

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 01-01-03**

**EFFECTIVE DATE:** January 1<sup>st</sup>, 2013

**REVIEW DATE:** January 1<sup>st</sup>, 2015

**SUBJECT:** EXIT INTERVIEW



**1. POLICY**

It will be the policy of the Cicero Police Department to recover any and all insignia, certain equipment and identification, which was issued, upon any separation of employment from the Cicero Police Department.

**2. PROCEDURES:**

- a. Upon departure from the Cicero Police Department the exiting employee will:
  - 1) Return certain Town of Cicero property that was issued to the employee.
  - 2) These items will be turned in to the Deputy Superintendent of Administration or his designee.
  - 3) The Deputy Superintendent of Administration will complete the Exit Interview form.
  - 4) The Deputy Superintendent of Administration will retain 1 copy of the completed Exit Interview Form, one copy will be placed in the exiting employees personnel file and one copy will be given to the exiting employee.

By Order of:

\_\_\_\_\_  
Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 01-02-01**

**EFFECTIVE DATE:** **January 1<sup>st</sup>, 2013**

**REVIEW DATE:** **Januray 1<sup>st</sup>, 2015**

**SUBJECT:** **LIMITS OF AUTHORITY**



**1. POLICY:**

a. The Cicero Police Department will:

- 1) Outline the legally mandated authority vested in sworn officers,
- 2) Outline the circumstances when sworn officers should exercise alternatives to arrest,
- 3) Ensure all officers advise suspects of their constitutional rights pursuant to the Miranda decision,
- 4) Comply with the bonding and bail procedures set forth in the applicable statutes and in Article V of the rules of the Supreme Court of Illinois, and
- 5) Provide written guidelines, which govern the use of discretion by sworn officers.

**2. PROCEDURES:**

a. Legally mandated authority of sworn officers:

- 1) The United States Constitution,
- 2) Illinois Constitution, and
- 3) Illinois Compiled Statutes define the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes and ordinances including but not limited to:
  - a) 65 ILCS 5/11-1-1 (et seq.), grants authority to municipalities to create and define police powers.
  - b) The Cicero Municipal Code establishes the Cicero Police Department. The general supervision and operation of the police department is delegated to the Superintendent of police.

b. Constitutional rights

- 1) In order to assure compliance with constitutional requirements during criminal investigations all officers must advise suspects of their constitutional rights pursuant to the Miranda decision and other court decisions during custodial interviews. This is normally accomplished by having the suspect sign the Miranda Waiver of Rights form.
  - a) The Miranda waiver of rights form specifically states that the statement is being given without coercion and is of a voluntary nature, and the individual has been advised of the appropriate constitutional rights.
  - b) It is expressly recognized there are circumstances where the use of a waiver of rights form is either impractical or unrealistic. In such cases, the Miranda warning

will be read to the suspect prior to custodial questioning, and this reading will be so noted on the appropriate report form.

- 2) In the event of an arrest, state laws governing the time elements of when an arrested individual must appear before a judge will be adhered to.
- 3) In order to assure compliance with constitutional requirements regarding the right to legal counsel, it is the policy of the department to earnestly protect a suspect's right to counsel, and to provide a reasonable opportunity to communicate with counsel.
- 4) In an effort to control prejudicial pretrial publicity, the following information may not be released without the approval of the Superintendent of Police, or his or her designee:
  - a) The prior criminal record or statements as to the character and reputation of a defendant.
  - b) The existence or contents of any purported confession, admission, or statements given by the defendant, or the suspect's refusal or failure to make such a statement.
  - c) The performance or results of any tests or examination, or the refusal, or failure to take such a test or examination, particularly related to the polygraph.
  - d) The name, address, identity, testimony or credibility, of any prospective victim or witness to the crime.
  - e) Any opinion of the defendant's guilt or innocence in any matters relating to the merits of the case.
  - f) Investigative information and information of an evidentiary nature.
  - g) The specific cause of death until determined by the county medical examiner.
- c. While on-duty, inside the town limits, Cicero sworn officers who are certified by the Illinois Law Enforcement Training and Standards Board have the full authority granted peace officers by Illinois Statute, which includes:
  - 1) The authority to make warrant-less arrests, serve arrest warrants and serve search warrants as granted by the 65 ILCS 5/3-9-4 and 725 ILCS 5/107-2.
  - 2) The authority to make an arrest of an individual without an arrest warrant based upon probable cause that the individual to be arrested has been charged in the court of another state with a felony (725 ILCS 225/14).
  - 3) While on-duty, outside the town limits, sworn officers of the Cicero Police Department have the full authority granted peace officers by Illinois statute, but must be aware of certain statutory provisions and department guidelines affecting the authority to make arrests outside of the city.
- d. An officer, by virtue of his public employment, is vested by law with a duty to maintain public order and to make lawful arrests even while off-duty.
  - 1) An off-duty officer faced with a situation involving criminal conduct is usually neither equipped nor prepared to handle the situation in the same manner as if he were on-duty.
  - 2) An off-duty officer confronted with a situation involving criminal conduct should give consideration to notifying the responsible law enforcement agency to take appropriate action.
  - 3) In some cases, the exigency of a given situation may call for immediate action by the officer.
  - 4) The off-duty officer, however, should take action after considering the tactical situation with regard to his own safety, the safety of others, and the possible liability of the department.

e. Arrest with warrant

- 1) Officers who possess a search warrant or arrest warrant have the authority to execute the warrant anywhere within the State of Illinois (725 ILCS 5/107-2).
- 2) Prior to executing the warrant, the local law enforcement agency should be notified of the officer's presence within the jurisdiction, if practical.

f. "Hot" or "fresh" pursuit

- 1) Officers have the authority to make an arrest based upon probable cause and without a warrant anywhere in Illinois when the officer is engaged in "hot or fresh pursuit" (People v. Clark, 360 NE d. 1160 (1077)).
- 2) The local law enforcement agency should, whenever feasible, be notified of the officers' presence within the jurisdiction.

g. Mutual aid assistance

- 1) Sworn officers from the Cicero Police Department have full authority as peace officers in another municipality when fulfilling a mutual aid role as provided by statute. (65 ILCS 5/1-4-8 and 65 ILCS 5/11-1-2.1)

h. Arrest by private person

Officers have the authority to make warrant-less arrests outside the town if the arrest would be valid if made by a private citizen (725 ILCS 5/107-3). Officers should make every reasonable effort to bring about the appropriate action by the responsible law enforcement agency.

i. Assisting another law enforcement officer

- 1) Sworn officers from the Cicero Police Department may be summoned outside the city limits to aid another law enforcement officer.
- 2) Any person assisting a peace officer, under the authority of 725 ILCS 5/107-8, has the same powers of arrest as the peace officer being assisted.

j. Out-of-state authority and responsibility

- 1) Peace officer powers of sworn officers of the Cicero Police Department do not extend beyond Illinois.
- 2) When an incident requires police action, but is outside the boundaries of the state of Illinois, the appropriate local law enforcement agency should be summoned, before any enforcement action is taken, when feasible.

k. Search and seizure without a warrant

- 1) The Cicero Police Department will accomplish searches of people, places and things in a manner that:
  - a) Provides protection of constitutional rights.
  - b) Minimizes intrusion.
  - c) Preserves evidence or the fruits of a crime.

- d) Provides for the safety of all parties.
- 2) As a general rule, a search warrant should be obtained, if possible, as it provides the detached scrutiny of a judge.
- 3) Search by consent is a search performed by a police officer after the subject of the search, or the person having privacy rights to the location to be searched freely consents.
  - a) Consent may be given orally.
  - b) Ideally, the consent should be in writing and documented on consent to search form.
  - c) It is always preferable to have a witness to a consent search, if one is available.
- 4) A stop and frisk is referred as a "*Terry Stop*." It stems from the case of *Terry v Ohio* that, in summary, allows an officer to conduct a cursory pat down of outer clothing to discover weapons following a Valid "*Terry Stop*".
  - a) In accordance with 725 ILCS 5/108-1.01, an officer may pat down or frisk an individual for weapons if the officer has stopped a person for temporary questioning pursuant to 725 ILCS 5/107-14 (Temporary Questioning Without Arrest) and reasonably suspects that he/she or another is in danger of attack.
    - 1. The authority to search for and seize weapons is for the limited purpose of allowing an officer to protect himself and others. The authority is clearly NOT for the purpose of searching for and seizing evidence, although during the course of a frisk, evidence may on occasion be discovered and become the basis for an arrest.
    - 2. The "*plain feel*" doctrine allows an officer to seize evidence other than a weapon, if, in conducting a pat down or frisk, the contraband nature of the evidence is "immediately apparent" to the officer based on his feel of the object through the person's clothing during the pat down.
  - b) Any officer who initiates a "*Terry Stop*" must be able to articulate the reason(s) for suspecting he/she or others in the immediate area are in danger. This information may be drawn from:
    - 1. Training,
    - 2. Education,
    - 3. Experience.
    - 4. Information, facts or circumstances previously made available or known to the officer.
- 5) Movable vehicle exception as supported by current laws, statutes, and/or court decisions.
- 6) Crime scene searches may fall into several areas of warrant less searches, to include:
  - a) Consent.
  - b) Plain view.
  - c) Search incident to arrest.
  - d) Exigent circumstances.

- 7) The exigent circumstances exception to the warrant requirement allows an officer to search under situations where the officer recognizes there is not enough time to obtain a warrant, and if he, or she, does not conduct the search immediately, the evidence may be lost forever.
- a) There are several factors to be considered in determining whether or not exigent circumstances exist:
1. The gravity of the offense committed.
  2. The likelihood the suspect is armed and therefore dangerous.
  3. More than a minimum of probable cause exists a suspect committed the offense.
  4. There exists strong reason to believe the suspect is on the premises.
  5. There is likelihood the suspect will escape if not immediately apprehended.
  6. The circumstances of entry and time delay.
  7. The likelihood evidence will be lost, destroyed or tampered with.
- b) The aforementioned factors will determine the "totality of the circumstances."
- 8) Inventory searches of property seized by police officers have been justified for these reasons:
- a) An inventory search protects the property of the owner.
- b) It protects the law enforcement agency against claims the property has been lost or stolen.
- c) It allows the police to discover any potential danger that may exist because of the contents of the property itself.
- d) An inventory search of a vehicle should be conducted under the following circumstances:
1. When the vehicle itself is a crime scene.
  2. When the vehicle is a stolen vehicle that has been recovered.
    - A. Officers should note that towing a vehicle to the police department, or an otherwise secure area, may negate the ability to search without a warrant.
    - B. An inventory search should never be conducted when circumstances would dictate the requirement that a warrant be obtained.
  3. When the vehicle is to be towed from a location for safety or security reasons, and its contents are to be inventoried as outlined in the directive requiring vehicle inventories.
- e) Additional items of property subject to an inventory search include:
1. Found property.
  2. Property turned over to the police for safekeeping
  3. Abandoned property.
- 9) Searches conducted pursuant to an arrest are one of the most widely used exceptions to the warrant requirement.

- a) "Search Without Warrant," 725 ILCS 5/108-1, provides for this type of search upon making a valid arrest.
  - b) Application of this section is typically applied to situations involving custodial arrests (i.e., not the issuance of a routine traffic citation).
  - c) Officers may reasonably search the person arrested and the area within such person's immediate control for the purpose of:
    - 1. Protecting the officer and/or others from attack.
    - 2. Preventing the person from escaping.
    - 3. Discovering the fruits of the crime.
    - 4. Discovering any instruments, articles, or things which may have been used in the commission of or which may constitute evidence of an offense.
- 10) The courts have upheld plain view searches as long as the officer is legitimately on the premises and has probable cause to believe the item is contraband or evidence.
- a) There are some limitations to the plain view doctrine which officers should be aware of:
    - 1. There must be no pre-observation intrusion that violated constitutional rights.
    - 2. The items must have been discovered inadvertently.
    - 3. Artificial devices that aid in, or enhance, the ability of the officer's view are not generally considered "plain view." However, a flashlight is generally acceptable, provided again, the officer has a right to be where he is when using the light source.
    - 4. Moving items or the rearrangement of items to note serial numbers, for example, is not supported by the plain view doctrine.
  - b) The "plain view" doctrine also applies to searches conducted pursuant to a warrant, even if the item(s) to be seized were not noted on the warrant. The test will be:
    - 1. Does the officer have the right to be where they are?
    - 2. Does the officer have probable cause to believe the item(s) in plain view are evidence or contraband.
- 11) Open field searches
- a) Areas surrounding buildings and homes should not be considered "open fields." Instead, courts have tended to view these areas as "curtilage," or the equivalent of a yard.
    - 1. Areas generally outside the curtilage that are viewed as open fields include:
      - A. Woods.
      - B. Pastures.
      - C. Grassland.
    - 2. If an owner has taken any steps to protect the area from trespass or observation, it may not be considered "open field."
- 12) Strip searches will be conducted strictly in conformance with 725 ILCS 5/103-1, "Rights on Arrest."

I. Use of discretion by sworn officers

- 1) The proper use of discretion is an important aspect of law enforcement and is predicated on good judgment.
- 2) The use of discretion requires that an officer make responsible decisions that can withstand scrutiny by the department, other jurisdictional components of the criminal justice system and the community itself.
- 3) Sworn officers are encouraged to exercise discretion when dealing with their many duties.
  - a) The use of discretion must be soundly based upon and is limited by law, department orders, experience and training.
    1. Officers must correctly interpret laws and department orders.
    2. Officers will realize that the use of discretion is not permitted when certain activities are mandated by statutes, department orders or supervisory direction.
  - b) When practical officers will seek direction from their supervisor when the appropriate course of action is in doubt.
  - c) An officer's discretionary decision regarding severity of enforcement action or inaction must not be influenced by malice, vengeance, or prejudice based upon status, age, race, ethnic background, religious belief, sex or sexual preference.

m. Alternatives to arrest/pre-arrainment confinement

- 1) The Cicero Police Department will comply with the bonding and bail procedures set forth in the applicable statutes and in Article V of the Rules of the Supreme Court of Illinois on Trial Court Proceedings in Traffic and Conservation Offenses, Ordinance Offenses, Petty Offenses, and Certain Misdemeanors - Bail Schedules.
  - a) All sworn department officers are authorized to let to bail pursuant to Rule 553(a) of the Supreme Court of Illinois.
  - b) Bail may be posted or accepted in the Cicero in accordance with established department procedures.
  - c) An individual bond will be issued pursuant to the provisions of Illinois Supreme Court Rule 553(d) as follows:
    1. An on-duty shift supervisor may authorize the release by giving individual recognizant bonds and individual in the amount required by law for persons charged with:
      - A. Traffic offenses, as set forth in Supreme Court Rule 526.
      - B. Conservation offenses as set forth in Supreme Court Rule 527.
      - C. Ordinance offenses, petty offenses, business offenses and certain misdemeanor offenses as set forth in Supreme Court Rule 528.
      - D. Persons required to deposit both bail and driver's license under Supreme Court Rule 526(e) may be released on the appropriate bond as established by the court.
    2. Individual bonds do not apply to cases in which:

- A. The accused is unable or unwilling to establish his or her identity or submit to being fingerprinted as required by law.
  - B. Where the accused is charged with an offense punishable by imprisonment and will pose a danger to any person or the community.
  - C. Where the accused elects release on separate bail under Supreme Court Rule 503(a)(3) or 504(a)(4).
3. A person under the age of 17 years may be released, by a supervisor, to a parent or legal guardian and proper paperwork forwarded to the Juvenile Officer/Division.
- 2) Law enforcement officers, in the course of performing their duties, often encounter people in need of help more appropriately provided by another criminal justice agency, public social service agency, or private social service agency.
- a) The elderly, juveniles, alcoholics, mentally ill, substance abusers, physically sick, handicapped, and transients frequently need help from resources outside of the law enforcement realm.
  - b) To divert non-serious and/or social problems from the formal criminal justice system, the Cicero Police Department will refer people to other criminal justice agencies, public social service agencies, or private social service agencies within the legal parameters of the state statutes.
  - c) The front desk will maintain directories of services and resources available through other public and social service agencies. These directories will be maintained for use by communications personnel, patrol officers, investigators, and supervisors for referral of adults and juveniles.
  - d) All supervisors and juvenile officers will be expected to have a working knowledge of the diverse social service resources available for referrals and assistance.
  - e) Adult referrals
    - 1. Dependent upon the circumstances of the case, capabilities of the involved parties, and available manpower, the initial investigating officer may take one of the following actions.
      - A. Refer to, or request assistance from a social service professional.
      - B. Provide basic information and telephone numbers of the criminal justice or social service agency that may provide assistance.
      - C. Intervene on behalf of the party or parties by contacting the assisting agency and making the necessary arrangements.
      - D. Transport the party or parties to the offices or facilities of the assisting agency.
    - 2. An on-duty shift supervisor must review the facts of the case and provide prior approval whenever an officer plans to assist by contacting the social service agency or transporting the parties to the agency. His decision about department involvement will be based upon:
      - A. The circumstances of the case.
      - B. Capabilities of the involved parties.
      - C. Available manpower.

- D. Potential harm to the individual or others.
3. The initial officer will document this referral by completing the case report.
- 3) Juvenile referrals –
- a) Cases involving juveniles will be handled in conformance with state statutes and department policies and procedures.

**The provisions set forth in the General Orders are subject to the conditions and changes that may take place within the Federal, State and Local Municipal Laws.**  
**It will be the responsibility of both the officers and the Cicero Police Department to be alert of these changes and conform as required to those standards set forth in the law.**  
**Revisions of this General Order will take effect upon changes of the law within a reasonable period of time and when necessary by the law.**

By Order of:

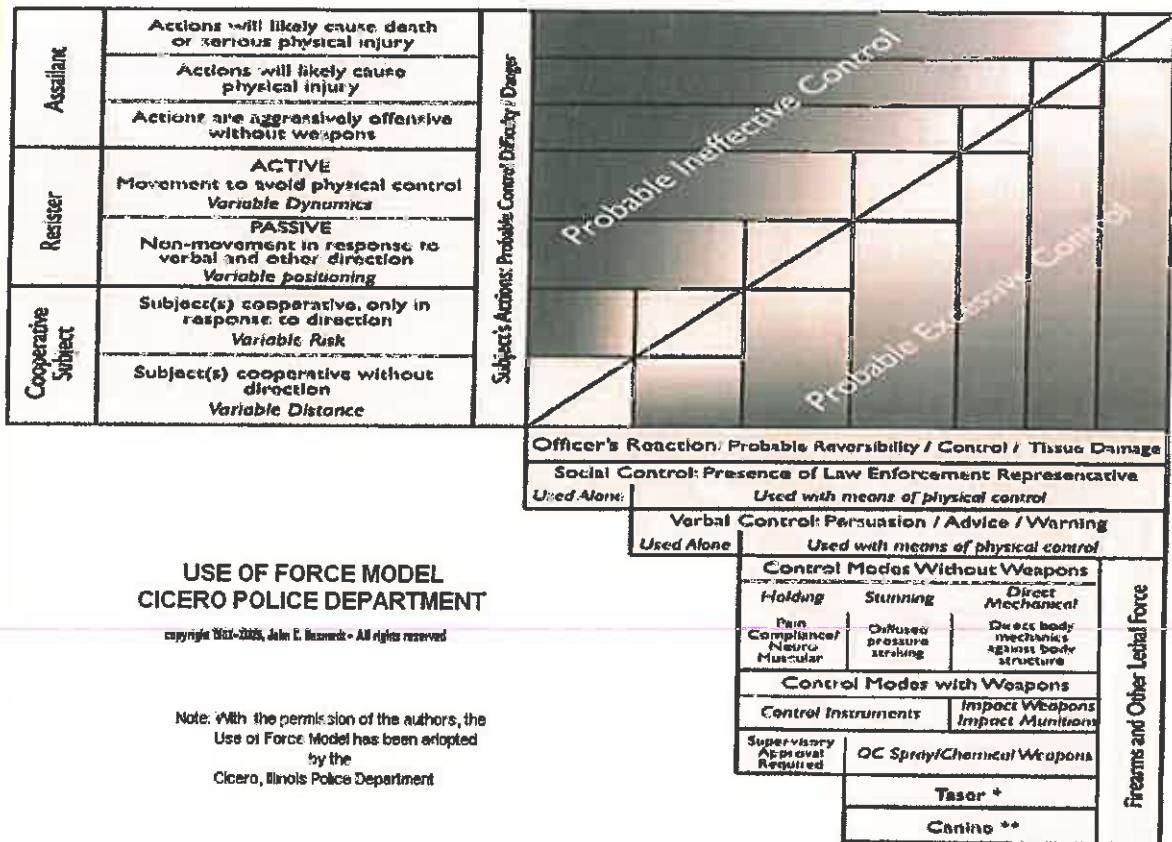
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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER 01-03-01-Addendum A**

**EFFECTIVE DATE:** February 1, 2018

**SUBJECT:** USE OF FORCE MODEL Addendum A



**USE OF FORCE MODEL**  
**CICERO POLICE DEPARTMENT**

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Note: With the permission of the authors, the Use of Force Model has been adopted by the Cicero, Illinois Police Department

\*Taser – To deploy the Department issued Taser/CEW in PROBE mode to an “Active Resister”, the Officer must reasonably perceive the subject to be an immediate threat to public and / or Officer safety, or; Fleeing from a serious offense crime and the Officer is justified in tackling the subject. Fleeing alone is not sufficient as the sole reason for Taser / CEW use.

\*\*Canine – To deploy the Department owned Police Canine, against an “Active Resister”, the Officer must reasonably perceive the subject to be an immediate threat to public and / or Officer safety, or; Fleeing from a serious offense crime and the Officer is justified in tackling the subject. Fleeing alone is not sufficient as the sole reason for Canine deployment.

By order of

\_\_\_\_\_  
 Superintendent of Police



## CICERO POLICE DEPARTMENT

### Use of Force Report

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Case Number: \_\_\_\_\_

Location of Incident: \_\_\_\_\_ Officer Preparing Report: \_\_\_\_\_

Signature of Officer Preparing Report: \_\_\_\_\_ Star: \_\_\_\_\_ Date: \_\_\_\_\_

**Nature of Initial Contact:**  Traffic Stop  Street Stop  Search Warrant  Call For Service

Other (Specify): \_\_\_\_\_

#### Officer(s) Involved:

NAME	ID#	Force Used	Witness Only
Officer #1: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Officer #2: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Officer #3: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Officer #4: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Officer #5: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Officer #6: _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

**Force Used by Officer(s):** Indicate by #, which officer used what type of force



- Handgun  
Rifle  
Knife/Cutting Instrument  
Other (specify): \_\_\_\_\_



- Come Along  
Pressure Points  
Impact Weapon (ASP)  
EMD/CEW  
OC Spray  
Other (specify): \_\_\_\_\_

Was Medical Attention Provided?  Yes  No

**Injury to Officer(s):** Indicate by #, which offender used what type of force

Death Serious Injury Minor Injury

Complaint of Injury/None Observed No Complaint of Injury/None Observed

Treatment: Admitted to Hospital Treated and Released No Treatment

Hospital Transported To: \_\_\_\_\_

Injury Photographed:  Yes  No Photographer's Name/ID Number: \_\_\_\_\_

**Offender(s) Involved:**

Offender #1: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

Offender #2: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

Offender #3: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

Offender #4: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

Offender #5: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

Offender #6: \_\_\_\_\_ DOB: \_\_\_\_\_ Charges: \_\_\_\_\_

**Force Used Against Officer(s):** Indicate by #, which offender used what type of force

Lethal Force:	<input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife <input type="checkbox"/> Other (Specify): _____
Non Lethal Force	<input type="checkbox"/> Fist <input type="checkbox"/> Feet <input type="checkbox"/> Teeth <input type="checkbox"/> Other (specify): _____

**Injury to Offender(s):** Indicate by # which offender the injury applies to:

**Complaint of Injury/None Observed** **No Complaint of Injury/None Observed**

**Treatment:**      **Admitted to Hospital**      **Treated and Released**      **No Treatment**

Hospital Transported To:

Injury Photographed:  Yes  No      Photographer's Name/ID Number: \_\_\_\_\_

**Form Reviewed By:**

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Watch or Unit Commander \_\_\_\_\_ Date: \_\_\_\_\_

Deputy Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_

### **Notifications:**

- Watch Commander
- Affected Officer's Deputy Superintendent of Police or Unit C.O.
- First Deputy Superintendent of Police
- Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 01-03-01**

**EFFECTIVE DATE:** 01 January 2018



**SUBJECT:** **USE OF FORCE**

**1. POLICY**

The purpose of this policy is to provide Cicero Police Officers and Detention Officers with guidelines for the use of less-lethal and deadly force.

**2. DEFINITIONS**

- A. DEADLY FORCE:** Any use of force that creates a substantial risk of causing death or serious bodily injury.
- B. LESS-LETHAL FORCE (Non Deadly Force):** Any use of force other than that which is considered deadly force that involves physical effort to control, restrain, or overcome the resistance of another.
- C. OBJECTIVELY REASONABLE:** The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations.
- D. SERIOUS BODILY INJURY:** Injury that involves a substantial risk of death, protracted and obvious disfigurement, or extended loss or impairment of the function of a body part or organ.
- E. DE-ESCALATION:** Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.
- F. EXIGENT CIRCUMSTANCES:** Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.
- G. COOPERATIVE SUBJECT:** A person who is compliant without the need for physical force.
  - 1. Cooperative without direction- a person who is compliant upon arrival of police personnel [Force Option- Officer Presence].
  - 2. Cooperative only in response to direction- A person who becomes cooperative only once spoken to by police personnel [Force Option-Verbal Control/Direction].
- H. PASSIVE RESISTER:** a person who fails to comply (non-movement) with verbal or other direction. [Force Options- Holding and Compliance Techniques]
- I. ACTIVE RESISTER-** A subject who by physical action tries to defeat an officer's attempt at control or be taken into custody. [Force Options- Stun/Blunt/Diffused Pressure and/or speed cuffing takedown]

- J. ASSAILANT:** a subject who is using or threatening the imminent use of force against himself/herself or another person.
1. Actions are aggressively offensive without weapons- a person who places police personnel or others in fear of a battery, to include advancing in a threatening manner. [Force Options- Direct Mechanical and/or Impact weapons]
  2. Actions are likely to cause physical injury but not likely to cause death or serious injury [Force Options- Direct Mechanical and/or Impact weapons]
    - Subject has a weapon, the subject expresses or implies intent, and the subject has the ability to get said weapon to its intended target (delivery system). When weapon, intent and delivery system are present, an attack is imminent
  3. Actions are likely to cause death or serious physical injury to the police or others [Force Options- in addition to the force options authorized above for all categories of assailant, Firearms and other lethal force options are authorized]
    - Subject has a weapon, the subject expresses or implies intent, and the subject has the ability to get said weapon to its intended target (delivery system). When weapon, intent and delivery system are present, an attack is imminent
- K. CHOKE HOLD:** Applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air (Per: Illinois P.A. 99-352, eff. 1-1-16.)
- L. WARNING SHOTS:** Discharge of a firearm for the purpose of compelling compliance from an individual, but not intended to cause physical injury.
- M. Police Canine:** A dog issued by the Department as defined under CPD GO 41-01-04

### **3. PROCEDURE**

#### **A. General Provisions**

1. The Cicero Police Department (and the United States Supreme Court) recognizes that Department personnel are often forced to make split second decisions (in situations that are tense, uncertain, and rapidly evolving) about the amount of force that is necessary in any given situation calling for force. Further, these decisions will be judged on the totality of the circumstances known by the officer at the time and from the perspective of a reasonable officer on scene, in the same or similar circumstances, and not with the benefit of 20/20 hindsight. Nothing in this policy requires officers to take actions, or fail to take actions, that unreasonably endanger themselves or others.
2. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
3. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the minimal amount of force necessary to control the situation shall be used.
4. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
5. An officer has a duty to intervene to prevent or stop the use of excessive force by another officer when it is safe and reasonable to do so.
6. All uses of force shall be documented and investigated pursuant to this Department's policies.

## **B. Department's Use-of-Force Continuum**

The Department's Use-of-Force Continuum is structured as follows:

1. Officer presence
  2. Verbal Control
  3. Holding Techniques
  4. Stunning Techniques
  5. Conducted Electrical Weapon (CEW-Taser)
  6. Pepper spray
  7. Direct mechanical Control
  8. Impact tools
  9. Lethal force/Deadly Force
- NOTE: OFFICERS SHOULD USE THE RESPONSE APPROPRIATE TO THE RESISTANCE OFFERED. THEY DO NOT NEED TO PROGRESS STEP BY STEP THROUGH THE CONTINUUM
10. Police Canine

## **C. De-escalation**

1. An officer 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.
2. 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.

## **D. Use of Less-Lethal Force (Non-deadly Force)**

When de-escalation techniques are not effective or appropriate, an officer may consider the use of less-lethal force to control a non-compliant or actively resistant individual and assailants. An officer is authorized to use agency-approved, less-lethal force techniques and issued equipment.

1. To protect the officer or others from immediate physical harm,
2. To restrain or subdue an individual who is actively resisting or evading arrest, or
3. To bring an unlawful situation safely and effectively under control.

