.

If repairs are needed, the Repairs Needed form will be completed. Missing or used equipment will be replaced.

The Weekly Vehicle Inspection forms will be submitted immediately to the Traffic Bureau.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Evanston to provide assigned take-home vehicles.

703.2 POLICY

The Evanston Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

The supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the supervisor. A notation will be made on the shift roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

The vehicle use should be noted on the grease board in the supervisor's office.

703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

Vehicle Use

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.5 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds or is notified that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Deputy Chief approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

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703.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

To transport a person in custody, a police vehicle specifically designed to transport prisoners will be used, e.g., squadrol or cage car.

If a prisoner transportation vehicle is not available, any police vehicle may be used, providing two officers are used in the transport, one officer seated in the rear seat behind the driver, with the prisoner to this officer's right. A maximum of two prisoners, handcuffed to each other, may be transported in this fashion.

Transporting officers will advise the Communications Center of all prisoner transports. If a prisoner is of the opposite sex from the officer(s) transporting that prisoner, the transporting officers will report to the Communications Center both beginning and ending mileage, and the points of origin and destination.

703.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should make every attempt to obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.12 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.3.13 SPECIAL TRANSPORT SITUATIONS - PHYSICALLY/MENTALLY DISABLED OR OTHERWISE INCAPACITATED PRISONERS

The transportation of persons with physical or mental disabilities or otherwise incapacitated prisoners will be conducted in a manner which most facilitates the Department's needs, ensures

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officer safety, and does not jeopardize the health or well-being of the prisoner. The use for prisoner transport of vehicles other than those of the Department, e.g., an ambulance, will be authorized by the on-duty field supervisor. If a prisoner's disability, either mental or physical, causes a question in the officer's mind as to the appropriateness of either the use of restraints or the vehicle used for transportation, the officer will contact the on-duty supervisor for further direction.

Prisoner transport other than to court or to a hospital will not be conducted. Supervisors may authorize special transportation for investigative reasons. Any such transport will be done under strict controls.

Arrestees who use wheelchairs will be transported by a Fire Department ambulance or the business or company currently contracted by the Department/City for such services. Arrestees who use wheelchairs will not be transported in police vehicles, unless no other options are available and a supervisor approves the action.

703.3.14 PRISONER ESCAPES DURING TRANSPORT

In the event a prisoner escapes, the transporting officers will notify the Communications Center, for immediate relay to the shift commander, and will provide the following information:

- Prisoner name
- Physical description and clothing
- ChargesLocation at the time of escape
- Direction of travel

If the escape has occurred in another jurisdiction, the Communications Center will contact that jurisdiction to advise it of the situation.

The transporting officers will begin a search of the area for the prisoner.

On capture of the prisoner, or the shift commander's order to terminate further search, the transporting officers will return to the station and submit a memorandum to the Chief of Police, through the chain of command, detailing the events prior to, during, and after the escape occurred. This will be done after any other prisoners are secured.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or

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utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) T
- (d) Vehicles will be locked when not attended.
- (e) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Members who reside outside the City of Evanston may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Deputy Chief gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief of Police or Deputy Chiefs and there is a high probability that the member will be called back to duty.
 - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.

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3. When the member has received permission from the Chief of Police or Deputy Chiefs.
 4. When the vehicle is being used by the Chief of Police, Deputy Chiefs or members who are in on-call administrative positions.
 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e)
- (f) Unattended vehicles are to be locked and secured at all times.
1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All department identification, portable radios and equipment should be secured.
- (g) If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Evanston Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

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703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) Upon receiving notice, it is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 COVERT VEHICLES

Covert vehicles are assigned to the Special Operations Group and their use is restricted to the Special Operations Group and the assigned member, unless otherwise approved by a supervisor. Any member operating a covert vehicle shall obtain permission from a supervisor in the Special Operations Group.

703.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Reporting Policy).

Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse, when deemed appropriate.

703.7 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Vehicle Use

703.7 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on the toll road shall adhere to the following:

- (a) All members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Deputy Chief within five working days explaining the circumstances.

703.9 EMPLOYEE PARKING REGISTRATION

Members will be issued an employee parking permit only after the member has provided the Department with his/her vehicle's valid vehicle license registration information, i.e. state registration and, as required, registration from the city, village, town, or unincorporated area in which the member resides.

Members will affix the parking permit to their vehicle according to the instructions, so that the permit is visible from the parking aisle.

Parking permits are not transferable, and are valid only on the vehicle that they are registered to. In the event a member has to use a different vehicle on a particular day, the vehicle may be parked in the designated area. However, the member must immediately register the vehicle in the Employee Parking Log maintained at the Service Desk.

Members will not be issued a permit unless their vehicle is used for daily transportation to and from work.

REGULATION:

Employee parking areas may not be used as off-street parking for, or to store, a business or personal vehicle.

Vehicles too large to permit the parking of cars in marked parking spaces adjacent to them are prohibited from using the lot.

EMPLOYEE PARKING AREAS:

Personal vehicles will be parked in designated employee locations for on-duty personnel. Personal vehicles will have appropriate city lot-permit displayed.

Employee parking is available in 2 locations -

- Lot 6 at the southeast corner of Maple Avenue and Lake Street

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- Lot 6 Annex at the north end of the lot in the three designated lanes, across the street from the police station sally port.

Employee parking lots are for employees on official police business and will not be used to store/park vehicles or property.

Do not park on the streets or in lots in areas designated for police and fire vehicles.

Exception: A special parking consideration will be allowed for members coming on-duty for the afternoon shift-change (3-11, 4-12). In the event that all other slots designated for personal vehicles are full, evening-shift members may park their personal vehicles in the areas marked "No Parking, for Emergency Vehicles Only" if no fire vehicles are parked there.

OVERFLOW PARKING

On occasion there may be a lack of available parking space. To accommodate those additional parking needs, employee permits will be honored in the city-permit parking spaces (Lot 14) located in the lower level of the parking structure at the Holiday Inn Hotel, 1501 Sherman Avenue, or other designated lots. Citations will be voided for a Lot 6 permit vehicle parked in Lot 14.

STORED VEHICLES

A vehicle properly registered and parked in the designated lot, but not having been moved for a period in excess of five days, will be considered a "Stored Vehicle." Stored-vehicle incidents will be brought to the attention of the Fire Chief or the Chief of Police, whichever is appropriate. Such notification will be in the form of an Interdepartmental Memorandum from the supervisor in charge of the Traffic Bureau, detailing the dates in question, the vehicle, its permit number, and the registered owner. Disposition of such reported incidents will be determined by the Fire Chief or the Chief of Police, whichever is appropriate.

ENFORCEMENT

Members are not exempt from city ordinance parking regulations and restrictions on or off-duty. Any parking ticket incurred by a member will be the responsibility of the member.

MOTORCYCLES

All personal motorcycles parked at the Police Facility on city property will be registered with the department.

Registration forms are available in the Records Bureau.

This will be a one-time registration and no parking stickers will be issued for motorcycles.

Parking

Personal motorcycles registered with the Department will be allowed to park in the cul-de-sac area on the west side of the police building, by the generator. However, motorcycles entering or leaving this area must have their engines off at the alley. Running engines may cause fumes to be sucked into the intakes and cause air problems. If members violate this requirement, the parking privilege will be revoked.

Vehicle Use

703.10 SPECIAL PURPOSE VEHICLES

703.10.1 SQUADROL

1. Operational Objectives

The squadrol may be deployed when there is the potential or actual need for a large number of prisoners to be transported.

2. Instructions, Conditions, and Limitations of Use

Due to its size, the squadrol is not an effective vehicle for routine patrol functions.

The operation of the squadrol does not allow for a clear, unobstructed view when backing. When there is a second officer assigned to the vehicle the officer will get out and guide the operator using the appropriate hand and voice signals. If alone, the driver will get out of the vehicle and inspect the area immediately behind the vehicle before backing. If necessary, assistance should be requested of officers or other persons in the area before backing.

When appropriate the members assigned to the squadrol will be advised by the shift supervisor of planned tactical operations that will require the use of the vehicle. Such advance notice will ensure the vehicle is properly stationed at the start of the operation and has the necessary equipment on board to facilitate the transportation of prisoners or property.

3. Authorization for Use

The patrol shift supervisor will determine who on the shift will operate the squadrol and its specific assignment for that tour of duty.

4. Operator Qualifications and Training

New officers will receive training in the use and operation of the squadrol during the field training program. The shift supervisor will ensure that members assigned to the squadrol are familiar with and able to operate the vehicle.

5. Responsibility for Condition and Maintenance

Members assigned to operate the squadrol will inspect the vehicle before each use and report repair needs and vehicle damage to their immediate supervisor.

6. Squadrol Equipment

No special equipment is required to be kept in or on the squadrol.

7. Personnel Authorized to Operate the Squadrol

Only personnel who have received squadrol training are authorized to operate the vehicle when assigned or approved to do so by a Department sworn supervisor

703.10.2 EVIDENCE TECHNICIAN VEHICLE

1. Operational Objectives

Vehicle Use

The primary purpose of the Evidence Technician (E.T.) Vehicle is for processing crime scenes and collecting evidence.

2. Instructions, Conditions, and Limitations of Use

When not actively involved in the processing and/or collection of evidence, the E.T. Vehicle may be deployed to perform regular patrol functions. When there is no evidence technician working, the E.T. Vehicle will be maintained at the station and available in the event an evidence technician is called out in an emergency situation.

3. Authorization for Use

The shift supervisor will assign the E.T. Vehicle to a trained evidence technician, when one is working.

4. Operator Qualifications and Training

Standard driving skills and a valid driver's license.

5. Responsibility for Condition and Maintenance

Members assigned to operate the E.T. vehicle will inspect it before each use and report repair needs and vehicle damage to their immediate supervisor.

6. Evidence Technician Vehicle Equipment

A list of equipment and supplies to be maintained in the E.T. Vehicle will be established and inspected under the direction of the patrol division Deputy Chief. ET's will request and replenish supplies as needed.

7. Personnel Authorized to Operate the E.T. Vehicle

Department personnel are authorized to operate the E.T. Vehicle when assigned or approved to do so by a Department supervisor

703.10.3 ACCIDENT INVESTIGATION VEHICLE

1. Operational Objectives

The primary purpose of the Accident Investigation (A.I.) Vehicle is for the investigation of traffic accidents.

2. Instructions, Conditions, and Limitations of Use

When not actively involved in the investigation of a traffic accident, the A.I. Vehicle may be deployed to perform regular patrol functions. When there is no accident investigator working, the A.I. Vehicle will be maintained at the station and available in the event an accident investigator is called out in an emergency situation.

3. Authorization for Use

The shift supervisor will assign the A.I. Vehicle to a trained accident investigator, when one is working.

Vehicle Use

4. Operator Qualifications and Training

Standard driving skills and a valid driver's license.

5. Responsibility for Condition and Maintenance

Members assigned to operate the A.I. Vehicle will inspect the vehicle before each use and report repair needs and vehicle damage to their immediate supervisor.

6. Accident Investigation Vehicle Equipment

A list of equipment and supplies to be maintained in the A.I. Vehicle will be established and inspected under the direction of the patrol division Deputy Chief. A.I.'s will request and replenish supplies as needed.

7. Personnel Authorized to Operate the A.I. Vehicle

Department personnel are authorized to operate the A.I. Vehicle when assigned or approved to do so by a Department supervisor

703.10.4 POLICE MOTORCYCLES

1. Operational Objectives

Motorcycles are used for enhanced enforcement efforts, traffic direction functions, escorts, and public relations assignments. In addition, motorcycles provide routine patrol and traffic enforcement in areas that would be difficult for larger vehicles.

2. Instructions, Conditions, and Limitations of Use

Operating instructions are provided during annual training. Officers are required to wear Department of Transportation approved helmets. In addition to the windshields mounted on the motorcycles, it is recommended that officers wear protective eyewear when operating a motorcycle. Motorcycles are used primarily from early spring through late fall, but they may be used all year when weather conditions permit safe driving conditions.

3. Authorization for Use

The Traffic Bureau supervisor will assign motorcycles to authorized personnel for the day-to-day operation of the Traffic Bureau.

4. Operator Qualifications and Training

To operate a Department motorcycle, a member must possess a valid driver's license with a Motorcycle Classification and must successfully complete a certified Police Motorcycle Operator training class with annual re-certification.

5. Responsibility for Condition and Maintenance

Members will inspect assigned motorcycles before each use and report maintenance and repair needs to the Traffic Bureau supervisor, who will coordinate repairs with City Fleet Services or authorized vendors.

Vehicle Use

6. Motorcycle Equipment

No special equipment is required to be kept on motorcycles.

7. Personnel Authorized to Operate the Motorcycles

Only personnel who are properly licensed and trained are authorized to operate Department motorcycles when assigned or approved to do so by a Department supervisor in charge of the traffic enforcement function.

703.10.5 POLICE MOTORCYCLE TRAILER

1. Operational Objectives

The motorcycle trailer is used to transport Department motorcycles to repair facilities and to distant locations for Department authorized activities.

2. Instructions, Conditions, and Limitations of Use

Operating instructions are provided during annual training. Department vehicles used to tow the motorcycle trailer will be equipped with the appropriate towing package. Before each use, assigned personnel will ensure that proper lighting connections are made with the tow vehicle, all lights on the tow vehicle and trailer are operational, and the motorcycles are safely secured to the trailer.

3. Authorization for Use

The Traffic Bureau supervisor will assign the use of the motorcycle trailer for Department needs.

4. Operator Qualifications and Training

Traffic Bureau officers will be trained in the proper use of the motorcycle trailer during the annual Police Motorcycle Operator re-certification training class.

5. Responsibility for Condition and Maintenance

Members will inspect the motorcycle trailer before each use and report maintenance and repair needs to the Traffic Bureau supervisor, who will coordinate repairs with City Fleet Services or authorized vendors.

6. Motorcycle Trailer Equipment

No special equipment is required to be kept on the trailer.

7. Personnel Authorized to Operate the Motorcycle Trailer

Only personnel who are properly trained are authorized to use the motorcycle trailer when assigned or approved to do so by a Department supervisor in charge of the traffic enforcement function.

703.10.6 ANIMAL CONTROL VEHICLE

1. Operational Objectives

Vehicle Use

The Animal Control Vehicle is assigned to the Animal Control Bureau to be used in the general performance of bureau-related activities and assignments, including responding to animal calls and transporting animals.

2. Instructions, Conditions, and Limitations of Use

The Animal Control Vehicle will be maintained at the police station. Make sure all electrical equipment and accessories are turned off when the vehicle is turned off (such as emergency lights) and the vent is closed.

3. Authority for Use

Ordinarily, the Animal Control Vehicle should be used only for Animal Control activities. Except in emergencies, other uses require authorization from the division Deputy Chief.

4. Operator Qualifications and Training

A valid driver's license and standard driving skills are required to operate the Animal Control Vehicle.

5. Responsibility for Condition and Maintenance

Animal Control Bureau personnel are responsible for the general condition and maintenance of the Animal Control Vehicle. All maintenance and repair needs will be reported promptly to City Fleet Services through the Chief Animal Warden or designee.

6. Animal Control Vehicle Equipment

The Chief Animal Warden will establish and revise as needed a list of equipment and supplies to be maintained in the Animal Control Vehicle. The Animal Wardens are responsible for replenishing supplies and replacing equipment as needed to maintain the vehicle in operational readiness.

7. Personnel Authorized to Operate the Animal Control Vehicle

The Animal Wardens are authorized and assigned to routinely use the Animal Control Vehicle to perform their bureau-related duties. Other department personnel require appropriate supervisory approval.

703.10.7 POLICE DOG TEAM VEHICLE

1. Operational Objectives

The Police Dog Team Vehicle is assigned to the police dog handler to be used exclusively, on and off duty, for transporting the police dog team to all assigned Department activities and deployments, including to and from the handler's home.

2. Instructions, Conditions, and Limitations of Use

No other animals will be transported in the police dog team vehicle. No other persons, including detainees, will be transported in the police dog team vehicle, except Department personnel or other persons authorized by the handler or the police dog team supervisor or division Deputy Chief.

Vehicle Use

3. Authorization for Use

For normal day-to-day purposes, the police dog handler, the police dog team supervisor, or other on-duty supervisor may authorize the use of the Police Dog Team Vehicle.

4. Operator Qualifications and Training

A valid driver's license and standard driving skills are required to operate the Police Dog Team Vehicle.

5. Responsibility for Condition and Maintenance

The police dog handler is responsible for the general condition and maintenance of the Police Dog Team Vehicle. All maintenance and repair needs will be reported promptly according to Department vehicle maintenance procedures.

6. Police Dog Team Vehicle Equipment

The police dog team supervisor will establish and revise, as needed, a list of equipment and supplies to be maintained in the Police Dog Team Vehicle. The police dog handler is responsible for replenishing supplies and replacing equipment as needed to maintain the vehicle and equipment, in operational readiness.

7. Personnel Authorized to Operate the Police Dog Team Vehicle

The police dog handler and the police dog team supervisor are authorized and assigned to use the Police Dog Team Vehicle routinely to perform their duties. Other department personnel require appropriate supervisory approval.

703.10.8 POLICE ATV

Sworn Police Personnel Assigned to the ATV will:

- Adhere to all laws and department policies on the use of department and city vehicles.
- Personnel assigned to ATV duty will patrol lakefront and beach areas which may include parts of the downtown area and parks.
- Personnel assigned to the ATV will respond to calls for service in their designated patrol areas when needed or available.
- Use of Emergency lights and siren will be limited for response in high priority calls. (Exception: Emergency lights will be activated on the ATV when patrolling the downtown area. This is for visibility and safety for the operator).

Personnel assigned to ATV duty will attend a minimum training course of at least 4 hours in length. Personnel must be proficient and demonstrate such proficiency in operating the ATV before assigned to field duty on the ATV.

Personnel assigned to ATV duty will only be allowed as manpower assignments permit and with the permission of a supervisor.

The ATV vehicle's operations will be overseen by the Community Strategies Bureau Commander.

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Personnel assigned to the police ATV will wear a department approved motorcycle helmet and protective eyewear while the vehicle is in motion at all times. Personnel may remove their helmet when parked and the potential to have contact with another vehicle is restricted. (i.e. in a park, on the beach, etc.)

OPERATION OF THE ALL-TERRAIN VEHICLE

All personnel assigned to use and operate of the ATV will adhere to the following:

- Perform a pre-ride and post-ride check of the ATV and related equipment in accordance with the ATV training received.
- Officers will ensure the vehicle is properly plugged back in for charging purposes after use.
- All personnel are required to sign the log and indicate the times the vehicle was in operation and notify communications via the police radio that the vehicle is in operation and what area the vehicle will be operating in.
- If any damage that prohibits safe operation or an operational issue occurs with the police ATV, the on-duty supervisor will immediately be notified and the vehicle will be removed from service. A memorandum detailing the damage and/or issue will be prepared by the officer to the supervisor and forwarded to the Community Strategies commander, who in-turn will notify the deputy chief of support services for further action.
- All personnel operating the police pro ATV will be issued a user's manual for the police ATV which is supplied by Extreme Green, the vehicle's manufacturer.
- The police pro ATV will not be used to pursue vehicles under any circumstance unless it involves an offense in which a person was the victim of great bodily harm or death and no other police unit is nearby to take action.
- Police personnel operating the police ATV will wear a department approved uniform at all times.

703.10.9 BAIT VEHICLE

DEPLOYMENT:

The authority to deploy the bait car rests with the bait car coordinator (Sergeant of the Tactical Unit). Personnel shall not operate or deploy the bait car without specific authorization and having been properly trained on the use of the bait car and its equipment. A separate Standard Operating Procedure will outline setting up and disabling the bait car, including how to set up and test the G.P.S. Geofence.

The bait car may be deployed in two ways:

- **Constant Surveillance:** Deploy the bait car to an area and keep the bait car under constant covert surveillance
- **Intermittent Surveillance:** Deploy the bait car to an area and leave it unattended without surveillance.

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Policy Manual

Vehicle Use

Whether under constant or intermittent surveillance the following shall be adhered to:

- The communications center will be apprised of the location and description of the bait vehicle.
- All on-duty patrol/specialty units will be advised of the location and description of the bait vehicle, either through computer or telephone message.
- As per the Bait Car Standard Operating Procedure, the G.P.S. Geofence will be set up and tested prior to actual deployment.
- All other equipment on the bait car will be tested prior to deployment to ensure it is properly functioning.
- At least two members of the unit assigned to the deployment and communications will be set up to be alerted on the Geofence alert.

When the bait car is deployed and intermittent surveillance is used, the following shall be adhered to:

- The bait car will be physically checked that it is in the same location, preferably by a covert vehicle, at least once every hour.
- The bait car will not be deployed for a period that will extend past the shift of the personnel that conducted the initial deployment, unless it is an active ongoing operation. In such a case, the supervisor responsible for the initial deployment will brief the oncoming supervisor who is taking over the operation. The oncoming will ensure that communications and patrol units currently working are aware of the location/description of the bait car and that the Geofence alert notifications are re-assigned to relevant on-duty personnel.
- The bait car can be disabled via the internet by use of a computer or cellular phone. The telecommunicator will be the primary personnel to disable the bait car. On scene personnel may be assigned to disable the bait car in either planned operations or during emergency situations.

COMMUNICATIONS RESPONSIBILITIES

Communications personnel will be trained on the use (activation/disabling) of the bait car. When the Geofence is activated, communications will announce a bait car alert and provide the location over the radio.

- Communications will provide location updates to responding units.
- When responding units have visual contact with the vehicle they will advise dispatch.
- Responding officers will advise when it is safe to perform a high risk stop on the vehicle.
- Communications personnel will then remotely disable the vehicle.
- Communication will ensure that a supervisor is notified of the bait car activation.

RESPONDING OFFICER RESPONSIBILITIES

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Vehicle Use

- Upon bait car activation the first responding officer to make visual contact with the bait vehicle shall inform communications of the location and any occupant information.
- If the bait car is occupied, the officer shall assess if the activation of the disabling device is appropriate at the time.
- If an officer concludes that the immediate disabling of the vehicle would be unsafe, the officer shall follow the vehicle at a safe distance until such time that safe disabling of the vehicle could occur. When disabling the vehicle, the officer shall position their units in position to conduct a high risk stop and notify the operator to disable the vehicle. Only after it is apparent that the bait car has lost power, will the officer activate their emergency equipment and affect a high risk stop.
- Update communications once the scene is secure.
- Document any damage to the bait vehicle and determine if any evidence needs to be collected by the Evidence Technician.

PURSUITS AND LOCATION:

If an officer observes a suspect driving the bait car in an erratic or reckless manner that places the public in imminent danger of great bodily harm or death, the officer will immediately notify communications to disable the vehicle. At no time will an officer engage in a vehicle pursuit with a bait vehicle, unless such pursuit is authorized per the Department Vehicle Pursuit Policy.

If the bait car enters another jurisdiction prior to responding officer's being able to make visual contact on the vehicle, communications will notify the appropriate jurisdiction and advise them of the bait car location and description.

In the event that the bait car is not located by GPS and cannot be physically located, a stolen motor vehicle report will be immediately completed and the vehicle will be entered into NCIC as stolen. The bait car coordinator shall also be notified.

BAIT CAR REPAIR AND VIDEO EVIDENCE RECOVERY:

Repairs to the bait car equipment and the recovery of any video evidence from the bait car will only be conducted by the Department's Technical Systems Coordinator.

CONFIDENTIALITY OF THE BAIT VEHICLE:

To maintain the confidentiality of the program and vehicle, it shall only be driven, dropped or moved by a plain clothes officer.

All personnel shall exercise caution in order to protect the confidentiality of the program. Personnel shall never reveal the bait car description, location or any other information that may compromise the car's undercover status.

OUTSIDE AGENCY REQUESTS:

Requests from other law enforcement agencies to utilize the bait car will initially go through the bait car coordinator who will forward it through the chain of command for the Chief of Police to approve.

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Vehicle Use

Any law enforcement agency requesting to utilize the bait car must be trained in its use and must follow the deployment guidelines.

Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property Bureau and Informants policies.

704.2 POLICY

It is the policy of the Evanston Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

704.3 PETTY CASH FUNDS

The Chief of Police shall designate the administrative coordinator as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS

The administrative coordinator shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

704.5 PETTY CASH AUDITS

The administrative coordinator shall perform an audit no less than once a year. This audit requires that the administrative coordinator, the Support Services Deputy Chief and the Budget and Finance Manager, review the transaction ledger and verify the accuracy of the accounting. The administrative coordinator and the Support Services Deputy Chief shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve the Budget and Finance Manager and the Deputy Chief of Support Services.

Additional audits requested by the City Finance Department may be conducted at any time.

Cash Handling, Security and Management

704.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Neighborhood Enforcement Team supervisor duties shall discharge those duties in accordance with the Property Bureau and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.7 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property Bureau Policy.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

Personal Protective Equipment

705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

705.2 POLICY

The Evanston Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

While on the range during firearms training, members will wear a hat with a brim, such as a baseball style hat or another form of approved headgear.

705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 29 CFR 1910.95, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.700.

Personal Protective Equipment

705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 29 CFR 1910.133, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.700.

705.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required.

705.7 RESPIRATORY PROTECTION

The Support Services Deputy Chief is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

705.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene supervisor who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

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Personal Protective Equipment

Scene supervisors are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene supervisor shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene supervisor reasonably believes (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge or canister.

705.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

705.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

A scene supervisor may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where

Personal Protective Equipment

a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.
- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.

705.7.4 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

705.7.5 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

705.8 RECORDS

The Office of Administration is responsible for maintaining records of all:

- (a) PPE training.
 - (b) Initial fit testing for respiratory protection equipment.
 - (c) Annual fit testing.
 - (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.
1. These records shall be maintained in a separate confidential medical file.

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The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.700.

705.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

Asset Control

706.1 POLICY

Department property is an item of value (with an original cost of \$2,500 or more) which is not consumable, e.g. office supplies, and is owned by the Department. The responsibility for control and accountability of Department property (except certain items restricted to the Property Officer) will be vested in the Office of Administration through the City of Evanston Accounting Department.

706.2 INVENTORY CONTROL SYSTEM PROCEDURES

- (a) When an asset is acquired by the Department, its acquisition is recorded by the City of Evanston Accounting Department.
- (b) The Asset Control System will include, but will not be limited to, a complete list of all property of the Department. The listing will include:
 - 1. An inventory control number, assigned to each item.
 - 2. A complete description of the item, including serial number, if applicable.
 - 3. The division to which the item is issued.
 - 4. Where the item was acquired.
 - 5. When the item was acquired.
 - 6. Cost of the item.

706.2.1 ISSUING/REISSUING AGENCY-OWNED PROPERTY -- PROCEDURES

- (a) New property will be issued to Divisions/Bureaus through the Office of Administration.
- (b) Assets will be recorded through the City of Evanston Fixed Asset Inventory.

706.3 AUTHORIZED USE

- (a) Property will be used only for official Department business. Deviation from this order without the express permission of the Chief of Police will not be permitted.
- (b) Property assigned to one division or individual will not be transferred to another without the express permission of the Chief of Police and notification of the Office of Administration.

706.4 DIVISION/BUREAU RESPONSIBILITIES

- (a) Each division or bureau assigned specialized or expensive equipment, such as special weapons, riot gear, surveillance equipment, portable radios, or vehicles, etc., will take necessary precautions to insure the asset control of that property. The member's assigned agency property will maintain that property in a state of operational readiness. These precautions will include:
 - 1. Providing secure storage in a locked enclosure, e.g. cabinet, closet, or locker, for the property or its keys.

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Asset Control

2. Access to property will be limited to authorized members.
3. Appropriate usage logs will be maintained and will include:
 1. (a) Type of property used
 - (b) Person using the property
 - (c) Date and time checked out/checked in
- (b) Periodic inventory checks of assigned assets will be made by the division or bureau supervisor, to insure the accuracy of the asset, and to identify property needing repair or replacement.
- (c) Division or bureau supervisors will advise the Office of Administration of any property (excluding vehicles) needing repair or maintenance service. The Office of Administration will submit proper requests for repair or maintenance service to Department property such as will ensure its operational readiness.

706.5 ANNUAL INVENTORY

- (a) The responsibility for the control of Department-owned assets, rests with the Office of Administration in cooperation with the City of Evanston Accounting Department.
- (b) The Office of Administration will conduct periodic audits of Department property, to assure that the property is being used and maintained according to the Department's policy.
- (c) Once each year the Office of Administration will receive from the City Finance Department a copy of the Fixed Asset Inventory. The Office of Administration will review it to determine:
 1. Additions, deletions or changes to the Fixed Asset Inventory of the Department;
 2. Transfers of equipment between Divisions/Bureaus

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Booking information
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Mobile Capture and Reporting Computer System
- Illinois Traffic Crash Report SR 1050

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated unless impractical, hazardous, or in conflict with operations, to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should

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Crime Analysis

be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

the Communications Center

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Communications Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Evanston Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between the Communications Center and department members in the field.

801.3 THE COMMUNICATIONS CENTER

The communications function is vital and central to all emergency service operations. The safety and security of the Communications Center, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for the Communications Center.

Access to the Communications Center shall be limited to the Communications Center members, the Commander, command staff and department members with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 COMMUNICATIONS COORDINATOR

The Chief of Police shall appoint and delegate certain responsibilities to a Communications Coordinator. The Communications Coordinator is directly responsible to the Field Operations Deputy Chief.

The responsibilities of the Communications Coordinator include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Communications Center in coordination with other supervisors.
- (b) Scheduling and maintaining telecommunicator time records.
- (c) Supervising, training and evaluating telecommunicators.
- (d) Ensuring the radio and telephone recording system is operational.
 - 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of the Communications Center information for release.
- (f) Maintaining the Communications Center database systems.
- (g) Maintaining and updating the Communications Center procedures manual.

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the Communications Center

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
 2. Ensuring compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
 - (i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

801.4.2 ADDITIONAL PROCEDURES

The Communications Coordinator should establish procedures for:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
- (d) Availability of current information for telecommunicators (e.g., Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Emergency Medical Dispatch (EMD) instructions.
- (g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
- (i) Protection of radio transmission lines, antennas and power sources for the Communications Center (e.g., security cameras, fences).
- (j) Handling misdirected, silent and hang-up calls.
- (k) Handling private security alarms, if applicable.
- (l) Radio interoperability issues.

801.4.3 TELECOMMUNICATORS

Telecommunicators report to the Communications Coordinator. The responsibilities of the telecommunicator include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
 1. Emergency 9-1-1 lines.
 2. Business telephone lines.