## **E. Use of Deadly Force**

1. An officer is authorized to use deadly force when it is objectively reasonable under the totality of the circumstances. Use of deadly force is justified when one or both of the following apply:
  - a. To protect the officer or others from what is reasonably believed to be an immediate threat of death or serious bodily injury
  - b. To prevent the escape of a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit a felony involving serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to the officer or another if the subject is not immediately apprehended or the subject is reasonably believed to be armed and to have committed a forcible felony to another person.
2. Where feasible, the officer shall identify himself or herself as a law enforcement officer and warn of his or her intent to use deadly force.
3. Deadly Force Restrictions
  - a. Deadly force should not be used against persons whose actions are a threat only to themselves or property.
  - b. Firearms shall not be discharged at a moving vehicle unless
    - (1) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or

- (2) The vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.
- c. Firearms shall not be discharged from a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.
- d. Choke-holds are prohibited unless deadly force is authorized.
- Specifically, per the Illinois Compiled statutes, (720 ILCS 5/7-5.5)
- Sec. 7-5.5. Prohibited use of force by a peace officer.
- (1) A peace officer shall not use a chokehold in the performance of his or her duties, unless deadly force is justified under Article 7 of this Code.
- (2) A peace officer 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.
- (3) As used in this Section, "chokehold" means applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air (Source: Illinois P.A. 99-352, eff. 1-1-16.)
- (1) A police officer may not use a chokehold or lesser contact to the throat to prevent someone from destroying evidence by eating the evidence.
- e. **WARNING SHOTS ARE NOT PERMITTED- FIREARMS MAY ONLY BE DISCHARGED WHEN THE USE OF LETHAL/DEADLY FORCE IS JUSTIFIED.**

#### **F. The Conducted Electrical Weapon (CEW)**

The Conducted Electrical Weapon will be used when it is obvious that the first steps in the force continuum are, or will be, ineffective.

1. Users of the CEW must first be properly trained and certified
2. Policy and procedure on the CEW shall be outlined under Department General Order 01-03-01-A (See Addendum)

#### **G. Pepper spray**

Pepper spray will be used when it is obvious that the first steps in the force continuum are, or will be, ineffective.

1. The department will issue and train officers in the use of the three ounce ten percent aerosol pepper spray.
2. The pepper spray will not be used unless the officer has received training in its use.
3. Pepper spray may be used if a suspect under the control of a Cicero Police Officer escalates resistance to the point that the suspect physically resists the officer's attempt to control the suspect.
4. This resistance may include, but is not limited to, the suspect grabbing, pushing, punching, kicking, biting, throwing objects at or spitting on the police officer. Pepper spray may be used when the suspect is attempting to or has already committed a battery on the officer.
5. When spray is used on a subject, the officer who has control of the subject will check regularly to assure that the subject does not stop breathing.
6. Normal decontamination procedures will be followed.
7. Immediate medical attention will be provided if necessary or if requested by an individual.

#### **H. Expandable Baton**

1. The department will issue and authorize the use of the 21-inch expandable (tactical) baton.
2. The baton may be used as a control weapon, in conjunction with weaponless non-

Impact control techniques, to apply steady pressure to pressure sensitive areas, thereby effecting control.

- a. The baton may be used as a defensive impact/striking weapon to large muscle groups,
- b. When deadly/lethal force is justified baton strikes/use would not be limited to large muscle groups.

**I. Police canine**

The Department handler will utilize the canine in accordance with PCD GO 41-01-04.

**J. Flashlight**

Officers trained in the use of impact weapons may substitute use of the flashlight for the baton.

**K. Knives**

Officers are authorized to possess and use knives on-duty. It is recognized that an officer may have many needs for such a tool while on-duty, for both general work and for limited defensive purposes. While not considered to be a weapon of choice in a lethal force situation, officers may, under extraordinary circumstances, use a knife to defend himself/herself or others from serious physical harm or death.

Officers may carry folding or fixed blade knives as the individual prefers. The blade length (as defined as the sharpened edge of the blade) of any knife carried on-duty shall not exceed four inches (4").

**4. Death or great bodily harm attributed to an officer in the performance of police duty**

- A. The Detective Division will initiate an investigation of the facts and circumstances immediately. Where a death is involved, the Public Integrity Unit will immediately be requested to initiate their investigation. The Cook County States Attorney's Office will also be notified of the incident.
- B. The member responsible for the death or serious injury:
  1. May be assigned, as deemed appropriate by the Superintendent, to administrative duty or paid leave.
  2. Will provide any weapon used in the incident to a supervisor or investigating officer.
  3. Will be available for official interviews and statements regarding the case, and will be subject to recall to duty, as determined by the superintendent.
  4. Will not discuss the case with anyone except the prosecuting attorney and department personnel. This does not prohibit the officer from discussing the case with his attorney(s).

**5. Post Shooting Stress/Fatigue**

- A. A psychological debriefing will be mandatory for any member who is in the line of duty:

1. Discharges a firearm at another person, injuring or killing the person.
2. Is seriously injured as a result of an assault with a firearm.
3. Is referred to the department psychologist by a supervisor following a shooting incident.

- B. A psychologist will be made available, at no cost to the member, and at the member's request, for any member who is in the line of duty:

1. Has been involved in a shooting incident.
2. Is the victim of an assault.
3. Has been a witness to a shooting incident.

- C. The affected member's Deputy Superintendent or his designee will ensure scheduling of the psychological debriefing.

- D. A member who discharges a firearm injuring another person may be excused, with pay, from duty for the remainder of their tour of duty and their next scheduled work day. The excused absence may be extended by the Deputy Superintendent to include additional scheduled workdays.

## 6. Notifications:

A. The communications section, the on-duty watch commander, and a field supervisor will be notified when:

1. An officer requires medical attention as a result of a suspect using force. \*(see note)
2. An officer uses an impact weapon, a Conducted Electrical Weapon (CEW), Pepper Spray, or a firearm. \*(see note)
3. An officer uses lethal force \*\* (see note)
4. A suspect requires or requests medical treatment as the result of an officer using force. \*(see note)

Note \* If practical, an on scene investigation/inquiry by the field supervisor will be conducted

\*\* Requires an on-scene response and inquiry by the field supervisor and on-duty watch commander

B. The communications section, a field supervisor, the on-duty watch commander, the Deputy Superintendents of Police, and the Superintendent of Police will be notified when:

1. An officer uses lethal force.
2. An officer sustains serious injury as a result of a suspect using force.
3. A suspect is seriously injured as the result of an officer using force.

## 7. Use of Force Reporting (Use of Force Report: Form 246, P.D.)

A. The Form 246 P.D. will be completed by an officer, when they use a level of force involving pain compliance techniques or any greater amount of force.

B. The Form 246 P.D. will also be completed by the victim officer when a subject:

1. Uses lethal force against an officer.
2. Uses a non-lethal weapon against an officer.
3. Uses force that result in death or injury to an officer.
4. Forcibly resists arrest.

C. Should a member not be able to complete the Form 246 P.D. due to death or injury, the immediate supervisor will ensure the form is completed.

D. The officer's supervisor or the responding supervisor will document, on the Use of Force/Supervisor's Preliminary Investigation Report (form 246a PD), their initial review of the incident. A Supplement Report may be included, if necessary, to allow for proper documentation of the supervisor's inquiry/investigation of the incident. Part of this investigation generally involves an attempt to interview witnesses and arrestees, if practical.

1. In instances involving offenses that require audio and video recording of statements of arrestees the use of force interview of the arrestee will not be done immediately.

a. In certain instances, the State of Illinois requires law enforcement to electronically record all custodial interrogations of adults and juveniles under the age of 18 for the following investigations

i. Predatory Criminal Sexual Assault of a Child

ii. Aggravated Arson

iii. First Degree Murder

iv. Second Degree Murder

v. Involuntary Manslaughter

vi. Reckless Homicide

vii. Driving Under the Influence that resulted in a death

viii. Drug Induced Homicide

ix. Predatory Criminal Sexual Assault of a Child

x. Aggravated Arson

xi. Aggravated Kidnapping

xii. Aggravated Vehicular Hijacking

xiii. Home Invasion

xiv. Aggravated Criminal Sexual Assault

xv. Armed Robbery

xvi. Aggravated Battery with a Firearm

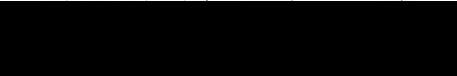
xvii. Intentional Homicide of an Unborn Child

xviii. Voluntary Manslaughter of an Unborn Child

- xix. Involuntary Manslaughter of an Unborn Child
- xx. Reckless Homicide of an Unborn Child

- b. If the crime being investigated falls under the mandatory electronically recorded custodial interrogation mandate, the supervisor reviewing the use of force will coordinate with a Detective Division supervisor to determine the most appropriate means/timing to conduct the use of force interview, if at all.
- 2. Any custodial interview by a supervisor, for purposes of this order, of any person should be preceded by Miranda warnings.
- 3. Any custodial interview by a supervisor, for purposes of this order, of any person under the age of 18 will be coordinated with a juvenile officer and the on-duty Detective Division supervisor.
- 4. If no interview of the arrestee is conducted the reason for such will be noted on the Use of Force/Supervisor's Preliminary Investigation Report (form 246a PD).
- 4. One Form 246 P.D. will be completed for each incident, and copies of all relevant reports, complaints, and narratives or case numbers in the absence of reports (including the CEW log printout in CEW applications) will be attached to the Form 246 P.D.
- 5. A case report number will not be used for the Form 246 P.D., but the case report number of any other report taken in regards to the incident will be included in the appropriate space on the Form 246 P.D.
- 6. Forms 246 P.D. and 246a PD will be forwarded through the chain of command to the appropriate Deputy Superintendent of Police, who will in turn review/approve the form and forward it to the First Deputy Superintendent of Police. After review by the First Deputy, he/she will forward the form to the Commander of The Training Unit. A copy of the Use of Force Report and, when applicable, the Supervisor's Preliminary Investigation Report (with accompanying documents) will be forwarded to the Superintendent of Police by the First Deputy Superintendent or his/her designee.
- 7. Forms 246 P.D. and 246a PD will not be sent to the Records Division through distribution.
- 8. The Training Unit is responsible for filing the reports and collecting the statistical information.
- 9. No information contained on the Form 246 P.D. will not be released to persons or agencies outside the department without prior approval from the superintendent of police.

By Order of:

  
Superintendent of Police



**CICERO POLICE DEPARTMENT**  
**Use of Force**  
**SUPERVISOR PRELIMINARY INVESTIGATION**



Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Case Number: \_\_\_\_\_

Location of Incident: \_\_\_\_\_ Supervisor Preparing Report: \_\_\_\_\_

Signature of Supervisor Preparing Report: \_\_\_\_\_ Star #: \_\_\_\_\_ Date: \_\_\_\_\_

Nature of Initial Contact:  Traffic Stop  Street Stop  Search Warrant  Call for Service

Other (Specify): \_\_\_\_\_

**Supervisor's initial review/ investigation:**

Arrestee's/Subject's statement regarding use of force:  DNA  Refused  Unable to Interview (specify reason):

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Was your investigation conducted on scene:  Yes  NO If no, explain briefly: \_\_\_\_\_

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**Initial finding:**

I have concluded that the member's actions were in compliance with department policy.

OR

I have concluded that additional investigation is required. I have made immediate notification to \_\_\_\_\_

(Date/Time of Notification): \_\_\_\_\_

Has I.A.D. been notified? Yes  No  \

If Yes, By Whom? \_\_\_\_\_ Date/Time \_\_\_\_\_

If No, explain \_\_\_\_\_

Supervisor's Name and Star # \_\_\_\_\_ Signature: \_\_\_\_\_

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 01-03-02 Addendum A**



**EFFECTIVE DATE:** August 1, 2019

**SUBJECT:** Approved Service & Secondary Weapons  
(Handguns)

**1. POLICY**

It is the policy of the Cicero Police Department to offer individual Officers a choice in the selection of firearms carried in their official capacity as a Police Officer. Safety considerations and training logistics require this list to be restricted to certain manufacturers, calibers, actions types, etc. The following is a list of approved firearm manufacturers & specifications for individual purchase by Police personnel. Officers will purchase their own Service Weapon (Handgun) in-accordance with this addendum.

- A. Service Weapon (Primary Weapon): The firearm approved by the department for an officer to carry on duty as his primary sidearm with, which the officer is required to qualify and demonstrate proficiency on an annual basis.
- B. Service Firearms (Primary)
  1. Semi-Automatic type:
    - a. The approved semi-automatic firearm manufactures are: **Beretta, FN USA, Glock, Heckler & Koch, Sig Sauer, Smith & Wesson, Springfield, and Walther**. Only those models that meet the following specifications are approved for use:
      - 1) 9mm Luger, and .45ACP;      - \*Note: Any officer who qualified with and was authorized to carry a .40S&W caliber semi-auto pistol prior to 15 May 2019 is "grandfathered" and authorized to carry said firearm. They must continue to qualify under the same schedule as any other handgun used for duty or off duty use.
      - 2) Double action, or Striker fired design;
      - 3) Uniformed officers must carry a minimum of two (2) extra magazines;
      - 4) The magazine must be standard law enforcement issue for the weapon;
      - 5) Matte Black, Blue or Stainless Steel finish;
      - 6) Handgrips must be made of wood, rubber or plastic without ornamentation;
      - 7) Barrel length of 3.5" - 6";
      - 8) Fixed, or adjustable iron sights or;
      - 9) Fixed, or adjustable tritium night sights;
      - 10) Supplemental Laser sighting systems
        - a. Officers must properly sight-in and demonstrate proficiency with any supplemental laser sighting system.
      - 11) Pistol Mounted Red Dot Optic sights;
      - 12) Tactical lighting systems with required holster;
- C. Secondary Weapon (Covert/Off-duty Weapon): The firearm approved by the department for an officer to carry as a secondary or back-up handgun while on duty, as a primary weapon while assigned covert duty, or as an off-duty weapon. The officer will qualify and demonstrate proficiency with this weapon on an annual basis.

2. Semi-Automatic type:

- a. The approved semi-automatic firearms are **Beretta, Colt, FN USA, Glock, Heckler & Koch, Kahr, Sig Sauer, Smith & Wesson, Sturm Ruger, Springfield, and Walther**. Only those models that meet the following specifications are approved for use:
- 1) .380 Auto, 9mm Luger, and .45ACP;  
*\*Note: Any officer who qualified with and was authorized to carry a .40 caliber S&W semi-auto pistol prior to 15 May, 2019 is "grandfathered" and authorized to carry said firearm. They must continue to qualify under the same schedule as any other handgun used for duty or off duty use.*
  - 2) Double action or Striker Fired design;
  - 3) Matte Black, Blue, Nickel or Stainless Steel finish;
  - 4) The magazine must be standard law enforcement issue for the weapon;
  - 5) Handgrips must be made of wood, rubber or plastic without ornamentation;
  - 6) Barrel length of standard factory issue;
  - 7) Fixed, or adjustable iron sights or;
  - 8) Fixed or adjustable tritium night sights;
  - 9) Supplemental Laser sighting systems
    - a. Officers must properly sight-in and demonstrate proficiency with any supplemental laser sighting system.
  - 10) **Pistol Mounted Red Dot Optic Sights (In-accordance with "Pistol Mounted Optics" listed below)**
  - 11) Tactical lighting systems with required holster.

3. Revolvers:

- a. The approved revolver firearm manufactures are **Colt, Smith & Wesson, and Sturm Ruger**. Only those models that meet the following specifications are approved for use:
- 1) 9mm Luger, .38 special, .357 Magnum;
  - 2) (5) round minimum capacity;
  - 3) Matte Black, Blue, Nickel or Stainless Steel finish;
  - 4) Handgrips must be made of wood, rubber or plastic without ornamentation;
  - 5) Barrel length of 1.8 to 4 inches; and
  - 6) Fixed, adjustable, laser or night sights.

**B. Pistol Mounted Optics (PMO):**

1. Officers wishing to carry a Pistol Mounted Optic (PMO) system on their Service Weapon (Handgun), must first complete an approved in-house, or other department approved Pistol Mounted Optic specific training course and qualify with their weapon using the (PMO) prior to carrying the weapon.
2. All (PMO) systems and holsters will be purchased by the individual officer. Reimbursement requests will not be authorized.  
Aftermarket milled slides are not allowed.
3. The following factory manufactured weapon systems with modular slide mounted cut-out mounting systems designed to accept Pistol Mounted Optics are approved for primary service/secondary carry:
  - a. Beretta APX RDO (Red Dot Optic) models
  - b. FN USA FN509 Tactical models
  - c. Glock MOS (Modular Optic System)
  - d. Smith & Wesson M&P C.O.R.E. models
  - e. Sig Sauer P320 X-Carry & Rx models

4. Iron Sights:
  - a. Iron sights must co-witness through the optic window and be useable in the event of an optic or battery failure
  - b. Officers approved to carry a Pistol Mounted Optic (PMO) system must also demonstrate proficiency with use of their back-up iron sights during the required transitional training course
5. The following manufacturer/model Pistol Mounted Optics (PMO) sighting systems are approved for primary service/secondary carry:
  - a. Aimpoint (ACRO P-1)
  - b. Holosun (407c, 507C & 508T)
  - c. Leupold (Delta Point PRO)
  - d. Trijicon RMR & SRO (Manual adjust LED models only)

By order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 01-03-02**

**EFFECTIVE DATE:** **August 1, 2019**  
(Revised-deletions; &Addendums A & B added)



**SUBJECT:** **FIREARMS AND FIREARM PROCEDURE**

**1. POLICY**

The Cicero Police Department will provide regulations for personnel who are authorized to carry firearms in regard to the type of weapons, ammunition and accessories that are allowed on and off duty, as well as the requirements for the qualification, inspection and security of all weapons.

**2. DEFINITIONS**

- A. **Service Weapon** (Primary Weapon): The firearm approved by the department for an officer to carry on duty as his primary sidearm with, which the officer is required to qualify and demonstrate proficiency on an annual basis.
- B. **Secondary Weapon** (Covert/Off-duty Weapon): The firearm approved by the department for an officer to carry as a secondary or back-up handgun while on duty, as a primary weapon while assigned covert duty, or as an off-duty weapon. The officer will qualify and demonstrate proficiency with this weapon on an annual basis.

**3. PROCEDURES**

- A. Authorized firearms:
  1. Officers are required to purchase their own firearms.
  2. The Range Master and Firearms Instructor must approve service and secondary weapons.
  3. Officers carrying firearms that have been approved may continue to do so until the Range Master or Firearms Instructor judges the weapon to no longer be safe.
  4. The firearm is to be of the semi-automatic or revolver type.
  5. All modifications made to any firearm that alters the manufacturer's original design must be approved by the Range Master, prior to the requested modifications being made.
  6. All weapons must be carried in an approved holster deemed to be safe for that weapon, by the Range Master or Firearms Instructor.
- B. Service Firearms (Primary)
  1. \*Refer to Addendum "A" for a listing of approved Service Firearms (Handguns)
- C. Secondary Firearms: (Covert/Off Duty)
  1. \*Refer to Addendum "A" for a listing of approved Secondary Firearms (Handguns)
- D. Officers in Uniform or Civilian Clothes:
  1. Officers in uniform or civilian clothes are required to carry their authorized firearm while on duty except when:
    - a. Processing a prisoner, or

- b. The presence of the firearm might jeopardize the outcome of a covert operation/investigation, or
  - c. Other special circumstances prevail which in the opinion of the Superintendent of Police, or a Deputy Superintendent, or a Unit exempt member, render execution of this requirement impractical or undesirable.
2. Department Approved Duty Holsters.
    - a. Refer to Addendum "B" for a listing of approved Duty Holsters.
  3. Officers not in uniform, while on duty, will not carry their firearm in any manner that exposes the weapon to the public view without displaying their badge.
  4. The secondary (covert/off duty) firearm must meet departmental criteria for approval
    - a. Secondary firearms will not be carried in such a manner as to distract from the professional appearance of the officer.
    - b. No secondary device or holster, which will jeopardize the safety of the officer, other employee or the public, will be used.
  5. Officers are responsible for the security and safe storage of their firearms at all times.

E. Care and maintenance of firearms:

1. Officers will inspect all firearms assigned to or carried by them for residue, corrosion or deterioration on a weekly basis. Officer will keep them clean and in operating condition at all times.
2. Shotguns will be inspected for safety by a supervisor when issued, returned and at such times as may be appropriate.
3. Officers will maintain their primary and secondary firearms in a clean and serviceable condition at all times.
4. Officers will refrain from displaying a firearm to anyone except upon demand of a supervisor or inspection officer in the performance of his or her official duties.
5. The Range Master or Firearms Instructor will inspect all weapons during qualification.

F. Qualification:

1. All officers of the Cicero Police Department will qualify annually with their primary service pistol, and any secondary firearm.
2. Any officer not appearing for a scheduled qualification will be in direct violation of this order and are subject to departmental disciplinary action.
3. The Range Master and/or Firearms Instructor will update records reflecting the current firearms qualification status of all officers. All records will be forwarded and maintained by the department training coordinator.

By Order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 01-03-03-A**

**EFFECTIVE DATE: January 1<sup>st</sup>, 2013**

**REVIEW DATE: January 1<sup>st</sup>, 2015**

**SUBJECT: Taser Log**



**Taser Log, Taser Usage**

**(For Internal Training Use Only, forward original of this document to Training Division)**

1. Date and Time of Incident \_\_\_\_\_
2. Address of Incident \_\_\_\_\_
3. Type of Incident \_\_\_\_\_
4. Weather at Time of Deployment \_\_\_\_\_
5. Deploying Officer \_\_\_\_\_
6. Type of Deployment, Dart \_\_\_\_\_ Drive \_\_\_\_\_
7. Number of Activations \_\_\_\_\_
8. Body Location of Deployment(s) \_\_\_\_\_
9. Distance of Dart Mode Deployment \_\_\_\_\_
10. Success/Failure of Deployment \_\_\_\_\_
11. Serial Number of Device \_\_\_\_\_
12. Serial Number(s) of Cartridge(s) \_\_\_\_\_
13. Offender Name \_\_\_\_\_  
Address \_\_\_\_\_
14. Arrested? \_\_\_\_\_ Charged? \_\_\_\_\_
15. Charges \_\_\_\_\_
16. Any Secondary Injuries \_\_\_\_\_
17. Ambulance Notified \_\_\_\_\_
18. Darts Removed By \_\_\_\_\_
19. Supervisor Preparing this Report \_\_\_\_\_
20. Signature of Supervisor \_\_\_\_\_

**(Statistical Analysis Only, Not a part of case file)**

By Order of:

\_\_\_\_\_  
Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 01-03-02 Addendum B**



**EFFECTIVE DATE:** August 1, 2019

**SUBJECT:** Department Approved Duty Holsters

**1. POLICY**

It is the policy of the Cicero Police Department to establish a list of approved duty holsters for use by all Police personnel while assigned to uniformed patrol, plainclothes (Detectives/Gang Unit Officers), and Administrative positions. The following is a list of the approved duty/service holsters for all Cicero Police personnel while on-duty.

- A. As of May 15, 2019: The only holsters approved for Uniformed Duty carry are: Safariland 6300 and 7300/7TS ALS Level 2 and ALS/SLS Level 3 retention holsters in basket-weave finish with or without a weapon mounted lighting system.
- B. The only approved holsters for Officers/Personnel assigned to plainclothes assignments (i.e. Gang/Tactical Unit or Detective Division), are: Safariland 6367, 6377 and 7367, 7377 "ALS" Level 2, or "ALS/SLS" Level 3 Concealment model retention holsters.
- C. Personnel assigned to Administrative positions are also allowed to carry level 1-3 holsters including but not limited to the Safariland model 537, 576 & 577 "GLS" Active retention holsters, as well as. This does not apply to watch commanders or acting watch commanders; watch commanders and acting watch commanders are required to wear holsters outlined in the policy under. "uniformed duty carry."

By Order of:

Superintendent of Police

**CICERO POLICE  
DEPARTMENT GENERAL  
ORDER 01-03-03**



**EFFECTIVE DATE:** November 1, 2017

**SUBJECT:** **DEPARTMENT ISSUED- CONDUCTED  
ELECTRICAL WEAPONS (CEW)**

**1. POLICY:**

The Cicero Police Department will establish Rules and Guidelines for the use of Department issued Conducted Electrical Weapons (CEW). This policy provides personnel trained in the use of CEW devices with direction as to use, deployment, storage, and suspect care. The Taser device is intended to control a violent individual, while minimizing the risk of injury. The appropriate use of the device should result in fewer injuries to officers and suspects/offenders.

**2. PURPOSE:**

It is essential that trained and qualified Cicero Police Officers understand their role and responsibilities when using the CEW. The CEW device provides officers with options for controlling combative or uncooperative subjects in a manner that minimizes the risk of injury to both officers and resistive subjects. The Department issued CEW (currently the Taser X26/X26P and X2) is deployed as an additional police tool and is not intended to replace firearms or self-defense techniques. The CEW falls into the category of less lethal force options and is intended to supplement other techniques or weapons.

**3. DEFINITIONS:**

**Conducted Electrical Weapon (CEW):** A device, which is designed to temporarily incapacitate a subject by delivering electrical pulses to the person. When used in probe mode. The electrical pulses are intended to completely override the central system and directly control the skeletal muscles. The CEW effect is intended to cause Neuro Muscular Incapacitation (NMI), an uncontrollable condition of the muscle tissues, physically debilitating the targeted subject regardless of pain tolerance or mental focus.

**The X26/X26P/X2 CEW:** This device delivers electrical energy by using compressed nitrogen to fire two probes up to a distance of 25 feet from a replaceable cartridge. These probes are connected to the device by high voltage insulated wire. When the probes make contact with the target, the device transmits powerful electrical pulses along the wires and into the target subject. The top probe will follow the front and rear sights and the laser sight. The bottom probe will travel at an 8-degree downward angle below the aimed point/laser sighted area. The bottom probe will drop approximately 1 foot for every 7 feet of distance from the device to target.

**Activation:** Pulling the trigger of the CEW, causing the arcing or probe discharge.

**Active resistance**\*: A subject's physical actions meant to defeat an officer's attempt at control or be taken into custody.

*\*To deploy the department issued Taser/CEW in PROBE mode to an "Active Resister", the officer must reasonably perceive the subject to be an immediate threat to public and/or officer safety, or: Fleeing from a serious offense crime and the officer is justified in tackling the subject. Fleeing alone is not sufficient as the sole reason for Taser/CEW use.*

**Taser Cartridge (X26/X26P)**: The replaceable cartridge of the X26 and X26P CEW manufactured by Taser/AXON Enterprises, Inc., contains compressed nitrogen, and fires the two metal electrical probes. When the cartridge is removed or expended the metal contacts located on the front of the X26/X26P CEW can also be used as a stun gun upon contact with the weapon.

**Taser Smart Cartridge (X2)**: The replaceable cartridge of the Taser X2 CEW manufactured by Taser/AXON Enterprises, Inc., contains compressed nitrogen, and fires the two metal electrical probes. When the cartridge is expended the metal contacts located on the front of the X2 CEW can also be used as a stun gun upon contact with the weapon by either a pull of the trigger or depressing the ARC button located on both sides of the X2.

**Anti-Felon Identification Device (AFID)**: A set of 40 small identification tags that are ejected from the Cartridge when the Taser X26/X26P/X2 CEWs are fired. The AFID's have the individual Cartridge serial number printed on them allowing positive identification of which CEW device was fired.

**Deployment**: The actual contact or delivery of electrical impulse to the subject via probe discharge or drive stun.

**Cycle**: The 5 second period during which electrical impulses are emitted from the Taser X26/X26P/X2 CEW following activation.

**Data Port**: Each time the device is fired, the device stores the date and time the device was fired. A computer data port located at the bottom/grip area of the CEW, which allows data to be downloaded to a computer from the device.

**Probes**: Projectiles with attached wires designed to penetrate the subject's clothing or skin that allow for the application of the electric impulse to the subject.

#### **4. DEPLOYMENT GUIDELINES:**

- a) The Department issued CEW device shall only be issued to officers certified in the proper use of this equipment after completing an approved training program chosen by the Superintendent of Police or his designee.
- b) The CEW device shall be carried on the officer's weak/support side opposite of the Officer's firearm.
- c) CEW Holsters:
  - 1) Effective 01-01-2018, Department issued CEW devices shall NOT be carried in any nylon/fabric (or similar type material) pouches or pockets.
  - 2) The CEW device shall only be carried in a Department issued holster or other department approved\* *active retention (Level II)* holster.
  - 3) Officer's opting to wear the CEW holster on their optional outer vest carrier instead of their duty belt will be required to purchase the proper MOLLE accessory attachment at their own expense. The issued/approved CEW holster\* shall be attached via

MOLLE webbing on the weak/support side of the outer vest carrier.

\*The ONLY approved Department CEW holsters as of 01-01-2018 are:

- *Blackhawk SERPA X26P & X2 Holster*
- *Safariland 6520 & 7520 7TS "SLS/EDW" Level II Holster*

- d) As part of the pre-tour inspection, certified users will conduct a standard (5) second trigger activation burst to ensure that the weapon is working properly before going on patrol duties. Only properly functioning and charged CEW devices shall be carried on duty.
- e) Any probe discharges, including accidental discharges of the CEW device shall be investigated and documented on a use of force report. Discharges of this device during pre-tour testing or an approved training session will not require completion of the use of force report forms or require further investigation unless an injury occurs during the training session. The CEW will not be demonstrated on anyone at any time unless during part of an approved training session.
- f) The CEW is programmed to deliver a (5) second burst of electrical current. It is recommended that during field deployment and use of the device, the full 5-second cycle be delivered to gain maximum effectiveness and compliance of the target subject.
- g) If a subject has been exposed to three (3) or more CEW firing cycles; or one continuous firing cycle of fifteen (15) seconds or more, and the officer has not gained control of the subject, the officer should switch to other appropriate/reasonable force options unless the officer can reasonably justify that continued CEW use was necessary to ensure the safety of the officer or another person.
- h) Never aim or point the CEW at the face or eyes of anyone, as the CEW unit is laser sighted and can cause eye injury with exposure to the laser.
- i) The CEW when discharged, can ignite gas and other flammables. Some self-defense sprays containing alcohol are flammable and should not be used in conjunction with this device.
- j) Replace the CEW cartridge by the manufacturer's expiration date. All expired CEW cartridges will be turned over to the certified training instructor for use during training exercises, or for disposal.

## 5. DEPLOYMENT PROCEDURES

- a) Officers when feasible will provide a verbal warning to the target subject before using the CEW on them. The warning should be an explicit statement requesting compliance, such as, *"Stop, Get on the ground now, or you will be Tasered"* or other similar verbal commands requesting compliance.
- b) Officers should announce to other officers present that the device is being deployed. A verbal notification such as, *"TASER-TASER-TASER,"* should be announced prior to use.
- c) To deploy Taser/CEW in PROBE mode to an "Active Resister", the officer must reasonably perceive the subject to be an immediate threat to public and/or officer safety, or: Fleeing from a serious offense crime and the officer is justified in tackling the subject.
- d) Officers should attempt to use each 5 second cycle of the X26/X26P/X2 CEW as "a window of opportunity" to establish control/handcuff while the subject is affected.
- e) The X26/X26P/X2 CEW may be deployed multiple times on the same subject if the officer reasonably believes the additional use is necessary to control the subject and take them into custody. However, officers should avoid exposing a subject to three (3) or more CEW firing cycles (or one continuous firing cycle of fifteen (15) seconds or more); the officer

should switch to another appropriate/reasonable force options unless the officer can reasonably justify that continued CEW use was necessary to ensure the safety of the officer or another person.

- f) The X26/X26P/X2 CEW can also be used as a stun gun if the CEW cartridge had been expended or has been removed from the CEW.
  - g) Have back-up officers make the arrest or use other available force options as appropriate and necessitated by the situation.
  - h) Aim at the center mass and from the rear of the target/subject (*if possible*). Efforts should be made to target low center mass of the subject, avoiding the head, neck, chest, or groin.
  - i) Use available cover and distance to ensure officer safety.
  - j) If the suspect runs, after being struck with the probes, the officer must also run to prevent wires from breaking.
6. **USE OF THE (CEW) UNDER THE FOLLOWING CIRCUMSTANCES IS PROHIBITED, UNLESS THE OFFICER CAN ARTICULATE THE (CEW) DEPLOYMENT WAS OBJECTIVELY REASONABLE GIVEN THE RESISTANCE/FORCE ENCOUNTERED:**
- a) Against securely handcuffed subjects.
  - b) Against subjects fleeing on foot.
  - c) Against subjects operating a motor vehicle.
  - d) From a moving vehicle.
7. **THE CONDUCTED ELECTRICAL WEAPON/CEW SHALL NOT BE USED:**
- a) When the officer knows a subject has come in contact with flammable liquids or the subject/officer are in a flammable environment.
  - b) When the subject is in an elevated position where falling may cause serious injury or death.
  - c) Punitively for purposes of coercion or in an unjustified manner.
  - d) To forcibly escort or prod individuals.
  - e) To awaken unconscious or intoxicated individuals.
  - f) When the subject is obviously pregnant.
  - g) When the subject display solely Passive resistance. (*ie: Peaceful protest, refusal to stand, non-aggressive verbal resistance, etc.*)
8. **POST DEPLOYMENT PROCEDURES**
- a) Officers shall evaluate all subjects against whom a CEW has been deployed.
  - b) A supervisor and paramedics shall be summoned to the scene after every CEW deployment.
  - c) Paramedics will conduct an on-scene medical evaluation of the subject and at their discretion remove CEW probes from NON-sensitive areas.
  - d) Under the following circumstances the deploying officer or responding supervisor shall make a recommendation to the paramedics on-scene that the subject should be transported to the hospital for further medical evaluation:
    - 1) The subject requests medical treatment or is suspected to be under the influence of an intoxicating substance.
    - 2) The subject displays an adverse reaction to the CEW deployment.
    - 3) The subject has been exposed to more than one CEW simultaneously.
    - 4) The subject has been exposed to three (3) or more CEW firing cycles; or one continuous firing cycle of fifteen (15) seconds or more.

- 5) If the CEW probes have penetrated the skin in a sensitive area (head, eyes, face, neck, groin or breast of a female) the subject will be transported by paramedics to an emergency room for probe removal.
- 6) Following the discharge of the Taser (CEW), it is the responsibility of the deploying officer to collect the Taser probes and cartridge and placing them into evidence. Officers will use biohazard precautions when handling Taser probes that were removed from a subject that may be contaminated with blood.
- 7) Officers will photograph the areas of the probe strikes if possible, before and after probe removal. Officers of the same sex of the target subject will take photographs of a sensitive area. All photographs of probe strikes will be placed into evidence.
- 8) Deployment information of the department issued CEW's data will be downloaded to a designated computer from the device for documentation purposes by a certified CEW supervisor. Once the data has been downloaded successfully the supervisor will install a new cartridge and re-issue the Taser (CEW) to the officer.
- 9) All completed reports will be forward to the Superintendent via the chain of command for review.

9. **CEW INSTRUCTOR RESPONSIBILITIES:**

- a) Conduct the certified CEW training, for basic user certification and re-certification per the approved course of instruction. The basic training on the CEW In-service re-certification device is provided as needed.
- b) Inspect and ensure the CEW is in good operating condition prior to use for training.
- c) Establish and maintain records on the issuance of all devices to include CEW serial numbers, CEW Cartridge serial numbers, and the number of batteries issued.
- d) Return defective or damaged CEW devices and cartridges to suppliers for repairs or replacement.
- e) Maintain a log with a record of CEW repairs, and parts replaced.
- f) Maintain CEW Instructor certification.
- g) Maintain training updates, and incorporate them into lesson plans for re- certification classes.
- h) Prepare a lesson plan, student handout and test for the CEW basic user and re-certification classes given.

10: **DIRECTOR OF TRAINING RESPONSIBILITIES:**

- a) Maintain training updates and information from Taser International and other sources that will keep the program current and relevant.
- b) Assure that all CEW users and CEW Instructors certifications are kept current.
- c) Conduct basic user certification training and re-certification to department personnel. All training will be coordinated through the Director of Training.
- d) Review each case report involving the deployment of the CEW. Immediately report any unusual circumstances surrounding the deployment of the CEW to the First Deputy Superintendent of Police.
- e) Prepare an annual report to the Superintendent of Police by January 15<sup>th</sup> of each year. Such report should outline the number of deployments in the field, including accidental discharges, locations of the incidents, case report numbers and officers involved in the incident.

By Order of:

  
Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 01-03-04**



**EFFECTIVE DATE:** November 1, 2017  
(Revises order issued November 2014)

**SUBJECT:** AUTHORIZED PATROL RIFLE/CARBINE

**I. PURPOSE:**

The purpose of this order is to establish departmental guidelines for the acquisition and deployment of the patrol rifle/carbine.

- A. The authorized patrol rifle/carbine may be provided by the Police Department or individually officer owned.
- B. The rifle/carbine is NOT intended to replace the officer's service pistol but should be considered a supplementary firearm for use as a particular situation dictates.

**II. SPECIFICATIONS:**

- A. All authorized patrol rifles/carbines must meet the following specifications.  
Superintendent of Police or his designee shall approve variation or caliber of the patrol rifle/carbine.
- B. All patrol rifles/carbines:
  1. The primary patrol rifle / carbine shall be an AR-15/CAR-15 type secured in a weapon rack or locked in the car trunk.
  2. The only approved Tactical Assault Rifles are the M-16 and AR-15 style Rifle manufactured by Armalite, Bravo Company Manufacturing (BCM), Bushmaster, Colt, Daniel Defense, Heckler & Koch (H&K), Knights Armament Corp. (KAC) Larue Tactical, Lewis Machine & Tool (LMT), Noveske, Palmetto State Armory (PSA), Rock River Arms, Ruger, Smith and Wesson, and Wilson Combat/Recon.
  3. Chambered for 5.56mm rifle ammunition.
  4. A barrel length of 16 to 20 inches.
  5. Semi-automatic only
  6. Iron Sights
  7. The butt stock may be either fixed or collapsible
  8. Primary magazines are 20 round magazines loaded with 18 rounds or 30 round magazines loaded with 28 rounds.
  9. Ammunition shall be of a type approved by the Superintendent of Police or his designee (.223 or. 5.56, 55 or 64 grain soft point factory loaded round)
  10. Equipped with a sling system suitable for tactical deployment where the weapon may be retained "hands free" yet ready for immediate use.
- C. Ammunition:  
All patrol rifles/carbines will be chambered with Department authorized ammunition, as determined by the Superintendent of Police in consultation with the Department Range Master.

01-03-04

1. Each Officer will initially be issued 18 rounds of ammunition.
2. Each Officer wishing to purchase additional rounds may do so. However those rounds will be of the same manufacturer and specifications as those issued by the Department.
3. Additional Rounds purchased are done so at the personal expense of the officer making the purchase; No Reimbursement will be made.

### III. MODIFICATIONS:

- A. No modifications, other than the following list, will be permitted without prior approval of the Superintendent of Police or his designee.
- B. Requests for any other modifications must be submitted in writing through the Range Officer and Training Commander, with recommendations, to the Superintendent of Police or his designee.
- C. Generally Approved Options:
  1. Front Night Sight
  2. Sure-Fire Weapons light attachment
  3. Redi-Mag
  4. Vortex Flash Hider
  5. Ambidextrous Safety
  6. Replacement Pistol Grip
  7. Extractor Defender D-Ring
  8. Supplemental/Optical Sighting System
  9. Magwell Grip
  10. Verticle Fore-End Grip
- D. Only Supplemental/Optical Sighting Systems from the following manufacturers are approved for carry:
  1. Aimpoint;
  2. Eotech; and
  3. Trijicon
  4. Others, as determined by the Superintendent of Police or designee.  
(All devices must be suitable for tactical, close-quarter engagement and allow immediate access to the iron sights should the system fail.)
  5. Magnification devices must be approved by the Superintendent of Police

### IV. TRAINING AND QUALIFICATION:

- A. Officers must successfully complete a Department approved patrol rifle/carbine training course to be eligible for field deployment of the patrol rifle/carbine.
- B. Officers must successfully complete all required Department training and qualification course-of-fire to remain eligible with their specific authorized patrol rifle/carbine for field deployment.
- C. The Department will provide necessary training for all officers issued a patrol rifle/carbine.
- D. Proficiency in marksmanship with the patrol rifle/carbine must be acquired for eligibility for field deployment.
- E. Each officer wishing to carry a personally owned rifle/carbine while on duty must submit, through the chain of command, a REQUEST TO CARRY PERSONALLY OWNED PATROL RIFLE/CARBINE form. Approval is required prior to field deployment.

**V. DEPLOYMENT POLICY:**

- A. Patrol rifles/carbines will be deployed consistent with the Departmental Use-of-Force Policy (CPD General Order# 01-03-01).
- B. Officers deploying the patrol rifle/carbine will maintain control of the firearm at all times or insure that the weapon is secured by another police officer.
- C. At no time will a round be chambered when the rifle/carbine is not in use.
- D. When not in use, the safety on all rifle/carbine will be kept in the on position at all times.
- E. An orange "Chamber Safe" blocking device will be installed into the chamber of the rifle/carbine anytime the weapon is not deployed and is in storage.
- F. Patrol rifle/carbine deployment is recommended when the following conditions are identified:
  - 1. Any potentially dangerous/deadly force situation where the officer has reason to believe that deployment of the patrol rifle/carbine will contribute to the safe resolution of the incident or diminish risk to the officer or the public.
  - 2. The officer is assigned as a member of a Rapid Deployment Team.
  - 3. The officer is assigned as a cover officer on perimeter security or a containment team member during a tactical operation.
  - 4. The officer has cause to believe that an armed offender is wearing body armor or is shielded by an intervening barrier.
  - 5. The officer has cause to believe that an offender may be engaged at an extended distance.

**VI. UNLOADING RIFLE/CARBINE:**

- A. At the termination of any situation which required loading a round into the chamber, the officer will unload the weapon in the following manner:
  - 1. Point the weapon in a safe direction
  - 2. Engage the safety
  - 3. Remove the magazine
  - 4. Cant the rifle/carbine to the right
  - 5. Pull the charging handle to the rear from the chamber
  - 6. Visually inspect the chamber to ensure the weapon is empty
  - 7. Re-insert the orange "Chamber Safe" blocking device
  - 8. Release the charging handle closing the bolt.

**VII. STORAGE AND MAINTENANCE OF PATROL RIFLE/CARBINE:**

- A. The rifle/carbine during transport shall not be exposed or displayed in public, it must be fully encased in an appropriately designed case for that specific weapon.
- B. The officer is responsible for ensuring proper storage of the rifle/carbine.
- C. The officer will refrain from displaying a rifle/carbine to anyone except upon demand of a supervisor, an inspecting officer or in the performance of their duties.

**VIII. CARE AND MAINTENANCE OF FIREARMS:**

- A. Officers will inspect the rifle/carbine that is assigned to them for residue, corrosion, or deterioration on a weekly basis, and will keep the rifle/carbine clean and in good operating condition.
- B. Officers will clean the rifle/carbine as soon as possible after it has been fired.

- C. Officers are personally responsible for the rifle/carbine while in their custody and control. Any obvious misuse or carelessness attributed to the care, maintenance, or use of the firearm may subject the officer to disciplinary action.
- D. At the time of qualification or at the discretion of the Director of Training or his designee, inspections of patrol rifles/carbines for mechanical defects will be conducted.
- E. If it is determined that a department owned/issued rifle/carbine needs repair or replacement due to negligence by the officer, the officer may be held responsible for payment to the Town of Cicero for the cost of repairing or replacing the rifle/carbine. In addition, the officer may be subject to disciplinary action due to their negligence.

By:

[Redacted]  
Superintendent of Police

GO 01-03-04

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 01-03-05**

**EFFECTIVE DATE:** January 2016



**REVIEW DATE:** January 2018

**SUBJECT:** Officer Involved Death Incidents

**1. Purpose**

The purpose of this policy is to provide guidelines for the investigation of Officer Involved Deaths whether on duty or off duty while in the performance of their duties, to include:

- A. Any officer-involved shooting (Use of Deadly Force) incidents that have resulted in injury to a person
- B. Any other use of force by an officer which resulted in death or great bodily harm to another
- C. Any in custody death
- D. Any police involved traffic crash resulting in death of a person

**2. Definition:**

**Officer Involved Death:**

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

**3. Policy**

It is the policy of the Cicero Police Department (CPD) that:

- A. Any officer-involved shooting (Use of Deadly Force) incidents that have resulted in injury to a person
- B. Any other use of force by an officer which resulted in death or great bodily harm to another
- C. Any in custody death
- D. Any police involved traffic crash resulting in death of a person

Be investigated with thoroughness, professionalism and impartiality to determine if the officer's actions conform to Illinois State Statute and the Department's Policy. The Department will also provide necessary assistance to officers involved in these types of incidents to safeguard the continued good physical and mental health of all involved personnel.

**4. Procedures**

- A. All Police Officer involved incidents (listed above) resulting in the death of a person will be investigated by pursuant to Illinois Public Act 099-0352.
- B. In most cases (except traffic crashes) officer involved deaths will be investigated by the Illinois State Police-Public Integrity Task Force (ISP-PITF) and this Department as outlined in CPD GO 01-03-05 Officer Involved Shooting/Use of Deadly Force. In all cases the investigation of the

- use of force will be investigated by at least two officers that are not members of this Department and one will be designated as the lead investigator. The lead investigator must be certified by the Illinois Law Enforcement Training and Standards Board (ILETSB) as a “Lead Homicide Investigator” or another similar training program so recognized by the training board.
- C. In cases involving a traffic crash, the incident will be investigated by Illinois State Police (ISP) Accident Reconstruction Unit or other outside agency (Cook County Sheriff’s Police or if in another jurisdiction that jurisdiction, etc.). In all cases at least one investigator will be from an outside agency and at least one investigator will be a certified accident reconstruction specialist. The investigation protocols are outlined in CPD GO 26-01-04 Department Vehicles Crashes
5. UCR Reporting
- A. The Records Division of the Department is required to submit reports to the ISP, under PA 099-0352, on a monthly basis:
- 1) “Arrest Related Deaths” (including information on the deceased, the officer, and weapons involved in the incident, as well as a summary of the incident)
  - 2) A Law Enforcement Officers firearms discharges where there is a non-fatal injury (this applies to a discharge occurring within an officer’s official duties or in the line of duty). **This provision will be effective starting in 2017.**

**NOTE:** These guidelines are for internal use only and do not enlarge a police officer's civil or criminal liability in any way. These guidelines should not be considered as creating a higher standard of care for purposes of civil liability and may be used only to form the basis of a complaint for possible discipline of any officer violating its provisions.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER NUMBER: 01-03-06**



**EFFECTIVE DATE:** January 1, 2013

**SUBJECT:** Officer Involved Shooting/Use of Deadly Force (including incidents involving force causing injury likely to cause death) - Post Incident Procedures

**I. Purpose**

The purpose of this policy is to establish guidelines for the following:

- A. Any officer-involved shooting (Use of Deadly Force) incidents that have resulted in injury to a person
- B. Any other use of force by an officer which resulted in death or great bodily harm to another
- C. Any in custody death

**II Policy**

It is the policy of the Cicero Police Department (CPD) that:

- A. Any officer-involved shooting (Use of Deadly Force) incidents that have resulted in injury to a person
- B. Any other use of force by an officer which resulted in death or great bodily harm to another
- C. Any in custody death be investigated with thoroughness, professionalism and impartiality to determine if the officer's actions conform to Illinois State Statute and the Department's Use of Force Policy. The Department will also provide necessary assistance to officers involved in these types of incidents to safeguard the continued good physical and mental health of all involved personnel.

**III Definitions**

- A. Use of Deadly Force/Lethal Force: Any use of force that creates a substantial risk of causing death or great bodily harm (pursuant to CPD Gen. Order 01-03-01)
- B. In custody death: any death that occurs while a subject is in the custody of this Department.

**IV Procedures**

**A. Involved Officer(s)- On Scene Responsibilities**

Officers involved in a shooting or other incident resulting in the death or great bodily harm of a person (including in custody deaths) shall take measures to protect their safety, the safety of others, and preserve evidence essential to the investigation. This includes but is not limited to the following:

1. Request a supervisor, additional backup, emergency medical service and any other assistance required.
2. Ensure that threats to their safety and the safety of others no longer exist.
3. Secure and separate suspects.
4. Relay information on fleeing suspects to the communication's center and other field units. Coordinate efforts to establish a perimeter, if able to.
5. Administer emergency first aid to any officers, suspects or others as necessary.
6. Secure any weapons used in the incident as evidence provided that there are no ongoing or additional safety concerns. DO NOT handle, open, reload, remove shell casings or in any

G.O. 01-03-02

Officer Involved Shooting/Use of Deadly Force-Post Incident Procedures

other manner after the weapons involved other than taking those steps required to make the scene safe.

**B. Patrol Officer(s) assigned- Initial On- Scene Responsibilities:**

1. Secure the crime scene with tape and limit access to authorized personnel necessary to investigate the incident and assist the injured. Log the identification of all personnel entering the crime scene.
2. Protect evidence from loss, destruction or damage that is likely to occur before backup can arrive. Ensure that evidentiary items are not moved, note original location and position of persons, weapons, and other relevant objects and evidence.
3. Note time, survey the entire area for relevant facts, individuals who are present and who departs/departed the scene, witnesses, potential suspects and suspect vehicles.
4. Record the names, addresses and phone number of all witnesses and other persons present and the vehicle registration numbers of the vehicles at the scene. Request that witnesses remain on hand in order to make a brief statement whether or not they saw the incident.

**C. Supervisory Responsibilities at the scene**

1. Ensure the safety and determine the condition of the officer(s), suspect(s) and third parties. The supervisor, if it has not been done, shall make appropriate arrangements for all necessary medical treatment. At all times the supervisor should handle the officer and all involved personnel in a manner that acknowledges the stress caused by the incident.
  - a. When practical (scene secure) summon paramedics to check vital signs of officer(s) involved and/or transport to emergency room for medical evaluation.
2. Ensure that the immediate area has been contained and that any suspects have been detained.
3. Ensure that the suspect(s) weapon(s), ammunition and expended cartridges have been located and secured.
  - a. Collect information about the suspect, including name, physical description, domicile and other pertinent information.
  - b. Locate and secure as evidence any clothing that may have been removed from the suspect by emergency medical personnel or others.
4. Make or ensure the following notifications have been made:
  - a. Deputy Superintendent of Patrol or designee. (He/she will notify the 1<sup>st</sup> Deputy Superintendent and Superintendent of Police)
  - b. Cicero Police Detective Division on duty personnel and/or the Deputy Supt. of the Detective Division.
  - c. Cicero Police Internal Affairs Division Deputy Superintendent or his/her designee.
  - d. The Illinois State Police Integrity Task Force.
  - e. The Evidence Technician Unit from the Illinois State Police (ISP) or if the ISP is unavailable the Cook County Sheriff's Police and/or other agency's Evidence Technician Unit.
  - f. Cook County Medical Examiner -as necessary
  - g. To the extent necessary, ensure notifications are made, to other agency personnel, to include:
    - i. Other Command Staff
    - ii. The Town's Public Information Officer (PIO)- if directed by the Supt of Police or 1<sup>st</sup> Deputy Supt of Police
5. If the officer has been shot or otherwise injured in the incident:
  - a. Have an officer accompany and remain with the officer at the hospital.
  - b. Notify the officer's family as soon as practical and in person, by a Supervisor when possible, and

- i. Provide transportation to the hospital or other location where they are needed.
  - ii. Assign an officer to the family for security, support, control of the press, visitors and related matters.
  - iii. All attempts will be made to accommodate the family and to ensure their privacy.
- c. **DO NOT** release the officer's name to the media or unauthorized parties.
- d. Ensure that the clothing of officers and other injured persons is collected for potential evidentiary purposes and that related equipment of the officers is safeguarded.
6. Determine the original position of the officer(s) and the suspect(s) at the time of the shooting or use of force.
  7. Ensure photos of the officer (front and back) are taken as they appeared at the time of the incident, unless first aide makes this infeasible.
  8. Locate and secure, or secure in place, the officer's weapon(s) and ammunition. **This shall be done as discreetly as possible and not on the scene and only after the officer is in a safe environment**, unless significant circumstances do not allow for this.  
Check the weapons of all officers present, for evidence of discharge and secure the weapon(s) when evidence of discharge exists. Secure the officer(s) weapon(s) as evidence. Again, **this shall be done as discreetly as possible and not on the scene and only after the officer is in a safe environment**, unless significant circumstances do not allow for this.
    - a. **DO NOT** open, reload, remove shell casings or in any other manner alter the weapons involved other than taking those steps required to make the weapon and scene safe. (This will be done as a later time by investigative personnel or evidence technicians.)
    - b. The officer (or in some cases the Department) shall arrange for a replacement weapon as soon as reasonably practical.
  9. During any period where the involved officer is required to remain on the scene, but has no immediate duties to fulfill, he/she should be taken to a quiet area away from the scene of the incident. A peer counselor or officer should remain with the officer. They will be advised not to discuss details of the incident.
  10. When possible, the supervisor shall briefly meet with the involved officer(s) to obtain a "Public Safety Statement", consisting of only minimal, preliminary questions information. The officer(s) should be advised that a more detailed debriefing will be conducted at a later time. (See Appendix A- CPD Public Safety Statement)
    - a. The officer(s) should be directed to not discuss the incident with anyone except a department supervisor, a department or union attorney, a union representative, an assigned Public Integrity Task Force investigator or assigned Department Detective/Investigator, until conclusion of the investigation.
    - b. The officer should be advised to notify his family of the incident as soon as possible. If he/she is unable to do so, the watch commander or his designee shall personally notify the family and arrange transportation to the officer's location.
  11. The officer shall be advised he/she may consult with a union representative and/or an attorney of his/her choice prior to and during any interview, interrogation, or questioning, and prior to and after being required to prepare and submit any report, including special reports regarding the incident.
    - a. When such request for a union representative and/or counsel is made, no interview or interrogation or questioning shall proceed, nor shall any written statement or report be required to be submitted until reasonable time and opportunity are provided the employee to obtain counsel.
  12. The involved officer(s) should be briefed on the criminal and administrative investigations that will occur concerning the incident. No employee under formal investigation shall be questioned without first being informed of his rights under *Carrity v. New Jersey* and when applicable, the provisions of their appropriate collective bargaining agreement (CBA).

13. The supervisor should arrange for any other officers directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting to maintain the integrity of the investigation.
14. Appoint a recorder to make a chronological record of activities at the scene, to include: persons present, actions taken by police personnel and the identity of any personnel who entered the incident/crime scene, to include emergency medical and fire personnel.
15. Determine who is going to handle the evidence technician responsibilities. Evidence technician duties may involve the Illinois State Police, Cook County Sheriff's Police and/or other agency's Evidence Technician Unit.
  - a. Ensure that a diagram of the scene and photographs are taken as soon as possible.
16. If necessary establish a command post.
17. If necessary and as time permits establish a media staging area unless the Public Information Officer assumes this responsibility.
18. Use the Supervisor's Responsibility checklist, (See Appendix C).

#### D. Detective Division Responsibilities

When an officer uses deadly force, the reasonable conclusion is that the officer or third party is the victim of a crime involving the infliction or threatened infliction of death or great bodily harm. As a result, an investigation of the crime and possible charges against the offender should commence. The investigation of officer-involved shootings/use of deadly force incidents shall be the primary responsibility of the Detective Division. When there is an officer involved shooting the on-duty/on-call Detectives and Detective Sergeant shall be notified in addition to the Detective Division commanding officer (Deputy Superintendent of Detectives).

1. After receiving a general briefing and walk-through by the on scene supervisor, the Detective Division shall ensure that one or all of the following outside agencies were notified for assistance.

- a. The Illinois State Police Public Integrity Task Force
- b. The Evidence Technician Unit of the Illinois State Police Public Integrity Task Force.
- c. Cook County States Attorney's Office-Felony Review.
- d. Cook County Medical Examiner -as necessary.

2. The Detective Division shall remain in charge of the investigation of the underlying crime leading up to the use of force and shall work with the applicable outside agencies by conducting a parallel investigation that focuses on the prior crime that led to the use of force. Detective's will:

- a. Make a chronological record of activities at the scene, to include: persons present, actions taken by police personnel and the identity of any personnel who entered and exited the incident/crime scene, to include emergency medical and fire personnel.
- b. Ensure thorough inspection of the scene and proper collection of all items of evidentiary value.
- c. Obtain verbal and or written/taped statements from the suspects. (725 ILCS 5/103-2.1 (b), *An oral, written, or sign language statement of an accused made as a result of a custodial interrogation at a police station or other place of detention shall be presumed to be inadmissible as evidence against the accused in any criminal proceeding brought under Section 9-1, 9-1.2, 92-9-2, 19-3.9-3.2, or 9-3.3 of the Criminal Code of 1961 or under clause (a)(1)(c) of Section 14-501 of the Illinois Vehicle Code unless:*
  - (1) *an electronic recording is made of the custodial interrogation; and*
  - (2) *The recording is substantially accurate and not intentionally altered.*
- d. Ensure that notification is provided to next-of-kin of injured or deceased suspect, in coordination with the investigating outside agency, preferably by someone of the rank of Sergeant or above.
- e. Locate and identify witnesses and conduct interviews.

- f. Conduct interviews with fire department personnel, emergency medical service providers and other first responders to the scene.
- g. Obtain written reports from witness officers and if necessary conduct separate interviews with each officer involved.
  - i. Conduct the interview in a private location out of sight and sound range of agency members and others who do not have a need to the information.
  - ii. Advise the officer(s) not to discuss the incident with anyone except a union/personal attorney or attorney representing the Town, union representative, and family member, health care professional, outside agency investigator and/or the Illinois State Police Public Integrity Task Force assigned to investigate the incident, or departmental investigator until the conclusion of the preliminary investigation.
  - iii. Be cognizant of symptoms of post-traumatic stress, to include time and space distortions, confusion, hearing and visual distortion and emotional impairment, including shock for a period of 24-72 hours from the incident.
3. If it has not been done, take any weapon used in the incident by the officer(s) and handle it as evidence. Firearms shall be taken from the officer(s) in a discrete manner.
4. Obtain search warrants as necessary for searches of vehicles, containers, homes, businesses, rooms and the crime scene.
5. Develop a statement of preliminary basic facts for the media to be delivered by the agency spokesperson as soon as possible in conformance with the Department's media policy.
6. Other investigative procedures as determined by the Detective Sergeant or higher authority.

**E. Public Integrity Task Force Activation Requirements and Procedures:**

The sole purpose of the Illinois State Police Public Integrity Task Force (ISP-PITF) investigation, as it relates to officer involved shooting incidents that cause injury, as well as other use of force incidents resulting in death of a person, is to determine if the officer(s), when discharging their weapon or using other forms of deadly force, violated any criminal statutes. The PITF does not investigate possible violations of the policy and/or procedures of the Cicero Police Department nor does it investigate the underlying crime that occurred prior to the use of deadly force by the officer(s).