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the Communications Center

3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
 4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units such as ISPERN).
 5. Other electronic sources of information (e.g., text messages, digital photographs, video, Text-A-Tip).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
 - (c) Inquiry and entry of information through the Communications Center, Department and other law enforcement database systems (e.g., ILETS, NCIC).
 - (d) Monitoring Department video surveillance systems.
 - (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
 - (f) Notifying the Commander or field supervisor of emergency activity, including, but not limited to:
 1. Vehicle pursuits.
 2. Foot pursuits.
 3. Assignment of emergency response.

801.4.4 RADIO CHANNELS

- Channel 1 - Evanston primary police frequency; transmit and receive
- Channel 2 - Evanston primary police frequency; talk around; will not activate satellite repeaters
- Channel 3 - Evanston secondary police frequency; transmit & receive
- Channel 4 - Evanston secondary police frequency; talk around; will not activate satellite repeaters
- Channel 5 - Skokie police frequency; transmit and receive
- Channel 6 - Wilmette, Winnetka, Northfield police frequency; transmit and receive
- Channel 7 - Chicago police zone 11 (Districts 24 & 20); transmit and receive
- Channel 8 - Glenview police frequency; transmit and receive
- Channel 9 - Niles and Morton Grove police frequency; transmit and receive
- Channel 10 - Northbrook police frequency; transmit and receive
- Channel 11 - Evanston Township High School frequency; transmit and receive
- Channel 12 - Evanston Hospital Security frequency; transmit and receive

the Communications Center

- Channel 13 - St. Francis Hospital frequency
- Channel 14 – CTA Security
- Channel 15 - APERN talk around
- Channel 16 - APERN

801.5 CALL HANDLING

This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the telecommunicator will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority using the journalistic investigating approach by asking key questions:

- Where?
- What?
- When?
- Who?
- Why?
- How?
- Weapons?
- Hazards?
- Injuries?

If the telecommunicator determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the telecommunicator determines that the caller is a limited English proficiency (LEP) individual, the telecommunicator should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in the Communications Center, the telecommunicator should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the telecommunicator is unable to identify the caller's language, the telecommunicator will contact the contracted telephonic interpretation service and establish a three-party call connecting the telecommunicator, the LEP individual and the interpreter.

Telecommunicators should be courteous, patient and respectful when dealing with the public.

the Communications Center

801.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the telecommunicator has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Commander or on-duty patrol supervisor shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

801.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the telecommunicator to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the telecommunicator returning to the telephone line or when there will be a delay in the response for service. The tele-communicator will contact an on-duty supervisor if a non-emergency call will be holding longer than ten minutes.

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by telecommunicators to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the telecommunicator with their radio identification call signs.
- (b) Telecommunicators acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the telecommunicator advised of their status and location.
- (d) Member and telecommunicator acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Coordinator shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

Command and supervisory personnel will insure prompt response to radio dispatches and ascertain reasons for failure to respond from on-duty members. Field supervisors will monitor radio traffic at all times.

Call numbers will be assigned to all on-duty personnel. No member will serve in an operational capacity without having a call number and advising the Communications Center of that number. This includes off-duty details when a radio is approved.

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801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Evanston Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Telecommunicators shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the telecommunicator. The use of the call sign allows for a brief pause so that the telecommunicator can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

801.7 DOCUMENTATION

It shall be the responsibility of the Communications Center to document all relevant information on calls for service or self-initiated activity. Telecommunicators shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

801.8 CONFIDENTIALITY

Information that becomes available through the Communications Center may be confidential or sensitive in nature. All members of the Communications Center shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

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Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

801.9 TRAINING AND CERTIFICATION

Telecommunicators providing EMD pre-arrival instructions shall be trained on the department-approved priority reference system and shall retrain annually (210 ILCS 50/3.70).

The Office of Administration should ensure telecommunicators complete the sexual assault and sexual abuse training curriculum established in 20 ILCS 2605/2605-53(b).

801.10 PORTABLE RADIOS

801.10.1 INVENTORY CONTROL

- (a) The master inventory of portable radios will be conducted and maintained by the Deputy Chief of the Support Services Division.
- (b) Maintenance issuance and repair service of portable radios will be completed by the Support Services Division.
- (c) Assignment of radios to individuals, divisions, and bureaus will be at the direction of the Deputy Chief of the Support Services Division.
- (d) No member is authorized to keep or store any spare radio or radio batteries. All radio batteries and radios will be maintained in the charger units provided, and must be readily available to all members, or to assigned members.
- (e) All radios assigned to divisions and bureaus will be signed out by the members using them.
- (f) It will be the responsibility of the supervisory/command personnel to insure that all personnel sign for the radios.
- (g) Division Deputy Chiefs and specific bureaus will be responsible for submitting a monthly radio inventory report to the Assistant Communications Coordinator. A daily record will be maintained by each supervisor regarding radio assignments. This does not apply to members assigned to individual radios. Members assigned individual radios are responsible for them at all times.

801.10.2 PROCEDURE FOR ISSUING RADIOS TO UNITS

- (a) A supervisor or his/her designee will insure, at the beginning of a tour of duty, the assignment of a portable radio to each field personnel member under his/her command.
- (b) Control of radios is a supervisory responsibility. Radios are identified by number, so that records of property assignments can be maintained.
 - 1. Designated sheets or logs will reflect the radio number issued to the individual member.

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2. The supervisor distributing assigned radios will require members to sign for a radio at the time of issuance.
3. Radios will be turned in to the member's supervisor.
- (c) At the conclusion of each tour of duty, the supervisor will arrange for the proper charging of batteries and insure all radios are accounted for.

801.10.3 RESPONSIBILITIES OF MEMBERS IN THE USE OF PORTABLE RADIOS

- (a) Upon receipt of the radio the member will inspect it.
- (b) The member will be responsible for the radio during that tour of duty.
 1. The radio is not to be placed on a car seat, table, or other object where damage might result.
 2. Loss or damage to the radio is the sole responsibility of the member.
 3. If a radio is lost or damaged due to a member's negligence, the member will be required to pay for that lost or damaged property.
- (c) Supervisors will be responsible for assuring that these controls and security procedures are adhered to.
- (d) Methods of Wearing the Radio
 1. Radios for uniformed members are to be secured in the holsters provided and attached to the uniform belt on the side opposite from the firearm. Uniform Patrol radios are not to be carried by hand, nor in pockets.
 2. Members using radios with shoulder microphones/speakers are to have them attached to the shoulder retaining-strap provided, or to a similar device.
 3. Whenever practicable, plain clothes and administrative personnel are to wear radios on the belt, in a holster, or by using the attached springclip, to minimize loss or damage.
- (e) TRANSMITTING PROCEDURES
 1. To transmit, the member is to depress the microphone switch and wait about one second (to permit communication contact).
 2. When transmitting, speak directly into the speaker grille, holding it approximately two (2) inches from the lips to assure greatest clarity.
 3. At the conclusion of transmission, release the microphone switch to permit reception on the radio unit.

801.10.4 RADIO REPAIRS/MAINTENANCE

Member's Responsibility

- If the radio issued to a member needs repair, it is to be turned in to the Service Desk, properly tagged with a note indicating the problem with the radio, the date it was turned in, and the member's name. The battery for the radio will not be turned in with the radio. Members are not authorized to perform maintenance.

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- If a member discovers a radio battery is not holding an eight-hour charge, it will be turned in to the Supervisor for recharging.
- The only person authorized to discard a battery is the Supervisor designated for radio maintenance.

Assistant Communications Coordinator

- Check “Radios for Repair” storage locker daily; call for service as needed.
- Radio repair person will remove the radio for repair.
- It will be the responsibility of the supervisor in charge of the Assistant Communications Coordinator to insure that the radio repair service supplies a repair receipt for radios taken in or sent out for repair. It will be his/her responsibility to see that all radios are returned to their respective bureau or division when returned from repair.

Returning of Repaired Radios

- Radio repairman will return radios to the Assistant Communications Coordinator, along with the appropriate repair ticket.
- Assistant Communications Coordinator will distribute the radios to the appropriate bureau(s).
- The Assistant Communications Coordinator will maintain a listing of all radios out for service.

801.10.5 RADIO USE-POLICE DETAILS

- (a) Department radio will be used for all details.
- (b) Members using a radio for an approved detail will use the same sign on/off procedures as indicated. Also, the member will sign for the radio. The on-duty supervisor will designate a call number for the detail officer as indicated in the call number list. The supervisor will use the 700 series for details.
- (c) Members using police radios for details will use those radios assigned to their respective bureaus.

801.10.6 RESERVE RADIOS

The Department maintains, in reserve, a number of operationally ready police portable radios. During emergencies such as riots, man-made or natural disasters, or other unusual occurrences, should the command post officer-in-charge believe that radio communications capabilities beyond those currently existing are needed to provide proper coordination and deployment of forces, such command post officer-in-charge will contact the Deputy Chief of Support Services for the issuance of these radios. All radios will be properly controlled for distribution.

801.11 BLUE LIGHT “911” EMERGENCY CALL BOXES

- (a) Partnered with Northwestern University
- (b) Located near public transportation centers, parks and other high pedestrian locations

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- (c) Each call box has a permanently activated blue light to help users locate it.
 - 1. When the call box is activated, a second blue strobe light engages to assist responders in locating the caller.
- (d) If the call box user is not answering, Communications shall in all instances dispatch an officer to the location of the call box to determine the nature of the call.

801.12 SOP'S

POLICE RADIO PROTOCOL AND ASSIGNMENTS SOP: [See attachment: SOP 801-1.pdf](#)

ISPERN procedure: [See attachment: SOP 801-2.pdf](#)

Tornados: [See attachment: SOP 801-3.pdf](#)

Recovered Property and Evidence

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the property rights of owners,, preservation of the chain of evidence and identifies appropriate packaging, storage and handling procedures.

802.2 DEFINITIONS

Abandoned Property - Includes property found by an employee or citizen that appears to be intentionally left or discarded by the owner.

Currency - includes all types of readily negotiable financial instruments (currency equivalents) including U.S. and foreign monies, bonds, money orders and cashiers checks.

Evidence - includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case.

Found Property - includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Property - includes all items of evidence, items taken for safekeeping, lost or found property and abandoned property.

Property Intake Cabinet - The secure cubicle/drop slot system located outside the Property Bureau Office.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Property taken for safekeeping under authority of a law

802.3 PROPERTY HANDLING

1. Timely transfer of property into inventory is required. All members who receive or collect property shall transfer all property to the property office or designated secure storage area as soon as possible before the end of their tour of duty.
2. Members receiving property are responsible for such property until it is submitted to the property office released to another authorized person or entity.
3. Members are obligated at all times to maintain the security and integrity of the property as well as of chain of custody.

802.3.1 PROPERTY INVENTORY PROCEDURE

All property must be inventoried into the Barcoded Evidence Analysis, Statistics and Tracking System (BEAST) prior to the employee going off-duty unless otherwise approved by a supervisor. Employees inventorying property shall observe the following guidelines:

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- (a) Accurately complete the BEAST data entry fields describing each item of property separately, including dates, times, offense information, location of collection, packaging types, purpose for collection, information for victims, suspects, owners and other persons(as appropriate), serial numbers, along with an accurate description of the item.
- (b) Print, sign and date a BEAST label and attach it to each package or envelope in which the property is stored. If the property item is too large to be packaged, the label shall be affixed to a tag which is then attached to the item with a cable tie.
- (c) The use of paper forms will be limited to emergencies when the BEAST system is unavailable. It is the responsibility of the member to enter this data into the BEAST once the system becomes available. A supply of paper forms shall be kept in the packaging area outside the property office.
- (d) Initial and date the tape integrity seal or heat seal of all packaging.
- (e) Packaged items shall then be secured in a cubicle or the drop slot of the Property Intake Cabinet.
- (f) When the property is too large to be placed in a locker, the item shall be secured in the small vestibule outside the property office adjacent to the Property Intake Cabinet. Bicycles that are tagged can be placed outside Bike Cage 1 in the designated area.

802.3.2 EXCEPTIONAL PROPERTY - SPECIAL HANDLING

Certain property items require special handling. The following items shall be processed in the described manner:

- (a) Items contaminated with bodily fluids such as blood or semen stains shall be air dried prior to booking. A Biohazard label shall be affixed to the outside of the packaging.
- (b) All currency must be packaged in a designated currency envelope unless the volume of the currency is such that using an envelope is impractical. Currency shall be counted in the presence of another department member and the envelope signed by the inventorying officer and the other member. A supervisor shall be contacted for cash in excess of \$1,000.
- (c) City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal inventory is required. In cases where no responsible person can be located, the property should be inventoried for safekeeping in the normal manner.
- (d) Sexual assault evidence is required by state law to be submitted to the crime lab within 10 days of receipt (725 ILCS 202/10). Members conducting a sexual assault investigation must submit the required CODIS Entry form to the Property Bureau in a timely manner to assure the 10 day submission requirement is met.
- (e) Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials.

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- (f) Property Belonging to Retail Establishments and Other Releasable Property:
1. Illinois Compiled Statutes provides exemptions to the evidence rules, allowing that a law enforcement agency holding evidential property from incidents of theft, retail theft, deceptive practice, robbery, armed robbery, burglary, or residential burglary may return that property, under certain circumstances, to its owner(s) in lieu of holding it for court proceedings (725 ILCS 5/115-9).
 2. Such exceptional property may be released to the owner immediately if an evidence technician is available to photograph the items on-scene. These actions shall be documented by the member in the Offense/Incident Report.
 3. In instances of felony offenses with a suspect in custody, direction should be sought from the Cook County State's Attorney's Office regarding disposition of the property.
- (g) Evidence Immediately Surrendered to Another Law Enforcement Agency - In very rare instances, it may be necessary to transfer an item of evidence to another law enforcement agency prior to transfer to the property office. In these instances, a paper property sheet should be used to document the chain of custody and transfer. The member handling the transfer shall enter the item(s) into BEAST and then turn the paper property sheet into the property office. Property office personnel shall document the transfer in the BEAST and scan a copy of the paper property sheet to the record for the item(s).

802.3.3 FOUND PROPERTY

General Procedure:

In the event of found money or property, officers will handle such calls by following the standard procedures for Completing an Offense/Incident Report, identifying and contacting the owner, and entering found items into the

Owner Notification:

- Department members recovering found property shall make a reasonable attempt at identifying and notifying the owner in accordance with (765 ILCS 1030/2(a)).
- When known, the owner will be contacted, given the case number, and referred to the property office for return of the property. The member will notify the property office that the property is approved for release to the

Property Finder / Obtaining Ownership of Found Property:

If an individual who has found money or property requests information about how to reclaim the found item(s) legally as his/her own, the officer will (1) advise that individual of City Ordinance 9-7-6 regarding found money or property and (2) instruct the citizen to contact the property officer the next business day for further

802.4 PACKAGING OF PROPERTY

See attachment: [EPD Property Packaging Guidelines May 2018.pdf](#)

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- (a) Within reason, all items submitted into the property system should be packaged to preserve and protect the item(s) as well as the handler. This applies regardless of whether the items are found property, evidence or items being held for safe keeping. Exemptions might include large items such as bicycles, lawn mowers, beer kegs and wheelchairs.
- (b) Paper and paperboard products are the preferred packaging material in most cases. Envelopes, bags and boxes are available and are stored outside the Property Bureau office. Paper material breathes and can help reduce mold and mildew growth on items that may be damp or moist when packaged.
- (c) Plastic packaging should generally be avoided. Prisoner property and some narcotics can be packaged in plastic.

Large Property Items

- Items that are too large to be packaged easily will be marked or tagged as needed. Examples include snow blowers, auto tires, wheelchairs, large vehicle parts and similarly sized items.
- When a tag is used to identify property, the member will affix the barcode label generated by the BEAST to the tag. The tag shall be permanently affixed to the item either by a heavy duty plastic cable tie or tape.

802.4.1 PACKAGING CONTAINER

All items being submitted into property shall be packaged in a manner that prevents tampering, preserves the condition of the property and protects the handler. All packaging containers shall be sealed with a tamper resistant integrity seal. Acceptable packaging containers include envelopes, paper bags, paperboard boxes and heat sealed bags under certain circumstances. Items that are too large to be easily packaged (i.e. suitcases, snow blowers, bicycles, etc.) can be tagged only. A supply of various packaging containers is maintained outside the property office. Specialty protective containers like syringe tubes are provided for added safety when dangerous items are packaged in standard containers.

Items shall be packaged and labeled in accordance with guidelines put forth by the crime lab and/or property office. No evidence will be accepted by the property office if it is not properly packaged, sealed, bar-coded and signed.

802.4.2 EXCEPTIONAL PROPERTY - SPECIAL PACKAGING

Certain items require special consideration and shall be inventoried and packaged according to detailed procedures set forth in the Evanston Police Department Property Packaging Guidelines.

- Narcotics & dangerous drugs
- Bicycles

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- Currency & currency equivalents
- Firearms
- Fireworks
- Narcotics & dangerous drugs
- Perishable items
- Sharps

802.4.3 OTHER EXCEPTIONAL ITEMS

- (a) When recovered property is exceptionally bulky, dangerous to store, may disintegrate, or requires specialized treatment, the investigating member will obtain storage instructions from the on-duty supervisor.
- (b) When such property is recovered as evidence, advice should be sought from an Assistant State's Attorney regarding its disposition. A summary of the consultation with the Assistant State's Attorney also will be included in the investigating officer's report.
- (c) Prior to any disposal/return of evidence, the investigating officer will request that an evidence technician photograph the item(s). The investigating officer will include an accurate listing and description of the property in the Offense/Incident Report.
- (d) When there is no evidence technician available, the investigating officer will enter the property into the BEAST and submit a request to the Property Officer regarding the photographing, disposal, or return of the
- (e) Vehicles: All matters related to vehicles are handled by the Traffic Bureau following their specific policies and procedures.
- (f) Dangerous Drugs/FENTANYL Hazard: The Property Officer shall ensure that all narcotics are stored in a safe manner in a specifically designated, controlled access storage area, apart from the general evidence/property storage area.

802.5 OBTAINING EVIDENCE FOR COURT

- (a) Officers needing evidence for court must obtain the items from the property office in person and sign for the custody transfer. Officers are encouraged to notify the property office via e-mail in advance of the court date that they will be in need of an item.
- (b) The property custodian shall provide a copy of the Custody Receipt to the officer in the event that the court prosecutor wishes to retain the evidence in court.
- (c) If the item(s) have been turned over to the court, the officer shall have the prosecutor print and sign their name on the Custody Receipt with a note that the item(s) were retained for trial purposes. The officer shall return Custody Receipt to the property

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- (d) If evidence is returned from court, the officer will place the evidence in the Property Intake Cabinet.

802.5.1 TRANSFER OF EVIDENCE TO CRIME LABORATORY

- (a) Members inventorying items that need crime lab submission shall identify the item in BEAST by using the “Hazmat” field drop down menu and selecting “Submit to Lab”.
- (b) The Property officer or designee shall use the BEAST system to generate Lab Submission forms requesting the appropriate lab analysis for items submitted. Items shall be transferred to the crime lab in a timely manner following any additional guidelines set forth in the Property Bureau Standard Operating Procedures Manual.

The Property Bureau Supervisor will ensure that Illinois State Police Sexual Assault Evidence Kits are submitted to an approved laboratory in conformance with the rules set forth in 20 Illinois Administrative Code 1255.10 et seq.

802.5.2 STATUS OF PROPERTY

The status of property held shall be maintained by appropriate entry to the BEAST record for that item.

Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

802.5.3 DISPOSITION OF PROPERTY HELD AS EVIDENCE

- (a) Court Disposition
 1. When a court order has been obtained authorizing the confiscation and destruction (C&D Order) of evidence in a case (i.e. gun cases), the officer handling the case shall immediately forward a copy of that order to the property office.
- (b) Property Disposition Tracers
 1. On a regular basis, the Property Officer shall conduct a review of property being held to identify items that may be eligible for disposal. Property Disposition Tracers shall be prepared for these items and sent to the department member who took the item into custody.
 2. Department members receiving Property Disposition Tracers shall review the item and the incident involved, research a court disposition if needed, and then identify the proper disposition for the item(s) involved.
 3. Department members shall complete their review of Property Disposition Tracers, forward the tracers to their immediate supervisor for approval and return to the property office within 10 days of the tracer date.

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802.5.4 DOMESTIC VIOLENCE AND CONCEALED CARRY MATTERS

Any weapon seized in a domestic violence or concealed carry investigation shall be returned to the person from whom it was seized when it is no longer needed for evidentiary purposes, unless the court orders otherwise or the weapon was reported stolen. Weapons not returned shall be disposed of as provided in 720 ILCS 5/24-6 (750 ILCS 60/304(c)).

802.5.5 RELEASE OF FIREARMS IN MENTAL HEALTH COMMITMENT MATTERS

The Department shall maintain possession of any firearm received from a mental hospital that admitted a patient pursuant to any of the provisions of the Mental Health and Developmental Disabilities Code for a minimum of 90 days. After that time, the firearm may be disposed of pursuant to 720 ILCS 5/24-6(b).

802.5.6 OTHER MATTERS

A weapon seized and confiscated pursuant to court order under 720 ILCS 5/24-6 shall be retained for at least 90 days. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

802.5.7 INVESTIGATIONS AND TRAINING

- (a) Controlled substances and explosives held by the department as acquired property or evidence may not be used for training purposes unless approved in writing by the Chief of Police. Evidentiary property may be used for training purposes only after all investigative, court, and legal requirements have been met and ownership of the items has been transferred to the Evanston Police Department.
- (b) Requests to use controlled substances, weapons, or explosives held by the department in the property and evidence control function for investigative or training purposes must be submitted in writing through the chain of command.
- (c) Procedures used to obtain and return evidence for court will be followed for obtaining and returning controlled substances, weapons, or explosives approved for investigative or training purposes. Chain of custody will be strictly maintained.
- (d) The Chief of Police may impose additional requirements, safeguards, and other procedures, as needed, for the use of controlled substances, weapons, or explosives requested for investigative or training purposes.
- (e) When not in use, controlled substances, weapons, or explosives approved for investigative or training purposes will be returned to the property office for secure storage unless other arrangements for secure storage have been approved in writing by the Chief of Police.
- (f) Members will report monthly on the status and condition of controlled substances, weapons, or explosives approved for investigative or training purposes through the monthly administrative reporting system.
- (g) The Property Officer is responsible for informing the Chief of Police monthly of the status of all controlled substances, weapons, or explosives approved for investigative or training purposes.

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- (h) The Chief of Police and the Property Officer will be informed in writing when controlled substances, weapons, or explosives are no longer needed for investigative or training purposes.

802.6 PROPERTY BUREAU OPERATION

The Department maintains a Property Bureau staffed by full-time personnel to assure secure, safe and orderly storage of property and evidence taken into police custody. Members assigned to the Property Bureau are responsible for maintaining chain of custody records, lab submissions and disposal of property in accordance with state and local law.

802.6.1 PROPERTY BUREAU SECURITY

- (a) Security for all property storage areas shall be maintained through the use of restricted key access and video surveillance. The primary property storage area shall also be equipped with an alarm system.
- (b) Special security measures shall be used for the storage of currency, narcotics and firearms which shall be segregated from general property storage to their own secure area with additional restricted key access. Access to this area shall only be afforded to the Property Officer and Property Officer's immediate supervisor.

802.6.2 PROPERTY INTAKE

The Property Officer or designee shall intake property on a daily basis verifying correct BEAST entry, packaging and need for lab submission. Items with deficiencies shall not be accepted into general property storage until the appropriate member is contacted and the deficiency is corrected.

802.6.3 PROPERTY CONTROL

All chain of custody records shall be maintained using the BEAST electronic inventory system and all transfers of property to other persons or disposals of property shall be recorded following the Property Bureau SOP guidelines. The Property Officer shall also maintain paper records for items in custody prior to BEAST implementation.

802.6.4 LAB SUBMISSIONS

The Property Officer is responsible for the lab submission of all items requiring analysis. Lab submissions shall be completed utilizing the BEAST lab submission module.

802.6.5 RETURN OF PROPERTY TO OWNER

Any property held that is not needed as evidence in a civil or criminal proceeding shall be returned to the owner upon request and reasonable satisfactory proof of ownership or right of possession providing that all legal requirements for any mandatory holding period have been met.

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

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All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an Interpleader in court to resolve the disputed claim (735 ILCS 5/2-409).

802.6.6 DISPOSAL OF PROPERTY

In order to maintain an orderly and safe storage facility, the Property Officer shall be responsible for periodic review of items stored to determine their eligibility for disposal.

- (a) The Property Officer may use the following methods to determine disposal eligibility.
 - 1. Property Disposition Tracer sent to recovering member.
 - 2. Direct case research to determine investigation or arrest status.
 - 3. Written authorization from the inventorying member.
 - 4. Written authorization from the property owner.
 - 5. Periodic review of non-evidence items stored.
 - 6. Any court order authorizing disposal of items.
- (b) Prior to the disposal of any property where the owner is known and is eligible to have the property returned, the Property Officer or their designee shall attempt to notify the owner of the property status by certified mail.
- (c) Prior to disposal the Property Officer shall verify that any specific legal requirements for retention of property/evidence and/or return to owner have been met. Specific requirements under various state and local laws include
 - 1. Abandoned, lost, stolen or unclaimed property (765 ILCS 1030/1; 765 ILCS 1030/2; 765 ILCS 1025/17; 765 ILCS 1025/8.1 and COE Ordinance Title 9 / Chapter 7)
 - 2. Air rifles (COE Ordinance Title 9 / Chapter 14)
 - 3. Confiscated property or evidence obtained for violation of the Wildlife Code (520 ILCS 5/1.25)
 - 4. Confiscated property or evidence obtained for violation of the Fish and Aquatic Life Code (515 ILCS 5/1-215)
 - 5. Drug paraphernalia (720 ILCS 600/5)
 - 6. Found & Safekeeping Property (765 ILCS 1030)
 - 7. Firearms (720 ILCS 5/24, 750 ILCS 60/304(c), 725 ILCS 165/2 and COE Ordinance Title 9 / Chapter 8 – Weapons)
 - 8. Gambling devices (720 ILCS 5/28-5)
 - 9. Preservation of evidence for forensic testing (725 ILCS 5/116-4)
 - 10. Unclaimed monies (765 ILCS 1030/0.01 et seq.)
 - 11. Unused medications (210 ILCS 150/18)

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12. Vehicles, vessels, aircraft or component parts (stolen, converted, recovered and unclaimed) (625 ILCS 5/4-107)
13. Video recordings made by the police (720 ILCS 5/14-3 (h-15))
- (d) Property eligible for disposal may be purged from property storage using any of the following methods in accordance with state and local laws.
 1. Return to owner
 2. Destruction to render the item unusable
 3. Public auction (765 ILCS 1030).
 4. Donation (765 ILCS 1030).
 5. Retained for department use
 6. Transfer to lab for disposal (street drugs)
 7. Transfer to another agency for disposal (DEA / EPA / County Bomb Squad)
 8. Transfer to another public agency as authorized by law
 9. Transfer to the city as authorized by law (unclaimed monies)

802.7 INSPECTIONS OF THE EVIDENCE ROOM

- (a) Divisonal Inspection
 1. The division head overseeing the property control function is responsible for conducting a semi-annual inspection of property storage facilities.
 2. The purpose of these inspections is to determine that the property office is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that property management procedures are being followed, that property is being protected from damage or deterioration, that property accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.
 3. Additional inspections may be conducted as needed.
- (b) Property Officer Change
 1. A documented inventory of property will occur whenever there is a personnel change in the Property Officer position
 2. The inventory will be conducted jointly by the newly designated property and evidence officer and a designee of the Chief of Police to ensure that records are correct and properly annotated.
 3. An accounting of every single item of property is not required, but the inventory should consist of a sufficiently sized random sample to ensure the integrity of the system and accountability of the property.
 4. Each inventory will include a review of high-risk items, including, but not limited to, money, precious metals, jewelry, firearms, and drugs. The inventory

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should ensure that all records are properly annotated, with all discrepancies documented before responsibility is transferred to the new Property Officer.

(c) Annual Audit

1. The supervisor of Office of Professional Standards, or other designated supervisor not routinely or directly connected with the control of property and evidence, will conduct a documented annual audit of property and evidence held by the department.
2. The assigned auditor may not be appointed by supervisory or command staff having control over the property function.
3. The annual audit should cover a sufficient representative sampling of property including high-risk items. Additional audits may be conducted as needed.
4. The Office of Professional Standards shall maintain the written records for these audits with a copy forwarded to the Office of the Chief of Police.

(d) Unannounced Inspection

1. Unless otherwise directed by the Chief of Police, the supervisor of the Office of Professional Standards is the designee of the Chief of Police responsible for conducting periodic unannounced inspections of property storage areas.
2. Unannounced inspections shall consist of a brief inspection of the property storage areas for cleanliness and orderliness and a small sample of items checked for proper location as indicated by property records.
3. The member from the Office of Professional Standards conducting the inspection shall forward a memo to the Chief of Police documenting the inspection.

802.8 DISPOSITION OF BIOLOGICAL EVIDENCE

The Property Bureau supervisor shall preserve, subject to a continuous chain of custody, any physical evidence in his/her possession or control that is reasonably likely to contain forensic evidence, including biological material secured in relation to a trial, and with sufficient documentation to locate that evidence (725 ILCS 5/116-4(a)).

Also see Property Bureau SOP

802.8.1 RETENTION PERIODS

Biological evidence shall be retained for the following periods (725 ILCS 5/116-4):

- (a) Permanently if a death sentence is imposed
- (b) Until the completion of the sentence for a homicide offense as set forth in 720 ILCS 5/9
- (c) Until the completion of the sentence, including any period of supervised release, for any conviction for an offense set forth in:
 1. 720 ILCS 5/11-1.20 (Criminal Sexual Assault)
 2. 720 ILCS 5/11-1.30 (Aggravated Criminal Sexual Assault)

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3. 720 ILCS 5/11-1.40 (Predatory Criminal Sexual Assault of a Child)
 4. 720 ILCS 5/11-1.50 (Criminal Sexual Abuse)
 5. 720 ILCS 5/11-1.60 (Aggravated Criminal Sexual Abuse)
- (d) Seven years following any conviction for any felony for which the defendant's genetic profile may be taken and submitted for comparison in a forensic DNA database (725 ILCS 5/116-4 (b)).
- (e) All other biological evidence shall be retained for the minimum period established by law, the minimum period established by the Property Bureau supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater.