1. The criteria for activation of the ISP-PITF is as follows:
  - a. An Officer involved shooting where a person was shot by police gunfire (death or great bodily harm is not required)
  - b. Any use of force by an officer which resulted in death or great bodily harm to another or
  - c. In custody deaths- any death that occurs while a subject is in the custody of this Department. ALL IN CUSTODY DEATHS will be investigated by the ISP-PITF and will be handled by this Department in the same manner as any use of force incident resulting in death.

**2. Activation**

The Superintendent of Police or his/her designee shall make the appropriate notification to the ISP-PITF and request an independent investigation of the use of deadly force.

**3. Procedures**

- a. If the criterion is met, the supervisor on scene will ensure that the integrity of the crime scene is maintained and that no physical evidence is collected other than by members of the ISP-PITF.
  - i. The supervisor will make certain a crime scene log is started prior to the arrival of the ISP PITF
  - ii. If the strong possibility exists that evidence could be lost or destroyed the on scene supervisor will direct an on scene detective photograph immediately and recover if necessary.

- b. The Detective Division Deputy Supt. or his/her designee will be the liaison between the ISP-PITF and the Cicero Police Department.
- c. Involved Department members will refrain from writing any reports until interviewed by the ISP-PITF.
- d. Copies of all reports prepared by members of the Cicero Police Department regarding the deadly force incident, including any use of force reports and all recordings shall be provided to the ISP-PITF.
- e. No members of the CPD shall interfere with the investigation conducted by the ISP-PITF or other outside agency.

**F. Mandatory Alcohol and Drug Testing Following Firearm Discharge Incidents Involving Sworn Officers**

- 1. Any sworn Department member involved in a firearms discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing pursuant to appropriate collective bargaining agreement or town policy procedures, whichever is applicable, as well as the Illinois Compiled Statutes (ILCS).
- 2. The Watch Commander will:
  - a. review the investigation.
  - b. notify the officer involved Deputy Superintendent or commanding officer.
- 3. The Watch Commander will ensure:
  - a. the involved member submits to the drug test and ensure the urine specimen is:
    - i. collected in a manner that will preserve the dignity of the involved member and ensure the integrity of the sample.
    - ii. collected in the presence of a supervisor of the same sex as the involved member.
  - b. the alcohol and drug testing occurs as soon as practicable after the firearms discharge incident given the overall demands of the investigation.
  - c. will ensure testing is done prior to the end of the officer's tour of duty but no later than six (6) hours following the firearm discharge incident (on or off duty).
  - d. that copies of any associated reports, including the testing and results documentation, are forwarded to the 1<sup>st</sup> Deputy Superintendent of Police and Office of Professional Standards (OPS) once the testing is completed.
- 4. If the involved member refuses to provide a breath test or urine specimen pursuant to this process he/she will be ordered to submit to testing. If they continue to refuse, it is a violation of the Department's Rules of Conduct (CPD GO 26-01-01 Rule #6: Disobedience of an order or directive whether written or oral) and will result in administrative charges against the member, which may include discipline up to and including separation.
- 5. In off duty incidents, no discipline shall occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's Use of Force guidelines.

**G. Post-Shooting /Post Incident Trauma**

- 1. Sworn and non-sworn personnel should be familiar with the following provisions established by the Department for emotional trauma affecting police personnel involved in shooting/use of deadly force incidents.
  - a. Supervisors shall ensure that those involved in the incident are allowed to contact family members as soon as practical after the incident. In the event the officer is injured and unable to contact family members, the Supervisor or designee shall ensure that immediate family members are notified in person as soon as reasonably practical after the incident.
  - b. Involved personnel shall be removed from duty pending evaluation but shall remain available for any necessary administrative investigations.
  - c. The name of the officer(s) involved in the incident shall not be released. All personnel involved in a shooting or deadly force incident should be advised they are not permitted to

- speak with the media about the incident. Officers shall refer inquiries to the public information officer.
- d. The Watch Commander or designee shall make contact with all involved officers within 24 hours of the incident and explain the Employee Assistance Program that is available to them.
  - e. Within 72 hours of the incident, the Office of the Superintendent or designee shall contact a traumatic stress professional. He/she shall arrange for private appointments for the officer(s) determined to be directly involved in the incident and as requested, for their immediate family members.
  - f. Upon request, agency personnel will be provided counseling services for any incidents of post incident stress. Counseling services will be available for families of personnel, either through Departmental sponsored programs or through the Town's Employee Assistance Program.
  - g. All officers directly involved in the shooting incident shall be required to contact a Department designated specialist for counseling and evaluation as soon as practical after the incident.
  - h. Involved support personnel are also encouraged to contact a counselor after a shooting incident, as needed. After the counseling session(s), the specialist shall advise the agency:
    - i. Whether it would be in the officer's best interest to be returned to full duty, placed on administrative leave or light duty, and for how long
    - ii. What will be the best continued course of counseling?
  - i. The Department encourages the family of the involved officer to take advantage of available counseling services.
  - j. Department personnel will be briefed about the incident so that rumors are kept to a minimum.
2. All personnel should be familiar with the Employee Assistance Program and utilize these services following officer involved shooting/use of deadly force incidents. (G.O. 26-01-08 Traumatic Incident Program)
  3. The Superintendent of Police may place an employee involved in an incident resulting in death or serious injury on administrative leave or remove him/her from field duty consistent with the Department's policy. Prior to returning to field duty, employee(s) involved in the incident may be required to undergo a fitness for duty evaluation.

#### H. Administrative Investigation procedures:

1. It shall be the function of the Internal Affairs Division to investigate and establish whether the actions of the officer(s) using deadly force complied with the rules, regulations and policies of the CPD. The standard in which compliance will be determined is the facts and circumstances known to the officer(s) at the time deadly force was deployed.
2. Administrative investigations of an officer involved shooting will be conducted in compliance with CPD General Order 52-01-01 (Internal Affairs).
3. The Superintendent of Police will review and have final approval on the administrative investigation of the use of deadly force by members of the CPD.
4. The Commander of the Training Unit will review all officer involved shootings for the purpose of identifying remedial training concerns, trends, and compliance with current training practices.
5. Department members who have discharged a firearm other than an unintentional discharge or for the destruction of an animal will be placed in a mandatory administrative duty assignment for a period of thirty (30) days within the Department member's unit of assignment or detail. The administrative duty assignment will begin the day after the firearm discharge incident, unless the discharged rounds strike another person. In all cases involving the shooting of another person by a sworn member of the Department, the discharging officer will be placed on a mandatory three (3) day administrative leave (with pay) and then

G.O. 01-03-02

Officer Involved Shooting/Use of Deadly Force-Post Incident Procedures

will be placed on a thirty (30) day administrative duty assignment as described above. This leave and the administrative assignment are non-punitive and expire after thirty (30) calendar days from its start unless extended in writing by the Superintendent of Police. This assignment is not dependent upon the determination of any investigative body responsible for a review of the firearm discharge incident. No connotation as to the appropriateness of the member's actions will attach to this administrative assignment.

6. The involved officer(s) will:
  - a. provide administrative support functions for the officer's unit of assignment or detail at the direction of the unit commanding officer.
  - b. participate in the Traumatic Incident Stress Management Program and any other mandated Department training.
  - c. submit a To-From-Subject report to the First Deputy Superintendent through their unit commanding officer identifying any approved furlough and any other elective time off as well as any pre-approved secondary employment scheduled during the member's administrative duty assignment.
  - d. have their secondary employment privileges temporarily deferred to avoid any appearance of any conflict of interest.
7. The involved officer(s) commanding officer or Deputy Superintendent will ensure:
  - a. all supervisory members report any unusual changes in behavior from the involved Department member.
  - b. all additional assistance is provided to the involved Department member, including the use of the Employee Assistance Program (E.A.P.), as needed.
  - c. the administrative duty assignment procedures are followed for any medical time, vacation, or any other elective time off as well as any pre-approved secondary employment.

#### I. Superintendent of Police

The Superintendent of Police or designee will determine the appropriate time to release the names of involved officers and any information regarding the incident to the media. The Superintendent of Police or designee will request an independent investigation of all incidents resulting in the death of an officer or individual, resulting from or in the performance of their duties. The Superintendent of Police or designee may cause an internal investigation to be initiated in incidents resulting in death or serious injury of an officer or individual, resulting from or in the performance of the officer's duties. The Superintendent of Police may require a debriefing upon completion of the investigation. The debriefing will include all officers involved with the incident and may include other departmental personnel.

#### J. Daily Stress Recognition

As post-traumatic stress disorders may not arise immediately, or the officers may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of Department members for symptoms of post-traumatic stress disorder.

A supervisor may request, through the chain of command, to the Office of the Superintendent that an officer seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting the officer's job performance. (See G.O. 26-01-08 Traumatic Incident Program and 26-01-09E Employee Assistance Program)

#### K. Training

1. The Department shall provide employees with training pertaining to post-traumatic stress disorders, other stress related disorders, and the uniform procedures contained in this policy.

2. The Department will be responsible for making available information about the Department's Employee Assistance Program.

**L. Incidents outside of the Town of Cicero**

1. **Fresh Pursuit:** If an incident occurs outside the Town of Cicero during a "fresh pursuit" the incident will be handled in coordination with the agency where the shooting incident occurred. The agency of jurisdiction has the primary criminal investigation responsibility for the shooting incident, unless they defer to this agency. The CPD will conduct the criminal investigation of the matter that led up to the "fresh pursuit" and all other events that occurred within the Town of Cicero. Further the CPD will conduct a timely administrative investigation to ensure that the procedures of this order, where applicable, are implemented as if the shooting incident occurred within the Town of Cicero.
2. Incidents that occur outside the Town of Cicero that are not fresh pursuit (off duty incidents or other incidents on duty that are not related to hot pursuit) the agency of jurisdiction will be responsible for the investigation of the incident. However, the Office of Professional Standards (IAD) unit of the Town of Cicero will conduct an administrative inquiry or investigation of the matter based on their protocols.

**M. Outside Agency Shooting (with injury to a person resulting from that gunfire)**

1. If the outside agency is another municipality, except the City of Chicago, the Cicero Police Department will assume command of the scene and the Illinois State Police Public Integrity Unit will be contacted.
2. If the agency is the City of Chicago Police Department, the Cicero Police Department will investigate the underlying crime (if not hot pursuit) that led to the use of force (on duty and off duty incidents) and the senior ranking officer of the Chicago Police Department, on scene, will assume command of the use of force investigation based on their protocols.
3. If the outside agency is a Federal, State or County Agency, this Department will not be the primary investigating agency unless requested. The senior ranking officer of such agency will assume command of the scene and investigation.
4. Whenever officers from another agency are involved in a shooting incident within the Town limits, officers and supervisors will assist as requested by that outside agency. Officers will document their actions on the appropriate report form.

**NOTE:** These guidelines are for internal use only and do not enlarge a police officer's civil or criminal liability in any way. These guidelines should not be considered as creating a higher standard of care for purposes of civil liability and may be used only to form the basis of a complaint for possible discipline of any officer violating its provisions.

By Order of:

Department of Police

**CICERO POLICE DEPARTMENT**  
**PUBLIC SAFETY STATEMENT**  
**Officer-Involved Shooting Incidents**

**“Officer, I am ordering you to give me a Public Safety Statement. Due to the immediate need to take action, you do not have the right to wait for representation to answer these limited questions.”**

- Were you involved in an officer-involved shooting?
- Are you injured?
- If you know of anyone who was injured, what is his or her location?
- Approximately how many rounds did you fire and in what direction did you fire them?
- Do you know if other officers fired any rounds?
  - If so in what direction did they fire?
- Is it possible the suspect fired rounds at you?
  - If so in what direction did they fire?
- Are you aware of any witnesses?
  - If so, where are they?
- Approximately where were you when you fired the rounds?
- Are there any outstanding offenders or suspects?
  - If so, what is their description?
  - What was their last direction of travel?
  - What was their mode of transportation?
  - How long have they been gone?
  - What crime(s) are they wanted for?
  - Are they armed? If so with what?
- Are there any weapons or evidence that needs to be secured or protected?
  - Where are they located?

**“Officer, in order to preserve the integrity of your statement, I order you to not discuss the incident with anyone, prior to the arrival of the assigned investigators, with the exception of legal representatives.”**

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- Additionally initial supervisors should obtain the public safety statements of all substantially involved officers before they leave the scene.
  - The supervisor, absent exigent circumstances, shall remain at the scene to provide the Public Safety Statement to responding investigators. CPD Form 01-03-02 A

**ADMINISTRATIVE PROCEEDINGS RIGHTS (STATUTORY)**  
**Cicero Police Department**
**GIVEN TO ACCUSED**  
**DATE**      **TIME**

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT

The law provides that you are to be advised of the following:

1. Any admission made in the course of this hearing, interrogation or examination may be used as the basis for charges seeking your removal or discharge or suspension in excess of three days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the question.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the rules and regulations of the Cicero Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission made by you during the course of this hearing, interrogation or examination cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he / she was informed of the above rights.

Signature \_\_\_\_\_

Witness Signatures

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

File copy in Duplicate: Original to Investigator's File.  
Copy to accused member

Case #

## Cicero Police Department

## Supervisor's Checklist/Officer Involved Shooting Incident

- Crime Scene has been identified and secured.
- Officer(s) is safe and medical treatment is being rendered as needed.
- Third parties are safe and medical treatment is being rendered as needed.
- Suspect is secured and medical treatment is being rendered as needed.
- Any suspects have been detained and identification information collected.
- Suspect(s) weapon(s), ammunition and expended cartridges have been secured.
- Information on any non-detained suspects has been collected and disseminated.
- A photo of the involved officer(s) has been taken to document the clothing and manner of dress.
- The following notifications have been made:
  - Patrol Deputy Supt. or designee. (He/she will notify the Superintendent of Police)
  - Detective Division Deputy Superintendent or designee and on-duty/on-call Detectives.
  - Internal Affairs Division Deputy Supt. and Commander
  - Evidence Technicians.
  - All other Deputy Superintendents or Division Commanders
  - Public Information Officer, as directed by the Superintendent of Police
  - The Illinois State Police Integrity Task Force
  - Evidence Technician Unit from
    - o CCSO or
    - o Illinois State Police Integrity Unit.
- Cook County Medical Examiner -as necessary.

## If the officer has been shot or otherwise injured in the incident:

- An officer has accompanied and remains with the injured officer
- The officer's family has been properly notified
- Transportation has been provided (when needed)
- An officer has been assigned to the family.
- The clothing of officers and other injured persons has been collected.
- The officer(s) equipment has been safeguarded.
- Do not release the officer's name to the media or unauthorized parties.
- The position of the officer(s) and suspect(s) at the time of the shooting or use of force.
- The involved officer has been taken to a quiet area away from the scene of the incident
- When possible, the supervisor shall briefly meet with the involved officer(s).
- Preliminary questions have been asked about the incident.

**Supervisor's Checklist/Officer Involved Shooting Incident (Continued)**

- Officer(s) have been advised that a more detailed debriefing will be conducted.
- The officer(s) has been advised not to discuss the incident with anyone.
- The officer has notified his family of the incident.
- The officer's weapon(s) and ammunition has been located and secured as evidence.
- The weapons of all officers involved have been checked for discharge and secured.
- The officer has been advised that he/she may consult with a union representative and/or an attorney of his/her choice.
- The officer(s) has been briefed on the pending criminal and administrative investigations.
- Any other officers directly involved in the incident have been taken to a secure setting.
- A recorder has been appointed to make a chronological record of activities at the scene.
- The scene has been diagramed and photographed by the Evidence Technicians Unit.
- A crime scene log has been created and is being updated as necessary.
- A command post has been established, if necessary.
- A media staging area has been established, if necessary, for the Department and or Town's PIO.

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER 01-01-01-B**

**EFFECTIVE DATE:** January, 2016



**REVIEW DATE:** None-perpetual

**SUBJECT:** General Orders Manual

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**POLICY**

The Cicero Police Department requires a written directive system, referred to as the General Orders Manual, which clearly states the department's policies and procedures and governs our agencies' general activities and operations.

It is the policy of the Cicero Police Department to have and maintain a written and an electronic directive system that accurately and effectively provides all employees with a clear understanding of the expectations, constraints, legal obligations and ethical considerations relating to the performance of their duties.

The Cicero Police Department's written manual, as well as its electronic version, will serve as the official repository for General Orders. The electronic version of the General Orders will be maintained in the Cicero Police Department's computer "P" Drive (or similar fashion as technology changes)

The General Orders are arranged under the following subject identifiers:

Authority, Jurisdiction, Use of Force  
Organization, Management, Administration  
The Personnel Structure  
Personnel Training  
Police Operations  
Operations Support  
Traffic Enforcement and Control  
Prisoners, Jail & Court Related Operations  
Communications, Records & Evidence Collection & Storage  
Facility Management & Security

**RESPONSIBILITIES**

The Superintendent of Police has the authority to:

- Issue, modify, approve or delete Cicero Police Department General Orders
- Delegate this authority to the Deputy Superintendents
- Issue a directive by any means available when time is of the essence

**By order of the Superintendent of the Cicero Police Department all General Orders contained within have review dates specified, however unless modified, rescinded, or canceled all orders will remain in effect perpetually past their review date.**

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 84-01-02**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EVIDENCE HANDLING**

**1. POLICY:**

The Cicero Police Department will establish minimum guidelines for officers to collect, identify, receive, preserve, document, transfer, store and dispose of physical evidence and found and recovered non-evidentiary property.

**2. DEFINITIONS:**

- a. **Evidence Vault** - the highly secure storage facility located within the evidence facility at the Cicero Police Department Headquarters, which is under the direct supervision of the evidence custodian.
  - 1) The vault is the primary evidentiary, found and recovered property storage facility for the Cicero Police Department.
  - 2) Unaccompanied access is limited to the evidence custodian and alternate evidence custodian.
- b. **Evidence Vault Entry and Inspection Log** - a written and bound log maintained by the EC that records every person entering the vault other than the EC or AEC, including date, time in, time out, purpose of entry, signature of custodian permitting access and signature of the person entering the vault.
- c. **Evidence Custodian (EC)** - employee designated by the superintendent of police to administer and operate the department evidence and found and recovered property system, including the evidence storage facilities, monitor and provide functional supervision over the evidence program and whose approval must be obtained prior to destruction of evidence/property.
  - 1) An assistant evidence custodian (AEC) will be designated.
  - 2) References to EC's in this policy also apply to the AEC.
- d. **Department Approved Storage Facility** - safe deposit boxes, garages, warehouses, or other facilities rented or borrowed to accommodate special or unusual security or space needs, when authorized by the EC and approved by the superintendent. Record-keeping responsibilities and security measures for high-risk items are the same as for material stored in a department facility.
- e. **Temporary Storage Lockers** - storage space accessible for deposit of evidence/property when the EC is not available and designed in a manner that the property can only be removed by the EC.

- f. **Evidence** - instruments, articles or items, including items or substances from a known source for comparison purposes, which may have significance as a means of ascertaining the truth of any alleged matter of fact under consideration.
- g. **Inspections** - review of evidence, handling procedures, records, disposition and storage facilities. Types of inspections include:
  - 1) Semi-annual inspection of department evidence vaults, handling procedures, records, disposition and storage facilities, conducted by the superintendent or his designee.
  - 2) Change of custodian inspection upon assignment or relief of assignment of EC or AEC.
  - 3) Monthly inspection of evidence, handling procedures, records, disposition and storage facilities by the Deputy Superintendent of Administration, or his designee.
  - 4) Change of facility inspection of evidence, handling procedures, records, disposition and storage facilities whenever property is moved from one vault to another, due to a change in facility. This inspection compares records for the vault regarding items that should be in the vault and compares that information with the actual contents of the vault.
- h. Non-evidentiary Property (found/recovered property) - instruments, articles and items which come into possession of the department by virtue of employee recovery or citizen delivery that have no apparent evidentiary value. Security and record keeping requirements are the same as for evidence.
- i. Video tapes from vehicles (In-Car Videos) will be stored when completed for a period of 90 days, and if not required for evidentiary purposes, will then be returned to the front desk for erasure and re-use. Evidentiary records will be maintained for these tapes as if they were evidence.

### **3. RESPONSIBILITIES:**

- a. The Deputy Superintendent of Administration is responsible for:
  - 1) Installing, testing and maintaining an evidence vault alarm system.
    - a) ~~The evidence vault alarm system will be separate from any building alarm system so it may remain active when the building alarm system is deactivated.~~
      1. Only the EC has the authority and knowledge to activate or deactivate the evidence vault alarm system.
      2. Only the EC will have access to the keys or codes that access the vault.
      3. The deputy superintendent of the administration division will ensure that access keys/codes for vault doors and alarms are changed whenever the EC and/or AEC changes. The Deputy Superintendent of Administrations must receive written approval from the EC in order to change only the alarm access code (and not the locks).
    - b) The evidence vault alarm may notify the communications center and/or the front desk as well as the alarm service, if so desired by the deputy superintendent of administration.
    - c) Establishing, in writing, an evidence vault alarm response plan that is reviewed and tested at least annually. The response plan will include provisions for:
      1. Providing entities responsible for responding to the evidence vault alarm with a current list of personnel who can be contacted in the event the evidence vault alarm is activated.

2. Ensuring the current name and phone number of the alarm company responsible for the evidence vault alarm system is on file at the front desk, communications center and vault.
  3. A recovery plan addressing when, where and how the vault will be secured and relocated when the vault security is breached due to man made or natural disaster. This recovery plan may be separate or included in the headquarters recovery plan.
  4. Ensuring representatives of the evidence vault alarm company are aware of the requirement of providing positive identification prior to accessing the system.
  5. Tests of the response plan will be logged in the evidence vault entry and inspection log.
- b. Evidence custodians will:
- 1) Operate approved storage facilities in accordance with the provisions of this directive;
  - 2) Monitor and provide functional supervision over the department's evidence program including receiving and reviewing vault inspection reports;
  - 3) Ensure that the AEC is properly trained in evidence handling and security procedures;
  - 4) Ensure that the drop chute(s) is checked for evidence, and any evidence in the chute(s) is transferred to the vault and entered into the departments evidence records at the beginning of the EC's or AEC's shift.
  - 5) Provide proper packaging materials along with training to officers using the vault;
  - 6) Require proper marking and packaging on incoming evidence/property;
  - 7) Have the authority to refuse to accept any improperly marked, packaged or reported property, and to require any officer submitting property improperly to re-submit the property in the correct manner immediately. In the event the officer is off duty, the officer and the shift commander will be advised to correct the improperly submitted property by the end of the officer's next shift. Improperly submitted property will be held in the vault by the EC, who will note its receipt. The EC will notify the officer's Deputy Superintendent if the problem is not corrected by the end of the officer's next shift.
  - 8) Be consulted in all matters pertaining to department evidence/property control; including construction of vault, security measures, etc.;
  - 9) Properly destroy evidence/property or authorize others to destroy evidence/property, within six months of having received authorization for the property to be destroyed;
  - 10) Review documentation and prepare for the proper disposal/destruction of evidence/property in accordance with this directive and department procedures and notify the Deputy Superintendent of Administration when evidence/property is ready to be destroyed;
  - 11) In consultation with the deputy superintendent of administration, obtain and approve storage space for unusual needs beyond the capacity of existing facilities. The EC will be called in by the shift supervisor when such circumstances exist.
  - 12) Ensure that no dangerously explosive substance or hazardous materials are stored in department facilities.
  - 13) Ensure security of evidence/property in department custody;
  - 14) Initiate and maintain required records and files. Officers and their shift commander will be notified immediately when packaging, labeling or reports need to be corrected. Failure of an officer to correct the problem by the end of their next shift will be reported to their respective Deputy Superintendent.
  - 15) Be aware of the needs of victims and witnesses and assist the investigating officer in returning evidentiary property to its rightful owner(s) as soon as feasible;
  - 16) Participate in all required inspections, including change of custody inspection upon assignment or relief of assignment as EC;

- 17) Have the option, with the approval of the Deputy Superintendent of Administration, to deliver or pick up evidence from a court, laboratory or other location (The EC should not accept improperly packaged or labeled items.); and
- 18) Advise the Deputy Superintendent of Administration when any inspection required by this directive is not carried out.

c. Employees

- 1) Employees will not solicit, accept or retain for their personal use any evidence or non-evidentiary property.
- 2) Evidence or property that is to be used for department purposes must first be transferred to the department through court order or other legal means.
- 3) Employees are responsible for:
  - a) Obtaining and providing signed and dated legible receipts documenting seizures and transfers, where ever possible.
  - b) The security of evidence/property in their possession and
  - c) The inclusion of identifier, descriptive and custody information in the appropriate report file for all evidence that is or has been in their possession.
  - d) Documenting initial custody of evidence on appropriate forms,
  - e) Proper marking/labeling, packaging, sealing with a seal that protects the contents from loss or contamination and tampering and delivery of all evidence they personally collect (Tape used to seal evidence must be initialed or otherwise identified to document the person sealing the evidence.),
  - f) Officers will secure property in the approved drop facilities when an EC is not available.
  - g) Completing the following items on a the appropriate property/investigative/reporting forms:
    1. Location of Initial Collection
    2. Case number
    3. Exhibit number
    4. Officer
    5. Officer's I.D. number
    6. Name of subject
    7. Description of evidence, including, if at all possible, the exact amount of cash, including denominations and the exact amount of each
    8. Submitting officer's name
    9. Submitting officer's I.D. number
    10. Date collected/received/recovered.
    11. Date submitted to property control.
- h) When recording information on the Cicero Record of Evidence Form, officers:
  1. Drug fire testing, destruction, etc) together, or record them on the same form. Will record one evidentiary package, with one evidence number, perform
  2. Will not package items that may go to different places (returned to owner, laboratory,
  - 4) Documenting all transfers of custody in which they are involved (including returning to the owner) and collection of copies of documentation of all transfers of custody in which they are not involved,
  - 5) Entering all seized and recovered items with serial numbers through LEADS and NCIC,

- 6) Securing all evidence related documentation including certified/registered mail receipts, in the case report file,
- 7) Transporting evidence between facilities, including courts,
- 8) Prior to disposition, rechecking any items with serial numbers through NCIC and LEADS. Appropriate action will be taken if a hit is received,
- 9) Being aware of the needs of victims and witnesses and assisting in the return of property taken as evidence as soon as feasible,
- 10) Obtaining court authorization to dispose of evidence, where feasible, and
- 11) Ensuring disposing of evidence within six months of satisfying legal requirements by submitting the appropriate authorization to the EC.

**Note: At the request of the investigating officer or supervisor, the EC may assist with any of these responsibilities.**

#### **4. PROCEDURES:**

##### **a. Acquiring/controlling evidence/property**

- 1) To ensure safekeeping, employees will immediately upon acquisition of, or assuming control over, evidence/property make an inventory of the material (or packages), either manually or electronically, and where appropriate, provide a receipt to the person from whom the articles were received or taken.
- 2) Ensuring safekeeping includes the first officer on the scene:
  - a) Protecting the scene from contamination,
  - b) Protecting and preserving items of evidence pending arrival of a crime scene investigator or supervisor (at which time a determination of responsibility will be formalized) or
  - c) Personally collecting, marking and packaging articles of evidentiary value including materials and substances from known sources.

##### **3) Forms**

- a) At the scene of seizure or recovery, the inventory will be documented on:
    1. A Cicero Police Record of Evidence Form, or
    2. An equivalent form, ensuring that the information is as complete as possible.
  - b) If not recorded elsewhere, how marked/tagged by the collector and precise location where each item was found (distance/direction/etc.) will be included.
  - c) When practical, exact numbers of sensitive items, e.g., packages of drugs, pills, cash, bullets, etc., will be recorded on the Cicero Police Record of Evidence Form and on the package label or tag.
- 4) Unless instructed in writing by the state's attorney or by the court to do otherwise, evidence seized and property received will be handled in the following manner:
    - a) All property will be transferred to the EC, or drop chute prior to termination of the tour of duty during which the articles were obtained. Exceptions can be granted only by a supervisor, who will ensure proper delivery to the storage facility.
    - b) NOTE: See Addendum 3 for exceptions for alcohol arrests.
    - c) Special storage situations may be authorized by a supervisor for special storage problems, such as voluminous quantities of evidence, etc. The shift supervisor will

be notified of the arrangement, and the EC will be notified the next working day when such authorizations are made.