Also see Property Bureau SOP

802.8.2 REQUEST FOR DESTRUCTION OF EVIDENCE PRIOR TO END OF RETENTION PERIOD

After a judgment of conviction is entered but prior to the end of the statutory retention period, the Department may petition the court to allow destruction of evidence when the evidence:

- (a) Has no significant value for forensic analysis and should be returned to its rightful owner.
- (b) Has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the Department and cannot practically be retained.
- (c) Is no longer needed because of the death of the defendant (does not apply if a sentence of death was imposed).
- (d) The court allows the defendant the opportunity to take reasonable measures to remove or preserve portions of the evidence for future testing (725 ILCS 5/116-4(c)).

The Department shall give notice of any such petition to the defendant or his/her estate and the defendant's attorney of record.

No evidence shall be disposed of until 30 days after the entry of a court order granting the petition and until the time period for any appeal has lapsed, or any appeal has concluded, whichever is longer.

Also see Property Bureau SOP [See attachment: ET SOP 2016 - Complete.pdf](#)

Records Bureau

803.1 PURPOSE AND SCOPE

The Records Manager shall maintain the Department Records Bureau Procedures Manual on a current basis to reflect the procedures being followed within the Records Bureau. Policies and procedures that apply to all employees of this department are contained in this chapter.

803.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within the Records Bureau by Records Bureau personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 000001 starting at midnight on the first day of January of each year. As an example, case number 09-000001 would be the first new case beginning January 1, 2009.

803.2 FILE ACCESS AND SECURITY

All reports including, but not limited to, initial, supplemental, follow-up, evidence, and all reports critical to a case shall be maintained in a secure area within the Records Bureau accessible only to authorized personnel. Access to report files after hours or when records personnel are otherwise not available may be obtained through a supervisor.

Evanston Police Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy.

- (a) During normal business hours, access to the Records Bureau will be limited to authorized Records Bureau personnel and certain administrative personnel. All requests for information or service will be directed to Records Bureau personnel.
- (b) When it is necessary to access records or obtain documents in an emergency situation after normal business hours, the following procedures will be followed:
 - 1. A key to the Records Bureau will be maintained at the Police Service Desk. If a Department member requires access to records, he first will obtain permission from a supervisor.
 - 2. No original documents will be removed from the Records Bureau.
- (c) Name checks or arrest-record checks may be done through any of the Department's computers; direct access to the Records Bureau staff is not necessary. Access to the computerized information is available 24 hours per day.
- (d) Members will not use any information, reports, or equipment in the Records Bureau for personal use or benefit, nor will they release any information or reports unless authorized

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803.2.1 REQUESTING ORIGINAL REPORTS

Generally, original reports shall not be removed from the Records Bureau. Should an original report be needed for any reason the requesting employee shall first obtain authorization from the Records Manager. In such cases original reports shall only be removed after the Records Manager has ensured that an accurate and complete copy of the report has been made to take its place in the Records Bureau or Laserfiche.

803.2.2 COURT FILES

The Records Bureau shall be responsible for preparing files with all necessary documents for court appearances. If a subpoena is issued for an original document, a copy of the subpoena shall be placed in the appropriate Records Bureau file and the requirements of the Requesting Original Reports section of this policy shall also be followed.

803.3 RECORDS BUREAU FUNCTION

The Records Bureau will be a part of the Support Services Division. A civilian records supervisor will be responsible for the Bureau, and will report directly to the division Deputy Chief.

The Records Bureau is responsible for the department's overall record-keeping system for all reported incidents and is the repository of files containing all the original reports related to each incident requiring a report.

- (a) The Records Bureau is responsible for the review, control, and maintenance of all Departmental field reports and related activities.
- (b) The Records Bureau will retrieve these records, when necessary.
- (c) The Records Bureau provides other bureaus and divisions with the information necessary to perform their duties in a timely manner.
- (d) The Records Bureau provides information and services to the general public, as required.
- (e) The Records Bureau will transmit information to the state and federal authorities, as required.

803.3.1 TRAFFIC CITATIONS BOOKS

- (a) The Records Bureau will receive and maintain, in numerical order, all traffic-citation books. These citation books will be kept in a designated file cabinet.
- (b) The window clerks will be responsible for issuing traffic-citation books to sworn personnel. The officer receiving the citation book will sign for it on the receipt attached to the citation book. One copy of this receipt will go to the officer; the other will be retained and filed numerically.
- (c) After a traffic citation is issued by an officer, the copies will be turned in to the Service Desk for processing. The Records Bureau copy will be forwarded to the Records Bureau, where it will be filed numerically and entered into the HTE citation module.

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- (d) Two current years of traffic citations will be on file in the Records Bureau. Citations older than two years will be stored periodically, in the Department's archives. All files will be stored in a secure area.
- (e) Any member issuing a traffic citation will be responsible for maintaining the "officer's" copy and bringing it to court appearances. This copy will be retained by the officer until the case is disposed of.
- (f) Traffic citations can be cross-referenced among the citation book receipt file, the violator alpha file, the Circuit Court Clerk's office, and the issuing officer's copy by means of the pre-printed citation numbers on the ticket form-set. In addition, traffic citation information is retrievable through PIMS for traffic violations requiring custodial arrests and meeting Illinois Uniform Crime Reporting criteria. Also, traffic citation information is available from HTE citation module.
- (g) The Bureau will also issue C Citation Books through the Review Officer

803.4 REVIEW OFFICE

- (a) Case Report Oversight.
 - 1. The Review Office is to monitor and enforce compliance with Department criteria and Federal, State and local statutes in the use and completion of case reports.
 - 2. Reports being returned to the author for correction(s) will be returned to the member's supervisor for rectification through the RMS system. The original report is not to be altered.
- (b) The Review Office also monitors the daily CADS Activity schedule, and may obtain an Incident/Offense Report on any call and a duplicate report (designated as a duplicate report by the officer's supervisor) of any missing report.
- (c) A corollary function of the Review Office is the maintenance of the Uniform Crime Reporting System, vital to the reporting of crime information to the State and the retrieval of information for Department use. The Review Office assigns UCR codes to all Offense/Incident and Arrest Reports
- (d) The Review Office maintains the Department's homicide and confidential reports in a secured file. Confidential reports must be personally delivered to the Review Office with accompanying instructions. The Review Officer will enter the relevant case data into Data Bank, secure the report, and file a place hold document in the general reports files.
- (e) The Review Office is also responsible for:
 - Assisting the LEADS Coordinator with quality control;
 - Administering the Compliance Ticket protocol;
 - Assisting the Records Bureau Director and serve as acting supervisor in the Director's absence;
 - Compiling highly sensitive/specialized reports requested through the Chain of Command;

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- Maintaining the Record Bureau's homicide file;
- Reviewing pending Departmental Bulletins, Training Bulletins, Special Orders, General Orders and other documents that relate to the functioning of the Review Office.

All transactions with the Review Office are through the established Chain of Command.

Records Maintenance and Release

804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

804.2 POLICY

The Evanston Police Department is committed to providing public access to records in a manner that is consistent with the Freedom of Information Act (5 ILCS 140/1 et seq.).

804.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records and Freedom of Information Officer who may be, but are not required to be, the same person. The responsibilities of the Custodian of Records include, but are not limited to (5 ILCS 140/3.5; 5 ILCS 140/4; 5 ILCS 140/5; 5 ILCS 179/35):

- (a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule including:
 - 1. Identifying the minimum length of time the Department must keep records.
 - 2. Identifying the division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available.
 - 1. No fees shall be charged for the first 50 pages of copies as per 5 ILCS 140/6(b).
 - 2. Fees charged for copying public records shall be limited to the actual cost of duplication or publication.
 - 3. The cost of search, examination, review, and the redaction and separation of exempt from non-exempt information will not be assessed.
- (g) Ensuring the prominent display at the department's headquarters of information that conveys the department's mission, budget, office locations, number of employees and an organizational chart that depicts the department structure and the relationship of the Department to City government. This information also needs to be available on the Department or City website.

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- (h) Ensuring information identifying the department's Freedom of Information Officer, the categories of available records and the process for requesting public records, including the address for submitting requests, will also be displayed.
- (i) Working with the Freedom of Information Officer to develop a list of documents or categories of records that the Department shall immediately disclose upon request.
- (j) Promptly remediating any deficiencies in the department's Freedom of Information Officer's public records management activities.
- (k) Expeditiously advising the Chief of Police of any denials of public records requests, issues associated with the processing of records requests and requests that may involve potentially sensitive or newsworthy matters.
- (l) Consulting with the Chief of Police in the event further information is needed regarding the appropriate response to a records request.
- (m) Submitting monthly reports to the Illinois State Police (ISP) regarding arrest-related deaths, firearm discharges by members, hate crimes, domestic crimes, index crimes and school incidents pursuant to the Uniform Crime Reporting Act (50 ILCS 709/5-12).
- (n) Submitting a quarterly report to the ISP that includes incident-based information on any criminal homicide pursuant to 50 ILCS 709/5-15.
- (o) Establishing a procedure for an individual to access, review and confirm the expungement of civil law citations issued to him/her for violations of 720 ILCS 550/4(a) or 720 ILCS 600/3.5(c) (20 ILCS 2630/5.2).
- (p) Establishing procedures for the protection of Social Security information pursuant to the Identity Protection Act and proper filing and posting of appropriate policy and procedures (5 ILCS 179/35).
 - 1. The procedures should include proper collection, handling, dissemination, and access restrictions of information that contains Social Security numbers.

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Freedom of Information Officer or the authorized designee. All department records are presumed to be open to inspection or copying (5 ILCS 140/1.2).

804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

- (a) The Department is not required to create records that do not exist or maintain records that it does not maintain (5 ILCS 140/1).
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (5 ILCS 140/7).
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/

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video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

- (c) The Freedom of Information Officer shall:
 - 1. Document the date the request was received.
 - 2. Compute the date that the time to respond expires and note the information on the request.
 - 3. Maintain an electronic or hard copy of the request.
 - 4. Create a retention file for the request and promptly determine if the record is available or subject to any exemption.
- (d) The Freedom of Information Officer shall ensure that requests are processed within five business days after receipt, with up to an additional five days permitted for certain exceptions. When seeking additional time, written notice shall be provided to the requesting party (5 ILCS 140/3).
 - 1. These time frames may be extended for recurrent requesters (5 ILCS 140/3.2).
 - 2. Voluminous requests are to be addressed under 5 ILCS 140/3.6.
- (e) Requests for records to be used for commercial purposes shall be processed within 21 working days after receipt (5 ILCS 140/3.1).
- (f) If a record is requested in electronic format, the record shall be provided in electronic format, if reasonably feasible. If not reasonably feasible, the record shall be furnished in the format in which it is maintained. If furnishing an electronic copy, the Department may charge for the actual cost of the recording medium (5 ILCS 140/6(a)).

804.4.2 DENIALS

The denial of a request for records is subject to the following:

- (a) Denial of a request by the Freedom of Information Officer shall be in writing and identify the specific exemptions being claimed under 5 ILCS 140/9. Failure to respond in a timely manner to a request under the Illinois Freedom of Information Act constitutes a denial (5 ILCS 140/3(d)). Because the Department bears the burden of proof in a denial, the Freedom of Information Officer shall consult with the Support Services Deputy Chief prior to issuing a denial.
- (b) A detailed factual basis for any claimed exemption, and the names and titles of each person responsible for the denial, will be provided (5 ILCS 140/9). Each written denial shall also inform the requesting party of the right to appeal to the Public Access Counselor of the Illinois Attorney General (5 ILCS 140/9(a)).

804.4.3 FEES

Fees shall be collected prior to the release of records. Fees may be waived by the Support Services Deputy Chief if it is determined by the supervisor that the issuance of the record is in the public interest.

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804.4.4 PUBLIC ACCESS COUNSELOR

Any requestor who believes that a violation of the Illinois Freedom of Information Act has occurred may file a request for review with the Public Access Counselor of the Illinois Attorney General (5 ILCS 140/9.5).

If the Public Access Counselor determines that an alleged violation is unfounded, no further action will be taken (5 ILCS 140/9.5). In all other cases, the Public Access Counselor will, within seven working days of receipt, forward a request to the Department accompanied by a specific list of documents for the Department to furnish to the Public Access Counselor. The department's Freedom of Information Officer will furnish the requested records or documents within seven working days of receipt, will fully cooperate with the Public Access Counselor and will advise the Support Services Deputy Chief of all such communications (5 ILCS 140/9.5).

Any communication with the Department by the Public Access Counselor shall be promptly brought to the attention of the Chief of Police.

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph, Social Security and driver identification number, name, address and telephone number, and medical or disability information that is contained in any driver's license record, motor vehicle record or any department record, including traffic crash reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Private information including, but not limited to, unique identifiers such as Social Security numbers, driver's license numbers, employee identification numbers, biometric identifiers, personal financial information, passwords or access codes, medical records, home or personal telephone numbers, home address, personal email addresses or personal license plates (5 ILCS 140/7(1)(b); 5 ILCS 140/2(c-5)).
- (c) Confidential information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of an investigation (5 ILCS 140/7; 5 ILCS 140/2.15(b)).
 - 1. Analysis and conclusions of investigating officers (5 ILCS 140/7(1)(f)).
- (d) The identity of child victims of criminal sexual offenses (725 ILCS 190/3) and reports of elder abuse and neglect (320 ILCS 20/8).
- (e) Records regarding juveniles under 18 years of age (705 ILCS 405/1-7; 705 ILCS 405/5-905).
- (f) Department records that would obstruct an ongoing investigation or pending administrative enforcement proceeding (5 ILCS 140/7).

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- (g) Information contained in personnel and other public records that would constitute an unwarranted invasion of personal privacy, in which the individual's right to privacy outweighs any legitimate interest in obtaining the information.
 - 1. The disclosure of personal information that bears on the public duties of employees of this department shall not be considered an invasion of personal privacy (5 ILCS 140/7(1)(c)).
 - 2. The disclosure of employee performance evaluations is prohibited (820 ILCS 40/11).
- (h) Records that were created exclusively in anticipation of potential litigation, which would not be subject to discovery or which may be subject to an attorney-client privilege involving this department (5 ILCS 140/7(1)(m)). Any record relating to vulnerability assessments, security measures and response policies or plans (5 ILCS 140/7(1)(v)).
- (i) Body-worn camera recordings as provided in the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5).
- (j) Certain records requested by a person committed to the Department of Corrections or a county jail (5 ILCS 140/7).

804.6 ARREST RECORDS

Arrest report information that identifies an individual, any charges, time and location of arrest, name of the investigating department, incarceration or bond information shall be furnished as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 140/2.15(a)).

Information concerning an arrest must be made available to the news media for inspection and copying absent specific exceptions. The information shall be made available as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 160/4a; 50 ILCS 205/3b).

If the request is made by a criminal defendant or an authorized representative (including attorneys), then the Illinois State's Attorney, City Attorney, Illinois Attorney General, local prosecutor or the courts, as applicable, should be promptly notified.

Persons requesting conviction information should be directed to the Illinois State Police.

804.6.1 REQUESTS TO RETRACT OR DELETE ARREST RECORDS

Requests from a Chief of Police, county Sheriff or State's Attorney to delete or retract arrest records of individuals mistakenly identified should be forwarded to the Custodian of Records for handling (5 ILCS 160/17; 50 ILCS 205/4).

804.7 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

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Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the State Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

804.7.1 SUBPOENA PROCEDURES

See attachment: [SOP 804-1.pdf](#)

804.8 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

804.9 SECURITY BREACHES

Members who become aware that any Evanston Police Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

The Custodian of Records shall (815 ILCS 530/10):

- (a) Ensure notice of any breach of the security of personal information is given to the appropriate individuals/entities any time there is a reasonable belief that an unauthorized person has acquired personal information, as defined in 815 ILCS 530/5, stored in any department information system.
- (b) Cooperate with the appropriate individuals/entities by providing the date or approximate date of the breach and identifying any steps taken or that will be taken relating to the breach.

804.10 EXPUNGEMENT AND SEALING

Expungement and sealing orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or Freedom of Information Officer. The Custodian of Records or Freedom of Information Officer shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once expunged, members shall respond to any inquiry as though the record did not exist (20 ILCS 2630/5.2).

804.10.1 CIVIL LAW VIOLATIONS

On or before January 1 and July 1 of each year, the Custodian of Records or Freedom of Information Officer shall expunge records of any person who committed civil law violations

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of 720 ILCS 550/4(a) (possession of not more than 10 grams of cannabis) or 720 ILCS 600/3.5(c) (possession of related drug paraphernalia) (20 ILCS 2630/5.2).

804.10.2 ARREST RECORDS

When a request is made for arrest records of an individual whose records were retracted or deleted in the case of mistaken identity in accordance with 5 ILCS 160/17 and 50 ILCS 205/4, members should respond that no such records exist.

804.10.3 JUVENILE RECORDS

On or before Jan. 1 of each year, the Custodian of Records or Freedom of Information Officer shall expunge juvenile records as required by 705 ILCS 405/5-915 unless the Chief of Police or the authorized designee certifies in writing that a record is necessary for a pending investigation of a felony. In that case, only the relevant records may be retained until the investigation is completed, or for one additional year, whichever occurs first.

Within 60 days after receipt of a court expungement order or date of automatic expungement, the Custodian of Records or designee shall send a written notice of expungement to the subject of the expungement (705 ILCS 405/5-915).

Unless expunged, juvenile records shall be sealed by the Custodian of Records or Freedom of Information Officer (705 ILCS § 405/1-7).

804.11 TRAINING

Prior to assuming the Freedom of Information Officer duties, but within 30 days after being so designated, the Freedom of Information Officer will undergo and successfully complete the electronic training curriculum as developed by the Public Access Counselor. The Freedom of Information Officer shall thereafter be recertified on an annual basis (5 ILCS 140/3.5).

All members who have access to Social Security numbers, from the time of collection to the time of destruction of the records, shall receive training on the protection of such information, pursuant to the Identity Protection Act (5 ILCS 179/35).

Protected Information

805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Evanston Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Evanston Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

805.2 POLICY

Members of the Evanston Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

805.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to (20 Ill. Adm. Code 1240.90):

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Illinois Secretary of State records and the Illinois Law Enforcement Agencies Data Systems (LEADS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

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- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Evanston Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (20 Ill. Adm. Code 1240.50).

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (20 ILCS 2630/7; 20 Ill. Adm. Code 1240.50).

805.4.1 PENALTIES FOR NON-COMPLIANCE OR MISUSE OF RECORDS

The Department of State Police may suspend all or any portion of LEADS service without prior notification as the result of an agency's non-compliance with laws, rules, regulations, or procedures. The Director of State Police may suspend all or part of LEADS service for agency for violations of LEADS laws, rules regulations, or procedures (20 Ill. Adm. Code 1240.110).

It is a Class A misdemeanor to furnish, buy, receive, or possess LEADS information without authorization by a court, statute, or case law (20 ILCS 2630/7).

805.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (20 Ill. Adm. Code 1240.50; 20 Ill. Adm. Code 1240.80).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

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805.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems (20 Ill. Adm. Code 1240.50).
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

805.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it (20 Ill. Adm. Code 1240.80). This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal) (20 Ill. Adm. Code 1240.50).

805.6.2 MAINTENANCE AND TECHNICAL SERVICES

The personnel security requirement for a LEADS agency requires conformance with 20 Ill. Adm. Code 1240.50. Generally, no person may provide maintenance or technical services at or near LEADS equipment unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have his/her authority to provide maintenance or technical services at or near LEADS equipment denied if he/she is charged with a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction (20 Ill. Adm. Code 1240.50(3)).

805.6.3 PROTECTION OF LEADS DATA

LEADS data shall not be included on the violator's copy of any citation that is not delivered by hand to the violator. This specifically includes citation copies left on an unattended vehicle, a building or any other place where the violator is not present to receive the citation. LEADS data will continue to be included on other copies of the citation that are kept by the employee and/or the Department (18 USC § 2721 through 18 USC § 2725).

Members will ensure that all LEADS information is marked with the LEADS stamp.

805.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies

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Protected Information

authorized access and use of protected information, as well as its proper handling and dissemination.

Animal Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

806.2 [ANIMALCONTROL] RESPONSIBILITIES

Animal control services are generally the primary responsibility of the Animal Warden and include the following:

- (a) Animal-related matters during periods when the Animal Warden is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that the Animal Warden is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

The Animal Warden will have the primary responsibility for animal control, enforcement of animal control ordinances, and department activities related to the animal pound. However, it is the responsibility of every member to issue citations for "on view" violations, it is also the responsibility of every sworn member to investigate reports of animal cruelty crimes as cited in the Illinois Compiled Statutes. The routine supervision of the Animal Warden will be the responsibility of the supervisor's in the Problem Solving Team.

Any follow-up necessary on reports of animal cruelty will be handled by Animal Wardens, Humane Investigators, or the Investigative Services Division. Animal Wardens will conduct follow-ups on city ordinance violations. All misdemeanor and felony incidents will be investigated by sworn members.

806.3 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to the public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.

Animal Control

- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
 - 2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
 - 3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

806.3.1 ADDITIONAL MEMBER RESPONSIBILITIES

If the animal wardens are off duty, and the officer feels he/she can safely handle the animal, the officer may elect to transport for veterinary care to the approved facilities noted above. If the situation is beyond the officer's ability to handle safely and confidently, an animal warden will be called out with supervisory approval.

If an officer elects to transport, care will be taken to insure the animal is not injured during that process. If the animal cannot be transported safely in the squad without restraint, carriers will be available for use. These will be maintained near the property lockers.

Under no circumstances will an animal seized as the result of an animal cruelty investigation be placed in a cage at the animal shelter without first receiving veterinary care.

806.4 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag, and properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

806.5 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

806.5.1 INJURED WILDLIFE

- (a) Injured wildlife should be referred to one of several locations as applicable and depending upon available resources and type of animal:
 - 1. A local Rehabilitator, preserve or wildlife care center

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2. A shelter by the Anti-Cruelty Society, Illinois Society for the Prevention of Cruelty to Animals (SPCA), or the Illinois Department of Natural Resources
- (b) Injured wildlife may be briefly held and transported to wildlife Rehabilitators licensed by the State of Illinois. In addition, migratory birds may be taken only to Rehabilitators who are in possession of appropriate Federal permits issued by the United States Fish and Wildlife Service (USFWS).
- (c) The driver involved in a deer accident may take possession of the dead animal. If the driver does not want the deer, any Illinois resident may claim it (17 Ill. Adm. Code 750.10).

During business hours, McCormick Animal Hospital, 8260 McCormick Boulevard, Skokie, will be utilized. After hours, animals should be transported to Animal 911, 3735 W. Dempster St., Skokie. Personnel at these facilities should be advised that the animal is part of a police investigation.

806.6 POLICY

It is the policy of the Evanston Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

806.7 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to cruel treatment of animals, aggravated cruelty to animals, animal torture and animal fighting (510 ILCS 70/3.01; 510 ILCS 70/3.02; 510 ILCS 70/3.03; 510 ILCS 70/4.01; 720 ILCS 5/48-1):

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Members may enter during normal business hours on a premise where the animal is housed or kept for the purpose of conducting an investigation except such entry shall not be made into a person's residence without a search warrant or court order (510 ILCS 70/10).
- (d) Members who lawfully seize an animal shall comply with impound and notice requirements (510 ILCS 70/3.04; 510 ILCS 70/4.02).

806.8 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

806.9 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued,

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if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

806.10 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

806.11 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

When an animal will be euthanized by firearm, attempt to perform the duty with as much regard for the sensitivity and safety of the public as possible given the circumstances, such as moving the animal if possible to a more secluded area or off pavement (to prevent ricochet) before discharging a weapon. Discharge the firearm as close to the animal as possible, using the fewest number of shots necessary.

Briefly explain the reason the animal had to be shot in an Offense/Incident Report and Use of Force Report, including the number of shots fired. Mention foaming or other symptoms of illness if present, but do not state, conclude, or speculate about the cause of the illness, such as rabies. Forward a copy of the Offense/Incident Report to the Office of Professional Standards to track and report all discharges of firearms to the Chief of Police.

806.12 EMERGENCY CALL OUTS

An after-hours call system has been developed for emergencies requiring an animal warden. If it becomes necessary to call an off-duty warden, he/she will be called only with the approval of a supervisor. The following calls should be considered for call out:

- Injured animal (not a bird unless a raptor, e.g., falcon, hawk, owl) Bat in house (confirmed by officer)
- Wildlife in living area of a residence (not basement, attic, crawl space - confirmed by officer)
- Vicious dog running loose (danger to the public e.g., unprovoked attacks)
- Detective Bureau/Special Operations Group raid

Officers will make every attempt to remain at the scene pending the arrival of the Animal Warden. If called away, officers should return as soon as possible.

Calls for general information may be made to the on-call Animal Warden, provided the calls are made at a reasonable time (before 2200 hours; after 0630 hours), by department members only.

The Animal Warden will not be called out for dead animals with the following exceptions:

Animal Control

- Dogs
- Cats with a collar (or other information that it is a pet)
- In cases of domestic animals, reasonable attempts to locate an owner will be made. If an owner is present or can be located, they assume responsibility for the animal.
- Deer (humanely euthanized by police after life-threatening injury)
- Animal that is evidence in criminal investigation

If an officer responds to a call involving an injured domestic animal, all reasonable attempts to locate the owner will be made. If an owner cannot be located, and the officer feels he/she can safely handle the animal, the officer may elect to transport the animal for veterinary care to the approved facilities noted above.

If the situation is beyond the officer's ability to handle safely and confidently, the animal warden will be called out with supervisory approval.

If an officer elects to transport, care will be taken to insure the animal is not injured during that process. If the animal cannot be transported safely in the squad without restraint, carriers will be available for use. These will be maintained near the property lockers.

Under no circumstances will an injured animal be placed in a cage at the animal shelter without first receiving veterinary care

806.13 AFTER HOURS USE OF SHELTER

There are occasions when the animal shelter must be accessed after hours. Examples include securing a loose, non-dangerous dog, securing animals encountered in arrest situations, fires, etc. with no other provisions available. The procedure is as follows:

- A field supervisor will authorize entry and accompany the member accessing the shelter.
- The field supervisor will obtain the Shelter key at the Service Desk.
- The alarm code and procedure are located with the key.
- Secure the animal in a cage.
- Leave a note in office providing location and time animal was found along with any information on the circumstances.
- Include action taken in a supplemental form.

Under no circumstances will an injured animal be placed in a cage at the animal shelter without first receiving veterinary care.

806.14 ENFORCEMENT

Compliance Tickets:

- City ordinance animal violations are to be issued on compliance tickets.

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- Members will follow the proper procedures for issuing compliance citations.

Custodial Arrests:

- [Members should refer to the Humane Care for Animals Act, 510 ILCS 70/ for appropriate charges. Additional charges are located under 720 ILCS 5/12-35 and 720 ILCS 5/26-5\[DB2\] .](#)

HUMANE INVESTIGATORS

The Department trains several police officers as Humane Investigators. The Department's Post List identifies officers trained as Humane Investigators.

Reports will be forwarded to the Animal Warden.

Jeanne Clery Campus Security Act

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

807.2 POLICY

The Evanston Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Evanston Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the Evanston Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Evanston Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

807.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the Evanston Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
 - 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
 - 2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
 - 3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).

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4. Notify the Evanston Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).
 5. Notify the Evanston Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Ensure coordination with institution's in regards to programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
 - (d) Ensure coordination with institution's in regards to programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
 - (e) Ensure coordination with institution's in regards to educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including, but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
 - (f) Ensure that appropriate notifications to staff at the institution regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

807.4 RECORDS COLLECTION AND RETENTION

The Records Manager is responsible for maintaining Evanston Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
 1. Murder
 2. Sex offenses, forcible or non-forcible

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3. Robbery
 4. Aggravated assault
 5. Burglary
 6. Motor vehicle theft
 7. Manslaughter
 8. Arson
 9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
 10. Dating violence, domestic violence and stalking.
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 42 USC § 13925(a); 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur in the following places (20 USC § 1092(f)(12); 34 CFR 668.46(c)(5)):
1. On campus.
 2. In or on a non-campus building or property.
 3. On public property.
 4. In dormitories or other on-campus, residential, student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the Evanston Police Department (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).

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- (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

807.4.1 CRIME LOG

The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

- (a) The daily crime log will record all crimes reported to the Evanston Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.
- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
 - 1. Disclosure of the information is prohibited by law.
 - 2. Disclosure would jeopardize the confidentiality of the victim.
 - 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

807.5 INFORMATION DISSEMINATION

It is the responsibility of the Support Services Deputy Chief to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e) and (g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

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- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to, the following:
 - 1. Crime statistics and the policies for preparing the crime statistics.
 - 2. Crime and emergency reporting procedures, including the responses to such reports.
 - 3. Policies concerning security of and access to campus facilities.
 - 4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including
 - (a) Procedures victims should follow.
 - (b) Procedures for protecting the confidentiality of victims and other necessary parties.
 - 5. Enforcement policies related to alcohol and illegal drugs.
 - 6. Locations where the campus community can obtain information about registered sex offenders.
 - 7. Emergency response and evacuation procedures.
 - 8. Missing student notification procedures.
 - 9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

807.6 STATE REQUIREMENTS

The Support Services Deputy Chief shall ensure that the institution's administration is assisted in meeting the Illinois Campus Security Enhancement Act requirements, including the development of (110 ILCS 12/20):

- (a) A National Incident Management System-compliant, all hazards, emergency response plan and training exercises, in partnership with the institution's county or major municipal emergency management official.
- (b) An interdisciplinary and multijurisdictional campus violence prevention plan, including development and implementation of a campus violence prevention committee and a campus threat assessment team.

Court Services Bureau

808.1 POLICY

The Court Services Bureau will supervise and coordinate all activities related to the Department's relations with courts and related services, and monitor members' conduct in court related activities.

It also will facilitate procedural matters between the court related services and the Department. The staff assigned the duties of this bureau will be referred to as the Court Liaison.

808.2 RESPONSIBILITY OF COURT SERVICES BUREAU

- (a) Monitor and distribute court cards to off-duty members who attend court.
- (b) Determine the reason for any member's absence from a required court appearance, and present the reason to the Court in a proper manner, as well as to the Department.
- (c) Report any abuses of court cards.
- (d) Evaluate court activities regarding police personnel, e.g. court dates, attendance, making the appropriate notifications, appearance, testimony, court conduct, etc.
- (e) Prepare a Daily Court Report form and forward to appropriate supervisor.
- (f) Assure the accuracy and completeness of court cards, especially "time-in" and "time-out", and verify each card with a signature.
- (g) In the event the State's Attorney and/or City Attorney request any particular member to contact their offices, it will be the responsibility of the Court Liaison to prepare and send a notification in writing to the Officer, relaying this information.
- (h) Act as a liaison between the Department and prosecutors, judges, probation and parole agencies, and correctional agency representatives at the court facility.
- (i) Deliver Court File Folders to the appropriate court rooms on the scheduled court dates. Insure that the proper court dispositions are marked on the folder. Supplemental reports will be submitted by the arresting/charging member upon the conclusion of a case in court.

808.3 CONTROL FUNCTION - MEMBER COURT APPEARANCE

- (a) The Court Liaison will prepare a written report regarding problems or discrepancies in member's court conduct, e.g. missed appearance, late appearance, improper dress, or other inappropriate demeanor.
- (b) Supervisors receiving a discrepancy report from the Court Liaison through the chain of command will address the issue raised in the report. The member involved will write a memorandum in reference to the discrepancy/problem. The supervisor will determine the appropriate disposition.
- (c) The Office of Professional Standards will make periodic inspections of court facilities, checking on members' appearance, prompt arrival, demeanor while awaiting trial and

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Court Services Bureau

in periods between cases, attitude toward the public and the Court, officers' testimony, and adherence to court-related procedures.

AFIS and CODIS Submission Guidelines

809.1 PURPOSE

To establish procedures and guidelines for requesting and receiving AFIS and CODIS services from the crime lab

809.2 AFIS SELECTION PROCESS

A. Technical Determinations

1. Prior to submission, an evidence technician trained in latent print examination will examine potential latent print evidence at the request of the investigator/detective or arresting/primary case officer. The evidence technician will determine if the case contains at least one latent print impression that meets the following technical requirements: Latent print impressions must be from the first joint of the finger or thumb.
2. If a suspects exists on the case and the suspect's prints are available for comparison, an in-house comparison should be completed before submitting the case for AFIS.
3. The evidence technician will communicate their findings to the member making the request and if appropriate that member will submit the fingerprint evidence for AFIS along with a completed Case Data Sheet.
4. Cases not having AFIS suitable prints can only be submitted to the lab for comparison when appropriate suspect standards are available.

B. Cases That Should Not Be Considered

1. Cases indicating a young child perpetrated the offense should not be considered for AFIS.
2. Cases where doubt exists that the offense actually occurred or was perpetrated by the victim should not be considered.
3. Cases where it is clear that the recovered print detail is from the palm of a hand as these cannot be searched in AFIS. (May be submitted for direct comparison if standard is available.)

809.2.1 AFIS STANDARDS AND ELIMINATIONS

- A. Generally, victim elimination standards should be obtained and submitted with the fingerprint evidence. This is done to prevent a victim's fingerprints from being included in the AFIS unresolved database. Victim elimination prints need to be entered into the BEAST evidence system as an evidence item.
- B. If victim elimination prints cannot be obtained (e.g. uncooperative victim or State of Illinois is victim), prints may still be submitted for AFIS when it serves the investigative need of identifying a suspect.

AFIS and CODIS Submission Guidelines

809.2.2 AFIS IDENTIFICATION

- A. If an identification is made, the laboratory will notify the Department in the form of a written report. The report will contain the name, sex, race, year of birth, and SID number of the identified subject.
- B. Cases resulting in identification will require the Department to obtain a set of inked prints from the identified subject to verify the validity of the AFIS identification.

809.3 CODIS SELECTION PROCESS

- A. Evidence Suitability
 - 1. Biological fluids (saliva, semen, blood) left at scenes and known not to have been deposited by the victim are the most probative evidence and provide the greatest opportunity for a CODIS identification.
 - 2. Trace or contact DNA evidence can also be valuable for identification but most often relies on repetitive handling by the suspect. Common objects that may provide suitable trace DNA profiles include:
 - (a) Steering wheels of stolen vehicles
 - (b) Clothing or articles worn
 - (c) Weapons
 - (d) Cell phones
 - 3. Questions about the suitability of other potential trace DNA evidence should be directed to a DNA analyst at the crime lab.
 - 4. Appropriate DNA evidence will be submitted for CODIS along with a completed CODIS Entry form.
- B. Numerous Samples
 - 1. To avoid overwhelming the lab when numerous DNA samples have been collected, the investigator or case officer should consult with the evidence technician to determine the most probative samples for first submission.
 - 2. If the initial submitted samples do not yield results, the lab should be consulted regarding submission of the additional samples.

809.3.1 CODIS STANDARDS AND ELIMINATION

- A. When biological fluid or items belonging to a suspect are collected from a scene and certainty exists that they have not been deposited by the victim, no victim standard will be required.
- B. When the origin of DNA evidence cannot be determined or the potential for a mixed sample exists (vehicle steering wheel) and DNA standard (buccal swabs) from the victim will need to be submitted along with the DNA evidence. A Consent to Collect Biological Evidence form will need to be signed by the victim.
- C. While it is possible to determine if a suspect has a profile entered into the CODIS system, the lab cannot pull the profile from the system to compare it against a scene

AFIS and CODIS Submission Guidelines

sample. If a suspect is identified through investigation and cannot be verified as having a CODIS profile, a suspect standard will need to be obtained. Suspect standards need to be collected by consent (signed Consent to Collect Biological Evidence form), court order or search warrant.

- D. Mixed samples and partial samples identified by the lab as not being suitable for CODIS entry will require victim and suspect standards for further comparison.

809.3.2 CODIS IDENTIFICATION

- A. If an identification is made, the laboratory will notify the Department in the form of a written report. The report will contain the name, sex, race, year of birth, and SID number of the identified subject.
- B. Cases resulting in identification will require the Department to obtain DNA standard from the suspect to verify the validity of the CODIS identification.

809.3.3 AFIS AND CODIS NON-IDENTIFICATIONS

- A. AFIS and CODIS searches are typically conducted at the state level. Additional search capabilities exist through federal databases (NGI) but may require a request to the lab to search at a federal level.
- B. The NGI search of DNA profiles has additional restrictions for profile entry that do not exist at a state level.
- C. When the investigation of a case suggests that searches of the federal databases may be probative, the case analyst from the original lab submission should be contacted about a federal level search.

Case Data Sheet

810.1 POLICY

The Case Data Sheet is a form the Property Bureau uses to obtain information required to properly submit an evidence transmittal request form to the crime lab for laboratory analysis of evidence. The Case Data Sheet provides a brief narrative about the reported incident, includes information about the evidence recovered, and poses questions the crime lab may be able to resolve, e.g. Do latent prints recovered at the scene match rolled prints of the suspect?

Failure to submit a case data sheet to the Property Bureau will cause evidence to remain in the property room instead of its being sent to the crime laboratory. Ultimately, failure to appropriately submit a Case Data Sheet might be the difference between a conviction and an acquittal.

This policy is written to conform for submission of evidence to the Northeastern Illinois Regional Crime Lab (**NIRCL**).

The Case Data Sheet document template is available on the police department **X** drive in the Lab Forms folder. There is no longer a need to obtain a Case Data Tracking Number (leave that box blank).

810.2 EVIDENCE REQUIRING CASE DATA SHEETS

- A. Not all evidence requires a Case Data Sheet. Biological evidence (e.g. swabs of blood from a burglary scene) will require a NIRCL CODIS Entry Form and not a Case Data Sheet. Sex Assault Evidence requires a NIRCL CODIS Entry Form and by state law must be submitted to the lab within 10 days.
- B. Certain types of evidence are automatically submitted to the lab by the Property Bureau with **no** Case Data Sheet required:

EVIDENCE

Bullets
Casings/Fired Shotshells
DUI Kits
Firearms-Semi Auto*
Firearms-Revolver*

AUTOMATIC LAB REQUEST

Open File Check
IBIS
Drug/Alcohol Analysis
IBIS
Open File Check

*Assumes firearm does not need fingerprint or DNA examination or has already been processed in-house.

Drug evidence does not require a Case Data Sheet but should be identified in the BEAST entry as needing lab submission. (BEAST Hazmat drop-down menu, select "Send to Crime Lab")

C. Evidence that does require a Case Data Sheet is as follows:

- Fingerprints – Generally also require victim elimination prints entered in the BEAST system as an evidence item.
- Gunshot Residue (GSR) Kits

Case Data Sheet

- Any other evidence being submitted for examination that is not biological (DNA) evidence

810.3 RESPONSIBILITY FOR SUBMISSION OF CASE DATA SHEETS

- A. In an investigation where an immediate arrest is made and neither an on-scene nor a subsequent follow-up investigation is conducted (by a member of the Investigative Services Division), the responsibility for submitting a Case Data Sheet will rest with the arresting officer or primary case officer.
- B. Case Data Sheets requesting laboratory analysis of evidence recovered during an investigative follow-up or from crime scenes under the control of the Investigative Services Division will be prepared by the detective/investigator handling the case.
- C. Department members involved in a case (police officers, evidence technicians and detectives/investigators) shall maintain a line of communication to assure that the appropriate evidence is submitted for analysis.

Evidence Technician Program

811.1 POLICY

The Department's Evidence Technician Program is designed to provide a professional response to criminal and non-criminal incident scenes for the purpose of proper scene documentation as well as identification, collection, protection and processing of items having evidentiary value.

811.1.1 DEFINITION

Physical evidence is any object (solid, liquid or gas), marking or impression which may assist in the reconstruction/understanding of a crime or other incident, identify the elements of the crime committed, lead to the identification of an offender or victim or connect an offender with the victim or scene.

Physical evidence may or may not require laboratory testing to make it useful as part of an investigation.

811.2 MEMBER RESPONSIBILITY AT INCIDENT SCENES

- A. All members shall adhere to established procedures with regard to protecting, controlling and securing criminal and non-criminal incident scenes. Scenes requiring immediate processing shall be protected until the Evidence Technician arrives. Prior to that, physical evidence shall not be disturbed or handled unless necessary to protect it from loss, damage or contamination. Once on scene, the Evidence Technician is in charge of all activities related to scene documentation and evidence identification and collection.
- B. Scene security can be accomplished in many ways including the use of crime scene barricade tape, other natural or man-made barricades and the use of additional personnel. Where appropriate, scene security shall also include the use of a Crime Scene Entry Log sheet.
- C. Members will not contaminate the scene by unnecessarily moving through the scene or entering into the scene without a valid purpose

811.3 ASSIGNMENTS AND DUTIES OF EVIDENCE TECHNICIANS

- A. Evidence Technicians will respond to criminal as well as certain non-criminal incident scenes for the purpose of documenting scene conditions and collecting, preserving and/or processing relevant physical evidence.
 - 1. Non-criminal incident scenes requiring response are:
 - (a) Crash scenes involving damage to city property
 - (b) Forcible entry by police or fire
 - (c) Natural or accidental death scenes
 - (d) Public falls
 - (e) Suicide and attempted suicide scenes

Evidence Technician Program

- (f) Use of force incidents
- 2. **Criminal Incident Scene Not Requiring a Response:** Vehicle burglaries where no forced entry is involved, no suspects are in custody and no obvious physical evidence exists (e.g. blood) shall not be routinely processed by an Evidence Technician. (Reference Training Bulletin 17-11)
- 3. Evidence Technicians may be requested to respond and document any other incident scene where documentation would be beneficial. Examples include fire scenes and ordinance violations.
- B. Evidence Technician service will consist of:
 - 1. The recognition and recovery of associated physical evidence along with the proper documentation and preservation of that evidence;
 - 2. Documentation of the scene through photographs, video, measurements, and completing sketches of the scene as determined by the nature of the investigation;
 - 3. Processing evidence prior to crime lab submission where appropriate;
 - 4. Completing all necessary reports relative to the incident. An evidence report is necessary for every incident where an Evidence Technician completes a scene exam.
 - 5. Providing competent and professional courtroom testimony regarding scene and evidence processing work completed;
 - 6. Working with and acting as a resource for patrol and investigative personnel regarding forensic evidence matters.
- C. Evidence Technicians shall not participate in other aspects of the investigation, and will confine their activities to matters directly related to the Evidence Technician service unless the crime or incident occurs within their beat or a manpower shortage dictates the need for participation.
- D. Evidence Technicians shall adhere to procedures set forth in the Evidence Technician Standard Operating Procedures Manual, Illinois State Police Crime Lab guidelines and recognized professional forensic technique, while processing scenes and evidence.

811.4 AVAILABILITY FOR SERVICE

- A. Evidence Technicians shall be scheduled to provide coverage 24 hours a day.
 - 1. The Patrol Shift Supervisor shall be responsible for the daily assignment of Evidence Technicians to include:
 - (a) Assigning the Evidence Technician vehicle to one or more Evidence Technicians;
 - (b) Making work schedules and assigning days off in a manner in an attempt to insure at least one Evidence Technician is on duty at all times;

Evidence Technician Program

- (c) Only assigning the Evidence Technician vehicle to active Evidence Technicians.
- 2. If an Evidence Technician is not on duty, the request for evidence service will generally be referred to the next on-coming shift. However, if in the opinion of the shift supervisor, the scene cannot wait to be processed, an off-duty Evidence Technician will be ordered in. A second option would be to have another member with appropriate evidence training called to process the scene.

811.5 RESPONSE TO SCENES

- A. Officers responding to crime scenes, as well as incident scenes described in Section III above, must request an Evidence Technician response to the scene, regardless of whether or not the officer believes physical evidence is present at the scene (excluding no force/no suspect vehicle burglaries).
 - 1. The request for an Evidence Technician shall be made through Communications.
 - 2. The Evidence Technician shall assess the viability of recovering evidence from the scene upon arrival.
 - 3. The officer shall document in their report that an Evidence Technician request was made and if known, include the name of the Evidence Technician who responded to the scene.
 - 4. If an Evidence Technician is not available for immediate response, the investigating officer shall note that in their report.
- B. Evidence Technicians shall respond to requests for service in a timely manner. If the Evidence Technician believes their response time will be in excess of one hour, the technician will notify Communications and Communications will notify the requesting officer as well as a shift supervisor of the delay. When multiple requests for an Evidence Technician are made, the Evidence Technician shall respond first to the most serious offense or incident.
- C. While waiting for the Evidence Technician to arrive, the investigating officer shall take steps to protect the scene as necessary including requesting additional personnel if needed.
- D. When an Evidence Technician is not available for immediate response, the investigating officer shall explain to the victim the need to not disturb anything within the scene and if possible, let the victim know when an Evidence Technician is expected to arrive.
- E. Evidence Technicians operate under the supervision of the Patrol Shift Supervisor. During major incident investigations, the assigned Evidence Technician(s) will fall under the command of the Investigations Division Commander or designee.

Evidence Technician Program

811.6 EQUIPMENT AND OFFICE SPACE

- A. At least one specially marked and equipped patrol vehicle as well as one room within the police facility shall be designated for exclusive use by the Evidence Technicians.
 - 1. The Evidence Technicians are responsible for the general care and maintenance of the equipment, room and vehicle.
 - 2. The room shall be kept locked at all times when unoccupied and will be uniquely keyed with keys issued to the Evidence Technicians and Evidence Technician Coordinator.
 - 3. Persons leaving the Evidence Technician program shall return their office key to the police building manager

811.7 SUPPLIES

- A. The Evidence Technician Coordinator shall conduct periodic inventories to insure that adequate supplies are available for scene processing.
- B. The Evidence Technician Coordinator shall be responsible for procuring supplies through appropriate procedure.
- C. The Evidence Technician Coordinator may delegate authority to Evidence Technicians to purchase certain items on an as needed basis from specific vendors where an account exists.

811.8 STANDARD OPERATING PROCEDURE

- A. The Evidence Technician Coordinator shall maintain a set of Standard Operating Procedures (SOP's) for the Evidence Technicians that provide additional detailed guidance in various matters related to the Evidence Technician service.
- B. These SOP's shall be provided to each Evidence Technician and shall be updated periodically as needed.
- C. A copy of these SOP's shall be kept in the Evidence Technician Office.
- D. A copy of the SOP's shall also be attached to this policy. [See attachment: ET SOP 2016 - Complete.pdf](#)

811.9 REPORTING

- A. Evidence reports shall be completed using the Mobile Field Reporting system in accordance with the Evidence Technician SOP report guidelines.
- B. Scenes Not Processed: In the event of a serious crime where the scene is not photographed or processed, the assigned Evidence Technician or the initial investigating officer shall prepare a written report documenting why the scene was not processed. This report may be included in the initial field report or written as a supplementary report.

Firearm Traces and LEADS/NCIC Checks

812.1 POLICY

Firearms bearing serial numbers or latterly raised serial numbers coming into possession of the Evanston Police Department will be: (1) entered into LEADS/NCIC and (2) traced by the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives – U.S. Department of Justice).

Concealed carry firearms taken into temporary custody under the guidelines of Policy 431 are exempted from the above requirement.

812.2 OFFICER RESPONSIBILITIES

The officer taking original possession of the firearm shall

1. Submit an ATF eTrace (complete serial numbers only) – Do not submit firearms with partial, obliterated or missing serial numbers.
2. Attach the ATF eTrace confirmation page to the outside of the firearm packaging.
3. Run the firearm through LEADS/NCIC to determine if wanted.
4. Complete a Stoen/Seized Gun form (CEF) to have the gun entered into NCIC as a Recovered Gun.
5. Attach a copy of any relevant LEADS/NCIC response to the outside of the firearm packaging.
6. Document the above actions and results in the report narrative.

812.3 ATF ETRACE UNAVAILABLE

If, for some reason, an officer cannot log into the ATF e-Trace system, the following steps should be taken:

1. Legibly complete a paper ATF National Tracing Center (NTC) Request Form.
2. Prepare a green sheet memo to the attention of the Property Bureau explaining why the electronic online trace could not be submitted.
3. Attach the memo, NTC Request Form and a copy of the Field General report documenting the recovery of the firearm to the outside of the packaging when the firearm is turned into the Property Bureau.

812.4 BEAST ENTRIES

The Evanston Police Department Property Packaging Guidelines provide additional information on packaging and submission of firearms. BEAST entries for firearms need to include;

1. A description of the firearm in the Description field.
2. Either the firearm's serial number, "Obliterated" or "None" in the Serial Number field.
3. If the gun is stolen then that information should be entered into the Item Notes field.

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Firearm Traces and LEADS/NCIC Checks

4. Firearms collected as part of a Gun Buy Back program use a BEAST Offense Code of #7280 Other Public Service. Additional information regarding Gun Buy Back firearms can be found in TB 13-08.

812.5 PROPERTY BUREAU

- A. For all firearms turned into the Property Bureau the Property Custodian shall complete the following:
 1. Verify that all appropriate e-Trace and LEADS/NCIC paperwork has been submitted along with the firearm.
 2. Scan any relevant paperwork to the BEAST record.
 3. Submit an ATF eTrace request if one could not be previously submitted.
 4. Review submitted firearms for serial number records that are marked as "Obliterated" or "None" and take appropriate follow-up action. Follow-up may include submitting the firearm to the lab for serial number restoration, or pulling and examining the firearm in more detail in an attempt to locate a serial number.
 5. Follow-up as appropriate in instances where the NTC has indicated that information was missing or incomplete and is needed to properly complete the trace.
 6. Attach the trace results to the BEAST record for the firearm.
- B. The Property Bureau will act as the clearinghouse for all received ATF NTC trace results. When trace results are received the Property Custodian shall:
 1. E-mail a copy of the results to:
 - (a) All officers involved in the recovery of the firearm.
 - (b) The Investigative Services Commander where appropriate.
 2. In the event that any member of the Department receives an ATF NTC trace result directly, that trace result will be immediately forwarded to the Property Bureau.

812.6 COMMUNICATIONS BUREAU

- A. Communications Bureau personnel shall be responsible for conducting LEADS/NCIC checks on weapons and providing the results to the requesting officer.
- B. Communications Bureau personnel shall also make any other appropriate LEADS entry as required when a stolen firearm is recovered or, if not stolen, entering the firearm as a Recovered or Seized Gun as appropriate.
- C. All LEADS entries will be based on the Stolen/Seized Gun Form (Computer Entry Form - CEF)completed and submitted by the officer.

Firearm Traces and LEADS/NCIC Checks

812.7 SUPPORT MATERIALS

The Property Bureau shall maintain instructional and support materials for the ATF e-Trace website in various locations throughout the station including:

- Property Packaging Area - Property Bureau Office
- NET Office
- Investigative Services Office
- Patrol Report Writing
- Evidence Technician Office
- Network "X" drive in the ATF e-Trace folder

Related Documents

Policy 802 Recovered Property & Evidence

EPD Property Packaging Guidelines

Training Bulletin 16-02 Firearm Recovery at Scenes

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Evanston Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults who are in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Evanston Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Evanston Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should not normally be in temporary custody for longer than 48 hours except when detention occurs at the beginning of a weekend or holiday (20 Ill. Adm. Code 720.30). The Cook County State's Attorney's Office will be contacted for advice in such circumstances.

The Service Desk will be responsible for the operation and maintenance of the Department's prisoner-holding facility.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY OR SHOULD BE TRANSFERRED FROM TEMPORARY CUSTODY AS SOON AS POSSIBLE

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Evanston Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

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- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who requires medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).
 - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.
- (j) Any individual with a known history of a mental disorder or mental defect, or who shows evidence of such condition (20 Ill. Adm. Code 720.30).
 - (a) If the officer taking custody of an individual believes that he/she may have such a history or condition, the officer shall ensure the individual is properly monitored until evaluation, release or a transfer to an appropriate facility is completed. The ranking sworn supervisor will ensure that the arrestee is afforded appropriate supervision and/or medical care if necessary.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be monitoring at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.60).

At least one female department member should be present when a female adult is in temporary custody and should be available for supervision during periods of personal hygiene such as using

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the toilet (20 Ill. Adm. Code 720.25). In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the City jail or the appropriate mental health facility.

The officer should promptly notify the Commander of any conditions that may warrant immediate medical attention or other appropriate action. The Commander shall determine whether the individual will be placed in a cell, immediately released or transported to jail or another facility.

900.4.1 SCREENING AND PLACEMENT

The arresting officer and/or service desk officer responsible for an individual in custody shall:

- (a) Advise the supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 - 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.

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2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (c) The on-duty Service Desk member will be responsible for physically checking the holding facility every thirty minutes when prisoners are in it. The Service Desk member will make a head-count of all prisoners in the facility during each check.
 - (d) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 1. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
 2. Ensure males and females are separated by sight and sound (20 Ill. Adm. Code 720.50).
 3. Ensure restrained individuals are not placed in cells with unrestrained individuals.
 4. Ensure no more than two individuals are placed in a cell together (20 Ill. Adm. Code 720.50).
 - (e) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
 - (f) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Support Services Deputy Chief will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 1. If the country is on the mandatory notification list, then:
- (c) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

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- (d) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
- (e) Forward any communication from the individual to his/her consular officers without delay.
- (f) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 - 1. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
- (g) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
- (h) Forward any communication from the individual to his/her consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOCK UP CARDS

Any time an individual is in temporary custody at the Evanston Police Department, the custody shall be promptly and properly documented on a lock-up card, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks including (20 Ill. Adm. Code 720.60):
 - 1. The time of check.
 - 2. The signature, initials, badge number or any other personal identifier of the responsible person.
 - 3. Any relevant remarks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Evanston Police Department.

The Service Desk Supervisor should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted.

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- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins (20 Ill. Adm. Code 720.50).
- (d) There is reasonable access to a drinking fountain or water (20 Ill. Adm. Code 720.60).
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The service desk supervisor should ensure that there is an adequate supply of clean blankets.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches.

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

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900.5.5 TELEPHONE CALLS

Every individual in temporary custody shall be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival (725 ILCS 5/103-3; 20 Ill. Adm. Code 720.20).

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense (20 Ill. Adm. Code 720.75).
 - 1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
 - 2. If the individual in custody is a custodial parent with responsibility for a minor child, the officer should assist the individual in the placement of the child with a relative or other responsible person designated by the individual in custody (725 ILCS 5/107-2).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
 - 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.
- (d) A notice stating telephone calls may be monitored or recorded shall be posted by each telephone from which persons in custody may place calls (20 Ill. Adm. Code 720.75).
- (e) Telephone's in cell may be turned off based on investigative needs. A supervisor must give approval.

900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

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900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms shall not be permitted in secure areas where individuals are in custody or are processed (Ill. Adm. Code 720.70). They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

SERVICE DESK KEY

Service Desk members are responsible for the keys.

At the shift change, the on-coming Service Desk Officer will check on the custody and security of the keys.

Any member requesting a building or office key from the service keys must obtain supervisory permission. (An exception to this is Service Desk Officers using the cell block keys.) Members taking keys will be responsible for them until they are returned to the service desk.

900.5.8 ATTORNEYS

A person in custody shall be allowed to consult with a licensed attorney a reasonable number of times and for reasonable periods of time (20 Ill. Adm. Code 720.20(c)).

- (a) Attorneys who need to interview a person in custody should do so inside a secure interview room.
- (b) Both the attorney and person in custody should be searched for weapons prior to and after being admitted to the interview room.
- (c) Attorneys must produce a current Illinois Bar card as well as other matching appropriate identification.
- (d) Interviews between attorneys and their clients shall not be monitored or recorded.

900.5.9 VISITORS

Visitors will be limited to licensed attorneys. (See 900.5.8)

900.5.10 BEDDING

- (a) The officer supervising the person in custody should offer the person clean bedding, including one flame retardant mattress, pillow, seasonally appropriate blankets and one mattress cover if the mattress cannot be sanitized after prior use (20 Ill. Adm. Code 720.60).
- (b) Used bedding will be laundered or otherwise sanitized prior to reissue. Mattresses or mattress covers that have been soiled with body fluids or waste shall be handled using standard universal precautions to reduce exposure to bloodborne pathogens and shall be appropriately laundered, sanitized or discarded (20 Ill. Adm. Code 720.60).

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900.5.11 HYGIENE

Individuals in custody shall be supplied with personal hygiene items as needed (20 Ill. Adm. Code 720.60).

Individuals confined beyond 48 hours shall be permitted to shower or bathe once every 48 hours. Clean towels shall be provided when showering or bathing (20 Ill. Adm. Code 720.60).

900.5.12 FOOD SERVICE

Meals will be provided for persons held in excess of six hours as follows (20 Ill. Adm. Code 720.80):

- (a) Three meals per day shall be served in accordance with recognized breakfast, lunch and dinner periods.
- (b) Food must be of sufficient nutritional value and daily minimum calories.
- (c) At least one of the three meals shall be a balanced and complete hot meal if the individual is confined for longer than 24 hours.
- (d) A drink other than water shall be served with each meal.
- (e) Special diets shall be adhered to when prescribed by a physician, clinic or hospital designated by the Chief of Police.
- (f) A copy of the menu served shall be maintained for a period of three months.
- (g) Individuals shall be served in their cells. Eating utensils shall be removed from cells after each meal (20 Ill. Adm. Code 720.70).

900.5.13 PRISONER RIGHTS NOTICE

The notice of prisoner rights will be clearly posted throughout the holding facility. The Service Desk supervisor will be responsible for the posting and maintenance of such notices in the holding facility, and throughout the police building.

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell (20 Ill. Adm. Code 720.60).

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Evanston Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PROCEDURES WHEN RESTRAINTS ARE USED

The following provisions shall be followed when utilizing restraints other than the temporary use of restraints such as handcuffing or leg irons to control an individual during movement and transportation inside or outside the facility (20 Ill. Adm. Code 720.60):

- (a) Officers applying restraints shall make a written report including:

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1. The date and time restraints were applied.
 2. The purpose for which the restraints have been applied.
 3. The type of restraint used.
 4. When the restraint was removed.
- (b) Restraints shall not be used as punishment, placed around a person's neck or applied in a way that is likely to cause undue physical discomfort, or restrict blood flow or breathing (e.g., hog-tying).
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure.
- (d) Members shall conduct direct face-to-face observation at least twice every 30 minutes to check the person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the officer doing the observation, along with a description of the person's behavior and any actions taken.
- (e) Restraints shall not be utilized any longer than is reasonably necessary. If the person in custody requires restraints for longer than two hours, the person should be transferred to a county or other designated facility.

900.6.2 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return (20 Ill. Adm. Code 720.25). If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

An on-duty supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The supervisor shall attempt to prove or disprove the claim.

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900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary (20 Ill. Adm. Code 720.70). An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.
- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by department members shall occur no less than every 30 minutes (20 Ill. Adm. Code 720.60).
 - (a) Safety checks should be at varying times.
 - (b) All safety checks shall be logged.
 - (c) The safety check should involve questioning the individual as to his/her well-being.
 - (d) Requests or concerns of the individual should be logged.
- (f) Prior to any member entering an occupied cell, another qualified member shall be present (20 Ill. Adm. Code 720.70).
- (g) Cells shall be cleaned daily, if occupied during that time frame (20 Ill. Adm. Code 720.90).

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Support Services Deputy Chief will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Evanston Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Commander, Chief of Police and Investigative Services Deputy Chief.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the Public Integrity Unit.
- (e) Notification of the City Attorney.
- (f) Notification of the Medical Examiner.

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- (g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual. Refer to the Cook County Sheriff's Police guidelines for prisoner property involving prisoner transfers to their facility.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Evanston Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
 - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

900.11 ASSIGNED ADMINISTRATOR

The Support Services Deputy Chief will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security (20 Ill. Adm. Code 720.70)
- (b) Key control (20 Ill. Adm. Code 720.70; 20 Ill. Adm. Code 720.110)
- (c) Sanitation and maintenance (20 Ill. Adm. Code 720.90)
- (d) Emergency medical treatment (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (e) Escapes and attempted escapes (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (f) Evacuation plans

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- (g) Fire- and life-safety (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.100; 20 Ill. Adm. Code 720.110)
- (h) Disaster plans (20 Ill. Adm. Code 720.110)
- (i) Building and safety code compliance
- (j) Riots (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (k) Hostage situations (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (l) Major disturbances including bomb threats (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (m) Battery on members or individuals in custody (20 Ill. Adm. Code 720.110)
- (n) Severe weather and natural disasters (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (o) Civil disasters (20 Ill. Adm. Code 720.110)
- (p) Vermin and pest control (20 Ill. Adm. Code 720.90)
- (q) Contagious disease control (20 Ill. Adm. Code 720.110)

900.11.1 OTHER RESPONSIBILITIES

The Support Services Deputy Chief will also ensure:

- (a) Notice of Rights posters are posted as required (20 Ill. Adm. Code 720.20).
- (b) A comprehensive written duty description for each position is maintained and that members are familiar with the written post description prior to assuming the post (20 Ill. Adm. Code 720.25).
- (c) The facility meets or exceeds the minimum physical standards as required in 20 Ill. Adm. Code 720.40; 20 Ill. Adm. Code 720.50 and 20 Ill. Adm. Code 720.160.
- (d) All fixtures, equipment, wiring and conduits are properly maintained (20 Ill. Adm. Code 720.70).
- (e) Rules governing the use of the telephone and visits are established consistent with this policy (20 Ill. Adm. Code 720.75).
- (f) Quarterly population reports and extraordinary or unusual occurrence reports are submitted to the Jail and Detention Standards Unit as required by 20 Ill. Adm. Code 720.130.