- d) Arresting/investigating officers should consult with the local prosecutor to determine the necessity of recording the serial numbers of seized currency or financial instruments.

b. Transfer of custody

- 1) Any transfer of custody, including relaying all or part of the material, will be documented describing the items (as detailed as practical), case report number, and exhibit number, time (recommended, but not mandatory) and date of transfer of custody, identification and signature of receiving person, and identification of person from whom received.
  - a) Regardless of whether the transfer is between the collection point and the evidence custodian, or is subsequently transferred and documented on another form, copies of the transaction documents will be placed in the field report or case file.
  - b) If necessary, additional photocopies will be made to ensure that each intervening person has a copy of his, or her, transaction.
- 2) Receipts from laboratories, prosecutors or other agencies receiving the articles must be forwarded to the EC for recording, distribution and filing, as appropriate.

c. Found property

- 1) A property inventory form will be used to inventory and record receipt of miscellaneous property found by or surrendered to department employees.
- 2) A good-faith effort will be made by the officer receiving the property to promptly identify and return to the owner(s) any found property.
- 3) Found property will be logged into the vault by the EC, and will be retained by the EC until it is properly signed out or approved for destruction.

d. Inspection of Evidence, Handling Procedures, Records and Facilities

- 1) Persons conducting authorized inspections will be accompanied by the EC.
- 2) The Vault Entry and Inspection Log will be reviewed during each inspection, to determine reasons for persons entering the vault.
- 3) Changes in EC's or AEC's
  - a) At least ten percent of the items that should be in storage, selected randomly, will be inspected by a newly appointed EC or AEC and the outgoing EC or AEC to ensure integrity of material and records.
  - b) The signatures of both the incoming and outgoing EC or AEC will be entered in the entry and inspection log.
  - c) The Deputy Superintendent of Administration may require that a higher percentage of randomly selected items or a higher percentage of a certain type of evidence be inspected on his own initiative or upon request of the incoming or outgoing EC or AEC.
- 4) A complete inventory of evidence will be conducted when an evidence storage facility and contents is relocated. This inventory will compare what is actually in the vault against records that indicate what should be in the vault, and will not be a simple listing of vault contents.
- 5) Semi-annual Inspection

- a) The Superintendent of Police, or designee, will conduct a semi-annual inspection of evidence, handling procedures, records, disposition and facilities by April 1 and October 1 of each year. The person or persons chosen to conduct the inspection will be other than the Deputy Superintendent of Administration, the EC, or the AEC.
  - b) At least ten percent of randomly selected evidence and records will be inspected.
  - c) The superintendent may require that a higher percentage of randomly selected items or a higher percentage of a certain type of evidence be inspected.
  - d) For good cause, the inspector may request authorization from the Superintendent to inspect less than the specified percentage of evidence at a facility, but such decision and the reasons for it must be documented in the narrative reports.
- 6) At least once each month the individual chosen by the Superintendent of Administration, other than the EC will conduct an unannounced inspection of adherence to procedures prescribed by this directive.
- 7) Written detailed documentation of all inspections, findings and corrective action recommended and taken will be generated and maintained.
- a) An entry in the entry and inspection log will be completed for each inspection.
  - b) Written copies of all inspections will be maintained by the EC.
  - c) The ranking inspector for each inspection, in addition to noting the inspection in the log, will submit a written report to his supervisor, the person who made the inspection assignment (if not the inspector's supervisor), and the EC containing:
    - 1. Date(s) of inspection
    - 2. Type of inspection (change in EC, relocation, semi-annual, monthly, other)
    - 3. Identity of all inspectors
    - 4. Identity of EC's present
    - 5. Amount and type of evidence and/or records inspected and reasons and authority for any amount less than the standards (example: random sample of 5 percent of all items in storage and related Inventory Log entries plus 25 percent of firearms supposed to be in storage based on Inventory Log per authority of Deputy Superintendent Doe based on time constraints and current news media interest in guns)
    - 6. Findings (example: #1 - two of nine sealed packages identified as containing pills did not have the number of pills stated on the package/tag or in the Inventory Log)
    - 7. Recommended corrective action (example: #1 - Officers who submitted the packages without documentation of numbers to be informed in writing by the shift supervisor of the need for detailed documentation with a copy to their supervisors
    - 8. Signature of ranking inspector
- 8) A higher-level inspection may replace a lower level inspection. For example, a monthly inspection need not be done the same month that a semi-annual inspection is done.
- e. Only authorized custodians are permitted unaccompanied and unrecorded access to vaults.
- 1) Access by all other persons will be on an as-needed basis, and will only be as approved by the custodian with the concurrence of the Deputy Superintendent of Administration.
  - 2) The date and time of access (and exit), name(s) and signature(s) of person(s) having access, the purpose of the access, and the signature of the custodian granting access

and accompanying the person will be recorded on a log maintained securely at each vault.

- f. Any employee noting any suspicious activity at or in the vicinity of the vault facility will report such activity immediately to the shift supervisor. Employees will keep the location of the evidence facility confidential.
- g. Releasing items to owners
  - 1) Persons wishing to claim evidence that is no longer needed by the department will be directed to the front desk.
  - 2) Front desk personnel will obtain the case number and description of the item(s) and advise the evidence custodian.
  - 3) The custodian will bring the item(s) to the main headquarters for release.
  - 4) If no custodian is available, the front desk will obtain the person's name, telephone, case number and item description, and provide it to the custodian, who will contact the person and make arrangements for the item(s) to be claimed.
  - 5) Persons will not be directed to the evidence facility or the custodian's office.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 81-01-01-A**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **COMMUNICATIONS PROCEDURES-CALL PRIORITIZATIONS**

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines for communications personnel to use in dispatching service calls.

**2. PROCEDURES:**

- a. The following priorities will be used in dispatching calls for service. Dispatchers will not normally announce the priority over the air when making the dispatch.
  - 1) Priority 1 – EMERGENCY calls for service and will receive the highest priority in assigning patrol response. Examples include, but are not limited to:
    - a) Officer requesting assistance.
    - b) Robbery in progress.
    - c) Child abduction/kidnapping.
    - d) Lost child (under age 13).
    - e) Shots fired.
    - f) Car-jacking.
    - g) Subject with a gun.
    - h) Domestic disturbance (in progress).
    - i) Violation of order of protection (in progress).
    - j) Major crimes in progress - such as burglary/arson/rape.
    - k) Accident with injuries.
    - l) Other serious crimes that have just occurred.
    - m) Emergency assistance to an outside agency
  - 2) Priority 2 – URGENT calls are URGENT calls for service and will receive the second highest priority in assigning patrol response. Examples include, but are not limited to:
    - a) Combative shoplifter.
    - b) Battery/fights.
    - c) Minor crimes in progress – auto break-in/theft/threats/harassment.
    - d) Burglar alarm.
    - e) 9-1-1 hang-up or open line.
    - f) Missing person.
  - 3) Priority 3 – ROUTINE calls are ROUTINE calls for service and will receive the third highest priority in assigning patrol response. Examples include, but are not limited to:

- a) Neighbor disputes.
  - b) Suspicious subject(s).
  - c) Suspicious vehicles.
  - d) Juveniles congregating.
  - e) Assistance to another agency (non-emergency).
  - f) Large group gathering.
  - g) Trespassing.
- 4) Priority 4 - NON-EMERGENCY calls are NON-EMERGENCY calls for service and will receive the lowest priority in assigning patrol response. Examples include, but are not limited to:
- a) Loitering.
  - b) Accident with no injuries.
  - c) Non-combative shoplifter.
  - d) Taking information on incidents that have previously occurred - not in progress (reports only).
  - e) Loud music.
  - f) Parking complaints and violations.
  - g) Open Hydrants.
- b. When a PRIORITY 1 or PRIORITY 2 call is holding, and no units are available for dispatch, communications will announce the calls (not the priority) over the air so that street units and field supervisors are aware of a priority call holding. The shift commander will assess the situation and take action to ensure calls are answered appropriately.
- c. When circumstances require PRIORITY 3 or PRIORITY 4 calls to be held, communications will immediately advise the shift commander that calls are being held. The shift commander will assess the situation and take action to ensure calls are answered appropriately.
- d. Call priorities are to be used by dispatch personnel to determine the order of calls. Priorities are not to be announced over the air.

**NOTE:** *This prioritization system is provided as a guideline to dispatch personnel. Situations and circumstances vary and change. Dispatchers are expected to use common sense in making discretionary decisions regarding call prioritization.*

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-01-01-B**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** COMMUNICATIONS ADMINISTRATION

**1. POLICY:**

The Cicero Police Department will use logging recorders to record emergency radio channels and telephone lines, and will limit access to recording equipment, tapes and data.

**2. PROCEDURES:**

a. Recorded Line Signal Tone

- 1) A signal tone (beep) will be generated on recorded telephone lines.

**EXCEPTION:** *Those public emergency lines exempted by 720 ILCS 5/14-3(d) may be recorded without the use of a signal tone.*

b. Operation of Logging Equipment

1) Archive Logging Recorder

- a) Only trained communications personnel are authorized to operate archive-logging recorders.
- b) The communications supervisor will require authorized tele-communicators to demonstrate monthly their ability to retrieve taped conversations from the archive recorder, when they are directed to do so as specified
- c) The communications supervisor will require each tele-communicator to demonstrate this proficiency monthly.

2) Instant Call Check Recorder

- a) It is the responsibility of the communications supervisor to ensure that each tele-communicator has a working knowledge of the call check recorder, and is capable of retrieving taped conversations.
- b) The communications supervisor will require each tele-communicator to demonstrate his/her proficiency with the call check recorder monthly.

c. Time Limits

- 1) Recorded log tapes are routinely preserved for 90 days. Requests to hold a log tape longer than 90 days must be received by the communications supervisor within 90 days or the tape will be reused.

- 2) Upon formal notification, a log tape may be preserved for an indefinite period of time if the contents relate to a court case, formal investigation, death or other law enforcement matter of interest to the department.
- 3) Log tapes held for a specific case will be reused when the case and all appeals have been resolved.
- 4) Tape recordings from log tapes may be made only for official purposes.

d. Control of Log Tapes

- 1) The communications supervisor will maintain secure control of all log tapes.
- 2) Subpoenaed log tapes and those tapes, or copies of tapes, used in court cases must be separated and secured from other log tapes.
- 3) The communications supervisor will maintain a log tape and tape sign out sheet that authorized recipients must sign as a control measure. The sign out sheet will contain:
  - a) Tape number.
  - b) Date released.
  - c) Signature of recipient.
  - d) Purpose, (for court, investigation, training, etc.).
  - e) Expected date of return.

e. Access to taped data

- 1) Log tape information may be obtained by the following department officials:
  - a) The Superintendent, Deputy Superintendents and the internal affairs commander are the only persons authorized to order playback or copying of log tapes, or portions of log tapes. The communications supervisor will retain a record of such authorization.
  - b) Tele-communicators on duty are authorized to play back telephone and radio conversations immediately, as necessary, in order to clarify the content of a telephone conversation or radio message, or ensure public and officer safety.
- 2) Information obtained from a log tape is confidential and will not be released to unauthorized personnel. Personal identification or a letter of authority will be required for access to taped information. Log tape recordings will not be released to non-law enforcement personnel without written approval from the Superintendent or Deputy Superintendents.

f. Monitoring calls

- 1) The communications supervisor will review a random sampling of calls to the 9-1-1 center and the front desk on a monthly basis.
- 2) The review will evaluate communications center and front desk personnel courtesy, professionalism and knowledge.
- 3) The review will be done by the communications supervisor monthly and the Deputy Superintendent of Administration quarterly.
- 4) Reports will be forwarded from the person conducting the review to the deputy superintendent of administration by the 10<sup>th</sup> of each month for the month proceeding, with copies to the Superintendent.
- 5) The inspection schedule is as follows:

- a) The communications center supervisor monthly.
  - b) The Deputy Superintendent of Administration will be responsible for monthly reviews submitted by the 911 supervisor and a formal review annually.
- 6) The written report will indicate the approximate number of calls reviewed, any specific problems noted, positive items noted, and the overall impression of the inspector.
  - 7) Where problems are noted with specific personnel, that person's supervisor will be advised of the problem(s) noted by the first deputy, with a written response required by the supervisor as to any corrective counseling/training/action taken.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-01-01-C**

**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** PRIVATE SECURITY ALARMS



**1. POLICY:**

The Cicero Police Department will establish rules and guidelines for communications personnel to use in dispatching service calls to private security alarms that are connected to and called in to the Cicero Police Department's Communication Center.

**2. PROCEDURE:**

a. When an alarm is received in the Communication Center:

- 1) An officer will be dispatched to the location to investigate and take appropriate action.
- 2) If the alarm turns out to be a "false alarm" the following actions will be taken:
  - a) The officer will contact the Communications Center with the information that the alarm is apparently "false."
  - b) The dispatcher will:
    1. Log the false alarm call on a False Alarm Report,
    2. Forward the False Alarm Report 9-1-1 Coordinator.
  - c) The 9-1-1 coordinator will review the report to ensure that the incident was not an exempt (due to inclement weather).
  - d) The 9-1-1 coordinator will forward the report to the Town of Cicero emergency alarm administrator.

- b. A False Alarm is an alarm received in the 9-1-1 Communications Center that requires a response by emergency equipment where no emergency exists, as a result of equipment malfunction, improper installation or human error. For the purposes of this directive, an alarm is not classified as a False Alarm if it is the result of unusual weather conditions or a telephone line failure, which is not the fault of the alarm user.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-01-01**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **COMMUNICATIONS ADMINISTRATION  
AND OPERATIONS**

**1. POLICY:**

The Cicero Police Department will establish guidelines and rules for the administration of the department's communications needs.

**2. PROCEDURES:**

**a. Communications Center**

- 1) The department's communications center operation will be provided for through a written, legal agreement between the department and an outside entity.
- 2) The department's radio operations must be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.
- 3) The communications center should be operated by following standards dealing with communications and record keeping.
- 4) The communications center will operate 24-hours a day, seven days a week to provide telephone and radio communications and dispatch services.

**b. Emergency telephone numbers**

- 1) The Cicero Police Department will receive emergency calls for service through the 9-1-1 system, and through the published 7-digit police telephone number, which rings in the communications center.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-01-01-D**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EMERGENCY NOTIFICATIONS**

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines for communications personnel to use in dispatching service calls to private security alarms that are connected to and called in to the Cicero Police Department's Communication Center.

**2. PROCEDURE:**

- a. When such a call is received by the Communications Center, the following information will be obtained:
  - 1) Name.
  - 2) Address and telephone number of the person to be contacted.
  - 3) Name of the person involved in the incident.
  - 4) Brief description of the incident.
  - 5) Name of the contact person.
- b. Emergency notifications are a part of the services provided by the Cicero Police Department.
- c. Requests to notify a citizen of an emergency affecting the citizen or the citizen's family may come from another citizen, family member, medical facility, other police agency or other agency.
- d. Emergency notifications must be emergencies. Telecommunicators will take the information for all such requests and forward them to the shift commander. The shift commander will make the decision to attempt the emergency notification or not.
- e. The call will be verified to ensure it is not a hoax, and the shift supervisor will be contacted for approval of the dispatch. Verification may take the form of a call back.
- f. When dispatched, the officer will be notified by the communications center via his radio, or if the information is of a sensitive nature, the officer will be advised to call the telecommunicator for the information.
- g. In the case of a death or serious injury notification, see GO 41-02-02A ("Next of Kin Notification, Deceased and Critically Injured Persons").

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-01-01-E**



**EFFECTIVE DATE: September 1<sup>st</sup>, 2013**

**REVIEW DATE: September 1<sup>st</sup>, 2015**

**SUBJECT: 9-1-1 HANG-UP/OPEN LINE CALLS**

**1) POLICY:**

The Cicero Police Department will establish rules and guidelines for responding to emergency (9-1-1) calls in which the call is disconnected, or the line remains open with no one talking or responding.

**2) PROCEDURES:**

- a. 9-1-1 Open Line or Hang Up calls where no verbal contact can be made with the person calling:
  - 1) Such calls are termed "Open Line" or "Hang Up" Calls.
  - 2) Calls of this nature that originate from a residence or business may be a sign that the calling party is in distress.
  - 3) These calls are categorized "Priority 2 - Urgent" by the communications center (see General Order 81-02-01-A, "Call Prioritization") which will dispatch police units accordingly.
  - 4) Officers assigned to the call will respond as if it were an emergency incident
  - 5) The dispatcher, who will update the responding units with any new information, will monitor the open line.
- b. Repeated intentional false calls will be reported by the shift supervisor to the Deputy Superintendent of Investigations who will determine if criminal charges are warranted.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 81-03-01**



**EFFECTIVE DATE: September 1<sup>st</sup>, 2013**

**REVIEW DATE: September 1<sup>st</sup>, 2015**

**SUBJECT: COMMUNICATIONS FACILITIES AND EQUIPMENT**

**1. POLICY:**

The Cicero Police Department will establish guidelines for the Cicero Police Department communications system security measures, the means of alternative power, and the capability of field units to communicate over the radio with other agencies.

**2. PROCEDURES:**

a. Communications center security measures

1) Security measures to protect the integrity and operation of the Communication Center are in place. These measures include provisions for the following concerns:

a) Access to the communications center by personnel not assigned to the communications center must not hinder the normal operations of the center. Therefore, access to the communications center is limited to persons with a legitimate need for access, and who are:

1. Communications center employees.
2. Any department supervisor.
3. Town officials and executive level town staff.
4. Maintenance and repair personnel, while actually engaged in such activities.
5. Cicero police officers with a legitimate purpose and supervisory approval.

b) The door to the communications center will remain closed and locked at all times.  
c) The general public is not permitted access to the communications center.  
d) Department sponsored tours and/or other scheduled guests may be allowed limited access based on the nature of the activity at the time and the approval of the shift commander.

2) Provisions for back-up resources

a) The communications center is equipped with an alternate power source. Additionally, the Department has assembled the necessary equipment and resources to operate the Departments Communications Section from another building.

b) Outside equipment security

1. Communications equipment located outside of the building includes antennas and transmission lines.

2. The outside facilities are illuminated by artificial light and monitored for security.
- b. Electric power source alternative
  - 1) The communications center is equipped with an alternative source of electric power that is sufficient to ensure the continued and uninterrupted operation of necessary emergency communications equipment in the event of the failure of the primary power source.
  - 2) Back-up electrical power is supplied by a diesel generator as well as an uninterruptable Power Supply (UPS) System.
  - 3) Documented inspections and testing of back-up power sources take place weekly.
- c. Separation of emergency and non-emergency calls
  - 1) The town of Cicero has established the 9-1-1 system for all emergency telephone calls.
  - 2) Independent telephone lines for non-emergency use are also maintained in the communications center and department offices.
- d. Multi-channel radio equipment
  - 1) The Cicero Police Department equips personnel in the field with multi-channel mobile and portable radio equipment capable of two-way communication with other law enforcement and public service agencies.
  - 2) The communications center has the capability of communications with the state, county and surrounding municipalities. Vehicles are equipped with Illinois State Police Emergency Radio Network (ISPERN) radios.
- e. Emergency/Disaster Situation
  - 1) Details concerning emergency disaster operations of the communications center are addressed in GO 46-01-01, "Unusual Occurrences."
  - 2) Details concerning emergency disaster operations of the communications center are also addressed in the "Town of Cicero Emergency Management Plan."
  - 3) Copies of both of these documents will be located in the communication center and will be readily available to personnel who are on duty at the time the emergency/disaster situation occurs.

By order of:

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Superintendent of Police

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# CICERO POLICE DEPARTMENT

## GENERAL ORDER: 82-01-01



EFFECTIVE DATE: September 1<sup>st</sup>, 2013

REVIEW DATE: September 1<sup>st</sup>, 2015

SUBJECT: RECORDS ADMINISTRATION AND OPERATIONS

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### 1. POLICY:

The Cicero Police Department establishes rules and guidelines for the security and maintenance of the department's central record-keeping function.

### 2. DEFINITIONS:

- a. **Central Records:** The records functions that are basic to meeting the management, operational and information needs of the agency. Secondary records activities attendant to functions/components within the department are not part of the central records function.
- b. **LEADS:** The Law Enforcement Agencies Data System - operated by the Illinois State Police to provide information for Illinois police agencies, and linkages to the National Crime Information Center and other law enforcement resources.

### 3. PROCEDURES:

- a. The Deputy Superintendent of Administration has overall supervisory responsibility for the central records function.
- b. At the direction of the Superintendent, there will be an annual inspection of computer systems utilized by the central records function for verification of all passwords, access codes or access violations.
- c. The department will fully comply with Illinois law regarding separation, security and privacy of juvenile records, including the collection, dissemination and retention of fingerprints, photographs and other forms of identification pertaining to juveniles.
- d. The department will fully comply with Illinois law and state police regulations regarding the security of LEADS information, Criminal History Record Information, and other computerized data bases that the department is permitted to access.
- e. See GO 82-01-02, "Information Security and Dissemination," and GO 54-01-01, "Freedom of Information" for detailed public dissemination regulations and procedures.
- f. Criminal case files
  - 1) All original criminal case files are maintained in central records (the Deputy Superintendent of Investigation may make exceptions for sensitive investigations).
  - 2) A court file is developed for use in court. With certain exceptions, only copies, not originals, are placed in the court files.
  - 3) Original documents will not be removed from criminal case files (see court files above).
  - 4) Central records personnel will not provide information from criminal case files to anyone. All inquiries for criminal case file information will be referred to the investigations division and/or the evidence custodian, as may be appropriate.
- g. Evidentiary and found property

- 1) The evidence custodian maintains a computerized file of all evidentiary and found property stored/and in possession of the department.
- 2) Requests regarding evidentiary and found items will be referred to the evidence custodian.
- 3) Central records personnel will not provide information from criminal case files regarding evidentiary and/or found property to anyone.
- 4) The investigating officer has the responsibility to ensure that evidentiary and/or found property meeting the LEADS criteria is entered into the LEADS system.

h. Traffic records

- 1) Traffic records include:
  - a) Traffic crash data (reports, investigations, and locations).
  - b) Traffic enforcement data (citations, arrests, dispositions, locations).
  - c) Reporting and measuring progress in achieving goals and objectives.
  - d) See GO 54-01-01, "Freedom of Information" regarding releasing traffic reports as an exception to the Illinois Freedom of Information Act.

i. Traffic/parking citation security

- 1) The support services staff will store supplies of traffic citations, "C" tickets and parking tickets in a secure, limited access and locked area.
- 2) An inventory record will be maintained of the citations and tickets, which indicates:
  - a) Their numbers.
  - b) The signature of the person receiving the items.
  - c) The date received.
  - d) The date transferred to the front desk.
  - e) The signature of the person receiving them at the front desk.

3) Traffic citations

- a) The front desk will maintain a supply of citation books in a locked drawer/cabinet.
- b) The supply retained at the front desk will not exceed one case. Front desk personnel issue traffic citation forms to officers.
- c) Each book of 20 citations contains a sign-out sheet that is completed by the person issuing and signed by the officer receiving the book.
- d) A copy of this sign-out sheet is returned to the support services unit, who will retain and file it, and the original is transmitted to the court of venue.
- e) All citations must be accounted for, and will be subject to audit at least annually, at the direction of the superintendent.

4) "A/O" Tickets, Warning Tickets and Parking Tickets

- a) The Town of Cicero issues "A/O" Tickets, Warning Tickets and Parking Tickets.
- b) "A/O" Tickets, Warning Tickets and Parking Tickets will be stored in a secure, limited access and locked area by the support services staff.
- c) An inventory record will be maintained of the citations and tickets, which indicates:
  1. Their numbers.
  2. The signature of the person receiving the items.
  3. The date received.

4. The date transferred to the front desk.
  5. The signature of the person receiving them at the front desk.
- d) A supply, not to exceed one case of either, will be maintained in a locked drawer or cabinet at the front desk.
  - e) Front desk personnel will issue ticket books to officers, recording the names of the issuing employee and the officer receiving, the date and the numbers.
  - f) A copy of the sign-out sheet will be returned to the support services staff for filing.
  - g) All tickets must be accounted for, and will be subject to audit at least annually, at the direction of the superintendent.
- j. Warrant file
- 1) Original warrants
    - a) The Arrest Warrant will be prepared by the reporting officer and taken before a circuit court judge for signature.
    - b) After the circuit clerk issues a case number and the circuit judge signs the warrant, the police department's copy is forwarded to the warrant office, together with a copy of the long form complaint.
    - c) The warrant office maintains the warrant copy, together with the copy of the long form complaint, until the sheriff's office issues a sheriff's warrant number and sends a form containing the:
      1. Warrant number.
      2. Sheriff's number.
      3. Defendant's name.
      4. Address.
      5. Age.
      6. Issuing warrant date.
      7. Amount of the warrant bond.
      8. Geographical limitations.
      9. Return court date.
    - d) Upon receiving the warrant copy from the sheriff's office with the above information, the warrant clerk will transfer information from the court jacket to the warrant copy. This information should include the CDC number, additional identifiers, originating police officer's name, the LEADS offense code, and warrant code type (i.e., O-original).
    - e) This information is then entered into the in-house warrant system and into LEADS.
    - f) The LEADS number that is assigned to that warrant is added to the in-house warrant system and all pertaining paperwork is placed in the defendant's active warrant file awaiting notification of warrant service. A copy of the LEADS printout is provided to the shift Watch Commander for service.
    - g) If a warrant is served prior to the paperwork coming through normal channels, the paperwork from the circuit court is placed into the case jacket when it is received.
  - 2) Bond forfeiture warrants
    - a) When a warrant copy is received from the sheriff's office indicating that a warrant has been issued by the circuit court because a defendant failed to appear on their assigned court date the warrant is entered into the in-house warrant system. Additional identifiers and applicable information is entered in the remarks section.
    - b) This information is entered into the LEADS system.

- c) The LEADS number for this warrant is placed into the in-house warrant system and all pertaining paperwork is placed into the defendant's active warrant file awaiting notification of warrant service.
- d) A copy of the LEADS printout is provided to the shift commander for service.

**NOTE: On warrants, where the defendants reside out of Cicero, a letter is mailed to the appropriate law enforcement agency requesting their service.**

3) Canceled warrants

a) Cicero arrest on warrant:

- 1. When a Cicero officer arrests a subject on an active Cicero warrant and bond is made, the arresting officer will provide the file jacket containing the information to communications. Communications will cancel the warrant in LEADS, and forward the jacket to the warrant clerk, who will cancel the warrant from the in-house warrant system.
  - A. The warrant clerk will have the warrant canceled from LEADS.
  - B. All cancellation notices are given to the warrant officer.
- 2. If bond cannot be made, and the subject is held pending being brought before a judge for a bond hearing, the arresting officer will cancel the warrant from the in-house warrant system, and will use the original arresting officer's next applicable court date.
  - A. The original officer's next applicable court date will also be recorded on the arrest card.
  - B. If the judge for the bond hearing assigns a different court date than the original arresting officer's next applicable court date, the officer who brought the subject to the bond hearing will record the new court date on the detention report.
  - C. The warrant clerk will then correct the court date that was previously entered.
- 3. When the cleared notice arrives, LEADS cancellation information and officer star number, the CDC number is transferred onto a sheriff's notice and is alphabetically filed.

b) Cicero arrest on outside warrant:

- 1. When a Cicero officer arrests a subject on an active warrant from other than Cicero, and the subject is either bonded out here, or held on the warrant, the officer will insure that the warrant office or the communications center is contacted to "Locate" the warrant in LEADS.
- 2. The "Locate" entry in the computer indicates that the subject has been apprehended. In the event another agency receives a "hit" on the subject, before the agency entering the warrant into the LEADS computer cancels it.
- 3. An Arrest Warrant Execution Verification Form will be filled out.

c) Outside agency arrest on warrant:

- 1. When the Communications Center receives a call from an outside agency that they are holding a defendant with an active Cicero warrant, the

Communications Center will advise the front desk who will determine that the warrant is, in fact, active by an inquiry to the in-house warrant system.

- A. If the person bonds out from the outside agency, the front desk will ensure that appropriate actions are taken to remove the warrant from LEADS and the in-house system.
  - B. When the person does not bond out from the outside agency, the front desk will make arrangements for the person to be picked up.
  - C. When the person bonds out from the outside agency, the front desk will provide court information, and take the following actions:
    - 1) Cancel the warrant from the LEADS system
    - 2) Enter the information into the in-house warrant system
    - 3) Then provide copies of all transactions to the Records Unit.
2. When the warrant recall notice arrives, LEADS cancellation information, officer star number and the CDC number are transferred onto the sheriff's notice and are alphabetically filed.
- d) Receipt of recalled warrant notices:
- 1. When the warrant office receives a recalled warrant copy from the courts, they will verify that the warrant number, sheriff's number, and date of the warrant are the same; then they will remove the warrant from the LEADS system.
  - 2. The recalled warrant notice will then have LEADS cancellation information written on the face thereof. These notices are then filed alphabetically in the "inactive warrant" file.
- 4) Records retention
- a) The Deputy Superintendent of Administration will coordinate a records retention schedule.
  - b) ~~The records retention schedule will be consistent with requirements found in 50 ILCS 205/1 et. Seq., the Illinois Local Records Act.~~
- 5) Crime reporting program
- a) The department participates in the state and national Uniform Crime Reporting Programs.
  - b) Statistical data is supplied to the IUCR system by the division of administration on an established reporting schedule.

By Order of:

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Superintendent of Police

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## CICERO POLICE DEPARTMENT GENERAL ORDER: 82-01-02



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** INFORMATION SECURITY AND DISSEMINATION

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### **1. POLICY:**

The Cicero Police Department will establish policies for employees, and employees of organizations that the Police Department contracts with for services, regarding the security of information. This includes information regarding criminal investigations, information from the Illinois Law Enforcement Agencies Data System, the Illinois Secretary of State, and any other information available within the Cicero Police Department.

### **2. PROCEDURES:**

- a. No employee will confirm the existence or non-existence of any intelligence, investigative, criminal or other department record or information to any person or agency not specifically authorized to receive such information. All employees will treat department activities and information as confidential.
- b. Employees will not knowingly communicate in any manner, directly or indirectly, any information in possession of the department which might assist persons guilty or suspected of criminal acts to escape detection, arrest, prosecution or punishment, or which may enable them to dispose of or to conceal evidence of unlawful activity or money, merchandise or other property unlawfully obtained.
- c. Employees will not interfere with or interrupt any investigatory or legal process, nor without authorization, discuss the content of any on-going investigation other than as may be required in the performance of their official duties.
- d. Within the scope of their employment, employees receiving or possessing facts or information relative to a real or alleged criminal offense will not withhold such facts or information, but will report the facts or information to appropriate supervisory or command personnel.
- e. No employee will make false, inaccurate or deliberately misleading official reports or knowingly enter, or cause to be entered in any department book, record or report, any inaccurate, false or deliberately misleading information, except on written authorization from the superintendent. Such authority may be granted to support covert operations and to protect witnesses.
- f. Information available through the Illinois Law Enforcement Agencies Data System is confidential, and is subject to the provisions of this general order. The appropriate supervisor is responsible for the security of LEADS terminals that are not manned 24 hours per day.
- g. Prohibited activities include, but are not limited to, the following:
  - 1) Unauthorized inquiries and/or dissemination of motor vehicle information from the Secretary of State, including registration, ownership, driver's information, driver's histories, and license status.