900.12 RECORDS

The Support Services Deputy Chief shall ensure a record is maintained for each person in temporary custody with the following information (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.120):

- Name
- Aliases and nicknames
- Address

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- Age and date of birth
- Person to notify in case of emergency, including address and telephone number
- Physical description, gender and characteristic marks
- Occupation
- Offense
- Date and time of admission and authority
- Name and title of officers presenting and receiving the person
- Previous arrest record and convictions
- Itemized record of individual's cash and other valuables, expenditures and receipts while in custody
- Disposition of case and authority
- Date of release or transfer
- Physicians' visits, examinations and treatment

900.13 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures. Written documentation of training should be maintained (20 Ill. Adm. Code 720.25).

All members responsible for the temporary custody of adults should receive training that includes, but is not limited to (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.100(a)(3); 20 Ill. Adm. Code 720.110):

- Security measures such as use of restraints, force and chemical agents.
- Handling special incidents such as assaults, disturbances, fires, natural disasters, evacuation procedures, escapes, communications and crime scene protection.
- Suicide prevention.
- Identification of signs and management of mentally impaired individuals.
- First aid and CPR.
- Security features of the Evanston Police Department facility used to temporarily hold adults in custody, including the location and use of fire extinguishers, emergency equipment and first aid supplies.
- Department supplemental procedures.
- Illinois municipal jail and lockup standards.

900.14 RECEIVING DETAINEES FROM OUTSIDE AGENCY

Temporary Custody of Adults

Prior to accepting a detainee from an outside agency, the member will make a positive identification of this person.

The member also will make a positive identification of the person presenting the detainee including verification of the person's authority to make the commitment.

900.15 SOP'S

See attachment: [SOP 900-1 Prisoner Processing.pdf](#)

See attachment: [SOP 900-2 evacuation.pdf](#)

See attachment: [SOP 900-3 escape.pdf](#)

See attachment: [SOP 900-5 Panic Alarm.pdf](#)

See attachment: [SOP 900-6 Holding Facility.pdf](#)

See attachment: [SOP 900-7 Prisoner Medical Care.pdf](#)

See attachment: [SOP 900-8 Interview Rooms.pdf](#)

See attachment: [SOP 900-9 Bofl.pdf](#)

See attachment for alternatives to arrest and C-tickets SOP 900-10: [See attachment: SOP 900-10.pdf](#)

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Evanston Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

901.3.1 SEARCH INCIDENT TO ARREST

Persons Under Arrest

Custodial Searches

On making a full custody arrest, an officer may conduct a full search of the arrestee and the area within the arrestee's immediate control.

Generally, the area within immediate control is considered that area within the arrestee's reach. If the arrestee is permitted to move from room to room or is given access to particular areas, such as a drawer or closet, then the area that can be searched incident to arrest is expanded.

Motor Vehicles

Officers may conduct a search incident to arrest in order to protect themselves from any weapons the arrestee might grab and to seize any crime-related evidence that the arrestee might try to destroy. Once the arrestee has been lawfully arrested and taken into custody, officers may search the vehicle if the officer has a reasonable belief that evidence related to the offense of arrest may be inside the vehicle. Officers should document in their report that the search was conducted in search of evidence related to the offense. (e.g. Arrest for narcotics; I entered the arrestee's vehicle looking for drugs or crime-related evidence associated with drug use or sales.

901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Evanston Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

Whenever possible, prisoners will remain handcuffed or otherwise restrained until the prisoner has been searched and the contents of all pockets have been removed.

After being searched, handcuffs and other restraint devices may be removed from a prisoner as soon as it becomes safe to do so.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property Bureau Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Evanston Police

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Department identification number and information regarding how and when the property may be released.

901.4.2 VERIFICATION OF MONEY

When possible, all money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope, lock-up card and prisoner property sheet.

901.5 STRIP SEARCHES

No individual in temporary custody at any Evanston Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

Inmates who have not been arraigned and remanded by the court to the custody of this department and are being held for a traffic, regulatory or misdemeanor offense that does not involve weapons or a controlled substance, shall only be subject to a modified strip or strip search for weapons or controlled substances (725 ILCS 5/103-1).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

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Custodial Searches

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Evanston Police Department facilities shall be conducted as follows (28 CFR 115.115; 725 ILCS 5/103-1):

- (a) Written authorization from the supervisor shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The written authorization for the search, obtained from the supervisor .
 - 4. The name of the individual who was searched.
 - 5. The name and sex of the members who conducted the search.
 - 6. The name, sex and role of any person present during the search.
 - 7. The time and date of the search.
 - 8. The place at which the search was conducted.
 - 9. A list of the items, if any, that were recovered.
 - 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

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- (h) A copy of the strip search authorization form shall be provided to the individual subject to the search.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Commander authorization does not need to be in writing.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (725 ILCS 5/103-1):

- (a) No individual shall be subjected to a physical body cavity search without written approval of the supervisor and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) A physical body cavity search shall be conducted either by or under the supervision of a physician.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The supervisor's approval.
 - 4. A copy of the search warrant.

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5. The time, date and location of the search.
 6. The medical personnel present.
 7. The names, sex and roles of any department members present.
 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be provided to the individual who was searched or other authorized representative upon request.

901.7 TRAINING

The Office of Administration shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Prison Rape Elimination

902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against prisoners in the Evanston Police Department Temporary Holding Facilities (28 CFR 115.111).

902.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the prisoner does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the prisoner or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

Prison Rape Elimination

- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a prisoner or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY

The Evanston Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Evanston Police Department will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

902.3 PREA COORDINATOR

The Deputy Chief of Support Services is responsible to develop, implement and oversee department efforts to comply with PREA standards in the Evanston Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of Evanston Police Department prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of prisoners (28 CFR 115.151).

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- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
 - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 - 3. A process to document all referrals to other law enforcement agencies.
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 - 5. In accordance with security needs, provisions to permit, to the extent available, prisoner access to victim advocacy services if the prisoner is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
 - 1. The agency shall not rely on other prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the department's website:

Prison Rape Elimination

1. Information on how to report sexual abuse and sexual harassment on behalf of a prisoner (28 CFR 115.154).
 2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
 2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house prisoners overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

902.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Prisoners may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

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902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from prisoners and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the on-duty supervisor any knowledge, suspicion or information regarding:

- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against prisoners or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 SWORN SUPERVISOR RESPONSIBILITIES

The supervisor shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the supervisor shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the supervisor shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The supervisor shall document such notification (28 CFR 115.163).

If an alleged prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.

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- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a prisoner or a member of the Evanston Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the Cook County State's Attorney's Office for possible prosecution, including any time there is probable cause to believe a prisoner sexually abused another prisoner in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment

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or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with prisoners by a contractor or volunteer.

902.6 RETALIATION PROHIBITED

All prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

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The Commander or the authorized designee shall identify a staff member to monitor the conduct and treatment of prisoners or members who have reported sexual abuse and of prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of prisoners, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS

902.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.

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- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the department's progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Evanston Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING

All employees, volunteers and contractors who may have contact with prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Office of Administration shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and prisoners' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which prisoners are most vulnerable.
- The right of prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all prisoners.

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- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Office of Administration shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Evanston Police Department and that are promulgated and maintained by the Division of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state and local law, the Evanston Police Department provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental disability, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Support Services Deputy Chief along with the City of Evanston Human Resources should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Consideration of shared or collaborative regional testing processes.

The Support Services Deputy Chief shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

Recruitment and Selection

1000.4 SELECTION PROCESS

The Department in conjunction with the City of Evanston Human Resources shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects.

The examination of applicants shall be public, competitive and open to all citizens of the United States, with specified limitations as to residency, age, health, habits and moral character (65 ILCS 5/10-2.1-6; 65 ILCS 5/10-1-7).

Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Citizenship eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state and federal criminal history record checks
- (h) Polygraph or computer voice stress analyzer (CVSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference points as required (65 ILCS 5/10-1-16; 65 ILCS 5/10-2.1-8; 65 ILCS 5/10-2.1-9; 55 ILCS 5/3-8010).

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Evanston Police Department (50 ILCS 705/10.2).

Recruitment and Selection

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 REVIEW OF PERSONAL ONLINE ACCOUNTS

Due to the potential for accessing unsubstantiated, private or protected information, the Office of Professional Standards as well as the assigned background investigator shall not request, require or coerce candidates to provide usernames, passwords, account information or access to password-protected personal online accounts (820 ILCS 55/10).

Candidates may be required to share specific content that has been reported to the Department, without requesting or requiring candidates to provide access to their personal online accounts, as set forth in 820 ILCS 55/10.

The Office of Professional Standards or their designee should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from personal online accounts to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Office of Professional Standards should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time

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- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law and the applicable board or commission (55 ILCS 5/3-8010; 65 ILCS 5/10-1-5; 65 ILCS 5/10-2.1-5). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Division of Human Resources should maintain validated standards for all positions.

Candidates shall not have been convicted of any felony or any misdemeanor specified in 50 ILCS 705/6.1(a).

1000.8 JOB DESCRIPTION

The Support Services Deputy Chief should ensure that a current job description is maintained for each position in the Department.

1000.9 PROBATIONARY PERIODS

The Support Services Deputy Chief should coordinate with the Evanston Division of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Evanston Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

Evaluation of Employees

1001.3.1 OTHER OFFICER EVALUATIONS

Part-time and auxiliary officer evaluations are covered in the Reserve Officers Policy.

1001.4 FULL TIME PROBATIONARY PERSONNEL

Civilian personnel are on probation for 6 months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time civilian personnel during the probationary period.

Sworn personnel are on probation for 18 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the probationary period.

Sworn police officers and telecommunication operators will serve a probationary period of 18 months.

Sworn members promoted to any supervisory or command position will serve a probationary period of 12 months.

If necessary, the probationary period of any employee may be extended up to six months, with approval of the Chief of Police and the City's Human Resource Director in accordance with the City Personnel Rules. Supporting documentation may be saved in the Probationary Personnel file on the S: drive.

1001.5 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another during an evaluation period and less than six months have transpired since the transfer at the time the evaluation is due, then the evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1001.5.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The rating the rater assigns with respect to each performance standard should be based upon consideration of the employee's total

Evaluation of Employees

performance over the course of the entire rating period, taking into account the rating possibilities applicable to the standards.

Space for written comments is provided on the evaluation form. This allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. A rating under any job dimension marked at either end of the evaluation scale shall be substantiated in the rater comments section.

1001.6 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable objections to any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for the upcoming evaluation period should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.

1001.7 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Deputy Chief). The Deputy Chief shall review the evaluation for fairness, impartiality, uniformity, and consistency and place any comments needed on the evaluation. The evaluation will be returned to the supervisor for the appropriate signature. The employee will sign the evaluation last and place any comments in the section provided. The Deputy Chief shall evaluate the supervisor on the quality of ratings given.

1001.8 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Chief of Police for the tenure of the employee's employment. A copy will be given to the employee and a copy will be forwarded to City Division of Human Resources.

1001.9 STANDARD OPERATING PROCEDURE

See attachment: [SOP 1001-1.pdf](#)

Promotions and Transfers

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Evanston Police Department.

1002.1.1 GENERAL REQUIREMENTS

The following considerations will be used in evaluating employees for promotion or transfer to a specialty assignment:

- (a) Present a professional, neat appearance that commands respect.
- (b) Maintain a physical condition which aids in their performance.
- (c) Demonstrate the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to organizational goals and objectives in a positive manner

1002.2 SWORN NON-SUPERVISORY SELECTION PROCESS

The following positions are considered transfers and are not considered promotions:

- (a) Neighborhood Enforcement Team member.
- (b) Detective.
- (c) Traffic Unit Officer.
- (d) Accident Investigator.
- (e) Field Training Officer.
- (f) Problem Solving Team
- (g) School Resource Officer.
- (h) Canine Handler.

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1002.2.1 DESIRABLE QUALIFICATIONS

The following qualifications apply to consideration for transfer:

- (a) At least three years of experience.
- (b) Has shown an expressed interest in the position applied for.
- (c) Education, training and/or demonstrated abilities in related areas; such as, enforcement activities, investigative techniques, report writing, public relations, etc.
- (d) Completion of training required for the position or related to the position.

1002.3 SELECTION PROCESS

Posting of vacancies:

Posting

- (a) Approved vacant job positions and specialized assignments will be posted by way of Department bulletins.
- (b) Positions will be posted for seven calendar days.

After a vacancy has been posted, the following procedure will be followed:

- (a) Any member desiring to be considered for a posted vacant position will complete and forward a "Request for Transfer" form to the member's supervisor.
- (b) The member's supervisor will review the request and indicate any comments in the space provided. The supervisor then should review it with the member, and consult with him/her about it, prior to forwarding the request to the Division Deputy Chief or Chain of Command Supervisor.
- (c) The Division Deputy Chief will review the request, indicate any comments, and forward it to the Office of Administration.
- (d) All requests must be received by the Office of Administration no later than the posted deadline.
- (e) The Office of Administration will receive and maintain all requests for the posted position.

The following criteria apply to transfers.

- (a) Administrative evaluation as determined by the Chief of Police. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate will submit these recommendations. All pertinent information will be considered for each candidate, e.g. personnel file, supervisor comments, etc.
- (b) The supervisor recommendations will be submitted to the Deputy Chief for whom the candidate will work. The Deputy Chief or their designee will schedule interviews with each candidate.

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- (c) Based on supervisor recommendations and those of the Deputy Chief after the interview, the Deputy Chief will submit his/her recommendation(s) to the Chief of Police.
- (d) Appointment by the Chief of Police
- (e) The name of the personnel selected for the position will be posted by the way of personnel order.

The provisions of this policy may be waived for temporary assignments, emergency situations, training and the best interest of the Department. This process does not prohibit the Chief from assigning members to assignments even though they have not applied.

1002.4 PROMOTIONAL SPECIFICATIONS

Specifications for promotional opportunities are on file with the Evanston Division of Human Resources.

1002.4.1 EDUCATIONAL STANDARDS

: [See attachment: SOP 1002-1a.pdf](#)

1002.5 EXEMPT POSITIONS

Exempt positions are created for middle and upper management positions to provide the Chief of Police with a management team that is committed to the Chief's vision, direction, and goals for the Department. Exempt positions assure the Chief of a command staff that is loyal and trustworthy to the Chief's management philosophy. Appointments to exempt ranks serve at the discretion of the Chief, and members appointed to exempt ranks do not have any vested right to remain in the exempt position.

I. SUPERVISORY COMPOSITION:

The supervisory sworn positions of the Department, listed according to rank and level of authority, will be as follows:

- Deputy Chief
- Commander
- Sergeant

The positions of deputy chief and commander are exempt from the Evanston Civil Service System and its rules of personnel administration.

The position of sergeant will be the only Civil Service supervisory position selected and appointed by Civil Service Rules.

Civilian Supervisors/Directors are included as exempt ranks.

II. APPOINTMENTS:

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The Chief of Police will appoint members to exempt-rank positions.

The Chief of Police will ensure that appointments are based on job-related and non-discriminatory criteria and in the best interests of the Department.

The Chief of Police may recruit from outside the organization to fill exempt positions.

III. REMOVAL FROM EXEMPT-RANK POSITIONS:

The Chief of Police is empowered at any time to remove any person appointed to an exempt-rank position when, in the Chief's judgment and discretion, the needs of the department so require. In all actions involving the removal of an individual, the Chief of Police will be guided by the needs of the department.

Persons appointed by the Chief of Police to any of the positions listed shall hold such appointments subject to his/her removing them. In the event of removal, the individual will revert to the next lowest rank unless, in the opinion of the Chief of Police, circumstances warrant a lower designation.

IV. WORK CONDITIONS:

For exempt personnel, hours of work, days of work, lunch breaks, etc., will be determined by the Chief of Police.

Grievance Procedure

1003.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

1003.1.1 GRIEVANCE DEFINED

A grievance is a complaint, dispute or request regarding the administration and/or interpretation of the terms or conditions of employment or the interpretation of any of the following documents by the person(s) affected:

- A collective bargaining agreement. If the employee's collective bargaining agreement contains a grievance provision, those grievance procedures will be followed (5 ILCS 315/8)
- This Policy Manual or any written Department procedure
- City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in the Discriminatory Harassment Policy, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in the Personnel Complaints Policy.

1003.2 PROCEDURE

If an employee believes that he/she has a grievance as defined above, then that employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Deputy Chief of the affected division or bureau.
- (c) If a successful resolution is not found with the Deputy Chief, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, then the employee shall proceed as follows:

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Grievance Procedure

1. Submit in writing a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor and include the following information:
 - (a) The basis for the grievance (i.e., what are the facts of the case?).
 - (b) Allegation of the specific wrongful act and the harm done.
 - (c) What you would like to accomplish from this grievance.
- (e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
- (f) The Chief of Police will receive the grievance in writing. The Chief of Police and the City Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the City Manager is considered final.

1003.3 EMPLOYEE REPRESENTATION

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

In matters concerning the employee's collective bargaining agreement, the exclusive representative will be notified to attend any conference or settlement even if not requested by the employee (5 ILCS 315/6(b)).

1003.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Support Services for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the City Manager's office to monitor the grievance process. A third copy will be maintained in the personnel file of the individual grievant (820 ILCS 40/1 et seq. and 820 ILCS 40/4)

1003.5 GRIEVANCE AUDITS

The Office of Administration shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Office of Administration shall record these findings in a confidential and generic memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Office of Administration should promptly notify the Chief of Police.

Anti-Retaliation

1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

1004.2 POLICY

The Evanston Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

Anti-Retaliation

1004.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Division Manager-Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1004.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

Anti-Retaliation

1004.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1004.7 WHISTLE-BLOWING

The Illinois Whistleblower Act protects a member who, with reasonable cause to believe the information communicated discloses a violation of a law, rule or regulation (740 ILCS 174/1 et seq.):

- (a) Provides information to a government or law enforcement agency, in a judicial or administrative hearing, or testifies before a legislative body.
- (b) Refuses to participate in an activity that would result in a violation of a law, rule or regulation.
- (c) Engages in any other act or omission if the member is disclosing or attempting to disclose public corruption or wrongdoing.

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Office of Professional Standards for investigation pursuant to the Personnel Complaints Policy.

1004.8 RECORDS RETENTION AND RELEASE

The Records Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1004.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Employee Convictions

1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Illinois and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; 720 ILCS 5/24-1.1).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

Officers are prohibited from carrying a firearm if they are currently the subject of a domestic violence protection order (750 ILCS 60/214).

1005.3 OTHER CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Illinois (50 ILCS 705/6.1). Any person who has been convicted of a felony is prohibited from possessing a firearm (720 ILCS 5/24-1.1. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty plea or nolo contendere plea.

Convictions of certain state or federal violations, including other provisions, such as probation or conditions of bail may place restrictions on an employee's ability to fully perform the duties of the job or restrict possessing firearms (720 ILCS 550/10; 725 ILCS 5/110-10).

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1005.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

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officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1005.4.1 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD (ILETSB) NOTIFICATION

In the event of an arrest or conviction of any of the specified sections in 50 ILCS 705/6.1, the Chief of Police shall report such arrest or conviction to the Illinois Law Enforcement Training and Standards Board (ILETSB).

It is the duty and responsibility of every full-time and part-time police officer to report to both the ILETSB within 30 days and also to the officer's Chief of Police of his/her arrest or conviction for an offense identified in 50 ILCS 705/6.1. Any full-time or part-time police officer who knowingly makes, submits, causes to be submitted, or files a false or untruthful report to ILETSB must have his/her certificate or waiver either immediately decertified or revoked.

Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1006.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1006.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Drug- and Alcohol-Free Workplace

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1006.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Division of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1006.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1006.7 REQUESTING SCREENING TESTS

A supervisor may request an employee to submit to a screening test under the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

1006.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.

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- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1006.7.2 SCREENING TEST REFUSAL

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates any provisions of this policy.

1006.7.3 PRE-EMPLOYMENT/CHANGE OF POSITION SCREENING

All new full-time employee applicants (and identified part-time seasonal employees) of the Police Department will be required to be screened for the presence of drugs prior to employment. No applicant with a confirmed positive result shall be eligible for hire. Any applicant refusing to submit to such required testing shall not be considered for employment.

Current employees applying for promotion, transfer to specific specialized assignments as identified by the Chief, or voluntary reduction to a new position will be required to submit to be screened for the presence of drugs prior to the position change. No applicant with a confirmed positive result shall be eligible for the position change. Any applicant refusing to submit to such required testing shall not be considered for the position change. Disciplinary action will be administered regarding the member

1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1006.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

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1006.10 RANDOM DRUG TESTING PROGRAM

Employees Covered:

- Members of a collective bargaining unit including sworn police personnel,
- Telecommunicators, Service Desk Officers, and the Towing Coordinator;
- Members of the Police Sergeants collective bargaining unit;
- Command Staff members; and
- Civilian exempt members are subject to the unannounced random drug testing program during the course of their employment. Under the random testing process, covered personnel shall be in the same pool for purposes of random selection from the pool and each person in the pool will have an equal chance of being selected when a selection is conducted

Selection Process:

Each person in the pool has been assigned a unique employee number. Selection of those to be tested shall be determined by a random drawing of employee numbers, conducted by an outside agency. Collection services will be provided at sites identified by the City's Clinic. The City will ensure that the tests are unannounced and the dates will be reasonably spread throughout the year.

There will be two random drawings per year, with a maximum of 50% of the random pool selected per year (25% of pool drawn each time). Numbers shall be drawn in random fashion. A set of alternatives will be drawn at the time of the initial draw for each testing to be used only if people selected in the draw are not able to respond to the test within seven days of the draw. Persons on vacation, holiday, injury, illness or other contractually recognized leave who are selected in the random draw shall have their names held for up to seven days, and will go upon their return to duty unless such time exceeds the seven day cut off. At that point, the alternate pool will be used.

Persons who are notified of their selection for testing must proceed directly to the test site. A City vehicle will be provided for use unless proceeding to the collection site on the way to or leaving duty. Employees are required to have a photo I.D.

Results:

Results will be forwarded confidentially to the Director of Human Resources or his/her designee upon completion of the MRO process. The Director may request results released to the Chief by phone or in person. Written results are the property of the City of Evanston and will not be released to an employee without proper authorization.

1006.11 STANDARD OPERATING PROCEDURE

See attachment: [SOP 1006-1.pdf](#)

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) or the Illinois Employee Sick Leave Act (820 ILCS 191/1 et seq.).

1007.2 POLICY

It is the policy of the Evanston Police Department to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1007.3.1 NOTIFICATION

When a member reports sick for duty, it is the member's responsibility to notify personally a departmental supervisor and on-duty Service Desk personnel during the eight hours prior to the beginning of the member's tour of duty. Sick calls may not be left on an answering machine or voice mail. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

Service Desk personnel receiving a sick call will inform the on-duty supervisor of the member reporting sick. If the bureau supervisor is not immediately available, Service Desk personnel receiving the call will inform any on-duty supervisor that a member needs to report sick for duty. Service Desk members are responsible for informing supervisors of sick calls.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

Sick Leave

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

Supervisory/Command personnel reporting sick for duty will report to their shift commander, acting shift commander, or supervisor in charge, in descending order of availability, at least fifteen minutes prior to the beginning of their tour of duty.

1007.3.2 REPORTING SICK FOR COURT

Members reporting sick for court will follow the same procedures. The eight- hour notification period will apply. However, all calls will be made at least fifteen minutes prior to the start of the court call.

1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

1007.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Division of Human Resources as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 - 1. Negatively affected the member's performance or ability to complete assigned duties.
 - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

1007.6 FITNESS FOR DUTY

Members have an obligation to keep the Department informed of their illness or injury status on and off duty.

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Sick Leave

The Department may conduct any necessary investigation or establish proper administrative controls to ensure members are fit for duty. If the Chief of Police has knowledge or reason to believe that a member may not be physically fit for duty or has any injury, illness or other physical condition that may limit the member's ability to fully perform their assigned duties, the Chief may require the member to be removed temporarily from duty.

The member will be placed on sick leave status until the member's fitness for duty is confirmed by a physician. A written report from the member's physician may be accepted and approved to confirm fitness. The Chief also may require the member to be examined for fitness for duty by the City's authorized physician.

The member may return to duty when the approved or designated physician confirms the member's fitness. If it is determined that the member is not fit for duty, the policies and procedures in this order that apply to the member's situation will be followed.

1007.7 STANDARD OPERATING PROCEDURE

[See attachment: SOP 1007-1.pdf](#)

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Evanston Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Evanston Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 COMPLIANCE SERGEANT

The Compliance Sergeant shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 - 1. Reporting known and suspected cases of reportable communicable diseases to the local health authority (77 Ill. Adm. Code 690.200).
 - 2. Acting as, or appointing a person as the designated officer to receive reports from the local health authority. The designated officer will be trained to carry out

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the duties described in 77 Ill. Adm. Code 690.200 regarding the procedures for follow-up after occupational exposures to specific diseases.

3. The mandates of the Illinois Occupational Safety and Health Act (820 ILCS 219/1 et seq.).
4. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
5. Responding to exposure notifications from hospitals to which members have transported a patient (210 ILCS 85/6.08).
6. Exposure control mandates in 29 CFR 1910.1030 (820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

The Compliance Sergeant should also act as the liaison with the Illinois Department of Labor (IDOL) and may request voluntary compliance inspections. The Compliance Sergeant should periodically review and update the exposure control plan and review implementation of the plan.

1008.3.1 AVAILABLE AIDS TO PREVENTION

The department has available to all members masks, resuscitation masks, surgical gloves, protective eyewear, and non-permeable gowns, to be used for preventive measures when a member suspects a person he/she encountered may be suffering from a communicable disease, or the member may risk being exposed to blood or other bodily fluids. Needle-boxes also will be provided, for disposal of contaminated needles/syringes. Members can check out these supplies at the Service Desk and property officer. In event of temporary outage, supplies can be borrowed from the Fire Department, which also maintains a store of them.

Whether the circumstances call for it or not, preventive measures should go beyond the wearing of masks and gloves. In addition, members should practice good personal hygiene. This includes thorough hand-washing and bandaging open cuts, wounds, or lesions prior to the start of a member's tour of duty, and immediate attention to such wounds once they occur. Bandages are available at the Service Desk.

Members should be aware that certain prescribed medications, such as steroids and asthma medications, suppress the immune system and make persons using such medications more susceptible to infectious disease. A member should explore this matter with his/her physician each time that physician prescribes medication.

Pregnant members should be advised to report to their physician any direct contacts with body fluids in the line of duty. Infectious viruses can cause severe problems in newborns.

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; 820 ILCS 219/25):

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- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area of department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; 820 ILCS 219/25).

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

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1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Name and Social Security number of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; 820 ILCS 219/25).

1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

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Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Contacting the Department of Public Health or local health authority and providing information regarding the circumstances of the exposure to determine if the appropriate authority will request consent from the person to submit to testing (77 Ill. Adm. Code 690.1380).
- (c) In cases of possible exposure to HIV, by having a health care provider or health facility test the source of the exposure pursuant to 410 ILCS 305/7.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law) (29 CFR 1910.1030; 820 ILCS 219/25). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

Routing of Medical Reports

- Emergency Room reports concerning the arrestee's condition will be returned to the station at the time the arrestee is released from the hospital. If test results are not available at the time of the arrestee's release from the hospital, the arresting officer will indicate this in an Interdepartmental Memorandum to his/her supervisor.
- The arresting officer's supervisor will forward a copy of all pertinent police reports, medical reports, or memoranda to the Office of Administration for further follow-up and notifications.

Follow-Up Procedures by the Office of Administrative Services

- When it is learned through medical diagnostic tests that an arrestee is suffering from a communicable disease, the Office of Administration will immediately notify all members who came into direct contact with the arrestee to make themselves available for medical examinations and inoculations, if appropriate.
- The Office of Administration also will advise members when an arrestee's medical test results prove negative.

CONTAMINATED POLICE PROPERTY/EQUIPMENT

- When any police property, e.g. police vehicle, chair, cell, is exposed to a contaminated person, the officer involved in this incident will immediately notify his/her supervisor and identify the contaminated property.

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- The supervisor will isolate and mark the property, and will request that the item be cleaned. Equipment available to isolate or to cordon off contaminated areas will be available at the Service Desk. The request for cleaning will be made in writing through the Support Services Deputy Chief or Fleet Services, depending on the property involved.
- Any action taken will be documented by the supervisor.

INFECTIOUS DISEASE REVIEW, UPDATE AND TRAINING

- This Exposure Plan will be reviewed annually and updated when updating is indicated by changes in requirements of job exposures. The Office of Administration will be responsible for disseminating updated information and coordinating additional roll-call or in-service training.

1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Evanston Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1009.2 POLICY

The Evanston Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

1009.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Evanston Police Department.

1009.4 ADDITIONAL PROHIBITIONS

No employee shall smoke in any public place, child/adult day care center, health care facility or within 15 feet of any entrance or any other location described under the Smoke Free Illinois Act (410 ILCS 82/15).

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Evanston Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Evanston Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report alleged misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or of federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints should be investigated by a supervisor of rank greater than the accused member or referred to the Office of Professional Standards, depending on the seriousness and complexity of the investigation.

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

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- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct by another department member shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.5 DOCUMENTATION

Formal complaints of alleged misconduct shall be documented in writing by a sworn affidavit by the person making the complaint (50 ILCS 725/3.8(b)).

Should the sworn affidavit be found to contain knowingly false material information, the matter shall be brought to the attention of the appropriate State's Attorney for determination of prosecution (50 ILCS 725/3.8(b)).

All complaints and inquiries should also be documented.

1010.6 ADMINISTRATIVE INVESTIGATIONS

The Office of Professional Standards (OPS) is directly responsible for conducting and supervising investigations of alleged misconduct against members of the Department.

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The supervisor in charge of the Office of Professional Standards:

- Is on-call to handle any emergency or critical incident relating to member misconduct
- Exercises authority on behalf of the Chief of Police in handling these investigations, and reports directly to the Chief of Police

OPS will maintain all forms relating to these investigations.

OPS will administer any laws enacted to cover these investigations, e.g., Police Officer Bill of Rights.

Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 1. The original complaint form will be directed to the Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Deputy Chief or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Commander.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Commander and Chief of Police are notified via the chain of command as soon as practicable.

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- (e) Promptly contacting the Division of Human Resources and the Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Office of Professional Standards, the following applies to members covered by the Uniform Peace Officers' Disciplinary Act:

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated (50 ILCS 725/3.3).
- (b) Unless waived by the member, interviews of an accused member shall be at the Evanston Police Department or other reasonable and appropriate place (50 ILCS 725/3.1).
- (c) The accused member shall be informed in writing of the name, rank and unit of command of the officer in charge of the investigation, the interviewers and all persons who will be present on behalf of the Department during any interview. The accused member shall inform the Department of any person who will be present on his/her behalf during any interview (50 ILCS 725/3.4). No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member should be informed in writing of the nature of the investigation (50 ILCS 725/3.2).
- (e) All interviews should be for a reasonable period and the member's personal needs should be accommodated (50 ILCS 725/3.5).
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so (50 ILCS 725/3.6).

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1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement and after the investigator has consulted with the prosecuting agency. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview (50 ILCS 725/3.7).
 - (i) No member shall be interviewed without first being advised in writing that admissions made in the course of the interview may be used as evidence of misconduct or as the basis for charges seeking suspension, removal or discharge. In addition, no member shall be interviewed without first being advised in writing that he/she has the right to counsel of his/her choosing, and that counsel may be present to advise him/her at any stage of any interview (50 ILCS 725/3.8).
 - (j) The member under investigation shall have the right to be represented by counsel of his/her choosing and may request counsel at any time before or during an interview. When a request for counsel is made, the interview shall not proceed until a reasonable time and opportunity are provided to the member to obtain counsel. If a collective bargaining agreement requires the presence of a representative of the collective bargaining unit during investigations, the representative shall be present during the interview, unless this requirement is waived by the member being interviewed (50 ILCS 725/3.9). However, in order to maintain the integrity of each employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - (k) All members shall provide complete and truthful responses to questions posed during interviews.
 - (l) No member may be compelled to submit to a polygraph test, or any other test questioning by means of any chemical substance, except with the member's express written consent. Refusal to submit to such tests shall not result in any disciplinary action nor shall such refusal be made part of his/her record (50 ILCS 725/3.11).
 - (m) These provisions do not apply to any member charged with violating any provisions of the Criminal Code of 2012, or any other federal, state or local criminal law (50 ILCS 725/5).

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- (n) These provisions apply only to the extent that there is no collective bargaining agreement currently in effect dealing with the subject matter of these provisions (50 ILCS 725/6).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Withdrawn - The complainant has withdrawn the complaint.

SOL (Unresolved) - The complainant failed to cooperate further.

Not City Related - The complaint was not related to any official conduct and was outside the jurisdiction of the Evanston Police Department.

Policy Failure - The allegation is true, but the officer acted in conformance with policy resulting in harm to the complainant.

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If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.6.7 UNIFORM PEACE OFFICER'S DISCIPLINARY ACT - STATUTORY RIGHTS

This act (Public Act. 83-981) sets forth certain rights that are guaranteed to sworn law enforcement officers in disciplinary procedures.

Application

- The Uniform Peace Officers' Disciplinary Act applies to all sworn ranks, from officers on probation through the Chief of Police, when a formal investigation is being conducted.
- Formal Investigation (defined): An investigation during which an officer is questioned with the intent to gather evidence of misconduct that may lead to the officer's removal, discharge, or suspension in excess of three days.
- If it is not a formal investigation, the Uniform Peace Officers' Disciplinary Act does not apply. Furthermore, this act does not apply to civilian members.
- The determination of whether or not the Uniform Peace Officers' Disciplinary Act is applicable will be made by the Chief of Police or Command/Supervisory Staff members during preliminary stages of the investigation.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

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- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Evanston Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

No disciplinary action should be taken until an independent administrative investigation is conducted.

If an accused member waives the right to counsel, the investigating officer will renew the right-to-counsel offer at each subsequent stage of the investigation. A written record of the waiving of counsel or demand for counsel (EPD form entitled "Statutory Rights - Formal Investigation") will be made by the investigator at each interrogation session.

If an accused member elects to have an advisor or counsel present during the investigation, the member will complete EPD form entitled "Request for Continuance to Secure Advice or Legal Counsel

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

Before certain disciplinary actions are taken, the system of Internal Administrative Review, as set forth by City of Evanston Personnel Rules, will be followed to insure that the disciplinary system is used in a uniform and equitable manner. Disciplinary actions covered by the internal review process are the following: suspensions of three or more working days, a second suspension of any length occurring within a six- month period, a demotion, or a discharge.

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Due-cause meetings are held with a representative from the city manager's office, the director of human resources, a law department representative, the Chief of Police (or a designee), and the accused member's commanding officer and/or other police department supervisors as needed. The purpose of the due-cause meeting is to review the results of the investigation and the recommended level of discipline. A maximum level of discipline will be set in the due-cause meeting.

1010.10.1 DEPUTY CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Deputy Chief of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Deputy Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Deputy Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Deputy Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Deputy Chief for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify

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the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police or their designee after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.
- (f) Witnesses may be called by both the Department's representatives and the accused member. Ample time will be allowed for a complete presentation of charges, as well as for rebuttal and defense by the accused member.
- (g) The meeting is optional and can be waived by the accused member.

Results of Pre-Discipline meeting:

The Chief of Police, or a designee, may consider the discussion, facts, and material presented in the pre-disciplinary meeting for no longer than two working days (unless waived by both parties), and will take one of the following actions:

- Administer the disciplinary action as determined in the due-cause meeting.
- Reduce the level or revise the type of disciplinary action determined in the due-cause meeting.

Note: The level of disciplinary action taken will not be greater than the maximum determined in the due-cause meeting.

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The Office of Professional Standards will notify the accused of the pre-disciplinary results in writing.

When the action to be taken is discharge of the accused member, the Chief will initiate the action in accordance with City personnel rules or Labor Agreement.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal pursuant to the personnel rules and applicable guidelines; pursuant to the collective bargaining agreement; if non-home rule, the procedures outlined in 65 ILCS 5/10-2.1-1; if civil service, the procedures outlined in 65 ILCS 5/10-1-1.

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Completed Office of Professional Standards investigations records will be maintained in the confidential files of the Office of Professional Standards.

Disciplinary actions will be recorded and securely maintained in the confidential discipline history file in the Office of Professional Standards

1010.16 MANDATORY NOTIFICATION TO THE ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

The Chief of Police or the authorized designee shall notify the ILETSB of any final determination of discipline in the following circumstances (50 ILCS 705/6.2):

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- (a) The officer is discharged or dismissed as a result of the violation.
- (b) The officer resigns during the course of an investigation and after being served notice that he/she is under investigation that is based on the commission of a Class 2 or greater felony.

The notification shall occur within 30 days of a final decision and exhaustion of any appeal, or resignation, and shall provide information regarding the nature of the violation.

1010.17 LEVELS OF DISCIPLINE

Formal disciplinary actions for sustained allegations will be categorized as follows:

- I. Oral Reprimand: An oral reprimand is the lowest level of discipline. While oral in nature, it must be documented in the member's personnel file.
- II. Written Reprimand: A written reprimand may follow one or more oral reprimands. However, it may be used as initial discipline (i.e., without requiring a previous oral reprimand) in situations of a more serious nature.

Suspension:

- A suspension is the temporary removal of the employee from duty and/or pay. There is no limit to the number of days for which a suspension may be imposed.
- When a sworn member receives a suspension without options, the suspended member will surrender to the member's immediate supervisor the following equipment:
 - Service Weapon
 - Police Star
 - Hat Shield
 - Police I.D./City I.D.
 - The supervisor will turn all over to OPS.
- Suspension of Authority
 - Sworn members are forbidden from carrying any weapon or exercising any police authority or departmental duties while under suspension. Correspondingly, a member on suspension will not be bound by any rule, regulation, or order that requires the exercise of direct law enforcement action. However, prior to starting a suspension leave, a member with any court cases or other departmental appointments scheduled during the suspension period will take steps to cancel these scheduled appearances.
- Options for Suspensions
 - If the member is not a repeat offender and the misconduct does not involve moral turpitude, serious violations of the law, or the willful violation of a direct order, the accused may be allowed by the Chief to satisfy all or part of a suspension by:

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- Forfeiting days of accumulated time-due (comp-time or holidays) Forfeiting days of accumulated vacation time NOTE: The division Deputy Chief must determine that the member has sufficient time due to satisfy these options.
- When granted options to suspension, the member will clearly state the options taken on the Department Form "Optional Forms of Punishment."
- Demotion:
 - A demotion is the assignment of an employee to a vacant position in a class having a lower maximum permissible salary than the class from which the demotion is made. The Department may initiate demotion of an employee for cause by following procedures set forth in the City of Evanston Personnel Policy Manual.
- Any combination of the levels listed above.
- Discharge:
 - Discharge may be recommended when previous disciplinary steps have failed to correct a member's improper conduct or when the improper conduct is of a serious nature, such as, but not limited to the illegal use or possession of alcohol and or drugs; willful destruction of City property; gross insubordination; fighting on the job; theft of City property or funds; abandonment of position; lying; dishonesty; falsification of records; failure to perform a duty or provide an essential service; engaging in any act or conduct prohibited by state or federal statutes or municipal ordinance that is related to the member's position and/or impacts upon the member's ability to perform in his/her position.

Positive Disciplinary Action

- ◦ Positive steps to correct unacceptable behavior may be considered as part of the disciplinary action. These steps may include training, counseling, referral to Employee Assistance Programs, and the like. Some procedures and criteria are as follows:
 - Training
 - Prior to using training, the supervisor should review the incident and determine if it is appropriate for training. The supervisor should consider if the training will have an impact on the behavior. The supervisor should consult with the Training Bureau to determine if such training is available and examine the member's training record to determine if training has already been given. Document the training.
 - Counseling/Shift Level Reprimand
 - Prior to using counseling, the supervisor should review the incident and determine if it is appropriate for counseling. The supervisor should consider if counseling will have an impact on the behavior. The supervisor should review the member's shift file to determine if

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counseling was already given in this matter. The supervisor should document the counseling session.

Procedure for Progressive Discipline: [See attachment: SOP 1010-1.pdf](#)

1010.18 COMPENSATION FOR OPTIONAL STAGES OF THE DISCIPLINE PROCESS

Members attending or participating at optional stages of the disciplinary process, i.e., the predisciplinary meeting and the appeal process, will be compensated according to the current labor agreement when meetings occur during their off-duty hours or days. However, if a meeting is scheduled while a member is on duty, the member will be given time and allowed to attend these proceedings without loss of pay. If not covered in a labor agreement, members will not be compensated, but reasonable attempts will be made to schedule it on duty time.

1010.19 COMPLAINANTS

Known complainants will be informed that their complaint has been received.

If necessary, periodic status reports will be provided the complainant.

Known complainants will be informed of the results of the investigations.

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 and 625 ILCS 25/4.

1011.2 POLICY

It is the policy of the Evanston Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle crash.

1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public or provide the member with a tactical advantage. Members must be prepared to justify any deviation from this requirement.

1011.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with 625 ILCS 25/4.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

Seat Belts

1011.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

A supervisor should be notified in an instance where a combative prisoner is unable to be secured in the prisoner restraint system.

1011.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Evanston Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

The Office of Administration shall ensure that Level 3A body armor is issued to all officers when the officer begins service at the Evanston Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice (50 ILCS 712/10).

The Office of Administration shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to this schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

Exterior vests carriers will be similar to the uniform shirt in style and color. Exterior vest carriers will be the same color as the uniform shirt as worn by the members. Black will also be an acceptable color of exterior vest carrier.

Body Armor

1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear during the Spring and Fall Inspections.

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.3.4 WARRANTY PERIODS

All body armor shall be replaced before or at the expiration of the warranty at the Department's expense (50 ILCS 712/10).

1012.4 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

1012.5 FUNDING

The Rangemaster should coordinate with other Evanston officials as appropriate to ensure grant funding is sought as appropriate (50 ILCS 712/10). The Rangemaster should also ensure that Department procedures are not in conflict with the terms of any applicable grant.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1013.2 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
 - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
 - 2. Any member response shall be attached to and retained with the original adverse comment (820 ILCS 40/6).
 - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1013.3 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files twice in a calendar year or as otherwise provided in a collective bargaining agreement. The Department will grant the inspection within seven working days (820 ILCS 40/2). Members files cannot be removed from the office.

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Any member seeking the removal or correction of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department may remove or correct any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record as long as the contested item is a part of the file (820 ILCS 40/6).

Members may obtain a copy of the information or part of the information contained in their file (820 ILCS 40/3).

A member who is involved in a current grievance against the Department may designate in writing a representative of the member's union or collective bargaining unit or other representative to inspect the member's personnel record which may have a bearing on the resolution of the grievance (820 ILCS 40/5).

Members may be restricted from accessing files containing any of the following information (820 ILCS 40/10):

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1013.4 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

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Personnel Records

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

1013.4.1 SPECIFIC RETENTION REQUIREMENTS

Unless provided otherwise in this policy, the following records shall be maintained (56 Ill. Adm. Code 320.140):

- (a) Member payroll records, including name, address, occupation, wages, records of wages and other forms of compensation, dates of hire, promotion and dates of pay increases shall be maintained for a minimum of five years.
- (b) Personnel records, including qualifications for hire, records of promotion, transfer, discipline, certifications, evaluations, written job offers and any available explanations of member compensation shall be maintained for a minimum of five years.

1013.5 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Illinois (5 ILCS 140/7).

1013.6 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1013.7 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Office of Professional Standards in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Office of Professional Standards supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained

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- (b) Unfounded
- (c) Exonerated

1013.8 TRAINING FILE

An individual training file shall be maintained by the Office of Administration for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Office of Administration or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Office of Administration or supervisor shall ensure that copies of such training records are placed in the member's training file.

1013.9 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1013.10 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

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Personnel Records

1013.10.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records, FOIA Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1013.10.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

Request for Change of Assignment

1014.1 PURPOSE AND SCOPE

It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made in the interest of the department.

1014.2 REQUEST FOR CHANGE OF ASSIGNMENT

Personnel wishing a change of assignment are to complete a Request for Change of Assignment form. The form should then be forwarded through the chain of command to their Deputy Chief. The Office of Administration will maintain a file for transfer requests.

1014.2.1 PURPOSE OF FORM

The form is designed to aid employees in listing their qualifications for specific assignments. All relevant experience, education and training should be included when completing this form.

All assignments an employee is interested in should be listed on the form.

The Office of Administration will post an announcement requesting members submit the appropriate paperwork for current openings. The Chief of Police may use alternative methods for requesting interest in a change of position based on department needs.

1014.3 SUPERVISOR'S COMMENTARY

The officer's immediate supervisor shall make appropriate comments in the space provided on the form before forwarding it to the Deputy Chief of the employee involved. In the case of patrol officers, the Commander must comment on the request with his/her recommendation before forwarding the request to the Deputy Chief. If the Commander does not receive the Change of Assignment Request Form, the Deputy Chief will initial the form and return it to the employee without consideration.

Commendations and Awards

1015.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Evanston Police Department and individuals from the community.

1015.2 POLICY

It is the policy of the Evanston Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1015.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member.

1015.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1015.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts of either internal or external candidates on a Nomination for Departmental Award form. The documentation should contain:

- (a) Identifying information:
 1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

No person is eligible for consideration if the member actively solicits recognition or submits himself/herself for consideration.

1015.4.2 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Deputy Chief for his/her review. The Deputy Chief should sign and forward the documentation to the Chief of Police for his/her review.

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Commendations and Awards

The Chief of Police will periodically appoint a committee to review the nominations and make an award recommendation. The Chief will appoint a staff person to coordinate this process.

The Awards Committee will meet periodically to review the nominations maintained in the Office of Administration. This review will be based on established criteria as posted by the Chief's Office. The decision of the Committee is final. If any nomination does not meet the criteria for any of the listed awards then no award will be given.

The decisions of the Awards Committee will be forwarded to the Chief of Police for review and approval.

Award appeal can only be made to the Chief of Police.

Awards will be presented by the Chief of Police during an award ceremony, or an equivalent forum.

1015.5 AWARDS- CITIZENS AND MEMBERS

Both citizens and members are able to receive any of these awards by using the required criteria. Only sworn members receive ribbons, this includes law enforcement personnel from other agencies.

Valor -- Ribbon and Certificate

This is the highest award that can be given to Department members who, by an act of outstanding bravery or heroism, has demonstrated a great degree of selflessness and personal courage which resulted in the saving of a human life. Without such actions by the Department member, the person would have died or suffered great bodily harm.

Examples for qualification:

- Entering the portion of a burning building where the person is trapped and unable to escape by themselves and the member's life is placed in extreme and grave danger.
- Swimming out, to a person who is drowning, either a great distance or in rough water.
- Climbing out onto a window ledge to rescue a person.

This award is signified by a blue ribbon with gold stars. The second and additional awards of the same will be represented by a number. First award will be blank, the second award will have the number "2", etc.

Commendations -- Ribbon and Certificate

This is the Department's second highest form of recognition. The Departmental Commendation will be awarded to members who distinguish themselves and bring credit to the Department by highly creditable or unusual acts in the performance of police duties. Such acts will rise above the expected norm of police or community service in a significant manner.

Examples for qualification (but not limited to the following):

- An officer placing his/her life in jeopardy to arrest a vicious criminal;

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Commendations and Awards

- Assist a person(s) from a burning building where the person is not trapped, and the Department member's life was not at serious risk (life threatening).

Additional criteria for eligibility.

- The situation was potentially hazardous;
- The act was not foolhardy;
- The member used proper judgment and discretion, and did not precipitate the necessity for the act.

This award is signified by a solid blue ribbon with a number located in the center. "1" for the first award, a number 2 for the second award, etc.

Honorable Mention -- Certificate

This is the third highest form of recognition. It should be given for outstanding police work, such as singularly solving a serious crime or by individual initiative apprehending a criminal in the act of committing a crime.

Examples for qualification:

- Making an arrest of an on-view burglary suspect.
- Individual initiative in developing investigative leads which result in the resolution of a serious crime.
- Alert action to save life or property; evacuating residents at a fire scene where only minor risk to members was involved.

Additional criteria for eligibility:

- The act was not foolhardy;
- The member used proper judgment and discretion, and did not precipitate the necessity for the act.

Certificate of Recognition

This is the fourth level of recognition and is awarded for acts of service normally expected of a member in the course of everyday duties, but which merit recognition because of special circumstances.

Criteria for eligibility:

- Member was performing a regular service;
- Action was not routine police action.

Letter of Appreciation

This form of recognition is a formal letter from the Chief of Police.

Police Service Commendation -- Ribbon and Certificate

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Commendations and Awards

Numerous members may be involved in special projects or dedication to duty that deserve the highest honor in recognition. For this purpose, a separate kind of commendation has been created.

The nominee should have accomplished something administratively, or excelled in a specialty that has brought special credit to the Department or to the City of Evanston.

This award is signified by a solid green ribbon. The number "1" will indicate the first award, the number "2" the second award, etc.

Partnership Award -- Ribbon and Certificate

This award is awarded by the Chief of Police. It is given to members who through their extraordinary efforts have made a significant impact upon the quality of life in the Community, thereby advancing the ideal encompassed in the meaning of the "Partnership."

This award is signified by a ribbon with a condensed version of the American flag. The second such award will have a number 2 on it, etc.

Unit Citation -- Ribbon and Certificate

The Chief of Police may award to a unit, bureau, or speciality in recognition of their combined efforts toward the goals and mission of the Department.

This award is indicated by a blue ribbon with red stripe.

SPECIAL CHIEF'S AWARDS – Ribbon and Certificate

The Chief of Police may present special awards to members or citizens based on exceptional service or contributions.

OFFICER OF THE YEAR AWARDS

Officer of the year is awarded by the Chief of Police to a police officer of any rank who has shown a consistent and exemplary high level of work and support of the Department's Mission and Value Statement, including support of the police/community Partnership.

CITIZEN LETTERS/TELEPHONE CALLS

Letters received from citizens regarding a member's exceptional service will be forwarded to the Chief's office. A copy will be placed in the member's personnel file. Members will not solicit letters from citizens.

Complimentary telephone calls or in-person remarks from citizens will be recorded on the appropriate form and forwarded to the Chief of Police for processing. These also will be kept in the member's personnel file.

Fitness for Duty

1016.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of law enforcement officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1016.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the ranking supervisor of the member and notifications to the members Deputy Chief, , a determination should be made whether or not the employee should be temporarily relieved from their duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty and will determine the next steps.

Fitness for Duty

1016.4 NON-WORK-RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other accumulated benefit time in order to obtain medical treatment or other reasonable rest period.

1016.5 WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the member's ranking supervisor and concurrence with a Deputy Chief, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1016.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that member with a written order to undergo a physical and/or psychological examination in cooperation with Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination. Notification will be handled by the Office of Professional Standards.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform his or her job duties. If the employee places his or her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding.
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's medical file.
- (e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed.

Fitness for Duty

Any failure to comply with such an order or any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1016.7 LIMITATION ON HOURS WORKED

Absent emergency operations or exigent circumstances members should not work more than:

- 16 hours in one day (24 hour) period.

Except in very limited circumstances members should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other on or off-duty work assignments including, but not limited to, work authorized by the department under the Secondary Employment Policy.

1016.8 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty exam shall be entitled to the rights afforded through the member's bargaining agreement or City of Evanston Employee Manual, whichever takes precedence.

1016.9 EMPLOYEE ASSISTANCE SERVICES

The Department has services on a contractual basis with a private referral counseling service.

The service provides services for a wide range of traumatic incidents and personal issues as well as consultation for a member's fitness for duty.

INITIATING SERVICES

- (a) Any member of the Department, or an immediate family member, may contact the service for information or for a counseling appointment.
- (b) All command and supervisory personnel have the authority and the responsibility to recommend the program to members under their supervision, when appropriate.
- (c) Command staff members may require a member under their command to contact the service and to attend counseling sessions when there is reason to believe a traumatic or stress-related problem exists which currently is interfering, or may in the future interfere, with the member's job performance. The command staff member will initiate the appropriate referral and forward it through the chain of command to the Chief.

The Northern Illinois Critical Incident Stress Management Team provides assistance to emergency personnel coping with stressful experiences. The Command member in charge may authorize the call-out of this service.

Fitness for Duty

1016.10 PHYSICAL FITNESS AND WELLNESS PROGRAM

- (a) The goal of the Department's Fitness/Wellness Program is to lower, where possible, a member's cardiovascular risk factors and to increase strength levels. The Program is designed to evaluate a member's risk for developing cardiovascular disease, and to assess strength levels in the upper body and lower back. These evaluations and assessments will be conducted by trained professionals. Once risk factors are identified and strength levels are measured, specific recommendations can be made on how to lower some of these factors. Additionally, cardiovascular exercise and strength training programs can be individually developed for each member.
- (b) Individual wellness evaluations will be provided to the Department. The data collected will be used to provide a detailed analysis of the overall fitness level and health risks pertaining to all employees of the Evanston Police Department. This comprehensive report will be used for planning ongoing fitness programs for the department.
- (c) The Department will maintain a Certified Personnel Trainer available for establishing programs for members, as well as for individual consultation.

WELLNESS/FITNESS TESTING

The following assessments will take place during the scheduled wellness test:

- **Resting Heart Rate:** Used as an index to improved cardiovascular fitness, because as cardiovascular fitness improves, especially in a previously sedentary individual, resting heart rate usually decreases.
- **Blood Pressure Screening:** Assessed to screen for hypertension and circulatory problems.
- **Body Composition Analysis:** Excess body fat has been associated with a number of health risks, including heart disease, diabetes, hypertension, arthritis, gall bladder disease, cirrhosis of the liver, intestinal obstruction, and sleep disorders. It is also associated with reduced endurance performance and risk for injury. It is important to assess body composition to determine an accurate ideal body weight and develop a sound exercise program.
- **Sub-Maximal Aerobic Capacity Testing:** The sub-maximal test is used to assess the member's cardiovascular endurance. This evaluation is utilized to give members an indication of the current health status of their cardiovascular and respiratory systems.
- **Flexibility Testing (Sit and Reach):** Flexibility affects both health and fitness. Inflexibility increases risk for joint and muscle injury. The most frequent example is low-back inflexibility, which relates to low-back pain and injury. The sit and reach test is used to assess the likelihood of injury to the low-back region due to tightness in the hips and hamstrings.
- **Muscular Strength and Endurance:** Adequate muscular strength and endurance are necessary for optimal health and optimal athletic performance. From a health perspective, adequate strength and endurance facilitate participation in activities of daily living without injury or undue fatigue. Two muscle endurance tests that are both reliable and easy to administer are the partial curl-up and the push-up test. Both test relative muscular endurance because results are relative to body weight.

Fitness for Duty

MEDICAL DEFERMENTS

A medical doctor's certification is required to temporarily excuse a member from all or portions of the wellness test. The certification will specify the nature of the member's medical problem, the specific prohibitions regarding the testing process, and the anticipated date when a member can participate in the process.

SCHEDULING AND NOTIFICATION

Scheduling for wellness testing will be coordinated through the Office of Administration. Once completed, the wellness testing schedule will be distributed by way of a Departmental Special Order.

PHYSICAL EXAMINATIONS REQUIRED

In addition to the pre-employment physical examinations required of members, the Department may require such additional physical examinations as it deems appropriate. Such examinations will be at no cost to the member.

Such examinations may be in conjunction with the Department's Wellness Program, or may be part of a prerequisite screening process relating to a specialized job assignment which may be more physically demanding or more stressful than other assignments, or may be intended to determine to what extent a member's fitness, illness or injury may impact on his/her abilities to perform his/her assigned duties.

Meal Periods, Breaks, Restricted Leave

1017.1 PURPOSE AND SCOPE

This policy regarding meals and breaks is superseded by the affected employee's collective bargaining agreement. If not covered in the employee's collective bargaining agreement, this policy shall conform to and be guided by the policy governing all City employees that has been established by the City Manager (820 ILCS 140/3).

Members will not congregate at locations for lunch and/or coffee breaks. No more than two police work units (marked and unmarked) are permitted off at the same time and/or place for such breaks.

Non-sworn members, either exempt or non-exempt, will observe the procedures for lunch and coffee breaks as indicated in the City of Evanston Personnel Rules.

1017.1.1 MEAL PERIODS

Sworn employees, telecommunicators, animal warden and service desk personnel shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

All employees will receive an appropriate meal period not more than five hours from the start of the work period absent emergency situations (820 ILCS 140/3).

Patrol and traffic officers shall request clearance from the Communications Center prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City or with prior approval from a supervisor.

The time spent for the meal period shall not exceed the authorized time allowed. A designated travel time may be allotted for lunch, but not for breaks.

Lunch periods will not be placed at the end of the tour to allow members to leave early, unless special circumstances exist.

The Telecommunicator will inform officers when they may take their lunch periods, as directed by the shift commander. The Telecommunicator will advise officers requesting a lunch or coffee break of other units currently on break, and the approximate time they should be clear. However, if the officer disregards the advice of the Telecommunicator, the Telecommunicator will enter "advised" on the log .

1017.1.2 BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

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Meal Periods, Breaks, Restricted Leave

Field officers will take their breaks in their assigned areas, subject to call and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of the Communications Center. Exceptions require supervisor approval.

The time spent for the break period shall not exceed the authorized time allowed.

1017.1.3 INTERRUPTED MEAL PERIOD

If an officer is called to duty during his lunch, this will be considered an interrupted lunch period, and one of the following will take place: (a) the officer will be rescheduled for another 30-minute uninterrupted lunch period later in the shift, or (b) if that is not possible, the entire 30-minute lunch period will be considered "hours worked," for pay purposes.

If the member's lunch is interrupted and cannot be rescheduled, the supervisor will (a) enter into the "remarks" column of the Daily Attendance Sheet that no lunch was taken, and (b) enter the time-and-one-half total in the "Compensatory Time Record" form and forward it to the Office of Administration.

1017.2 RESTRICTED LEAVE

Employees upon request may use up to one hour of paid leave or more if authorized by the collective bargaining agreement to donate blood every 56 days (820 ILCS 149/10).

Employees with the approval of a supervisor are entitled to take up to two hours of paid leave to vote (10 ILCS 5/17-15).

Lactation Break Policy

1018.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for reasonable accommodations for employees desiring to express breast milk for the employee's infant child as outlined in the Nursing Mothers in the Workplace Act (820 ILCS 260/10 and 29 USC § 207).

1018.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable unpaid break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant (820 ILCS 260/10 and 29 USC § 207).

1018.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any additional time exceeding regularly scheduled and paid break times will be unpaid (820 ILCS 260/10 and 29 USC § 207).

Employees desiring to take a lactation break shall notify the Communications Center or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would unduly disrupt department operations (820 ILCS 260/10).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall (820 ILCS 260/15). The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

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Lactation Break Policy

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

1018.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the employee ends her shift.

Payroll Record Procedures

1019.1 PURPOSE AND SCOPE

Attendance records to substantiate the payment of wages are submitted to the Office of Administration on a daily basis for each unit of sworn personnel. Attendance records for units of non-sworn personnel are submitted to the Office of Administration on a weekly basis.

1019.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS

The supervisors of each unit are responsible for the accurate and timely submission of payroll records for the payment of wages. Each employee is responsible for reviewing their bi-weekly payroll record as soon as the information is available and notifying the Office of Administration of any discrepancy.

1019.1.2 TIME REQUIREMENTS

All employees are paid on a bi-weekly basis on Friday with certain exceptions such as holidays.

Payroll records shall be completed and submitted to the Office of Administration no later than 9:00 a.m. on the Monday morning after the end of the pay period, unless specified otherwise.

Overtime Compensation Requests

1020.1 PURPOSE AND SCOPE

Overtime Payment

It is the policy of the Department to compensate non-exempt employees who work authorized overtime either by payment of wages or by the allowance of the accrual of compensatory time off as provided in the personnel manual or as agreed and in effect through any applicable collective bargaining agreement. In order to qualify for either, the employee must complete and submit the appropriate request for overtime as soon as practical after the overtime is worked.

1020.1.1 DEPARTMENT POLICY

Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift, and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

The individual employee may request compensatory time in lieu of receiving overtime payment.

1020.1.2 HIREBACK

- (a) The availability of hireback opportunities will depend on the need for each specific shift, bureau, or division, or as emergencies arise.
- (b) A position requiring hireback will be filled by a member of similar classification, e.g., positions requiring police officers will be filled by police officers; positions requiring supervisory personnel will be filled by supervisors. Supervisory personnel will not fill hireback opportunities for police officers unless approved by the Chief of Police. If an emergency exists and the supervisor has to deviate from this procedure to fill the position, a written justification immediately will be sent to the supervisor's Division Deputy Chief. Hireback opportunities will identify the classification of the personnel needed.