- 2) Breach of confidentiality, including information regarding investigations, prosecutions, and police activities.
  - 3) Unauthorized criminal history inquiries and/or dissemination.
  - 4) Withholding or falsifying information, including personal knowledge of criminal activity.
- h. The provisions of this general order apply to any personnel violating them, including employees of vendors who contract with the police department.
  - i. Any employee who is aware that another employee violates this general order will immediately report that action to their immediate supervisor. In the event that an employee believes the immediate supervisor is the one in violation of this order, the report will be made to the first deputy superintendent.
  - j. Employees will fully cooperate with the investigation of violations of this order.
  - k. Penalties
    - 1) Any employee who sells, or provides for personal gain, any information covered by the general order will be terminated.
    - 2) The internal affairs unit will investigate violations of this order, and disciplinary action appropriate to the violation will be imposed, up to and including termination.
    - 3) The department reserves the right to file criminal charges against any employee who violates criminal statutes while violating this order.
    - 4) Examples of penalties that may be imposed for violating this order include:
      - a) Breach of confidentiality - first offense - one day suspension
      - b) Breach of confidentiality - second offense - three day suspension
      - c) Breach of confidentiality - third offense - termination
      - d) Unauthorized criminal history inquiry - first offense - three day suspension
      - e) Unauthorized criminal history inquiry - second offense - termination
      - f) Transfer for personal gain of any information - termination
      - g) Withholding or falsifying information - first offense - three day suspension
      - h) Withholding or falsifying information - second offense - termination

**NOTE: THE ABOVE PENALTIES ARE SUGGESTED GUIDELINES. THE SUPERINTENDENT AND/OR BOARD OF POLICE, FIRE AND PUBLIC SAFETY COMMISSIONERS, AS APPROPRIATE, WILL DETERMINE ACTUAL DISCIPLINE. CRIMINAL CHARGES WILL BE SOUGHT WHEN THE SUPERINTENDENT BELIEVES A CRIMINAL VIOLATION HAS OCCURRED.**

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 82-02-01**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **RECORDS FIELD REPORTING AND MANAGEMENT**

**1. POLICY:**

The Cicero Police Department establishes field reporting and management policy and procedures as they relate to the completion, submission, numbering, review and distribution of police records that are generated in the field.

**2. PROCEDURES:**

a. Field reporting system

- 1) See GO 61-02-01, Traffic Crash Investigation, for crash reporting procedures.
- 2) See GO 61-01-01, Traffic Enforcement, for traffic enforcement reporting.
- 3) The primary patrol field reports are the General Report Form (GRF) and the Gang Contact Card. The Supplement Report Form is used for extended narrative reporting.

b. Incident reporting requirements

- 1) Every incident in one or more of the following categories, if alleged to have occurred within the jurisdiction of the Cicero Police Department, will be reported:

- a) Citizen reports of crime.
- b) Citizen complaints.
- c) Citizen requests for services when:

1. An employee is dispatched (may require GRF).
2. An employee is assigned to investigate (may require GRF).
3. An employee is assigned to take action at a later time (may require GRF).
4. Criminal and non-criminal cases initiated by officers (may require GRF).
5. Incidents involving arrests, citations, or summons (requires GRF).

- 2) Appropriate reporting of the incidents described above will be determined by the nature of the incident, the action taken, and the results realized.

c. Cicero Police Computer Automated Dispatch System (CAD)

- 1) When a call is received by communications, or an officer advises communications that a call is being initiated, communications will initiate a Cicero Police Radio Card, which will contain the following information when completed:

- a) Type of incident.
- b) Location.

- c) Complainant's name.
  - d) Address.
  - e) Telephone number.
  - f) District.
  - g) Car assigned.
  - h) Back up cars assigned.
  - i) Field supervisor.
  - j) Shift supervisor notification.
  - k) Remarks (includes disposition).
  - l) How the call was received (phone, radio, in-person, TTY, other).
  - m) Log number.
  - n) Call times (received, dispatched, arrived and completed).
  - o) Dispatcher.
  - p) Shift supervisor.
- 2) CFS will be retained indefinitely
  - 3) CFS may be used as a source of information for the analysis and planning and shall be retained through computer retention.

d. Activity Report

- 1) Each patrol officer will maintain an "Activity Report" of his daily activity.
- 2) The activity report will list the following for each activity:
  - a) Time initiated.
  - b) Assignment type
  - c) Location
  - d) Disposition
  - e) Complaint number
  - f) Time call completed
  - g) In addition, each activity report has shift summary information that will be completed.
  - h) ~~Activity reports will be turned in to the shift commander at the end of the shift.~~

e. Gang Contact Cards

- 1) Documenting field interviews
  - a) In the event a field interview results in establishing probable cause for an arrest, all of the facts related to the initiation of the field interview and any pat-down search will be clearly articulated within the resulting case report filed by the arresting officer.
  - b) When another report does not result from the field interview, the field interview will be documented on a Cicero Police Department Gang Contact Card.
  - c) The officer will note "Gang Member" on the card if he has sufficient information to meet the criteria for entry of the person into the LEADS Gang File.
  - d) Field contact cards will be turned in to the shift supervisor by the end of the shift.
  - e) The shift supervisor will check the cards for completeness, and forward them to the Gang Tactical Unit.
  - f) The support services unit will enter the information into the in-house central records system.

1. If the card is marked gang member, a blank LEADS gang member entry form will be returned to the officer for him to complete and submit to the communications center for entry in the LEADS gang file.
  2. If the card is not marked gang member, it will be filed.
  3. Completed field contact cards will be retained for a period of three years, and then be destroyed by shredding or burning.
  4. Information will be removed from the in-house central records system only with the approval of the deputy superintendent of administration.
- g) See GO 41-02-01-B, Field Interviews, for additional information.
- f. Information in the in-house central records system is confidential. See GO 82-01-02, Information Security and Dissemination for additional information.
  - g. All reports of incidents forwarded to the support services unit will be recorded and maintained according to the Uniform Crime Code/Service Codes numbering system that provides the assignment of a unique identification number to each incident regardless of the number of persons reporting to the incident.
  - h. Case report numbering system
    - 1) The department employs a case report numbering system for all incidents that require the completion of a written report by the employee assigned to the incident.
    - 2) Case report numbers are requested by the assigned officer and generated in the communication center.
    - 3) The department requires that all numbers that are generated and assigned through this system meet the following requirements:
      - a) The assignment of a date sequential number to every incident.
      - b) The assignment of a case report number in sequential order on a first case, first assignment basis.
      - c) Each number issued is unique to the incident and there is never any incident or case report number repeated at anytime.

i. Report review process

- 1) Initial review
  - a) Every written report completed by an employee of the department will be submitted to and reviewed by a supervisor of the section, unit, or shift to which the employee is assigned.
  - b) The initial reviewing supervisor will indicate approval of the document by placing their initials in the appropriate location on the face of the document.
  - c) All written reports submitted will be carefully reviewed by the supervisor and checked for such things as, but not limited to, the following:
    1. Crime elements are detailed.
    2. Criminal procedures are documented.
    3. Solvability factors
    4. Departmental directives are adhered to.
    5. Completeness.
    6. Clarity.
    7. Legibility.
    8. Grammar and spelling.

- 2) Reports not approved will be returned to the employee for the required corrections. Based upon review, a critical report that requires immediate action will be dealt with immediately. A return date of no more than two days will be issued.
- 3) Secondary review
  - a) When approved by the supervisor as indicated in the initial review, the report is then submitted for secondary review.
  - b) The Deputy Superintendent of Investigations is responsible for the secondary review and approval process.
    1. Once the report is reviewed by the Deputy Superintendent of Investigations, the document may be:
      - A. Returned to the officer via the approving supervisor for any necessary corrections or changes.
      - B. Approved and forwarded to the records unit for data entry and filing.
    2. If the case is to be assigned to an investigator or an officer for follow-up investigation, the original document will be forwarded to the records unit. A copy of the document will be forwarded to the officer or investigator assigned to the follow-up.
    3. While reviewing the reports for approval the deputy superintendent of the investigations division will also note information from the reports that may be used in the following planning activities:
      - A. Tactical operations.
      - B. Crime trends and analysis.
      - C. Beat crime patterns and frequencies.
      - D. Crime intelligence information and indicators.
  - j. Report and record distribution - All completed and approved reports are forwarded to the support services unit for filing and data entry.
  - k. Inspections - The Deputy Superintendent of Administration will conduct an inspection of the field reporting and central records system at least annually.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 82-03-02**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **SEX OFFENDER REGISTRATION AND CHILD MURDERER COMMUNITY NOTIFICATION**

**1. POLICY:**

The Cicero Police Department provides procedures for registering convicted sex offenders and child murderers and providing public notification in accord with the laws of the state of Illinois.

**2. RELATED STATUTES:**

- a. Sex Offender Registration Act, 730 ILCS 150/1
- b. Sex Offender and Child Murderer Community Notification Law, 730/ ILCS 152/101
- c. Sexually Dangerous Persons Act, 725 ILCS 205/0.01

**3. PROCEDURES:**

- a. The Deputy Superintendent of Administration, or his designee, has supervisory responsibility for the registration program.
- b. Registration
  - 1) Offenders are required to register for a period of 10 years following the date of conviction (if not confined to a penal institution, hospital, other institution or facility) or the date of release for those offenders confined to a penal institution, hospital, other institution or facility.
  - 2) Offenders must report and register in person with the Cicero Police Department within 30 days when any of the following occur:
    - a) Release from a correctional facility;
    - b) Release from a treatment facility;
    - c) Date of conviction, if sentenced to probation; or
    - d) Relocation to Cicero, Illinois from another area.
  - 3) Offenders must report and register in person with the Cicero Police Department, Records Division, within 10 days when a temporary change of residence within Cicero of more than 10 days occurs.
  - 4) The unit will run a criminal history check to:
    - a) Ensure the offender is required to register;
    - b) Determine the current status of the offender;
    - c) Obtain information required to complete the registration form; and
    - d) Determine if the victim is under the age of 18.

- 5) The offender must provide positive identification and documentation to substantiate their proof of residency;
  - 6) The unit will complete the Sex Offender Registration Form.
    - a) The form will be completed in the Records Division on weekdays between the hours of 8:00 a.m. and 4:00 p.m.;
    - b) Instructions are on the back of the form;
    - c) The offender must read and sign the Sex Offender Registration Form;
    - d) The unit will retain the original signed copy of the Sex Offender Registration Form until the requirements to register have expired.
    - e) The unit will provide a copy of the form to the offender. **DO NOT** forward a copy of the registration form to the Illinois State Police.
  - 7) Registration information will be entered into LEADS within 3 days;
  - 8) The unit will obtain a photo that the unit will forward to the Illinois State Police Intelligence Bureau.
    - a) A copy of the photo will be kept for the records of the Cicero Police Department.
    - b) On the back of each photo, write:
      1. Offender's name.
      2. Date of birth.
      3. Race.
      4. Sex.
      5. State Identification Number.
    - c) The photo is not required if the offender has just been released from an Illinois Department of Corrections' facility.
  - 9) For the records of the unit only, obtain an ink set of fingerprint impressions of the offender.
- c. Persons convicted in other states who then move to Illinois are required to register:
- If information on the new Illinois resident who is to be registered is not discovered through the LEADS check, the telecommunicator operator will enter the information into the LEADS system within 3 days.
- d. Re-registration
- 1) Offenders are required to register for a period of 10 years following the date of conviction (if not confined to a penal institution, hospital, other institution or facility) or the date of release for those offenders confined to a penal institution, hospital, other institution or facility.
  - 2) Persons found or adjudicated to be a sexually dangerous person are required to report **in person** within 90 days of his/her last registration.
  - 3) Other offenders are required to re-register **in person** within one year of their last registration.
  - 4) Requirements are the same as for the initial registration.

**NOTE: After original registration, a new photograph must only be provided when the offender's appearance has significantly changed.**

5) Offenders re-registering may do so earlier than their required re-registration date.

e. Officer duties

- 1) If an officer makes contact with an individual who is required to register, but who has not yet exceeded the time limits outlined above, the following information will be recorded on a general report form (GRF):
  - a) Name, address, and telephone number of offender;
  - b) Date and time of contact;
  - c) Specific location of contact;
  - d) Reason for contact (traffic, suspicious activity, etc.);
  - e) Vehicle description;
  - f) Description of vehicle occupants (names, addresses and ages of vehicle occupants);
  - g) Any other pertinent information.
- 2) The officer will inform the registrant of the registration responsibilities as outlined in paragraph 3.b.
- 3) The general report form will be forwarded to the Records Division supervisor at the end of the officer's shift.
  - a) The Records Division supervisor will keep the general report form on file until the individual has reported to the Cicero Police Department to register.
  - b) Once an individual has registered, the general report form will be filed.
  - c) If the offender does not register within the allotted time, the support services unit supervisor will forward the information to the investigations unit for follow-up enforcement action.

f. Community liaison

- 1) The support services unit will serve as the liaison group with the community in providing information on registered offenders. The unit will:
  - a) Provide a contact name and phone number of the liaison group to:
    1. The chief administrator of all schools within the Town of Cicero;
    2. The chief administrator of all licensed day care facilities within the Town of Cicero; and
    3. The Illinois State Police, Intelligence Bureau;
  - b) The current list will be published four times annually.
  - c) Provide public access for inspection of the list of registered offenders to include:
    1. Name(s).
    2. Addresses.
    3. Dates of birth.
    4. Offenses;
  - d) Establish a control log which records the release and inspection of sex offender information;

- e) Establish procedures for the discretionary notification of individuals likely to encounter the offender; and
  - f) Establish procedures for periodic meetings with the media or concerned groups about the registration program.
- 2) Public access
- a) The unit will maintain a current listing of registered offenders, with the subjects' names, addresses, dates of birth and offenses.
  - b) A copy of the list will be provided to requesting persons or entities.
  - c) Any individual requesting to receive or inspect the list of registered offenders must show identification prior to receiving or reviewing the list.
  - d) The unit will maintain a control log which records the requestor's:
    1. Name.
    2. Address.
    3. Date of birth.
    4. Date of information release.

**NOTE:** *On each list of registered sex offenders, there will be a highly visible notice reading:*

***"This list of registered sex offenders can change daily. The information contained on this list is accurate only for the date and time of release of the list."***

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 83-01-01**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EVIDENCE COLLECTION SPECIALISTS  
AND PROCEDURES**

**1. POLICY:**

- a. The Cicero Police Department will ensure the availability of crime and crash scene-processing services on a 24-hour basis.
- b. The department requires materials and substances to be collected from known sources by the crime or crash scene investigative personnel for submission to a crime laboratory for comparison with physical evidence collected.
- c. The crime scene specialist is normally a Cook County Sheriff's Police Evidence Technician or an Illinois State Police Crime Scene Technician called to the scene.

**2. DEFINITIONS:**

- a. **Crash Scene** - The location, including the area where the vehicles may have traveled, associated with a vehicle crash.
- b. **Crash Scene Investigator** - An officer who has received advanced specialized training in crash scene investigations.
- c. **Crash Reconstruction Officer** - An officer with advanced specialized training who can determine causation based upon factual physical measurements and evidence, including reconstruction of the crash based upon probabilities. The Cicero Police Department does not have a crash reconstruction officer. When required, one will be requested from the Illinois State Police.
- d. **Crime Scene** – The location where a specific crime has occurred or where any indication of a crime exists.
- e. **Crime/Crash Scene Processing** – The specific actions taken at a crime or crash scene, or actions taken later away from the scene regarding the scene, including the taking of photographs, preparing the crime or crash sketch, and the collecting and preserving of physical evidence and known standards.
- f. **Crime Scene Specialist** - A person who has received advanced specialized training and who is specially equipped to process critical crime scenes. The Cicero Police Department does not have full-time trained and equipped crime scene specialists. When required, one will be requested from the Cook County Sheriff's Police or the Illinois State Police.

**3. PROCEDURES:**

- a. 24-Hour crime scene processing procedure
  - 1) The on-duty or on-call investigator will be notified of a crime scene requiring the services of an investigator.
  - 2) The responding investigator will determine if a crime scene specialist is required.
  - 3) The investigator will advise communications to request:

- a) A Cook County Sheriff's Police Evidence Technician, or if not available in a reasonable time,
    - b) An Illinois State Police Crime Scene Technician.
  - 4) The on scene investigator and the field supervisor will ensure the scene is secured and provide instructions at the crime/crash scene until the scene specialist arrives.
  - 5) Once it is determined that a crime scene specialist will be called, it is the joint responsibility of the investigator and the field supervisor to clear all persons from the area and protect the scene.
  - 6) While awaiting the specialist, the investigator may begin investigative activities that do not disturb the crime scene, while uniformed officers provide scene protection.
  - 7) If circumstances are such that there may be a delay in the arrival of crime scene processing personnel, the field supervisor should collaborate with that person, via cellular telephone, to discuss a plan on how to proceed prior to the specialist's arrival.
  - 8) When requested to assist at a crime scene, the Cook County Sheriff's Police Evidence Technician or the Illinois State Police Crime Scene Technician will be in charge of the scene, including access to the scene, and evidence collection, packaging, marking and submissions.
  - 9) Cook County or state police crime scene specialists have the responsibility for and will collect materials and substances from known sources to be sent to the crime laboratory for comparison with other physical evidence that may be submitted. Examples include, but are not limited to, hairs, fibers, glass, paint, wood, soil, tool marks, and flammable/combustible liquids. Cicero officers will only collect such samples under the express direction of the person in charge of the crime scene.
  - 10) Any known comparison standards will be marked as such and forwarded to the appropriate Illinois State Police Crime Laboratory by the scene specialist.
  - 11) Specialist responsibilities:
    - a) Photography.
    - b) Videotaping.
    - c) Latent fingerprints.
    - d) Crime scene sketches.
    - e) Collection and preservation of physical evidence.
  - 12) Computer equipment
    - a) Whenever a computer or computer media, disks, tapes, drives, etc. are to be seized as possible evidence, the investigator will advise the communications center to request the assistance of the Illinois State Police computer crimes unit.
    - b) Computer equipment will not be touched, moved, turned on or turned off until the computer crimes unit has been consulted.
  - 13) Depending upon the analytical services required, the department will normally submit evidence to either the Westchester Laboratory or the Joliet Laboratory.
- b. Crash scene investigation
- 1) The Cicero Police Department has specially trained crash scene investigators.
  - 2) The Cicero Police Department does have crash reconstruction officers.
  - 3) A crash scene investigator may be called for the following situations:
    - a) Fatal crashes.

- b) Serious injury crashes involving on-duty Town employees and/or vehicles.
  - c) Other crashes of such a complex and serious nature that detailed analysis and reconstruction services may be needed.
- 4) If a crash investigator is on duty, that individual will process the crash scene unless otherwise directed by a supervisor.
  - 5) If a crash investigator is not on duty, and the situation requires immediate attention that cannot be handled by available personnel, the on-call crash investigator will be contacted as requested by the field supervisor or the shift supervisor.
- c. Laboratory submissions
- 1) Evidentiary items will normally be submitted to either the Chicago or the Joliet Laboratory of the Illinois State Police, depending upon the analysis required.
  - 2) See GO 84-01-02 for guidance on evidence packaging and laboratory submissions.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-01-A**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** RECOVERED/SEIZED FIREARMS EVIDENCE

**THIS INFORMATION IS PROVIDED BY THE ILLINOIS STATE POLICE FORENSIC SCIENCES COMMAND AS A GUIDELINE FOR OFFICERS IN THE RECOGNITION OF FIREARMS EVIDENCE, PROPER METHODS OF COLLECTING SUCH EVIDENCE, AND HOW IT SHOULD BE SUBMITTED TO THE ILLINOIS STATE POLICE LABORATORY, INCLUDING THE EXAMINATIONS THAT CAN BE PERFORMED WITH THAT EVIDENCE.**

**1. Types of examinations**

**a. Firearm examinations**

- 1) Determine if suspect firearm fired evidence bullet(s), cartridge case(s) or shot shells.
- 2) Eliminate suspect firearms as firing specific bullet(s), cartridge case(s) or shot shells.
- 3) Mechanical condition of firearm, i.e., operability, safety function(s) and accidental discharge, etc.
- 4) Examine firearm for latent fingerprints or any other trace evidence.
- 5) Check suspect firearm against open case files.
- 6) Serial number registration.

**b. Types of bullet examinations**

- 1) Determine caliber, type and possible manufacturer.
- 2) Type(s) of firearms that could have fired each bullet or projectile.
- 3) Which bullet(s) were fired from the suspect firearm?
- 4) If all bullets were fired in the same weapon.
- 5) Marks or other trace evidence on a bullet that may indicate its path.

**c. Types of cartridge case or shotgun shell examinations**

- 1) Determine caliber and manufacturer.
- 2) Types of firearms that could have fired them.
- 3) If all casings or shells were fired in the same firearm.
- 4) Which casings or shells were fired in the same firearm?

**d. Shotgun wadding and shotgun pellet examinations**

- 1) Gauge of firearm, possible manufacturer and possible number of shots fired.
- 2) Size and type of shot.

**e. Types of live rounds or live ammunition examinations**

- 1) Determine if they were chambered in the suspect firearm.
- 2) Determine if the ammunition submitted is reloaded.

**Note:** *Several are necessary for distance or range determination if suspect firearm is available (obtain as many rounds as possible).*

f. Victim's or suspect's clothing

- 1) Clothing with suspected bullet holes/shot holes might be used in the determination of the muzzle to garment distance for the shot or shots fired.

2. Collecting and preserving evidence

a. Firearms evidence

- 1) If the firearm is to be processed for latent fingerprints, trace evidence or a question concerning accidental discharge and/or malfunction, it is best not to alter it in any way. Package it in a box or tie it down to a stiff object. If loaded, it should be so marked on the outside of the box and be hand carried to the Joliet Laboratory.

- 2) If, for reasons of safety, the officer feels it necessary to unload a firearm, he should carefully record the positions of the cartridges removed.

- 3) Revolver

- a) Mark both sides of cylinder at top strap before opening.
- b) Draw a cylinder diagram and indicate its direction of rotation. Numbering of each chamber may be helpful.
- c) Open and unload the firearm using a diagram to record position and type of any live and/or discharged cartridges.
- d) Place each cartridge in an individual container; record chamber number, case number, then seal and initial container (mark only the container and not the cartridge as this may result in damage to microscopic detail or loss of trace evidence).

4) Semi-automatic firearms

- a) Remove magazine and package it leaving the live cartridges in it.
- b) Remove the cartridge from the chamber place it in a container. Seal and mark it as above.

5) Rifles or shotguns

- a) If the magazine is not removable, empty the firearm in the same manner, as it would be in loading.
- b) Do not run the cartridges through the action of the firearm.

- 6) Lift firearms only by the knurled grips or edges of the trigger guard. Never place any object in the barrel.

- 7) Do not clean, fire, or work the action of the firearm.

- 8) Marking of any firearm - if necessary:

- a) Mark the outside area of the barrel or frame. Do as small and neatly as possible.
- b) Be careful of all trace evidence when marking.

- c) If the firearm is to be dusted or checked for blood, do not mark it. Place it carefully in a container and mark the container.
  - 9) Boxes are the most suitable containers for transporting firearms evidence, but bags or heavy envelopes may also be used in some cases. **Never** use plastic bags for firearms.
- b. Bullet evidence
- 1) Collect all bullets and/or fragments. Often only one may end up being identifiable or suitable for microscopic examinations.
  - 2) Do not wash or clean. Handle as little as possible.
  - 3) Do not dig bullets out of walls with sharp instruments. Cut out a section surrounding the bullet and submit the whole object.
  - 4) If possible, advise the pathologist not to use tweezers or a scalpel to remove bullets or fragments from the body. Request the body be fluoroscope (X-Rayed) to locate all bullets and/or fragments.
  - 5) Do not mark bullets or fragments. Package in individual containers, number, seal and initial the containers.
  - 6) Use small pill-type or plastic boxes. Do not use cotton or tissue packing around bullets as this material often adheres to the blood or other material on the surface of the bullet.
- c. Shotgun wadding and pellet evidence
- 1) Photograph any visible patterns. Always use a scale or ruler.
  - 2) Recover as many pellets and/or waddings as possible. Be careful not to mutilate when removing.
  - 3) Do not mark or clean these items. Place them in a container, mark, seal and initial the container.
  - 4) Plastic, cardboard or pillboxes may be used for transporting shotgun wadding and pellet evidence. Mark as above.
- d. ~~Cartridge case and shotgun shell evidence~~
- 1) Collect all casings and shot shells
  - 2) Do not wash or clean.
  - 3) Casings and shot shells will be placed in separate containers, and the container will be marked.
- e. Live ammunition
- 1) Collect all live cartridges for use as standards (this is very important in range determinations and enhances bullet/cartridge case comparisons).
- f. Clothing or other material-type evidence
- 1) Air-dry all clothing if it is wet.
  - 2) Use a tag for marking clothing and attach **AWAY** from any bullet holes, possible powder or blood.
  - 3) Protect areas surrounding bullet holes by covering both sides with a sheet of white paper.
  - 4) Package each item of clothing separately in a paper bag.

- 5) Include a body diagram sheet indicating the number and location of possible bullet holes. Mark any entrance and exit wounds if known.
- 6) Wounds or bullet holes other than in the clothing:
  - a) Photograph the wounds before and after cleaning include a scale or ruler.
  - b) Request pathologist to examine the tissue for tattooing, charring and/or burning of the tissue.

3. Submitting evidence to the laboratory

- a. Deliver all firearm evidence to the laboratory in person as soon as possible.
- b. Weapons submitted for latent fingerprints and/or trace evidence should be secured in a box to prevent damage/jarring and hand carried to the laboratory.
- c. Laboratory staff must be informed when a firearm is submitted in a loaded condition.
- d. Submit a body diagram in all cases where someone is shot. Wound photographs are always helpful.
- e. Firearms recovered from water should be submitted in a container with the firearm submerged in some of the same water. **DO NOT LET THE WEAPONS DRY.** Transport to the laboratory immediately.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-01-B**



**EFFECTIVE DATE: September 1<sup>st</sup>, 2013**

**REVIEW DATE: September 1<sup>st</sup>, 2015**

**SUBJECT: RECOVERED/SEIZED FIREARMS DRUGFIRE/IBIS**

**THIS INFORMATION IS PROVIDED BY THE ILLINOIS STATE POLICE FORENSIC SERVICES COMMAND AS A GUIDELINE TO THE DRUGFIRE/IBIS PROGRAM.**

**1. Drugfire/IBIS - Description**

- a. Drugfire/IBIS is a database-driven multimedia imaging system which enables the examiner to:
  - 1) Search open case files,
  - 2) Communicate with other regional laboratories,
  - 3) Store classification data,
  - 4) Capture and store images of markings on:
    - a) Cartridge casings.
    - b) Shot shell.
    - c) Fired bullets.
- b. The intent of the program is to compare cartridge cases, shot shells and bullets from different crimes submitted to other regional laboratories and in order to link one crime to another.
- c. The Drugfire/IBIS system is be used when the evidence includes:
  - 1) Fired cartridge cases.
  - 2) Shot shells.
  - 3) Fired bullets.
  - 4) Firearms.
- d. All cases entered into the system are checked against the entire regional database at the time of entry.
  - 1) Any identifications are reported to the submitting agency by written report.
  - 2) Where there is a hit on a stored Drugfire/IBIS image, a separate report is generated to the agency submitting the evidence.

**2. Types of cases to be entered**

- a. Shootings that have the potential of being a serial type, such as:
  - 1) Homicides.
  - 2) Gang-type shootings.

- 3) Drug-related shootings.
  - 4) Freeway shootings.
  - 5) Robberies.
- b. Non-police firearms from officer involved shootings.
  - c. Firearms in the possession of known gang suspects.
  - d. Firearms recovered from traffic stops where drugs are seized.
3. Submissions
    - a. The following information must be submitted for a Drugfire/IBIS search
      - 1) Cartridge cases, shot shells or fired bullets from crime scenes.
      - 2) Firearms that are suspected of being used in a type of crime described above. It is important that this firearm can be associated with an individual or a group whether by eyewitness, fingerprints or having been found in someone's possession.
  4. Types of cases and evidence which will not be entered
    - a. Where the circumstances indicate a one-time shooting event by the firearm in question, such as a domestic homicide, suicide or accidental shooting.
    - b. Where the cartridge casings/shot shells/bullets do not bear markings or other information that will be useful for comparison or data base searching.
    - c. Cartridge cases normally associated with revolvers.
    - d. Other firearms like double barrel shotguns where cases or shells would not be ejected at the crime scene.
    - e. Weapons found in common or remote areas such as garbage dumpsters or fields and which cannot be associated with an individual or group of individuals by any means.
    - f. Firearms from civil disputes held for safekeeping.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-01-C**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** RECOVERED/SEIZED FIREARMS PROGRAM RESOURCES

**Below is a summary of several resources that are available to officers while conducting investigations that involve recovered and/or seized firearms. Officers are encouraged to contact the Division of Investigation for assistance in using any of these resources.**

**1. LEADS/NCIC**

- a. LEADS and NCIC provide a data base by which an officer can determine the status of a recovered or seized firearm, if it has been entered into the system as lost, stolen or having been used in a crime.
  - 1) Officers are required to run a LEADS status check on any recovered or seized firearm via the dispatcher.
    - a) A copy of the response is to be placed within the package and another copy attached to the outside of the package when it is submitted to evidence.
    - b) In addition, officers are required to enter into LEADS via the dispatcher a report of the seized or recovered firearm.
      - A. A copy of this LEADS message entry will be included with the inventory paper work submitted to the property custodian.
      - B. A record of the entry and a cross-index of the entry is also kept in the dispatch center.