Supervisory Responsibility

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Overtime Compensation Requests

- It will be the responsibility of each shift, bureau, or division supervisor to assure that hireback is offered and distributed fairly among those members who are eligible and who request to work.
- The supervisor will be responsible for all reporting and recording requirements pertaining to this hireback policy, including the preparation of hireback availability lists

Shift or Bureau

- (a) When there is advance notice of hireback within a shift or bureau, it will be offered to the members of that particular shift or bureau first. In the event of hireback with little or no advance notice (e.g., last-minute sick call), the supervisor in charge will have the discretion to hireback any available officer willing to work the hireback.
- (b) The supervisor will maintain a written hireback availability list. This list will be prepared on a blank shift attendance roster. The list will be prepared each year and will include: Total number of hireback opportunities worked during the year; Date(s) hireback was offered and refused; Number of refused hirebacks for the year
- (c) When a hireback opportunity exists, the supervisor will contact the members on the list sequentially until someone accepts the hireback. Subsequent calls for hireback will start with the next name on the list. This practice may be modified when necessary to correct any imbalance in the distribution of hireback opportunities.
- (d) If the supervisor exhausts his/her list or a position needs to be filled immediately, the supervisor will offer the hireback to another shift or bureau able to perform the hireback. The supervisor of the shift or bureau to which the member is regularly assigned will mark the date and name of the shift or bureau for which the member will be working in the appropriate section on the hireback availability list.
- (e) If an emergency exists and a supervisor must deviate from this procedure to fill a hireback, a written justification will be forwarded to his/her Division Deputy Chief.

Department-Wide Assignments

- (a) Various hireback opportunities are available on a Department-wide basis to all eligible personnel, e.g., snow removal and other special details paid by the Department.
- (b) The supervisor of a specific hireback assignment will immediately post such assignment. The supervisor will accept requests to work the assignment on a first-come/first-served basis.

RESTRICTIONS/RESPONSIBILITY

- (a) Members may use accumulated time, comp time, or vacation to work a Departmental approved hireback and/or detail assignment, as long as the use of this time does not reduce the regular shift strength below the minimum. Consideration of time off to work a hireback and/or detail will be on a first-come/first-served basis.
- (b) Members may not change a regular duty-assignment or day-off pattern to work a hireback and/or hireback assignment unless authorized by the Deputy Chief.

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- (c) Members who sign up for hireback and/or detail are responsible for that shift. If unable to attend, the member is responsible for finding a replacement. Failure to show up for a scheduled hireback and/or detail may result in disciplinary action.

1020.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and forwarding to the Office of Administration.

Failure to submit a request for overtime compensation in a timely manner may result in discipline or the failure of the member to be compensated.

1020.2.1 EMPLOYEES RESPONSIBILITY

Employees shall complete the requests immediately after working the overtime and turn them into their immediate supervisor. Employees submitting overtime cards for on-call pay when off duty shall submit cards to their supervisor the first day after returning to work.

1020.2.2 SUPERVISORS RESPONSIBILITY

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

1020.2.3 DEPUTY CHIEF'S RESPONSIBILITY

Deputy Chiefs should review overtime usage for members under their command for both compensatory time earned and overtime paid on a month basis.

1020.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in the appropriate request for overtime payment. In some cases, the collective bargaining agreement provides that a minimum number of hours will be paid, (e.g., four hours for Court). In these cases, the supervisor will ensure that the actual time worked and the minimum overtime payment is recorded.

1020.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
1 to 15 minutes	.25
16 to 30 minutes	.50
31 to 45 minutes	.75
46 to 60 minutes	1 hour

1020.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

Overtime Compensation Requests

1020.4 PAYMENT FOR HIREBACK OR OFF-DUTY COURT APPEARANCE

Court/ hireback cards must be submitted by officers for time worked for off-duty court appearances and hireback.

Cards must be received by 09:00 AM, Monday in the week of the payday for inclusion in the pay period. It is the member's responsibility to notify the Office of Administration of any discrepancies.

Corrections and adjustments on paychecks will not be made up until the following pay period.

Outside Employment

1021.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1021.1.1 DEFINITIONS

Secondary Outside Employment - Where any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Secondary Employment Overtime/Detail - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits. Wages compensated when paid through the department will be in accordance with the current bargaining agreement for either overtime earned or the detail wage, whichever is applicable to the assigned outside employment. Such details will be identified as one of two types:

- **Special Details:** Those details posted at the Service Desk and authorized by the Chief of Police. The Office of Administration will post and control these details.
- **On-going Special Details:** Those details that are worked on a regular basis and that are registered with and authorized by the Chief of Police.

1021.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

To obtain approval for outside employment, the employee must complete an Secondary Employment Form which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the chain of command to the Chief of Police for consideration, along with any applicable comments or review of work history provided by the submitting supervisor or any other supervisor having information which should be legitimately considered as factors for approval or rejection.

Secondary Employment Forms must be accompanied by a City indemnification/hold harmless agreement executed by the outside employer.

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If approved, the employee will be provided with a written notification of approval. Unless otherwise indicated in writing, approval will be valid through the end of the calendar year.

Any employee seeking approval of secondary employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

1021.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee shall file a written notice of appeal to the Chief of Police within ten days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the Grievance Policy.

1021.2.2 REVOCATION/SUSPENSION OF OUTSIDE/SECONDARY EMPLOYMENT

Any outside employment may be revoked or suspended under the following circumstances:

- (a) When an employee's performance at this department is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.
- (b) When included as a term or condition of sustained discipline related to the secondary employment.
- (c) When an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

1021.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) (a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of or reliance upon the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.

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- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient.

Prohibited Secondary Employment: Any employment the nature of which is such that it may give rise to a conflict of interest or perception of impropriety, e.g. the member receives or perceives pressure to utilize Department equipment, confidential police files, communications, or other resources for the benefit of the private employer. Such occupations include, but are not limited to, the following:

- Property repossession;
- Debt collection;
- Private investigation;
- Bail bonding;
- Employment where the primary business is the sale of intoxicating liquors;
- Other law enforcement agencies;
- A department member may not own or have part ownership in a private security business, including, but not limited to, security guards and investigations, that does business in Evanston.

1021.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

In order to avoid a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such extra duty overtime assignments will be assigned, monitored and paid through the Department.

- (a) The applicant will be required to enter into an indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:
 - 1. The officer(s) shall wear the departmental uniform/identification.

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2. The officer(s) shall be subject to the rules and regulations of this department and direction of Department supervisors.
3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security or traffic direction services shall be pursuant to normal overtime procedures, collective bargaining agreement, or City ordinance.
5. Outside security services shall not be subject to the collective bargaining process.

No officer may engage in secondary employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1021.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1021.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Deputy Chief, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

Members, whether sworn or non-sworn, will not be allowed secondary employment during their recruit or field training, nor during job orientation training periods. If required by the circumstances, the prohibition against secondary employment may be extended throughout any probationary period.

Members on administrative leave or on leave of absence may not work police details.

1021.4 DEPARTMENT RESOURCES

Employees are prohibited from utilizing other departmental employees, and any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

1021.4.1 REVIEW OF FINANCIAL RECORDS

Prior to providing written approval for an outside employment position, the Department may request that an officer provide his or her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a

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request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his or her personal financial records for review/audit. If the employee elects not to provide the requested records, his or her off-duty work permit may be revoked pursuant to sections above in this policy.

1021.5 TERMINATION OF OUTSIDE EMPLOYMENT

If an employee terminates his/her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

1021.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Evanston Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

1021.6.1 INJURY/ILLNESS

A member who is injured or who becomes ill as a result of their secondary employment is to promptly submit a detailed written report of the injury or illness to the Chief of Police

1021.7 PROCEDURES FOR POSTING, REGISTERING AND AUTHORIZING SECONDARY EMPLOYMENT

Special Details:

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NOTE: Any member receiving a singular request from a person soliciting the services of a police detail (secondary employment) should direct the requestor to contact the Office of Administration. Members will not negotiate with citizens regarding details, nor personally arrange periodic service for themselves. However, the member may request the Chief to handle the detail.

- (a) The selection of officers will be based upon the number of posted special details they have worked. To insure fairness, preference will be given to officers who have worked the lowest number of hours of posted special details. To insure integrity, posted special details will continue to be handled through the Office of Administration. A running log of posted special details will be maintained by the Office of Administration. Police details will be restricted to the City of Evanston, unless there are extenuating circumstances approved by the Chief of Police.
 - 1. All citizen and commercial requests for special details will be referred to the Office of Administration.
 - 2. The Office of Administration will complete the posted Special Detail Form A and will obtain all necessary information from the caller requesting a police detail.
 - 3. The Chief of Police will review the requested detail to determine whether it meets the conditions established for the extension of police service into secondary employment.
 - 4. The Chief of Police, or a designee, has the authority to determine the number of officers/supervisors, as well as the kind of equipment, needed for the detail.
 - 5. If approved, the special detail will be posted at the Service Desk, unless doing so is impractical. If a last minute detail, the Office of Administration may take the necessary steps to fill the detail.
 - 6. Whenever possible, the special detail will be posted at the Service Desk for 72 hours, to give all officers adequate time to sign up for the assignment.
 - 7. Each posting will have a sign-up deadline.
 - 8. At the time the master copy of the Special Detail Form A is posted at the Service Desk, additional copies will be distributed throughout the various units of the department.
- (b) Procedure for Signing Up to Work Posted Special Police Details:
 - 1. Members interested in working the posted special detail will complete all items indicated on the master copy of Special Detail Form A at the Service Desk.
 - 2. Any number of officers may sign up for the detail, even though the assignment may require only one officer.
 - 3. Signing up for the special detail does not guarantee assignment to it.
 - 4. Members must sign-up individually. Members may not sign-up for other members.
- (c) Procedure for Selection of Officers Signed Up to Work a Posted Special Detail

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1. On the date of the deadline for signing up to work the detail, the Office of Administration will pick up the master copy of Posted Special Detail Form A at the Service Desk.
2. The Office of Administration will check against the Posted Detail Log the name of each officer signed up to work the detail.
3. Officers with the least number of posted detail hours credited to them will be selected for the assignment.
4. The Office of Administration then will complete Posted Special Detail Form B and send a copy of it to all officers who signed up to work the detail.
5. Form B designates the officers selected to work the detail.
6. The master copy of Form B will be posted at the Service Desk.
7. The officer(s) selected to work the detail will be responsible for all confirmations with the employer.
8. When the request involves a need for immediate assignment of a detail and the Office of Administration is closed, the request is to be forwarded to the shift commander, for immediate posting. In these instances, assignment will be made on a first-come, first-served basis.
9. In the event that an officer selected to work a detail is unable to do so, the member should contact the Office of Administration so that a replacement may be found. Officers are not to find replacements on their own. If an officer finds that member is unable to work a detail when the Office of Administration is closed, it will be permissible to find a replacement. An example would be an officer's becoming ill on a Saturday when member is scheduled to work a detail on Sunday. In such an instance the officer originally selected to work the detail will submit an interdepartmental memorandum to the Chief of Police's office as soon as possible, explaining the circumstances and the identity of the officer who worked the assignment.
10. The book containing detail sheets at the Service Desk will not be removed from the Service Desk. Only at the conclusion of a detail will the sheets be removed by the Office of Administration.
11. This order applies only to details posted at the Service Desk, and not to the category of Ongoing Special Details, i.e. those details worked on a regular basis and registered and authorized by the Chief of Police.

On-Going Special Details:

- (a) For a special detail to be considered on-going, an Interdepartmental Memorandum must be submitted by the member coordinating the detail (or wishing to coordinate such a detail) to the Chief of Police, requesting such permission. If the detail is considered on-going, the coordinating person will submit a monthly and/or revised schedule to the Office of Professional Standards prior to the beginning of the work schedule, to include a list of officers working, the dates and times they worked, and

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the total hours worked. If there are any changes in the schedule, they will be reported to the Office of Professional Standards

- (b) The detail coordinator will notify the Chief in writing when a new person will assume responsibility for coordinating the detail.
- (c) The detail coordinator will notify the Chief in writing when a detail is cancelled and the reason for cancellation.
- (d) An officer wishing to start working an on-going special detail must secure authorization for secondary employment by submitting a Secondary Employment Form to the office of the Chief of Police.
- (e) Details that occur annually, or several times throughout the year, are not considered an on-going special detail. A detail must be on the approved list to be considered an on-going special detail.

1021.7.1 FAILURE TO SHOW

A member is responsible for any detail or secondary employment they are scheduled to work. Failure to show up for an assignment will be handled as any other failure to show for duty. If a member is unable to attend a secondary employment assignment, the member is responsible for finding a replacement. On-going special details will be handled by the member coordinating the detail.

1021.8 OFFICE OF PROFESSIONAL STANDARDS

The Office of Professional Standards will monitor all secondary employment activities, INCLUDING:

- Maintaining a list of on-going special details,
- Reviewing the work schedules submitted monthly by the detail coordinators,
- Verifying periodically that Secondary Employment forms are on file for members listed on the monthly schedules, and
- Maintaining records of secondary employment.

Occupational Disease and Work-Related Injury Reporting

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury or illness - Any accidental injury or disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment (820 ILCS 310/1(d)).

1022.2 POLICY

The Evanston Police Department will address occupational diseases, applicable mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (820 ILCS 310/1 et seq.).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (820 ILCS 310/6(c)).

Members involved in, or witnessing, any accidents that might have caused an injury to an employee during the course of their workday, must immediately report such event(s) to the supervisor, using a City of Evanston Employee Witness Report Form. This must be completed prior to the end of the witness member's tour of duty.

1022.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required workers' compensation documents and injury on-duty reports are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1022.3.3 DEPUTY CHIEF RESPONSIBILITIES

The Deputy Chief of the member who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken.

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Occupational Disease and Work-Related Injury Reporting

The report shall then be forwarded to the Chief of Police, the and the Office of Administration to ensure any required Illinois Department of Labor reporting is made as required in the injury and illness prevention plan identified in the Injury and Illness Prevention Policy.

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to Human Resources that will coordinate with the Worker's Compensation Specialist and the OSHA Safety Specialist if necessary. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1022.3.5 SOP

See attachment: [SOP 1022-1.pdf](#)

1022.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the members Deputy Chief through the chain of command and a copy sent to the Chief of Police and Office of Administration.

The report should indicate whether the member is seeking medical attention or refusing medical assistance, this does not preclude the member's ability to later seek medical attention, if needed.

1022.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her immediate supervisor as soon as possible. This information will be forwarded to the Chief of Police via the Chain of Command.

1022.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1023.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1023.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1023.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

1023.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his/her designee, or with an approved doctor's letter documenting a medical condition. Such growth will be groomed as neatly as possible. See SOP 1023-1 which is attached to this policy. .

1023.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1023.2.6 JEWELRY AND ACCESSORIES

Members may wear a conservative amount of jewelry, such as a ring, neck chain or watch. No excessive amount of jewelry will be worn. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Personal Appearance Standards

Only one ring may be worn on each hand of the employee while on-duty.

Only one conservative stud earring in each ear lobe may be worn by male or female personnel either in uniform or civilian attire. When earrings are worn, they must be worn in pairs, that is one on each ear. No single earrings may be worn. Also see policy 1024.2

1023.3 TATTOOS

At no time while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related or obscene language.

1023.4 BODY PIERCING

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or bifurcation.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth.
- (d) Branding or scarification.

1023.5 COSMETICS

Cosmetics, if worn, will be applied conservatively. Exaggerated or unusual cosmetic styles are prohibited.

1023.6 UNIFORM AND GROOMING STANDARDS SOP

[See attachment: SOP 1023-1.pdf](#)

Uniform Regulations

1024.1 PURPOSE AND SCOPE

The uniform policy of the Evanston Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

- Department Owned and Personal Property
- Body Armor
- Grooming Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Evanston Police Department will provide initial uniforms upon hire for all employees required to wear them in the manner, quantity and frequency as determined by the Chief of Police or as agreed upon in the respective employee group's collective bargaining agreement.

1024.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) All uniform personnel shall maintain their uniforms and equipment in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) All police officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to promptly perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications that are maintained separately from this policy.
- (e) All supervisors will perform bi-annual and roll call inspections of their personnel to ensure conformance to these regulations.
- (f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

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- (h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.
- (i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform that identifies the member as an Evanston Police Officer.
- (j) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or his/her designee.
 - 1. Wrist watch.
 - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 - 3. Medical alert bracelet.
 - 4. Only one conservative stud earring may be worn in each ear lobe may be worn by male or female personnel, either in uniform or civilian attire. Earrings must be worn in pairs, that is one on each ear. No single earrings may be worn.

1024.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a firearm.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification and police star in a courteous manner to any person upon request and as soon as practical.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Deputy Chief.

1024.3 UNIFORM CLASSES

1024.3.1 CLASS A UNIFORM

The Class A dress uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A dress uniform is required for all sworn personnel. The Class A dress uniform includes the standard issue uniform with:

- (a) Long sleeve shirt with tie.
- (b) Polished shoes.
- (c) Blouse coat (Optional for police officers and sergeants)

Boots with pointed toes are not permitted.

1024.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times.

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The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open only if a turtle neck is used. A tie will be worn with a long-sleeved shirt.
- (b) A white, navy blue or black crew neck t-shirt must be worn with the uniform.
- (c) All shirt buttons must remain buttoned except for the last button at the neck.
- (d) Shoes for the Class B uniform may be as described in the Class A uniform.
- (e) Approved all black unpolished shoes may be worn.
- (f) Boots with pointed toes are not permitted.

1024.3.3 CLASS C UNIFORM

The Class C uniform may be established to allow field personnel cooler clothing during the summer months or special duty. The Chief of Police will establish the regulations and conditions for wearing the Class C Uniform and the specifications for the Class C Uniform.

1024.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SOG, Bicycle Patrol, Motor Officers and other specialized assignments.

1024.3.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

1024.4 INSIGNIA AND PATCHES

- (a) **Shoulder Patches** - The authorized shoulder patch supplied by the Department shall be machine stitched to the left sleeve of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- (b) **Service stripes, stars, etc.** - Service stripes and other indicators for length of service may be worn on sweaters, coats and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- (c) **The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform.** The nameplate shall display the employee's last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) **When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.**

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- (e) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as the member's assignment of specialty dictates.
- (f) American Flag Pin - A flag pin may be worn, centered above the nameplate.
- (g) Star - The department issued star, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
- (h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1024.4.1 MOURNING BADGE

Uniformed employees shall wear a mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

1024.5 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, tie, slacks or suits that are moderate in style. Deviations from business attire may be authorized by the chief of police or their designee depending on assignment.
- (c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.
- (d) The following items shall not be worn on duty:
 - 1. Open toed sandals or thongs.
 - 2. Swimsuit, tube tops, or halter-tops.
 - 3. Spandex type pants or see-through clothing.

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4. Distasteful printed slogans, buttons or pins.
- (e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Evanston Police Department or the morale of the employees.

1024.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Evanston Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge/star, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Evanston Police Department to do any of the following:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1024.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property pursuant to the Department Owned and Personal Property Policy.

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1024.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Evanston Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Evanston Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

1024.9 UNIFORM AND GROOMING STANDARDS AND CEREMONY SOP

Uniform and Grooming Standards: [See attachment: SOP 1023-1.pdf](#)

Cermonies and Special Events: [See attachment: SOP 1024-1.pdf](#)

Police Cadets

1025.1 PURPOSE AND SCOPE

Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1025.2 EDUCATION REQUIREMENTS

Cadets are required to maintain a minimum grade point average of 2.0 (C grade) for all courses taken.

1025.3 PROGRAM COORDINATOR

A member of the Problem Solving Team will serve as the Program Coordinator. The coordinator will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout the Department. He/she will also monitor the training provided for all cadets and review all decisions affecting assignments, school attendance and performance evaluations.

1025.3.1 PROGRAM ADVISORS

The Program Coordinator may select individual officers to serve as advisors for the Cadet Program. These officers will serve as mentors for each cadet. Cadets will bring special requests, concerns, and suggestions to their program advisor for advice or direction before contacting the Program Coordinator. One advisor may be designated as the Coordinator's assistant to lead scheduled meetings and training sessions involving the cadets. Multiple cadets may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the Program Coordinator.

1025.4 ORIENTATION AND TRAINING

Cadets will receive an orientation of the organization and facilities. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully in the police officer selection process, as well as the academy training. All training will focus on improving job performance, as well as preparation to become police officers. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

1025.5 CADET UNIFORMS

Each cadet will be provided one polo shirt designating they are a member of the cadet program.

1025.6 RIDE-ALONG PROCEDURES

All cadets are authorized to participate in the Ride-Along Program on their own time and will be arranged by the program coordinator. Applicable waivers must be signed in advance of the ride-along. Cadets shall wear their uniform while participating on a ride-along.

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Police Cadets

Nepotism and Conflicting Relationships

1026.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices to include recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security, while maintaining positive morale by avoiding actual or perceived favoritism, discrimination, or other actual or potential conflicts of interest by or between members of this department.

Violations of this policy may constitute official misconduct by a public officer or employee if he/she, while in his/her official capacity (720 ILCS 5/33-3):

- (a) Intentionally or recklessly fails to perform any mandatory duty as required by law.
- (b) Knowingly performs an act which he/she knows he/she is forbidden by law to perform.
- (c) With intent to obtain a personal advantage for himself/herself or another, he/she performs an act in excess of his/her lawful authority.
- (d) Solicits or knowingly accepts for the performance of any act a fee or reward which he/she knows is not authorized by law.

1026.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture, or other transaction where the Department employee's annual interest, compensation, investment, or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction, or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion, or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating, or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee in who is vested with the authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling, grandchild, or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

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Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation, and/or performance of a subordinate employee.

1026.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts the following reasonable restrictions shall apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to reassign matters pertaining to the involved employee to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department however, reserves the right to transfer or reassign any employee to another position within the same classification to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative, or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee has satisfactorily completed his/her probationary period.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender, or who engages in serious violations of state or federal laws.

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Nepotism and Conflicting Relationships

1026.2.1 EMPLOYEE'S RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create an actual or perceived conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninformed, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninformed, immediate supervisor. In the event that no uninformed supervisor is immediately available, the employee shall promptly notify dispatch to have another uninformed employee either relieve the involved employee or minimally remain present to witness the action.

1026.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

Department Badge/Star

1027.1 PURPOSE AND SCOPE

The Evanston Police Department badges/star and uniform patch as well as the likeness of these items and the name of the Evanston Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1027.2 POLICY

The uniform badge/star shall be issued to department members as a symbol of authority and the use and display of departmental badges/stars shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1027.2.1 FLAT BADGE/STAR

Sworn officers who are off probation, with the approval of the Chief of Police may purchase, at his/her own expense, a flat badge/star capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

- (a) An officer may sell, exchange, or transfer the flat badge/star he/she purchased to another officer within the Evanston Police Department with the written approval of the Chief of Police.
- (b) Should the flat badge/star become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Policy Manual 700.
- (c) An honorably retired officer may keep his/her flat badge/star upon retirement.
- (d) The purchase, carrying or display of a flat badge/star is not authorized for non-sworn personnel.

1027.2.2 CIVILIAN PERSONNEL

Badges/stars and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Telecommunicator).

- (a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1027.2.3 RETIREE UNIFORM BADGE/STAR

Upon honorable retirement employees may purchase his/her assigned duty badge/star for display purposes. It is intended that the duty badge/star be used only as private memorabilia as other uses of the badge/star may be unlawful or in violation of this policy.

Department Badge/Star

1027.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges/stars are issued to all sworn employees and civilian uniformed employees for official use only. The department badge/star, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge/star, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge/star or identification card to others and shall not permit the badge/star or identification card to be reproduced or duplicated.

1027.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge/star shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the department badge/star for merchandise and official association business provided they are used in a clear representation of the association and not the Evanston Police Department. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge/star number portion displays the acronym of the employee association.
- (b) The likeness of the department badge/star for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

Temporary Modified-Duty Assignments/Light Duty

1028.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments, also known as light duty. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, and current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1028.2 POLICY

Subject to operational considerations, the Evanston Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period. The Office of Administration will coordinate light duty assignments under the direction of the Chief of Police and the designated city medical clinic.

1028.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Illinois Human Rights Act (775 ILCS 5/1-101 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Evanston Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment. Temporary modified duty assignments should be accommodated for non-duty related reasons for a minimum period of two weeks for bodily injuries that prohibit a member from full field duty.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary Modified-Duty Assignments/Light Duty

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1028.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Deputy Chiefs or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Deputy Chief will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Human Resources Department and the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 40 hours or less per week may be approved and facilitated by the Commander or Deputy Chief, with notice to the Chief of Police.

1028.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Deputy Chief.

1028.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

Temporary Modified-Duty Assignments/Light Duty

- (d) Submitting a written status report to the Deputy Chief that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1028.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Deputy Chief of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Deputy Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1028.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1028.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1028.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1028.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

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1028.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Performance Audits/Personnel Warning System

1029.1 PURPOSE AND SCOPE

Performance History are collections of data designed to assist supervisors evaluating the performance of their employees. Performance History and personnel early warning system can help identify early recognition of training needs and other potential issues. While it is understood that the statistical compilation of data may be helpful to supervisors, it cannot account for, and must be carefully balanced with the many variables in law enforcement such as:

- An officer's ability to detect crime.
- An officer's work ethic.
- An officer's work assignment and shift.
- An officer's physical abilities, stature, etc.
- Randomness of events.

1029.2 RESPONSIBILITIES

Under the authority of the appropriate Deputy Chief, Office of Professional Standards is responsible for collecting performance indicators and other relevant data to generate and provide a personnel early warning system for each officer to the appropriate Deputy Chief. Though generated quarterly, each Performance History Audit will contain data from a one-year period.

1029.3 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance History/Personnel Early Warning reports will include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

1029.4 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police of Evanston Police Department has determined may be relevant data for the creation and analysis of Performance History/Personnel Early Warning reports. Performance indicators may include but are not limited to:

- (a) The frequency and findings of use of force incidents.
- (b) Frequency of involvement and conduct during vehicle pursuits.
- (c) Frequency and findings of citizen complaints.

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- (d) Claims and civil suits related to the employee's actions or alleged actions whether on-duty or off-duty, including allegations of domestic violence.
- (e) Canine bite incidents.
- (f) Office of Professional Standards investigations .
- (g) Intentional or accidental firearm discharges (regardless of injury).
- (h) Vehicle collisions.
- (i) Missed court appearances.
- (j) Documented counseling memos.
- (k) Disciplinary Actions
- (l) Unsatisfactory performance appraisals/evaluations
- (m) Sick leave usage
- (n) Duty related injuries

1029.5 COMPILATION OF DATA

The Office of Professional Standards will utilize secure systems and other confidential methods to compile and track information regarding performance indicators for each officer during each quarter in order to prepare Performance History/Personnel Early Warning Reports.

1029.6 DATA ANALYSIS AND ACTION

- (a) When a pattern of behavior/conduct is discovered, the Office of Professional Standards will forward a notice/tracking sheet to the employee's immediate supervisor
- (b) Issuance of the notice mandates the employee's immediate supervisor to meet with the employee within one week of receipt of notice to review information contained in the notice as well as to review recent employee-performance information.
- (c) Based on the information provided in this meeting, the employee's immediate supervisor is required to take one of two actions:
 - (a) Determine if further intervention is necessary. Should the immediate supervisor be at all doubtful about further intervention, s/he must submit a memorandum to the employee's commander and to the Office of Professional Standards indicating that formal follow-up is required, OR
 - (b) Explain in writing (email) directly to the Office of Professional Standards the outcome of the meeting with the employee and why the process should not proceed.
- (d) If it is determined that further intervention is required the Office of Professional Standards will conduct timely Personnel Early Warning System meetings with the identified employee, supervisors and command staff.

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- (a) The employee will be informed that s/he has been identified for follow-up via personnel early warning system, the purpose of the meeting is facilitative, not disciplinary.
- (b) Actions will be instituted for the purpose of correcting the pattern of conduct/behavior and/or assisting the employee in improving their professional behavior. Options or courses of action include, but are not limited to:
 - No additional action
 - Supervisory counseling
 - Professional counseling
 - Monitoring for a minimum of 12 weeks, with monthly reviews and reports
 - Mandatory remedial or additional training designed to improve skills
 - Reassignment
 - Corrective action
- (e) Remedial action must be reviewed and approved by the Chief of Police prior to any corrective action.

The Office of Professional Standards will prepare an annual report to the Chief of Police to include an evaluation of the system's effectiveness and any proposed changes.

1029.7 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop Performance History Audit Reports shall be considered confidential as part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to the data in the system will be governed under the same process as access to an officer's personnel file as outlined in the Personnel Records Policy.

1029.8 RETENTION AND PURGING

Except as incorporated in separate training or disciplinary records, all performance indicators and personnel early warning system reports shall be purged from the Office of Professional Standards and all other locations within the Department one year from the date generated.

Employee Speech, Expression and Social Media

1030.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1030.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file sharing sites.

1030.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Evanston Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1030.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Evanston Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.

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- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1030.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Evanston Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Evanston Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Evanston Police Department or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a web site that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Evanston Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches,

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marked vehicles, equipment or other material that specifically identifies the Evanston Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

- (h) Accessing web sites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 - 2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1030.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Evanston Police Department or identify themselves in any way that could be reasonably perceived as representing the Evanston Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any web site.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Evanston Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend

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or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502)).

1030.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1030.5.1 PERSONAL ONLINE ACCOUNTS

The Department shall not request, require or coerce any applicant or employee to divulge any username, password or related account information in order to gain access to the applicant or employee's personal online account, nor shall the Department demand access in any manner to an applicant or employee's account or profile on a personal online account (820 ILCS 55/10).

Members may be required to share specific content that has been reported to the Department, without requesting or requiring members to provide access to their personal online account, as set forth in 820 ILCS 55/10.

1030.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1030.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Illness and Injury Prevention

1031.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Evanston Police Department, in accordance with the requirements of 820 ILCS 219/20 and 56 Ill. Adm. Code 350.20.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1031.2 POLICY

The Evanston Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1031.3 ILLNESS AND INJURY PREVENTION PLAN

The Support Services Deputy Chief is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 - 1. Meet regularly.
 - 2. Prepare a written record of safety and health committee meetings.
 - 3. Review the results of periodic scheduled inspections.
 - 4. Review investigations of accidents and exposures.
 - 5. Make suggestions to command staff for the prevention of future incidents.
 - 6. Review investigations of alleged hazardous conditions.
 - 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 - 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

Illness and Injury Prevention

- (f) Establishing a process to ensure illnesses and injuries are reported as required under 56 Ill. Adm. Code 350.250 et seq. Notification is required within eight hours after the death of any employee, and within 24 hours of an in-patient hospitalization of one or more employees, or an amputation or loss of an eye (29 CFR 1904.39; 56 Ill. Adm. Code 350.410).