**2. Bureau of Alcohol, Tobacco and Firearms**

- a. The Bureau of Alcohol, Tobacco and Firearms (ATF) operates a National Tracing Center to provide a system of tracking firearms from the place of manufacturer to the place of sale.
- b. Public Act 90-137 requires that all law enforcement agencies conduct a firearm trace on all firearms recovered or seized from the possession of a person under 21 years of age who is not permitted by state or federal law to possess a firearm.

- 1) Officers seizing such a firearm will conduct this check as part of the inventory process.
- 2) This check will be conducted through LEADS for seized firearms associated with an arrest.
- 3) This will be conducted by FAX request for recovered firearms not associated with an arrest.

**3. DRUGFIRE/IBIS**

- a. The Illinois State Police conducts the Drug fire/IBIS Program to the IBIS program. See Addendum 2, 84-01-01b, for instructions related to this program.
- 4. Illinois State Police Forensics Laboratories
  - a. See Addendum 1, 84-01-01a for detailed guidelines on submitting firearms to laboratories.
  - b. **All firearms with obliterated or changed serial numbers will be submitted for laboratory examination.**
- 5. Firearms Owners Identification
  - a. The State of Illinois requires that any person who possesses a firearm or ammunition must have a valid Firearm Owner's Identification card (possession, not ownership, is the question).
  - b. A person's FOID card status can be checked through the LEADS system.
  - c. When a firearm is seized or recovered from an individual, the officer will request a FOID check through LEADS via the dispatcher.
- 6. Firearm Transfer Inquiry Program
  - a. The FTIP program provides a means to conduct a search to determine if there has been a dealership transaction involving that firearm, and can be used to trace the origin of the firearm.
  - b. A search request should be directed to the dispatcher.
- 7. Town of Cicero, Firearm Registration Ordinance
  - a. The Town of Cicero has adopted an ordinance requiring the registration of specific firearms with the town.
  - b. The ordinance also forbids the possession of certain firearms. Upon the seizure of a firearm, the officer should review the ordinance to ensure the firearm is not on the list of firearms prohibited by the ordinance.
  - c. ~~The Cicero Police Department plans to automate the registered firearm files.~~ When this is accomplished, officers will check these records for seized/recovered firearms.
- 8. Tracking - investigative assistance
  - a. The Deputy Superintendent of Investigations as the coordinator of the Cicero Police Seized and Recovered Firearms Program will assign a detective.
  - b. The coordinator is responsible for the information that is returned to the department from other agencies.
  - c. The coordinator is responsible for, or will assign the follow-up for, any follow-up that is required from the receipt of this information.
  - d. The coordinator will also provide training and assistance to other officers in ensuring that proper investigative inquiries and follow-ups are conducted relative to seized and recovered firearms.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-01-C**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **RECOVERED/SEIZED FIREARMS PROGRAM RESOURCES**

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  - d. The coordinator will also provide training and assistance to other officers in ensuring that proper investigative inquiries and follow-ups are conducted relative to seized and recovered firearms.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 84-01-01**



EFFECTIVE DATE: **September 1<sup>st</sup>, 2013**

REVIEW DATE: **September 1<sup>st</sup>, 2015**

SUBJECT: **RECOVERED/SEIZED FIREARMS**

**1. POLICY:**

The Cicero Police Department will establish procedures to process and store firearms that have been recovered, seized or found.

**2. DEFINITIONS:**

- a. **Firearm** - A firearm is any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion of gas or escape of gas; excluding
  - 1) Any pneumatic gun, spring gun, or BB gun which expels a single globular projectile not exceeding .18 inch in diameter.
  - 2) Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission.
  - 3) Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition.
  - 4) An antique firearm (other than a machine gun) that, although designed as a firearm, the Department of State Police finds by reason of the date of manufacture, value, design and other characteristics is primarily a collector's item.

**NOTE: Guns, devices and firearms that qualify as exceptions may be processed as firearms when used as a weapon.**

***b. Drug fire/IBIS***

- 1) A database-driven multimedia imaging system which enables the examiner to search open case files, communicate with other regional laboratories, store classification data, capture and store images of markings on cartridge casings, shot shell and fired bullets in a computer database and search the database. The intent of the program is to compare cartridge cases, shot shells and bullets from different crimes submitted to other regional laboratories and in order to link one crime to another. The Drug fire/IBIS system will be used when the evidence includes fired cartridge cases, shot shells, fired bullets or firearms.
- 2) All cases entered into the system are checked against the entire regional database at the time of entry. Any identifications are reported to the submitting agency by written report. Where there is a hit on a stored Drug fire/IBIS image, a separate report is generated to the agency submitting the evidence.
- 3) For Drug fire/IBIS procedures, see Addendum 2 (84-01-01-B).

**3. PROCEDURES:**

- a. Any officer who takes a firearm and/or property directly related to a firearm (ammunition, magazines, parts, holsters, etc.) into custody will:
  - 1) Prior to handling the firearm, have it examined for fingerprints, if fingerprints may be pertinent to the case.
  - 2) Ensure the firearm is unloaded.
    - a) If the officer is unable to unload the firearm, for whatever reason, and the firearm is not evidence, the firearm should be transported in a safe manner to an Illinois State Police Forensic Science Laboratory where a safe facility exists and assistance can be obtained in making the firearm safe.
    - b) If the firearm is evidence it should be recovered by an evidence technician or Illinois State Police crime scene technician who will then follow his organizational procedures for dealing with a loaded weapon.
    - c) **UNDER NO CIRCUMSTANCES WILL A LOADED FIREARM BE PLACED IN THE PROPERTY ROOM**
  - 3) Firearms records checks
    - a) Determine if the firearm is registered with the town of Cicero.
    - b) Notify dispatch and supply the dispatcher with the manufacturer, the caliber, and the serial number of the firearm.
    - c) The dispatcher will then run the firearm's information through LEADS to determine if it has been previously reported stolen or lost and will then return a computer printout to the recovering officer documenting the query and any responses received (a copy of which will be included with the firearm in the package and a second copy with the Cicero Police Record of Evidence Form).
    - d) The dispatcher will then enter the recovered or seized firearm into LEADS as seized or recovered and a copy of the LEADS message will be included with the Cicero Police Record of Evidence Form.
    - e) An index file of the LEADS message and a cross-reference will be retained in the dispatch area.
    - f) The recovering/seizing officer is required to conduct a trace through the Federal Alcohol, Tobacco and Firearms National Tracing Center using the form entitled Request for Tracing Firearms.
      - 1. Complete instructions are on the back of the form.
      - 2. For recovered firearms (no arrest made), forward the form to the property custodian with the copy of the general report form and record of evidence form.
      - 3. The property custodian will forward the ATF Request for Tracing Firearms form to the ATF.
      - 4. For seized firearms (arrest made), the seizing officer will forward the ATF Request for tracing form to the dispatcher who will run the trace through LEADS.
  - 4) Do NOT mark the firearm in any permanent manner (do not scratch initials on firearm).
  - 5) Inventory the firearm and items directly related to that firearm (holster, cartridges, etc) on a single Cicero Police Record of Evidence Form.
    - a) Any items of evidence to be sent to the forensic science laboratory (shell casings, bullets, wadding etc) should be inventoried together on a separate Cicero property inventory sheet.
    - b) Particular care should be taken with items of evidence when packaging to preserve their identifiable characteristics.

- c) Place each item in a separate paper envelope and seal the envelope so that the items do not move around in the package.
  - d) If a loaded magazine is removed from the firearm, do not unload the magazine.
  - e) If a round or shell casing is located in the chamber, remove and package separately, labeling it as having come out of the chamber.
  - f) The officer will write the information required by the evidence policy on each package.
- 6) Document on the general report form the actions taken by the officer in preparing the items for inventory and the inventory process. Include the following information on the general report form:
- a) Manufacturer's name.
  - b) Model name and/or number.
  - c) Serial number (including any prefix or suffix).
  - d) Caliber or gauge.
  - e) Type (semi-automatic, rifle, shot gun).
  - f) Finish (blue steel, nickel, etc).
  - g) Attach to the general report form, and document their attachment on the general report form the following items:
1. LEADS inquiry,
  2. LEADS response,
  3. If there is no hit in LEADS, the LEADS entry.
  4. The ATF trace initiation.
- 7) Package the firearm securely
- a) Immobilize the firearm within a firearms box (this can be done by packing wadded paper within the box) to keep the firearm from sliding around within the box.
  - b) Do not place any items into the barrel, receiver, slide or cylinder of any weapon recovered or seized.
  - c) ~~Include within the firearm box any items recovered with the firearm, such as ammunition. Package these items separately within an envelope and place inside the box.~~
  - d) Include a copy of the LEADS printout from the dispatcher.
  - e) Seal the box with red evidence tape.
  - f) Draw an arrow on the box indicating the direction the barrel is pointing within the box.
  - g) Sign or initial and date across the red evidence tape.
  - h) Indicate on the outside of the firearm box that a firearm is contained within (and also if there is any live ammunition contained within the box).
- 8) The firearm in it's packaging and the completed Cicero Police Department Record of Evidence Form, along with a second copy of the LEADS inquiry message and the answer to that inquiry, and a copy of the LEADS message entering the firearm into the Gun File, and a copy of the ATF trace initiation will then be presented to the supervisor on duty.
- a) The supervisor will review the procedure and when found to be correct will then sign, date and time in the proper place on the Cicero Police Record of Evidence Form.
  - b) The sealed package will then be turned over to the department property custodian. If at a time when the property custodian is off duty, the package will

- be placed in the temporary storage area.
- c) The officer placing the property into temporary storage will insure the property enters the area completely.
  - 9) If the firearm is to be sent to the Illinois State Police Division of Forensic Sciences crime laboratory for any type of testing, including Drug Fire/IBIS, the recovering or seizing officer will prepare the Illinois State Police Evidence Submission Form on the internet at the following link (<http://fcswebsa.isp.state.il.us\elab>) and submit that to the property custodian with the Cicero Police Record of Evidence form and general report form. This Illinois State Police Evidence Receipt will be filled out in its entirety and will include the tests required by the recovering/seizing officer.
  - 10) For Illinois State Police Forensic Services Command guidelines regarding recovering and packaging of firearms for submission for testing, see Addendum 1 (84-01-01-A).
  - 11) Officers required to bring a firearm to court as evidence will sign the weapon out from the property section.
    - a) The officer is required to maintain the security of the firearm.
    - b) If the firearm is to be placed into any other person's custody (assistant state's attorney, judge), the officer will obtain a receipt for the firearm from the person receiving the firearm.
    - c) The officer is responsible for the return of the firearm to the Cicero Police Department property custodian, or documentation supplied by the court or state's attorney's office detailing the disposition.
  - 12) The officer must complete and turn in a final disposition order to the property section after the case has been adjudicated to update the inventory process.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-02-A**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EVIDENCE HANDLING STATUTORY REFERENCES**

*The following sections of the Illinois Compiled Statutes should be consulted for additional, detailed provisions:*

1. 720 ILCS 5/24-6: Confiscation and Disposition of Weapons
2. 720 ILCS 5/28-5: Seizure of Gambling Devices and Funds.
3. 720 ILCS 5/36-1, et. al.: Seizure and Forfeiture of Vessels, Vehicles and Aircraft.
4. 720 ILCS 535/6: Seizure and Removal (air rifles)
5. 725 ILCS 5/108-2: Custody and Disposition of Things Seized (inventory receipt to person arrested with copy to judge before whom arrestee is taken)
6. 725 ILCS 5/108-10: Return to Court of Things Seized (Search warrant)
7. 725 ILCS 5/108-11: Disposition of Things Seized (court will order appropriate custody)
8. 725 ILCS 5/108-12: Disposition of Obscene Material
9. 765 ILCS 1020/27 through 765 ILCS 1020/29: Lost Goods or Money
10. 720 ILCS 550/12: Forfeiture of Property (cannabis)
11. 720 ILCS 570/505: Forfeiture of Property (controlled substances.)
12. 625 ILCS 5/4-107(k): (Seizure and Disposal of vehicles related to Felony vehicle theft offenses)
13. 415 ILCS 5/44: (Forfeitures of Property in Hazardous Waste Cases)
14. 35 ILCS 120/14: Cigarette Tax Act
15. 765 ILCS 1030/1 through 765 ILCS 1030/6: Property Possessed by Law Enforcement Agencies

By Order of: \_\_\_\_\_  
Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-02-B**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EVIDENCE HANDLING GUIDELINES FOR  
COLLECTING/MARKING/PACKAGING EVIDENCE**

The analytical and prosecutorial value of evidence is heavily impacted by the manner in which it is collected and marked and by the verifiability of the chain of custody.

**Crime scene technicians, forensic scientists and evidence custodians will be requested to provide information and advice on handling evidence, when necessary.**

The following general guidelines are offered to assist in collecting, marking and packaging most of the kinds of evidence that will be handled by enforcement and investigative personnel. The processing of scenes of major cases or where collection is difficult (footwear/tire impressions, finger/palm prints on non-movable objects, the need for laser light to detect hair, fibers or body fluids, etc.) should be done by crime scene technicians.

1. Whenever data processing equipment, files and/or software are to be seized as evidence, the following standards will apply:
  - a. Prior to turning-off or disconnecting any equipment, contact the Illinois State Police for advice and help in doing so in a manner to preserve the evidentiary value of the equipment and data.
  - b. ~~Treat all equipment and original copies of data on the equipment or data storage media as evidence. Data may be copied from the original media and treated as a copy of hard-copy evidence is treated.~~
2. Documentation starts with a crime scene sketch or field notes recording locations of reference points (doors, windows, walls, culverts, fences, gates, utility poles, etc.) and distance and direction to relevant objects. The notes should include date, time, weather and light conditions and names of all persons involved.
3. Photographs can be excellent documentation, especially of small details, such as, false panels in vehicles, altered VIN plates, scuff or skid marks. Each item should be photographed first without movement or alteration and secondly with the addition of a reference ruler.
4. Pre-printed evidence envelopes may be used for packaging small items or for recording necessary information and taping to larger items or packages.
  - a. Clear, plastic, sealable, bags may be available which have the advantage of allowing the contents to be seen without breaking the seal.
  - b. However, plastic bags will not be used for guns, anything subject to rust, anything damp or wet, any item which needs to be processed for fingerprinting, or fresh plant material, such as undried cannabis.
  - c. Clear plastic bags must be marked even though the contents can be seen.

- d. Small items, such as paint chips, should be wrapped in paper before being placed in an envelope.
5. See directive 84-01-01 for information regarding firearms.
6. Necessary information must be printed on the outside of evidence packages with a felt tip pen.
  - a. Use of both staples and tape is recommended for tamper proof sealing.
  - b. Pill bottles or pillboxes may be used to package crushable items.
  - c. Use facial tissue (Kleenex) or toilet paper for cushioning.
  - d. "Tamper proof" means only that the package will show by tears, holes, tape residue, etc. if it has been opened.
7. Surfaces that are critical for comparison, such as bullets, bullet fragments, tool marks, tool edges, etc., should never be contaminated by marking. The secure attachment of evidence tape or a tag with the identifying information to the article before placement in a marked package is encouraged.
8. Information on the tape, tag and/or package must be sufficient to connect the article to a specific:
  - a. Scene (date, time, address or location),
  - b. Location within the scene (description, distance, direction, etc.),
  - c. Case (case/field report number),
  - d. Exhibit (exhibit #) only one exhibit per package,
  - e. Collecting/packaging/handling employee(s),
    - 1) ID # and name or initials of the collector
    - 2) Date and ID # and initials of persons assuming custody.
  - f. A description of the item(s) (physical dimensions; color; serial numbers; condition; number of pills, bullets, etc.)

**NOTE:** *If on small packages there is not enough room for all this information, place the small package in a larger evidence package.*

**NOTE:** *Marking related to money will include information about source, i.e., OAF, gambling winnings, seized funds, etc. and exact amount, including denominations and the amount of each.*

9. Firearms will be unloaded before packaging unless the weapon is to be processed for fingerprints or the sequence of rounds in the cylinder or magazine is important information.
  - a. Loaded firearms will not be mailed or shipped.
  - b. When a loaded firearm is packaged, the fact that it is loaded will be boldly marked on the package.

**COMPLETE GUIDELINES REGARDING HANDLING AND PACKAGING FIREARMS IS CONTAINED IN DIRECTIVE 84-01-01, "RECOVERED/SEIZED FIREARMS."**

10. Dynamite, blasting caps and other explosives should be handled only by experts (SEE DIRECTIVE 46-01-02A, BOMB THREAT AND INCIDENT REPORTING, FOR GUIDANCE ON BOMBS).

- a. Fireworks categorized as either class "C" or "novelty" may be handled as routine evidence and stored in department evidence facilities.
  - b. For items other than class "C" or novelty fireworks, contact the EC for direction on handling such items.
11. Comparison standards are required for analysis of many items (latent finger or palm prints, hair, blood, fibers, paint, soil, handwriting, etc.). Contact a crime scene technician or the laboratory for instructions.
  12. Pre-packaged evidence collection kits will be used by medical personnel for collection of blood and urine for DUI drug and alcohol cases and the State Police Evidence Collection Kit (SPECK) will be used by medical personnel to collect evidence in sexual assault cases. Both kits contain detailed instructions.
  13. See the Infectious Disease directive 22-03-02 for information regarding handling potentially contaminated property. All property submitted for storage or laboratory analysis will be clearly marked "Bio-Hazard" with bright orange labels.

**Note:** The laboratories of the Illinois State Police and the FBI will only accept evidence with the understanding that it has not been analyzed, nor will it be analyzed in the future, by another person or laboratory on behalf of the investigating agency.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 84-01-02-C**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **EVIDENCE HANDLING: ALCOHOL SEIZURES**

To streamline the seizure of alcoholic beverages as evidence, the following procedures will be used.

**NOTE:** *These procedures are applicable to alcohol evidence only and are not to be applied to any other form of evidence.*

**1. Storage of seized alcohol:**

- a. The storage of alcohol evidence anywhere other than in an approved department storage facility is prohibited.

**2. Evidentiary guidelines:**

- a. An officer who is unsure as to whether alcohol evidence needs to be retained or may be destroyed will request guidance from the supervisory chain of command and/or the evidence custodian.
- b. If the officer is still unsure, the officer will contact the state's attorney's office to determine whether the physical presence of the alcohol evidence is necessary for prosecutorial purposes.
- c. If, in the opinion of the state's attorney, the alcohol evidence is necessary, the officer will seek permission to photograph or videotape the alcohol for courtroom presentation.
- d. Preservation of the evidence via a film or tape format will permit its destruction in a timely manner, negating the need for long-term storage in department facilities.

**3. Evidentiary alcohol destruction:**

- a. The evidence custodian must grant officers the authority to personally destroy articles of alcohol evidence.
- b. The Cicero Police Record of Evidence Form, completed in each case when alcohol is seized, must bear an appropriate note of destruction, if applicable, to include:
  - 1) The signature of the officer responsible for the destruction,
  - 2) The signature of the EC authorizing the destruction,
  - 3) The method of destruction,
  - 4) The officer's identification number and
  - 5) The date of destruction.

- c. A copy of the Cicero Police Record of Evidence Form will be forwarded to the evidence custodian for retention for a two-year period.

By Order of: \_\_\_\_\_  
Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 84-01-02**

**EFFECTIVE DATE:** May 1, 2019



**SUBJECT:** **EVIDENCE HANDLING**

**I. POLICY:**

The Cicero Police Department will establish minimum guidelines for officers to collect, identify, receive, preserve, document, transfer, store and dispose of physical evidence and found and recovered non-evidentiary property.

**II. DEFINITIONS:**

- A. **Evidence Vault** - the highly secure storage facility located within the evidence facility at the Cicero Police Department Headquarters, which is under the direct supervision of the evidence custodian.
  - 1) The vault is the primary evidentiary, found and recovered property storage facility for the Cicero Police Department.
  - 2) Unaccompanied access is limited to the evidence custodian and alternate evidence custodian.
- B. **Evidence Vault Entry and Inspection Log** - a written and bound log maintained by the EC that records every person entering the vault other than the EC or AEC, including date, time in, time out, purpose of entry, signature of custodian permitting access and signature of the person entering the vault.
- C. **Evidence Custodian (EC)** - employee designated by the superintendent of police to administer and operate the department evidence and found and recovered property system, including the evidence storage facilities, monitor and provide functional supervision over the evidence program and whose approval must be obtained prior to destruction of evidence/property.
  - 1) An assistant evidence custodian (AEC) will be designated.
  - 2) References to EC's in this policy also apply to the AEC.
- D. **Department Approved Storage Facility** - safe deposit boxes, garages, warehouses, or other facilities rented or borrowed to accommodate special or unusual security or space needs, when authorized by the EC and approved by the Superintendent. Record-keeping responsibilities and security measures for high-risk items are the same as for material stored in a department facility.
- E. **Temporary Storage Lockers** - storage space accessible for deposit of evidence/property when the EC is not available and designed in a manner that the property can only be removed by the EC.

- F. **Evidence** - instruments, articles or items, including items or substances from a known source for comparison purposes, which may have significance as a means of ascertaining the truth of any alleged matter of fact under consideration.
- G. **Inspections** - review of evidence, handling procedures, records, disposition and storage facilities. Types of inspections include:
- 1) Semi-annual inspection of department evidence vaults, handling procedures, records, disposition and storage facilities, conducted by the Superintendent or his designee.
  - 2) Change of custodian inspection upon assignment or relief of assignment of EC or AEC.
  - 3) Monthly inspection of evidence, handling procedures, records, disposition and storage facilities by the Deputy Superintendent of Administration, or their designee.
  - 4) Change of facility inspection of evidence, handling procedures, records, disposition and storage facilities whenever property is moved from one vault to another, due to a change in facility. This inspection compares records for the vault regarding items that should be in the vault and compares that information with the actual contents of the vault.
- H. Non-evidentiary Property (found/recovered property) - instruments, articles and items which come into possession of the department by virtue of employee recovery or citizen delivery that have no apparent evidentiary value. Security and record keeping requirements are the same as for evidence.
- I. Video recordings from Department vehicles (In-Car Videos), if applicable, will be stored when completed for a period of 90 days, if not required for evidentiary purposes. Evidentiary video recordings will be maintained indefinitely or until deemed no longer of evidentiary value by the court.

### **III. RESPONSIBILITIES:**

- A. The Deputy Superintendent of Administration is responsible for:
- 1) Installing, testing and maintaining an evidence vault alarm system.  
a) The evidence vault alarm system will be separate from any building alarm system so it may remain active when the building alarm system is deactivated.
    1. Only the EC has the authority and knowledge to activate or deactivate the evidence vault alarm system.
    2. Only the EC will have access to the keys or codes that access the vault.
    3. The Deputy Superintendent of the Administration Division will ensure that access keys/codes for vault doors and alarms are changed whenever the EC and/or AEC changes. The Deputy Superintendent of Administration must receive written approval from the EC in order to change only the alarm access code (and not the locks).
- B. The evidence vault alarm may notify the communications center and/or the front desk as well as the alarm service, if so desired by the Deputy Superintendent of Administration.
- C. Establishing, in writing, an evidence vault alarm response plan that is reviewed and tested at least annually. The response plan will include provisions for:
1. Providing entities responsible for responding to the evidence vault alarm with a current list of personnel who can be contacted in the event the evidence vault alarm is activated.
  2. Ensuring the current name and phone number of the alarm company responsible for the evidence vault alarm system is on file at the front desk, communications center and vault.

3. A recovery plan addressing when, where and how the vault will be secured and relocated when the vault security is breached due to man made or natural disaster. This recovery plan may be separate or included in the headquarters recovery plan.
4. Ensuring representatives of the evidence vault alarm company are aware of the requirement of providing positive identification prior to accessing the system.
5. Tests of the response plan will be logged in the evidence vault entry and inspection log.

D. Evidence custodians will:

- 1) Operate approved storage facilities in accordance with the provisions of this directive;
- 2) Monitor and provide functional supervision over the department's evidence program including receiving and reviewing vault inspection reports;
- 3) Ensure that the AEC is properly trained in evidence handling and security procedures;
- 4) Ensure that the drop chute(s) is checked for evidence, and any evidence in the chute(s) is transferred to the vault and entered into the departments evidence records at the beginning of the EC's or AEC's shift.
- 5) Provide proper packaging materials along with training to officers using the vault;
- 6) Require proper marking and packaging on incoming evidence/property;
- 7) Have the authority to refuse to accept any improperly marked, packaged or reported property, and to require any officer submitting property improperly to re-submit the property in the correct manner immediately. In the event the officer is off duty, the officer and the shift commander will be advised to correct the improperly submitted property by the end of the officer's next shift. Improperly submitted property will be held in the vault by the EC, who will note its receipt. The EC will notify the officer's Deputy Superintendent if the problem is not corrected by the end of the officer's next shift.
- 8) Be consulted in all matters pertaining to department evidence/property control; including construction of vault, security measures, etc.;
- 9) Properly destroy evidence/property or authorize others to destroy evidence/property, within six months of having received authorization for the property to be destroyed;
- 10) Review documentation and prepare for the proper disposal/destruction of evidence/property in accordance with this directive and department procedures and notify the Deputy Superintendent of Administration when evidence/property is ready to be destroyed;
- 11) In consultation with the Deputy Superintendent of Administration, obtain and approve storage space for unusual needs beyond the capacity of existing facilities. The EC will be called in by the Watch Commander when such circumstances exist.
- 12) Ensure that no dangerously explosive substance or hazardous materials are stored in department facilities.
- 13) Ensure security of evidence/property in department custody and initial the evidence seal;
- 14) Initiate and maintain required records and files. Officers and their shift commander will be notified immediately when packaging, labeling or reports need to be corrected. Failure of an officer to correct the problem by the end of their next shift will be reported to their respective Deputy Superintendent.
- 15) Be aware of the needs of victims and witnesses and assist the investigating officer in returning evidentiary property to its rightful owner(s) as soon as feasible;
- 16) Participate in all required inspections, including change of custody inspection upon assignment or relief of assignment as EC;
- 17) Have the option, with the approval of the Deputy Superintendent of Administration, to deliver or pick up evidence from a court, laboratory or other location (The EC should not accept improperly packaged or labeled items.); and

- 18) Notify the Deputy Superintendent of Administration when any inspection required by this directive is not carried out.

E. Employees

- 1) Employees will not solicit, accept or retain for their personal use any evidence or non-evidentiary property.
- 2) Evidence or property that is to be used for department purposes must first be transferred to the department through court order or other legal means.
- 3) Employees are responsible for:
  - a) Obtaining and providing signed and dated legible receipts documenting seizures and transfers, where ever possible.
  - b) The security of evidence/property in their possession and
  - c) The inclusion of identifier, descriptive and custody information in the appropriate report file for all evidence that is or has been in their possession.
  - d) Documenting initial custody of evidence on appropriate forms,
  - e) Proper marking/labeling, packaging, sealing with a seal that protects the contents from loss or contamination and tampering and delivery of all evidence they personally collect (Tape used to seal evidence must be initialed or otherwise identified to document the person sealing the evidence.),
  - f) Officers will secure property in the approved drop facilities when an EC is not available.
  - g) Completing the following items on the appropriate property/investigative/reporting forms:
    1. Location of initial collection
    2. Case number
    3. Exhibit number
    4. Officer
    5. Officer's I.D. number
    6. Name of subject
    7. Description of evidence, including, if at all possible, the exact amount of cash, including denominations and the exact amount of each
    8. Submitting officer's name
    9. Submitting officer's I.D. number
    10. Date collected/received/recovered.
    11. Date submitted to property control.
- h) When recording information on the CIS System, officers:
  1. will record one evidentiary package, with one evidence number per form.
  2. Will not package items that may go to different places (returned to owner, laboratory, drugfire testing, destruction, etc.) together, or record them on the same form.
- 4) Documenting all transfers of custody in which they are involved (including returning to the owner) and collection of copies of documentation of all transfers of custody in which they are not involved,
- 5) Entering all seized and recovered items with serial numbers through LEADS and NCIC.
- 6) Securing all evidence related documentation including certified/registered mail receipts, in the case report file,
- 7) Transporting evidence between facilities, including courts,

- 8) Prior to disposition, rechecking any items with serial numbers through NCIC and LEADS. Appropriate action will be taken if a hit is received,
- 9) Being aware of the needs of victims and witnesses and assisting in the return of property taken as evidence as soon as feasible,
- 10) Obtaining court authorization to dispose of evidence, where feasible, and
- 11) Ensuring disposing of evidence within six months of satisfying legal requirements by submitting the appropriate authorization to the EC.