1031.4 SUPPORT SERVICES DEPUTY CHIEF RESPONSIBILITIES

The responsibilities of the Support Services Deputy Chief include, but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:
 - 1. Informing members of the illness and injury prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet standards regarding the following (820 ILCS 219/25; 56 Ill. Adm. Code 350.700):
 - (a) Communicable diseases (29 CFR 1910.1030)
 - (b) Personal protective equipment (PPE) (29 CFR 1910.132 et seq.)
 - (c) Respiratory protection (29 CFR 1910.134)
 - (d) Emergency Action Plan (29 CFR 1910.38)
 - (e) Notices furnished and required by the Illinois Department of Labor's Safety, Inspection and Education Division (56 Ill. Adm. Code 350.30)
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.

Illness and Injury Prevention

- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

1031.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Support Services Deputy Chief.
- (e) Notifying the Support Services Deputy Chief when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

1031.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on a hazards and correction record form. This form should be forwarded to the Support Services Deputy Chief via the chain of command.

Illness and Injury Prevention

The Support Services Deputy Chief will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1031.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Support Services Deputy Chief shall ensure that the appropriate documentation is completed for each inspection.

1031.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

1031.7.2 CONSULTATION PROGRAM INSPECTIONS

The Support Services Deputy Chief should consider the services of the Illinois On-Site Safety and Health Consultation Program for compliance assistance (56 Ill. Adm. Code 350.600).

1031.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

Illness and Injury Prevention

1031.9 TRAINING

The Support Services Deputy Chief should work with the Compliance Sergeant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1031.9.1 TRAINING TOPICS

The Office of Administration shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

1031.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Line-of-Duty Deaths

1032.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Evanston Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1032.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1032.2 POLICY

It is the policy of the Evanston Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1032.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Commander or ranking supervisor and the Communications Center.
 - 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
 - 2. Members should refrain from posting any items on their personal or departmental social media accounts until proper notification to the family is made.
- (b) The Commander or ranking supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

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- (c) If the member has been transported to the hospital, the Commander or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).
- (e) Contact peer support

1032.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Deputy Chief, Commander or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers, have an ambulance on stand-by if necessary.
- (d) Offer to transport survivors to the hospital. Survivors should not drive themselves if at all possible. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the

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workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification. Survivors should not be left alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing. A squad car should be left outside the home of the survivor.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Evanston Police Department members may be apprised that survivor notifications are complete.

1032.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1032.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence

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should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1032.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1032.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Deputy Chief or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

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- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1032.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Evanston Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.

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- Documenting his/her actions at the conclusion of his/her duties via department memorandum.

1032.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Deputy Chief. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

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1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship via peer support (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

The Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy. The Survivor Support Liaison should be excused from routine department duties through the funeral week.

1032.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
 1. Members involved in the incident.
 2. Members who witnessed the incident.

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3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

1032.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers, if survivors wish.

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1032.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Evanston Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.

1032.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. The Survivor Liaison should also be present when meeting with survivors. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 - 1. Public Safety Officers' Benefits (PSOB) Programs.
 - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 - 3. Social Security Administration.
 - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Line of Duty Compensation Act (820 ILCS 315/1 et seq.)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs (including C.O.P.S.)
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of

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the summary and benefit application documentation should be provided to affected survivors.

- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1032.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1032.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison and Survivor Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.

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1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1032.8 DEPARTMENT CHAPLAIN/PEER SUPPORT

The Department chaplain/peer support may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain are in the Chaplains Policy.

1032.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1032.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

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1032.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Peer Support

1033.1 POLICY

THE EVANSTON POLICE DEPARTMENT IS COMMITTED TO ENSURING THE SAFETY AND WELL-BEING OF ALL MEMBERS AND THEIR FAMILIES. THE DEPARTMENT RECOGNIZES THAT MEMBERS MAY EXPERIENCE PERSONAL DIFFICULTIES THAT MAY ADVERSELY AFFECT THEIR PERSONAL AND PROFESSIONAL LIVES. THE DEPARTMENT SUPPORTS AND ENCOURAGES MEMBERS IN SECURING QUALITY, CONFIDENTIAL ASSISTANCE. IN KEEPING WITH THIS COMMITMENT, THE DEPARTMENT ESTABLISHES THE PEER SUPPORT PROGRAM STAFFED WITH TRAINED EVANSTON POLICE DEPARTMENT PEER COUNSELORS WHO PROVIDE CONFIDENTIAL CONSULTATION AND REFERRALS.

The Peer Support Program is structured around the concept of confidentiality, which mandates that no information, including identifying factors, identifying biographical material, notes, or therapy issues, be reported to or requested by the Department. Individual members may expect, and will be granted, complete privacy when voluntarily seeking counseling assistance through the Peer Support Program

1033.2 DEFINITIONS

CRISIS: An event or sequence of events affecting an individual's personal and/or professional life that culminates in behavior that poses a threat to the emotional and physical safety or well-being of that individual or other persons. Crises include, but are not limited to, situations in which

- (a)
 - 1. A Department member is having severe physical/emotional difficulties and is in need of immediate attention, or
 - 2. A Department member is experiencing difficulties with alcohol or suicidal thoughts or threats and is in need of immediate attention.
- (b)

CRISIS INTERVENTION: Immediate, on-the-spot assistance to individuals with acute difficulties that threaten their physical and/or mental well-being. This service is directed towards immediate crises in contrast to resolving long-term problems.

- (a)
 - 1. Crisis intervention has an important role in defusing and resolving immediate or emergency situations. Prevention is far more preferable as a means of resolving personal and problematic issues.
 - 2. Crisis situations require immediate action to ensure the Department member's safety and emotional and physical well-being. Every member's circumstances are unique and require action based on the nature of the crisis
 - 3. It must be determined if the member is safe from harm, is a danger to others, or has medical needs that must be addressed.

Peer Support

1033.3 GENERAL INFORMATION

- (a) The Peer Support Program of the Evanston Police Department is staffed by current and retired Department members and requires the voluntary involvement of Department members who are seeking counseling.
- (b) All of the services offered by the Peer Support Program are available to all Department members.
- (c) To request counseling services, a member may contact a listed peer supporter or the Peer Support Program phone number 847-204-1735.
- (d) Employees may seek support from any peer support member, and do not have to stay within their work group.
- (e) all counseling services provided by the Peer Support Program are free of charge. Referrals to a private therapists, specialists, outside agencies, or hospitals, however, are for-profit, non-Department providers that may charge a fee.
- (f) If after receiving outside services, the member may set up a follow-up session with the Peer Support Program.
- (g) If a member seeks professional counseling outside the Peer Support Program, communication will be confidential as outlined in Chapter 740, Illinois Compiled Statutes, Section 110/3. Communication between a counseled member and a professional counselor are protected from discovery in federal cases under Federal Rule of Evidence 501.
- (h) Members are not obligated to seek assistance through the Peer Support Program and may choose to use other City support programs.

1033.4 SERVICES AVAILABLE

- (a) The Peer Support Program is established to provide confidential supportive assistance, including peer counseling, peer support, and referral services for all Department members. Comprehensive services include referrals for Crisis Intervention Services, Substance Abuse, Gambling Abuse, Marriage and Couples Counseling, Individual Counseling, Family Crisis Intervention, Grief Counseling, Anger Management, and Conflict Resolution Counseling.
- (b) The services provided by the Peer Support Program Unit are designed and tailored to meet the unique needs of each and every Department member seeking assistance. This is accomplished by maintaining a network of quality resources (e.g., treatment facilities, self-help and support groups) that allows the unit to respond promptly to the needs of individuals.
- (c) Organizational resources and support needed to assist peer employees:
 - 1. The peer supporter is authorized to use department facilities to meet with employees, with appropriate prior approval as necessary.
 - 2. The peer supporter is permitted to consult with off-duty employees with advance notice to the Program Manager or other peer supporter.

Peer Support

1033.5 DEPARTMENT REFERRALS

- (a) Department command and supervisory personnel have the authority and the responsibility to make members under their supervision aware of the Peer Support Program when appropriate.
- (b) Department members will be assured that any consultation with the Peer Support Program Unit will be confidential.
- (c) In a crisis or emergency, supervisors will recommend immediate intervention by the Peer Support Program by calling, 847-204-1735, 24 hours a day, 7 days a week.
- (d) Recommendations or referrals to the Peer Support Program will not be used as a substitute for the disciplinary process, but should be a first option for a supervisor if it is a viable option.
- (e) Unit commanding officers and/or supervisors may contact the Peer Support Program for information about the counseling program or the referral process.
- (f) The procedures contained in this order do not relieve unit commanding officers of their responsibility to counsel members as set forth in existing Department General Orders.

1033.6 CONFIDENTIALITY

- (a) The acceptance and success of the Evanston Police Department's Peer Support Program will be determined, in part, by observance of confidentiality. One of the most important responsibilities for a peer supporter is the promotion of trust, anonymity, and confidentiality for the employee who seeks assistance through the Peer Support Program.
- (b) Each supporter will advise the respective employee that the relationship between the peer supporter and the supported person is not an alternative to the operational chain of command, nor does it offer a way for an employee to avoid accountability for his or her actions.
- (c) The peer supporter will maintain confidentiality and will not discuss any information developed in a peer support session, except as required by Department policy and by law. Supporters will advise members seeking support of the exceptions to confidentiality and that no confidential "privileged communication" otherwise recognized by law shall arise from the status of the peer supporter (see discussion of client privilege below).

Exceptions to Confidentiality:

- (a) The peer supporter is not exempt from federal, state, local laws, or rules and regulations of the Department. The services provided by the Peer Support Program are covered by the confidentiality policy unless exceptions are imposed by law or by ethical constraints mandated in the regulations of professional counseling organizations. The exceptions to the confidentiality policy imposed on all peer supporters are:
 - 1. Criminal Conduct and Violations of Department Rules and Regulations: Rule 38 under Section 8 Prohibited Conduct, EPD Employee Manual, requires members

Peer Support

to report to another member's supervisor or the Office of Professional Standards, as appropriate, any violations of the rules and regulations, or any improper conduct, or any information concerning any crime or any unlawful action.

2. Threats of Physical Harm: If any individual in counseling threatens to harm another person, the counselor is required by law and professional regulation to notify the person threatened and the local police department.
3. Suicide: Any peer supporter who reasonably believes that a client is seriously contemplating suicide is required by law to do everything possible to prevent such an attempt, including making whatever notifications necessary to stop the attempted suicide.
4. Child Abuse: If a client discloses participation in abusing a child, the peer supporter must notify the appropriate agency of such abuse.
5. Senior Abuse: If a client discloses participation in abusing a senior citizen, the peer supporter must notify the appropriate agency of such abuse.
6. The peer supporter is involved as a participant or witness: If a peer supporter is involved as a participant or witness to any of the actions listed above, the peer supporter must report the actions and may not participate in a confidential (privacy-protected) support relationship with the member whose actions were shared or witnessed.

1033.6.1 CLIENT PRIVILEGE

Client Privilege is a legal issue. Unlike certain licensed professionals, who are granted client-privilege under state statute, peers supporters do not have the right to claim client privilege in a court of law.

Situations such as police shootings, excessive force, or civil law suits present requirements for the peer supporter to advise the person that the contents of their conversations could be subject to subpoena.

A general principle for peer supporters to follow is to inform the person requesting support, prior to discussion, about what the limitations and expectations are regarding the information revealed. In those cases where a question regarding confidentiality arises, the peer supporter must immediately contact the Program Manager who will take appropriate action.

The peer supporter will not be ordered to give information to the department concerning the content of peer support sessions for administrative purposes, except as listed in the above exceptions.

1033.7 PEER SUPPORT PROGRAM GUIDELINES

The Peer Support Program Manager will maintain and make available with other department written directives a set of guidelines describing the program, the duties of program personnel, the peer supporter selection process, training, and other program matters.

Public Functions

1034.1 POLICY

Members of the Department will interact with the public through a number of authorized activities. Members are encouraged to promote and initiate activities to further build the Partnership between the Department and all segments of the Community.

1034.2 SPEAKING ENGAGEMENTS/PUBLIC ADDRESSES

- (a) Any member intending to make a public address referring to Departmental activities will obtain the approval of the chief of police, or a designee, before presenting the speech to the public.
- (b) The member wishing to make a speech will submit a memo to the Chief of Police stating whom he/she wishes to address and the subject matter.
- (c) The Chief of Police or designee may designate any member to make an approved address as needed.
- (d) Members specifically designated to make public addresses by the Chief of Police are exempt from the approval requirement as stated in A and B.

1034.3 PUBLICATION OF ARTICLES

Any member wishing to publish an article in any publication regarding the Department or an activity of the Department must have it reviewed and approved by the Chief of Police before submitting the article for publication.

1034.4 MEETINGS

- (a) A member may be assigned to attend an approved meeting as a representative of the Evanston Police Department.
- (b) The meeting must be approved by the Chief of Police, or a designee.
- (c) After the meeting, the member will provide the Chief with any pertinent information regarding the meeting or conference.
- (d) This requirement does not apply to members conducting meetings as part of their Community Policing projects.

1034.5 SPECIAL EVENTS-CEREMONIES/CONVENTIONS/CONFERENCES

- (a) A limited number of members will be permitted to attend certain police-related conventions, ceremonies, conference, e.g. the Illinois Police Association Convention. Conventions/Conferences relating to any collective bargaining organization are excluded from this provision.
 - 1. Appropriate functions will be determined by the Chief as well as the number of members detailed to attend.

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- (b) A maximum of 2 members (including supervisors) may be detailed to attend an approved convention. However, at the discretion of the Chief of Police, additional personnel may be assigned.
- (c) Members attending an approved convention will be allowed a maximum of two (2) days of Department time for the convention. Any time used for the convention in excess of these two allotted days will be on the member's own time. For example, if the requested convention is for three days, the member is given two days of Department time and one day is taken from the member's time. Conventions and training are considered a benefit. Time will be negotiated on a case by case basis.
 - 1. Members will be carried as "on temporary duty" for the allotted two days.
 - 2. Additional amounts of time will be taken as the member indicates.
 - 3. The Chief of Police may extend the two day maximum under special circumstances.
 - 4. Other costs for the convention will be the responsibility of the attending members.
- (d) Members interested in attending an activity should submit a written request to the Chief of Police at least three weeks before the activity. The request should include a description of the requested event, as well as the reason for sending representatives of the Department.
- (e) Approval for attendance at the requested event can be given only by the Chief of Police. The Chief of Police will select which members will attend as delegates from the Department. All decisions regarding representatives to the event will be based upon the needs of the Department and the nature and importance of the event. No member will be allowed to attend as a delegate if the manpower requirements of the Department would be affected.

Attendance Record

1035.1 POLICY

Shift, division, and bureau supervisors will prepare the Daily Assignment/Attendance Sheet. The form will contain the name, rank, and star number of each person assigned to the shift or bureau. CID numbers may be added by the bureau supervisor.

When a member is working, their supervisor will enter the member's assignment, and if the applicable vehicle and radio number in the proper column. When an employee is absent, the reason for the absence will be listed in the remarks column. Such notations as sick, injured, comp time, holiday, vacation, are appropriate.

All Daily Attendance Sheets must be completed by the end of each shift. The Office of Administration must be notified of any updates/changes.

Additional procedures may be observed in the recording of attendance for all civilian non-exempt positions as directed by the supervisor.

A Patrol Operation Beat Assignment Worksheet will be prepared in duplicate. The Communications Bureau will receive the original for field units, and the shift or bureau will retain the copy.

1035.2 ATTENDANCE STATUS DESIGNATIONS

The following classifications will be listed if a member is not on-duty:

Regular Day Off: To be used when a member is off duty on a regularly scheduled day off.

Floating Holiday: To be used as the initial request for time off in a calendar year. The floating holiday number should also be included in the remarks column (e.g. Floater #1, Floater #2).

Vacation: To be used when a member is taking accrued vacation time.

Comp Time: To be used when a member is taking accrued comp time.

Worked Day Off Earned (WDOE): To be used when a member is working their regular day off.

Worked Day Off Used (WDOU): To be used when a member is taking time off in exchange for working a regular day off. Working Days Off will be permitted only with Division Commander's or Chief's approval, and to meet the needs of the Department. (The date the member worked the regular day off also should be entered in the remarks column. WDOE (Date)).

- A WDO earned will be used within 28 days of its accrual. WDO's not used within this time will be forfeited.

Training : To be used when a member is attending a training school at the request of the Department. The school also should be entered in the remarks column.

Sick Leave: To be used when a member is absent from work due to illness or due to an off-duty injury.

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Injured on Duty (IOD): To be used when a member is absent due to an on-duty injury.

Bereavement: A leave of absence with pay, not to exceed three consecutive “working” days, will be granted to permanent employees for a death in their immediate family unless the funeral observance is on a weekend, in which case the funeral leave will be two working days. Members who wish to attend a funeral for other than their immediate family may take any other accumulated time for this purpose. The immediate family will be defined as follows:

- Relation to Member or Member's Spouse (including spouse of the listed relative): Spouse, Mother, Father, Sister, Brother, Child, Grandmother, Grandfather
- The terms “father” and “mother” will include persons other than the member's actual parent if said person(s) reared the member during a substantial period of the member's childhood. A Department head may require verification of the member's relationship to the deceased. For union members, consult the current union contract for funeral leave provisions.

Military Leave:

- Reserve Training: Employees will be allowed the necessary time off with pay if they are removed from work at the request of the Armed Services. This applies to weekends and weekdays. Any employee who is a member of a reserve force of the Armed Forces of the United States, or State of Illinois, and who is ordered by the appropriate authorities to attend training programs or perform assigned duties shall be granted a leave of absence for the period of such activity and shall suffer no loss of seniority rights. During leaves for annual training, the employee shall continue to receive his regular compensation. During leaves for reserve/guard basic training and up to 60 days of special or advanced training, if the employee's compensation for military activities is less than his compensation as an employee, he shall receive his regular compensation as a City employee minus the amount of base pay for military activities provided the employee provides proof of what he was paid during his reserve/guard training.
- All other Training: Employees who are called to all other active military service will be placed on a military leave without pay according to the Uniformed Services Employment Act (USERRA, 1994). The employee's active-duty service must be in the U.S. armed forces, the reserves, the Coast Guard, the National Guard or the Public Health Service. This includes basic training, special or advanced training (voluntary or non-voluntary), and annual training. The absence can be charged to accrued vacation time or as leave taken without pay at the employee's option. Employees are entitled to their former jobs or equivalent positions, if at all feasible and with the same seniority, status of pay, as well as other rights and benefits determined by seniority.
- Eligibility: To apply, employees must: be a full-time employee; give advance written notice and provide documentation prior to leaving the job except when precluded by military necessity; not have exceeded the 5-year cumulative limit on periods of service; have been released from service under conditions other than dishonorable; and must report back to the employer in a timely manner

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after completion of service or submit a timely application for reemployment in compliance with the chart below:

- Length of Military Service Reemployment Deadline
 - Less than 31 days..... 1 day after discharge(allowing one day for travel).
 - 31 days through 180 days.....14 days after discharge
 - More than 180 days.....90 days after discharge
- **Benefits:** Employees are entitled to seniority and other rights and benefits determined by seniority that they would have attained, with reasonable certainty, had they remained continuously employed. Employees are responsible for their respective pension benefits. Human Resources recommends employees discuss all leaves with a pension representative.
- **Health Insurance:** If the military leave is less than 30 days, employees cannot be required to pay more than the normal employee share of any premium. If the leave exceeds 30 days, the employee must pay 100% of the insurance cost.

Absent Without Pay: To be used when a member is excused from duty without pay including suspensions.

Administrative Leave or Paid Leave: To be used when a member has been granted a leave of absence (short-term) with pay by the Chief of Police and without the loss of any accrued benefits to the member.

Jury Duty: To be used for a member attending Jury Duty.

1035.2.1 DAILY/WEEKLY ATTENDANCE SHEETS

It is important that all daily/weekly timesheets be filled out completely and accurately. Weekly sheets must be completed on the Friday of the week for which they are being submitted, and daily sheets must be completed by the end of each shift/day. Missing and incomplete attendance information slows down the payroll process and makes time-consuming corrections necessary. Sheets must be proofread before submission. Blanks on attendance sheets or missing information will not be entered, and paychecks will be short the dollar amounts for the missing hours.

Supervisors are responsible for reviewing the timesheets and verifying the accuracy on the sheets. The Office of Administration should be notified immediately of changes on time sheets.

1035.2.2 SUBMITTING REQUESTS FOR TIME OFF/ABSENCE FROM DUTY

Request for Time Off (RTO) Form. An RTO Form will be must be completed when the absence is due to sick leave, including illness in the member's immediate family or when comp time, bereavement, or additional vacation or bereavement is requested. After approval, RTO Forms are submitted to the Office of Administration for record keeping.

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Attendance Record

1035.3 ACCRUED BENEFITS

The time accruable to a member for vacation, sick, holiday, and floating holiday is the amount indicated in the City of Evanston Personnel Manual or respective union contract.

1035.4 MILITARY LEAVE

The Department will adhere to federal regulations and the city's policy on military leave.

Any member taking military leave must provide the dates of the military leave with a copy of the official military order in writing to the Chief of Police. This notification must be made at least ten days prior to the military leave.

Concerning compensation while on military leave, members will make arrangements with the Human Relations Office before going on leave.

Department Security and Visitor Tag

1036.1 POLICY

The Department's internal security program is designed to ensure the security of the Evanston Police Station by monitoring and controlling access by visitors and to provide for a secure and safe working environment. The visitor identification and door security procedures were created in response to the need and desire for greater security for police staff and visitors to the police station and for greater security of the police facility, including property, equipment, and sensitive information. While some inconvenience is unavoidable, these policies and procedures are intended to improve both the actual and perceived level of safety in this building without severely interfering with daily activities and the needs of visitors.

1036.2 DEPARTMENT SECURITY

- (a) The security of the police station is the responsibility of each and every member of the Police Department, and an acceptable level of security cannot be achieved without everyone's support and participation. We must all encourage and remind each other to be consistently vigilant for our common good.
- (b) Except as noted, all visitors to the police station at all times, should be wearing a visitor identification tag and should be in the company of a department member.
 - 1. Department members will assist all unescorted persons wearing visitor ID tags (or City name tags) in locating the office or person they are seeking or will direct them back to the Service Desk for assistance or to return their ID tags.
 - 2. Department members will question all unescorted persons not wearing visitor ID tags (or City name tags) and will escort them to the Service Desk for assistance or to obtain a visitor ID tag.
- (c) Whether being assisted at the Service Desk or in another part of the police station, all visitors will be treated with the utmost courtesy and respect regardless of their attitude or demeanor.
- (d) All members of the Department (sworn and civilian) who are not in uniform must wear, prominently displayed, their badges, or EPD employee picture ID cards.

1036.3 VISITOR IDENTIFICATION TAGS

- (a) Except as noted below, all visitors to the police station will be required to stop at the Police Service Desk to register and receive a visitor ID tag before proceeding to any restricted-access area in the police building.
 - 1. The term visitor in this order refers to all persons who are not permanent full-time, permanent part-time, seasonal, authorized volunteers, interns or clergy members of this department.

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Department Security and Visitor Tag

2. The only unrestricted area in the police building is the front (Elmwood Avenue) lobby, including the area leading to the public service windows of the Records Bureau and the Traffic Bureau and including the public washrooms in the lobby. All other areas are restricted to police personnel and identified/registered visitors escorted by police personnel.
- (b) Exceptions
1. Members of the Records Bureau may admit visitors directly from the lobby into the Records Bureau for the purposes of fingerprinting, making photo IDs and other Record Bureau services. However, such visitors must be accompanied by a staff member at all times and may not enter any other part of the building from the Records Bureau without first obtaining a visitor ID tag from the Service Desk.
 2. Members of the Fire Department in uniform and Facilities Management on official City business may enter the police station without signing in at the Service Desk and wearing a visitor ID tag.
 3. City of Evanston employees from all other departments will sign in and out as described below but may wear their City of Evanston ID cards or customer service name tag instead of the EPD visitor ID tag.
- (c) A Service Desk Member will assist each visitor by:
1. Inquiring who the visitor wishes to see.
 2. Contacting that person by telephone. **NOTE : A visitor will not be issued a visitor ID tag, nor allowed to proceed into the building, unless the Desk Member contacts a department member who is willing to meet with the visitor.**
 3. Asking the visitor to sign in and to provide all the information required by the sign-in log or form.
 4. Issuing a disposable Evanston Police Department visitor ID tag to every visitor and logging the time issued.
 5. Directing the visitor to (1) proceed to the top of the main stairwell, the appropriate access door or the elevator to meet a department member and (2) return to the Service Desk before leaving the building to sign out and return the visitor ID tag. **NOTE : City employees from other departments wearing their own name tag instead of the EPD visitor ID tags, as allowed above, must return to the Service Desk to sign out.**
 6. Logging the time when the visitor ID tag is returned.
- (d) A department member (or designee) who agrees to see a visitor will meet the visitor at the appropriate access door, or the elevator. After conducting their business, a department member will escort the visitor back to the lobby, the main stairwell or the elevator and will remind the visitor to return the ID tag to the Service Desk and sign out before leaving the building.
- (e) Service Desk Members are responsible for monitoring the visitor ID tags system.

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1036.4 DOOR SECURITY

(a) Restricted Areas

1. The doors leading from the lobby to other parts of the police building will be marked "Restricted Area." Access through these doors is limited to police personnel and identified/registered visitors escorted by police personnel. Employees will not compromise the security system by propping open these doors or defeating the locking mechanism, such as with cardboard, tape or other means.
2. All other internal doors with automatic closing and locking mechanisms also lead to restricted areas and are subject to the same rules and procedures described in the section above, even if the doors are not specifically marked "Restricted Area." These include all stairwell doors and the doors to the Service Desk, Records Bureau, Communications Center, Evidence and Property Room, Cell Blocks and all other self-closing and self-locking doors.

(b) Fire Doors

1. Many internal doors must remain closed at all times to prevent the spread of fire and/or smoke within the police station. In addition to many of the doors to restricted areas described above, all other doors with automatic closing mechanisms , even if not self-locking, are fire doors and must not be propped open .

(c) Building Entrance/Exit Doors

1. Pedestrian Doors

1. (a) All exterior pedestrian doors leading into the police building will be locked at all times -- 24 hours every day -- with the exception of the four front doors leading into the front lobby, which shall be kept open at all times unless directed otherwise by a supervisor.

1. Overhead Doors

1. (a) The overhead door leading into the basement garage of the police building and the overhead doors leading into the prisoner intake and the shipping/receiving bays shall be kept closed at all times -- 24 hours every day -- except when entering and exiting. It shall be the responsibility of all members to close these doors immediately after entering or exiting the building and to close these doors if found open and unattended. These doors shall not be left open and unattended .

(d) Exceptions

1. To facilitate special events or circumstances (such as moving furniture, construction, receiving shipments, etc.) or high traffic volume (such as trainings, meetings, etc.), security or fire doors temporarily may be unlocked or propped open for specific and limited periods of time with the approval of a supervisor. However, such doors should not be left unattended.

Vacation Selection/Floating Holidays

1037.1 POLICY

Members will select vacation periods based on seniority by rank. Vacation selection of one shift, bureau, or division will not affect or limit the selection opportunities of another.

1037.2 VACATION SELECTION AND SUBMISSION PROCEDURE

- (a) Each division, shift, or bureau will submit a complete vacation schedule list when requested by a Special Order. It will be distributed among the members of the division, shift, or bureau, and is to be completed by the designated deadline.
- (b) If a member does not select a vacation during the designated posting period, this decision by the member will be clearly indicated on the vacation schedule list. The member must submit a memo via the chain of command to the Chief of Police indicating they are foregoing a selection.
- (c) If a member does not select a vacation during the period of time designated for vacation selection, secondary vacation selections will be approved only when there are sufficient staffing levels and the Department's operations are affected.
- (d) The vacation schedule list will indicate the number of members in each division, bureau or shift who will be permitted to take a vacation at any one time.

1037.3 GUIDELINES

- (a) Division Deputy Chiefs will coordinate the selection of their vacation periods with the Chief of Police.
- (b) The supervisory personnel within a particular division will coordinate the selection of their vacation periods with the Division Deputy Chief to ensure adequate supervisory coverage for all bureaus within the division and avoid hirebacks.
- (c) The amount of vacation time earned by each member annually will depend on the length of service and job classification.
- (d) Supervisors, with permission from the Division Deputy Chief, may allow additional members to take vacation periods, provided it can be done without going below the minimum staffing levels. Under no circumstances will hirebacks be allowed to make up the minimum requirements of personnel unless authorized by the Chief of Police.
- (e) A member may not carry more than two years' of vacation accruals. Members who have an excess amount of vacation time may make a second vacation selection after all initial selections have been made. Any excess vacation time not used during the calendar year will be removed from a member's vacation accrual bank at the end of the year. There is no exception or extension to this rule. If a member accumulates two years of vacation, they will cease to accrue additional vacation time at the end of the year. Member will only start accruing vacation time once they are below the two-year accrual limit.

Vacation Selection/Floating Holidays

- (f) Division Deputy Chiefs and supervisors will monitor and evaluate the vacation selection process to assure that supervisory and shift levels will not be jeopardized during peak vacation periods.
- (g) The Chief of Police or Division Deputy Chief may adjust or modify vacation selections to assure appropriate staffing needs.
- (h) The use of anticipated vacation time beyond that which has been earned will not be allowed. Should vacation time taken exceed that which has been accrued, other time automatically will be forfeited to balance the member's time off. Under no circumstance will a member be allowed to have a negative balance of vacation time, unless prior written authorization has been granted by the Chief of Police.
- (i) Members are responsible for monitoring their accrual and usage of vacation time.

1037.4 FLOATING HOLIDAYS

Floating Holidays will be used as the initial time-off request during a calendar year. Floating Holiday can be split to any increment of time.

Members must take floating holidays during the calendar year for which they have been granted, otherwise the floating holidays will be forfeited.

1037.5 CHANGING/CANCELING VACATION STATUS

Once a member requests time off, that status may not be changed unless specifically authorized by the Chief of Police or a designee. For example, if a member is granted a vacation day or period, the member cannot self-cancel it and return to work unless prior approval is given by the Chief or a designee. A member on vacation cannot change their status to sick time. Changes/cancellations will only be authorized for extenuating circumstances and in the best interests of the Department. Members are expected to use the time-off they request.

Members seeking to cancel an upcoming vacation time must submit a memo via the chain of command to the Chief of Police requesting the cancellation. **The Office of Administration will retain such requests.**