**Note: At the request of the investigating officer or supervisor, the EC may assist with any of these responsibilities.**

#### **IV. PROCEDURES:**

##### **A. Acquiring/controlling evidence/property**

- 1) To ensure safekeeping, employees will immediately upon acquisition of, or assuming control over, evidence/property make an inventory of the material (or packages), either manually or electronically, and where appropriate, provide a receipt to the person from whom the articles were received or taken.
- 2) Ensuring safekeeping includes the first officer on the scene:
  - a) Protecting the scene from contamination,
  - b) Protecting and preserving items of evidence pending arrival of a crime scene investigator or supervisor (at which time a determination of responsibility will be formalized) or
  - c) Personally collecting, marking and packaging articles of evidentiary value including materials and substances from known sources.
- 3) Forms
  - a) At the scene of seizure or recovery, the inventory will be documented on:
    1. The CIS System, or
    2. An equivalent form, ensuring that the information is as complete as possible.
  - b) If not recorded elsewhere, how marked/tagged by the collector and precise location where each item was found (distance/direction/etc.) will be included.
  - c) When practical, exact numbers of sensitive items, e.g., packages of drugs, pills, cash, bullets, etc., will be recorded on the CIS System and on the package label or tag.
- 4) Unless instructed in writing by the state's attorney or by the court to do otherwise, evidence seized and property received will be handled in the following manner:
  - a) All property will be transferred to the EC, or drop chute prior to termination of the tour of duty during which the articles were obtained. Exceptions can be granted only by a Watch Commander, who will ensure proper delivery to the storage facility.
  - b) NOTE: See Addendum 3 for exceptions for alcohol arrests.
  - c) If the drop chutes are full, personnel are required to notify the Watch Commander who will contact the EC or AEC to empty the drop chutes.
  - d) In the event an EC or AEC is not available, Special storage situations may be authorized by a Watch Commander for special storage problems, such as voluminous quantities of evidence, etc. The EC or Alternate EC will be made aware of the arrangements and will transfer the property/evidence as soon as possible or next working day.

- e) Arresting/investigating officers should consult with the local prosecutor to determine the necessity of recording the serial numbers of seized currency or financial instruments.

#### B. Transfer of custody

- 1) Any transfer of custody, including relaying all or part of the material, will be documented describing the items (as detailed as practical), case report number, and exhibit number, time (recommended, but not mandatory) and date of transfer of custody, identification and signature of receiving person, and identification of person from whom received.
  - a) Regardless of whether the transfer is between the collection point and the evidence custodian, or is subsequently transferred and documented on another form, copies of the transaction documents will be placed in the case file.
  - b) If necessary, additional photocopies will be made to ensure that each intervening person has a copy of his, or her, transaction.
- 2) Receipts from laboratories, prosecutors or other agencies receiving the articles must be forwarded to the EC for recording, distribution and filing, as appropriate.

#### C. Found property

- 1) A property inventory form will be used to inventory and record receipt of miscellaneous property found by or surrendered to department employees.
- 2) A good-faith effort will be made by the officer receiving the property to promptly identify and return to the owner(s) any found property.
- 3) Found property will be logged into the vault by the EC, and will be retained by the EC until it is properly signed out or approved for destruction.

#### D. Inspection of Evidence, Handling Procedures, Records and Facilities

- 1) Persons conducting authorized inspections will be accompanied by the EC.
- 2) The Vault Entry and Inspection Log will be reviewed during each inspection, to determine reasons for persons entering the vault.
- 3) Changes in EC's or AEC's
  - a) At least ten percent of the items that should be in storage, selected randomly, will be inspected by a newly appointed EC or AEC and the outgoing EC or AEC to ensure integrity of material and records.
  - b) The signatures of both the incoming and outgoing EC or AEC will be entered in the entry and inspection log.
  - c) The Deputy Superintendent of Administration may require that a higher percentage of randomly selected items or a higher percentage of a certain type of evidence be inspected on his own initiative or upon request of the incoming or outgoing EC or AEC.
- 4) A complete inventory of evidence will be conducted when an evidence storage facility and contents is relocated. This inventory will compare what is actually in the vault against records that indicate what should be in the vault, and will not be a simple listing of vault contents.
- 5) Semi-annual Inspection
  - a) The Deputy Superintendent of Administration or designee, will conduct a semi-annual inspection of evidence, handling procedures, records, disposition and facilities by April 1 and October 1 of each year. The person or persons chosen to conduct the inspection will be other than the EC, or the AEC.
  - b) At least ten percent of randomly selected evidence and records will be inspected.

- c) The Superintendent may require that a higher percentage of randomly selected items or a higher percentage of a certain type of evidence be inspected.
- d) For good cause, the inspector may request authorization from the Superintendent to inspect less than the specified percentage of evidence at a facility, but such decision and the reasons for it must be documented in the narrative reports.
- 6) At least once a year, the Superintendent or designee, other than the EC will conduct an unannounced inspection for adherence to procedures prescribed by this directive.
- 7) Written detailed documentation of all inspections, findings and corrective action recommended and taken will be generated and maintained.
  - a) An entry in the entry and inspection log will be completed for each inspection.
  - b) Written copies of all inspections will be maintained by the EC.
  - c) The ranking inspector for each inspection, in addition to noting the inspection in the log, will submit a written report to his supervisor, the person who made the inspection assignment (if not the inspector's supervisor), and the EC containing:
    - 1. Date(s) of inspection
    - 2. Type of inspection (change in EC, relocation, semi-annual, other)
    - 3. Identity of all inspectors
    - 4. Identity of EC's present
    - 5. Amount and type of evidence and/or records inspected and reasons and authority for any amount less than the standards (example: random sample of 5 percent of all items in storage and related Inventory Log entries plus 25 percent of firearms supposed to be in storage based on Inventory Log per authority of Deputy Superintendent based on time constraints and current news media interest in guns)
    - 6. Findings (example: #1 - two of nine sealed packages identified as containing pills did not have the number of pills stated on the package/tag or in the Inventory Log)
    - 7. Recommended corrective action (example: #1 - Officers who submitted the packages without documentation of numbers to be informed in writing by the Watch Commander of the need for detailed documentation with a copy to their supervisors
    - 8. Signature of ranking inspector
- 8) A higher-level inspection may replace a lower level inspection. For example, a semi-annual inspection need not be done the same time that an announced yearly inspection is done.

E. Only authorized custodians are permitted unaccompanied and unrecorded access to vaults.

- 1) Access by all other persons will be on an as-needed basis, and will only be as approved by the EC with the concurrence of the Deputy Superintendent of Administration.
- 2) The date and time of access (and exit), name(s) and signature(s) of person(s) having access, the purpose of the access, and the signature of the EC granting access and accompanying the person will be recorded on a log maintained securely at each vault.

F. Any employee noting any suspicious activity at or in the vicinity of the vault facility will report such activity immediately to the Watch Commander. Employees will keep the location of the evidence facility confidential.

G. Releasing items to owners

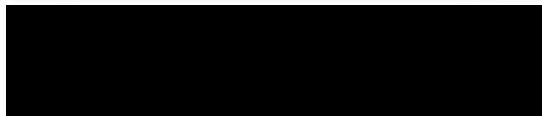
- 1) Persons wishing to claim evidence that is no longer needed by the department will be directed to the front desk.

- 2) Front desk personnel will obtain the case number and description of the item(s) and advise the EC.
- 3) The EC will bring the item(s) to the main headquarters for release.
- 4) If no EC is available, the front desk will obtain the person's name, telephone, case number and item description, and provide it to the EC, who will contact the person and make arrangements for the item(s) to be claimed.
- 5) Persons will not be directed to the evidence facility or the custodian's office.

#### H. Destruction of Evidence

- 1) Narcotics / medication - The EC or AEC, Deputy Superintendent of Administration or designee and a member of the Office of Professional Standards, will be present to witness any scheduled incineration and sign the evidence forms to certify the destruction of items.
- 2) Firearms – Once all the legal requirements have been exhausted, the Administration Division shall be responsible for identifying and contacting the lawful owner, and arranging for return of the firearm to the owner, as long as the owner meets all the necessary State requirements to receive the property. In all other cases, the Administration Division shall arrange for the firearm to be destroyed, except when the Superintendent decides to retain any such weapon that is deemed to be of value to the department as either a training or tactical device. Such a decision by the Superintendent shall be based on the advice of the firearms officer and/or the department's armorer/firearms instructor. Under no circumstances shall any such firearm that is not returned to its owner be converted to the personal use of any member of this department, or any other person. Once the firearm has been returned or destroyed, the EC shall receive and maintain a receipt from either the owner or the vendor that destroyed the firearm, which indicates clearly which procedure was utilized.

By Order of:



Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 91-01-01**



**EFFECTIVE DATE:** September 1<sup>st</sup>, 2013

**REVIEW DATE:** September 1<sup>st</sup>, 2015

**SUBJECT:** **FACILITY MANAGEMENT AND SECURITY**

**1. POLICY:**

The Cicero Police Development establishes guidelines to ensure the police facilities reflects the highest of professional standards, and that the facility presents a neat and professional appearance while simultaneously providing a pleasant working environment for each employee.

**2. DEFINITION:**

- a. **Restricted Area** - The Cicero Police Department is a secure facility. All civilian personnel must be accompanied by a police officer or a department employee while within the building.

**3. PROCEDURES:**

a. Facility management

- 1) The Deputy Superintendent of Administration will serve as the facility manager.
- 2) The responsibilities of the facility manager will include, but not be limited to:
  - a) Maintain or have access to a current set of building floor plans.
  - b) Monitor and approve all physical alterations, expansions, and additions.
  - c) Prepare an annual budget including a capital improvement budget for the physical facility.
  - d) Monitor and maintain building security including the issuance and inventory of keys.
  - e) Conduct monthly inspections of the facility and grounds to detect any problems.
1. Inspections that reveal serious deficiencies in equipment or facilities will be documented in a written report to the Superintendent of Police. This report will include a plan of action and target date for completion of corrective action, if this action is within the capabilities of the facility manager.
2. Any supervisor receiving a written report concerning serious deficiencies will ensure the deputy superintendent of administration is notified of the problem.

- f) Hold periodic meetings with the facility maintenance personnel to ensure any deficiencies are remedied in a timely manner (this could entail re-inspection to ensure corrective action).

b. Facility security

- 1) All employees are responsible for the security and proper use of all department facilities.

- b) Contact that police department employee by telephone.
  - 3) Under no circumstances will a visitor be issued an ID tag or allowed to proceed into the building until the desk officer has contacted the department employee who is willing to meet with the visitor.
  - 4) The visitor must provide all the information required on the visitor's sign-in log.
  - 5) A member of the department must accompany all visitors.
  - 6) When the visitor is ready to leave the police station, the host will escort the visitor back to the front desk to sign-out and surrender the identification tag.
  - 7) Department personnel will question all unescorted persons to determine the reason for their presence and how entry was gained to the facility, and will report the incident to the Deputy Superintendent of Patrol.
- j. The following individuals are not covered by section I.1.
    - 1) Complainants.
    - 2) Suspects.
    - 3) Witnesses.
    - 4) Other uniformed law enforcement agency personnel.
    - 5) States attorney personnel who are on official business.
    - 6) Any civilian town employee who is on town business.
    - 7) Any person from another agency who is working with the Cicero Police Department for an extended basis and who requires regular access to the department may be exempted by the Superintendent.
- k. Facility modifications
    - 1) All requests for maintenance and modifications to the facility will be approved through the facility manager.
    - 2) Direct contact with maintenance will be permitted in emergency situations.
- l. Decorating standards
    - 1) Personal items may be displayed on desk tops such as clocks, photographs, pen sets, etc., provided that such items are in good taste and consistent with the decor of the facility.
    - 2) Artwork, including certificates and plaques, which are the personal property of individual employees may be displayed if it is consistent with the standards set forth in town policy.
    - 3) Posting or the hanging of items on the exterior of lockers, walls, doors, windows or other surfaces is prohibited where adhesive material may cause damage to the surface, create maintenance problem, or convey a less than professional appearance.
- m. General housekeeping
    - 1) All supervisors are responsible for the physical surroundings available to personnel under their command including general housekeeping, serviceability and appearance.
    - 2) Activities that create a disorganized or disorderly state are to be avoided, but when they occur, it is up to the ranking supervisor to restore order.
    - 3) In the event a building system, i.e., heating air conditioning, lighting, telephone, etc., becomes unserviceable, the shift supervisor will make every effort to see the problem is corrected. If unable to correct the problem, the shift supervisor will notify the facility manager of the problem, detailing the attempts made to correct the problem.

- 4) The midnight shift supervisor will make periodic inspections, at least once weekly, of all exterior lights attached to or surrounding the facility. Any light found to be burned out will be reported so that maintenance staff can promptly replace it.
- n. The commanding officer of any unit located in an off-site facility will be the facility manager for that facility and will establish, with the Deputy Superintendent of Patrol, appropriate written management and security procedures for that facility.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 55-02-03**

**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** UNDOCUMENTED FOREIGN NATIONALS

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**1. POLICY:**

- a. The Cicero Police Department will:
  - 1) Not stop a person on the suspicion they may be an undocumented foreign national.
  - 2) Cooperate with the U.S. Immigration and Customs Enforcement (ICE) when it serves a public safety interest of the Town of Cicero, as defined in "B" below.
  - 3) Not initiate police action where the primary objective is discovery of the citizenship or lawful resident status of any person.
  - 4) Not initiate a citizenship or lawful resident status check, unless the subject is a documented gang member or is arrested on felony charges, felony drug charges or for any sex offense.

**2. PROCEDURES:**

- a. Title 8, U.S. Government Code, Section 1357, grants sole power and authority to arrest persons as undocumented foreign nationals to the employees and officers of the U.S. Immigration and Customs Enforcement (ICE).
- b. No Cicero officer has any legal authority to arrest an undocumented foreign national on the lone fact the individual is an undocumented foreign national.

**3. NOTIFICATION OF INS:**

- a. If a person is charged with a felony, felony drug charge or any sex offense, and the arrested person is a foreign national, the officer will advise the ICE of the charges and the pending court date.
- b. When a person has been identified and documented as a gang member, and when, in the officer's judgment, the person poses a danger to the community, the ICE may be notified. Prior to notification of ICE, the gang membership will be documented, and supervisory approval will be obtained and procedures as outlined in (C. 3.) will be followed.
  - 1) An officer must receive supervisory approval prior to notifying ICE.

- a) When the officer calls the after-hours number, he must give his or her name, rank, and the name of the department he represents, as this number is an answering service only.
  - b) The ICE will authorize the detention and respond to pick up the prisoner or request the subject be released pending follow-up by their agents.
  - c) When calling Immigration, always obtain the name of the officer authorizing the detention.
  - d) All contacts with the ICE will be documented on a general report form.
- 2) The Deputy Superintendent of Administration will prepare a report each month, by the 15<sup>th</sup> of each month following the month being reported, summarizing arrests and charges of undocumented foreign nationals. This report will be made available to the public upon request.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 54-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **FREEDOM OF INFORMATION**

**1. POLICY:**

The Cicero Police Department will:

- a. Provide public records from its files to persons or organizations requesting such information when required.
- b. Establish policy and procedures for the releasing records in accord with the Freedom of Information Act (FOIA - 5 ILCS 140/1, et, seq.).
- c. Forward all requested information to the Freedom of Information Act Officer for processing and compliance.

**2. DEFINITION:**

- a. Public records - records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body.
- b. Section 7-7.5 - Section 7-7.5 of the Act provides that information specifically prohibited from disclosure by federal or state law or rules and regulations pursuant thereto are exempt from the provisions of this Act and may be withheld from inspection and copying. (information see FOIA)

**3. PROCEDURES:**

- a. Nothing in these procedures prevents employees from providing information in response to routine requests for copies of traffic crash reports to involved parties, or their representatives, where a criminal investigation is not on-going.
- b. Freedom of Information Officer, and will coordinate department activities regarding the requirements of the Act. This officer will maintain files of all requests and responses in a file open to the public.
- c. Employees receiving requests for records information will refer the requestor to the Freedom of Information Officer.
- d. The Freedom of Information Officer will:
  - 1) Process requests for records in accord with the act.
  - 2) Keep a record of all requests received and the response or action taken.
  - 3) Maintain an account ledger of fees collected.

- e. A brief description of the methods whereby the public may request information and public records (Guidelines for Access to Public Records) will be posted conspicuously in a public place in headquarters.
- f. Requests for information

- 1) Persons or organizations seeking access to public records maintained by the department may file a request to examine or obtain copies either in person Monday through Thursday, 8:00 a.m. to 8:00 p.m.,(business days) except holidays, or via the U.S. Postal Service.
- 2) Request forms are available from the freedom of information officer.
- 3) The Town of Cicero will promptly comply with or deny a written request for public records within five business days after its receipt by the Freedom of Information Officer, unless the time is properly extended under act.
- 4) Each written request under the Act will be logged in by the Freedom of Information Officer who will:
  - a) Date and time stamp, or write the date and time on the request when received.
  - b) Assign and enter a request number.
  - c) **Complete the "Records Division" section of the form.**
  - d) Make a photocopy of the form and:
    - 1. File the original in a file dedicated to freedom of information requests.
    - 2. Give or mail a copy of the form to the requestor.

- g. Delayed response

- 1) The freedom of information officer will if necessary, consult with the operational deputy superintendents, and then either comply with or deny requests within seven working days of receipt.
- 2) Failure to respond within five business days is considered a denial.
- 3) When the department cannot fill the request within five business days, the department may use five additional business days if:
  - a) The requested records are stored in a location other than the location or the unit responsible for maintaining the record.
  - b) The request requires the collection of a large number of records.
  - c) The request is categorical in nature and requires an extensive search.
  - d) The department has failed to locate the requested records in its initial attempt and the search is continuing.
  - e) It would unduly burden or interfere with operations of the department to fill the request within the initial five business day period.
  - f) The requested records require further examination to determine which, if any, may be exempt.
- 4) When the department extends the response time by seven additional working days, the freedom of information officer will ensure that a Notice of Delay of Public Records is sent by the end of the initial five business day to the requestor, stating the reason(s) for the delay and the date by which the record may be made available.

- h. Denied request

- 1) When a request for a record is denied, either in whole or in part, or the department does not respond within the established time period, the freedom of information officer

- will ensure that a Notice of Denial of Public Records is prepared and sent by U.S. Mail to the person requesting the record.
- 2) The letter will include:

- a) The decision to deny,
- b) The reason for the denial,
- c) The exemption claimed to authorize the denial, if the request is denied on the grounds that the records are exempt.
- d) The name and title or position of each person responsible for the denial.

i. Appeals

- 1) The Town President will review all requests for appeal and take appropriate action in conformity with the Freedom of Information Act.

j. Fees

- 1) Reasonable fees may be charged for providing records, and will be consistent with the act.
- 2) Fees may be waived by the Freedom of Information Officer.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 54-01-02**

**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** MEDIA RELATIONS



**1. POLICY:**

- a. The Cicero Police Department will provide guidelines to employees for relating to the news media.
- b. It is the policy of the Cicero Police Department to cooperate fully and impartially with the news media in fulfilling its responsibility of informing the public of events within the public domain that are handled by or involve the police department to the extent permitted by law.
- c. The Cicero Police Department will coordinate all media relations through the director when reasonable.

**2. PROCEDURE:**

- a. The Superintendent will oversee department and media relations in order to ensure information is released to the media and the public, and will establish such procedures as may be necessary to achieve this purpose, in coordination with the Town of Cicero Media Relations Director.
- b. Each Deputy Superintendent has the responsibility to ensure that the release of information to the media and the public is appropriate and lawful.
- c. Each employee has the responsibility to ensure they do not release information inappropriately.
- d. The Superintendent and the Deputy Superintendents in coordination with the Town of Cicero Media Relations Director, will accomplish the objective of releasing appropriate information, without compromising the law, individual rights and/or ongoing investigations by:
  - 1) Assisting news personnel in covering routine news stories and at the scenes of incidents.
  - 2) Arranging and assisting at news conferences.
  - 3) Coordinating and authorizing the release of information concerning department investigations and operations.
  - 4) Approving the release and dissemination of department news releases.
  - 5) Coordinating and authorizing the release of information about victims, witnesses and suspects.
  - 6) Assisting in crisis situations within the police department.
- e. The provisions of the Freedom of Information Act will be strictly adhered to (see directive 54-01-01).
- f. Procedure for Press Releases
  - 1) Official department press releases will be prepared and provided to the media as authorized by any Deputy Superintendent with the approval of the Superintendent.

- 2) The Deputy Superintendent of the affected division will assist in preparing the release.
- 3) Prior to dissemination of the press release, the Deputy and Superintendent will consult on what additional information, if any, may be released.
- 4) Press releases will be used to publicize newsworthy information regarding department activities, such as promotions, new programs, or project reports, as well as major crimes and incidents within the community.

g. Daily Release of Information

- 1) Requests by the media for additional information will be referred to the appropriate Deputy Superintendent.
- 2) Media requesting information in person or by telephone will be confirmed as media representatives by the employee receiving the request. Press identification will be requested for in person requests. A call back number will be used for telephone requests.

h. Press Conferences

- 1) Formal press conferences will be scheduled with the approval of the Superintendent, at a time and place approved by the Superintendent.
- 2) The Superintendent or his designee will be the department spokesman at all press conferences.

i. On-site Media Access

- 1) Generally, all news releases will be made at the police headquarters.
- 2) In the event of major events, such as major fires, natural disasters, major crime scenes, etc., the department will attempt to allow media access for photographs and television within limitations of public safety, civil rights restrictions and crime scene integrity.
- 3) In the case of announced major events such as demonstrations, the department will attempt to designate a specific on-scene area for the media. The appropriate Deputy, or their designee, will assume the role of primary spokesperson.
- 4) At crime and accident scenes, media will not be permitted access beyond the non-public access perimeter established by the department. The on-scene supervisor will not permit access until emergency and investigative units have completed their tasks. Nothing in this policy shall be construed to imply that media may have access to private property without the owner's permission.

j. Multiple Agency Incidents

- 1) Information involving the department may be released according to guidelines set forth in this order, unless such release will affect other agencies in the performance of their duties.
- 2) Information requests that affect other agencies or town departments shall be referred directly to the agency or department.
- 3) When the emergency services plan is activated, media guidelines contained therein will be followed.

k. Information Release Guidelines

- 1) All information released through media interviews or press releases shall be made in accordance with this order and applicable state and federal statutes pertaining to freedom of information.

- 2) Unless expressly mandated by the Freedom of Information Act, the following information will only be released with the approval of the Superintendent and/or First Deputy Superintendent.
- a) Information concerning litigation, complaints, charges or other action pending against any employee or person attached to the department
  - b) The prior criminal record or statements as to the character and reputation of a defendant.
  - c) The existence or contents of any purported confession, admission or statements given by a defendant or the defendant's refusal or failure to make such a statement.
  - d) The performance or results of any tests or examination, or refusal or failure to take such a test or examination, particularly as related to a polygraph.
  - e) The name, address, identity, testimony or credibility of any prospective witness to the crime.
  - f) Any opinion of the defendant/s guilt or innocence in any matters relating to the merits of a case.
  - g) Any information surrounding any juvenile investigation, incident or arrest other than specified in this order under "Information Release Guidelines."
  - h) The identity of any critically injured or deceased person prior to the notification of next of kin (exception is when notification has been attempted but is not possible within a reasonable time as determined by the Superintendent or his designee).
  - i) Investigative information and information of an evidentiary nature
  - j) The specific cause of death until determined by the medical examiner.
  - k) Valuables or cash overlooked by crime perpetrators.
  - l) Contents of suicide notes.
  - m) Personal opinion.
- 3) The following information may be released unless otherwise restricted herein or by the Freedom of Information Act:
- a) To announce the type or nature of an incident such as fire, accident, homicide, suicide, rape, robbery, assault or burglary;
  - b) To disclose the approximate location (what hundred block, apartment complex, etc.), date and time, injuries sustained, damages, and a description of how the incident occurred;
  - c) To disclose the amount and type of property taken, including value, when known;
  - d) The identity and general address of a victim;
  - e) Casualty figures, to include known dead or injured, may be released;
  - f) To announce the fact and circumstances of arrest, including the names of adults arrested, time and place of arrest, resistance, pursuit and use of weapons;
  - g) The fact that a juvenile has been taken into custody, including sex, age and substance of the charge;
  - h) To make an announcement, at the time of seizure, of any physical evidence other than a confession, admission, or statement, which is limited to a general description of the evidence seized;
  - i) Numbers of officers, or persons, involved in an event or investigation and the length of the investigation;
  - j) To announce an arrestee's name, age, description, residence, employment, and marital status; excluding juvenile information.
  - k) The substance or text of the charge as contained in a complaint, warrant or indictment;

- l) Amount of bond, scheduled court dates, and place of detention.
- m) To announce the scheduling or result of any stage in the judicial process.

**I. Policy Development**

- 1) It is the responsibility of the Media Relations Director or his designee to provide a copy of this directive to all media representatives that have a news coverage interest in the town.
- 2) It is the intent of the police department to maintain a good rapport with the news media, and to develop a professional and viable working relationship with the media.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 53-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **INSPECTIONS**

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines for conducting inspections of employees and equipment of the Cicero Police Department

**2. DEFINITIONS:**

- a. Line inspection - an inspection conducted by supervisory personnel responsible for the persons, equipment, facilities, programs or other elements being inspected.
- b. Special inspection - an announced or unannounced inspection of one or more components of the agency to review and evaluate administrative and/or operational matters specifically identified by or requested by the superintendent.
- c. Staff inspection - an announced, scheduled inspection, conducted with the authority of the Superintendent. Staff inspections may be any or all of the following areas:
  - 1) Financial - to determine if financial operations are properly conducted,
  - 2) Compliance - to determine if administrators and/or programs adhere to applicable legal and administrative requirements,
  - 3) Operational or Performance - to determine if the entity is managing or using its resources in an economical and efficient manner, including an assessment of management, administrative, policy, system and organizational structures,
  - 4) Program or Special - to determine if the desired results or benefits are being achieved, and to determine if there is a more effective way to achieve those benefits, and
  - 5) Comprehensive - to encompass two or more of the above areas.
- d. Follow-up inspection - an announced inspection, conducted with the authority and direction of the superintendent, to review and evaluate those items which were identified during a previous inspection as requiring attention or corrective action.

**3. PROCEDURES:**

a. Line inspections – General Information

- 1) Supervisory personnel in all components of the Cicero Police Department are charged with the responsibility of conducting regular line inspections so that the conditions, situations, and actions that contribute to the success or failure of police operations are exposed by a careful review.
- 2) All line inspections are intended to examine the actual performance and operation of all components for comparison to the department's formal expectations with actual performance.
- 3) Line inspection activities of the department are expected to accomplish the following:

- a) Evaluate the quality of overall operations.
    - b) Ensure goals and objectives are being pursued.
    - c) Identify the need for additional resources.
    - d) Assure that management controls are maintained and adequate.
  - 4) Line inspections will be carried out by all supervisors of their area of responsibility at least annually.
- b. Line inspections Types:
- 1) Informal line inspections: will be conducted in a fair, impartial and objective manner according to the following guidelines:
    - a) Line supervisory staff in all department units will conduct informal inspections of personnel within their authority on a daily basis.
    - b) These inspections examine personal appearance and department equipment issued to personnel, including, but not limited to, uniforms, weapons and radios.
    - c) Supervisors will randomly check vehicles for cleanliness and damage.
    - d) Equipment assigned to vehicles will be accounted for and checked for proper working order.
    - e) Supervisors will, through observation and questioning, determine their subordinates' level of knowledge of departmental orders and procedures, directives, and their compliance with it.
  - 2) Formal line inspections: will be conducted in a fair, impartial and objective manner with full knowledge of all personnel concerned. These inspections may include, but are not limited to:
    - a) Complete personal equipment inspections on a periodic basis as directed by the appropriate division deputy superintendent.
    - b) The examination of issued department materials or hand-outs, such as training materials, manuals, and general and special orders
    - c) Inspections of other items appropriate to the area being inspected.
- c. Documentation
- 1) Formal inspections will be documented in writing.
  - 2) The inspecting supervisor will submit a written report of any deficiency identified during the formal inspection process to the next ranking supervisor in the chain of command.
  - 3) Any serious deficiencies identified during formal or informal inspections will be documented in writing and forwarded to the Deputy Superintendent of Patrol, who will advise the Superintendent.
- d. Follow-up Inspection Procedure
- 1) The following re-inspection procedure will be utilized when a deficiency is identified either through informal or formal inspection.
  - 2) The affected employee will be notified by the inspecting supervisor that a re-inspection of the deficiency will be held within 72 hours to ensure that the deficiency is corrected.
  - 3) If the supervisor finds, upon re-inspection, that the deficiency is not corrected, appropriate disciplinary action will be taken.
- e. Staff Inspections and Special Inspections

- 1) The Deputy Superintendent of Patrol is responsible for overseeing the staff and special inspection process.
- 2) The Deputy Superintendent of Patrol will ensure that every organizational component of the agency is the subject of a staff inspection at least once every three years.
- 3) The Deputy Superintendent of Patrol will appoint persons to conduct staff and special inspections. A staff inspection will normally be conducted by a team leader and two team members. Only one of the team members will be from the same division as the unit being inspected.
- 4) A staff inspection plan for each staff inspection will be prepared that identifies the legal and administrative rules, policies, guidelines, procedures, etc. that exist that will be used to measure the performance of the unit/area being inspected. The supervisor of the unit/area to be inspected will have the opportunity to review the plan and suggest revisions. The plan will be agreed to by the deputy superintendent of Patrol over the unit/area being inspected.
- 5) A written report will be prepared for each staff inspection, and will be forwarded from the team to the Deputy Superintendent of Patrol. The report will:
  - a) Identify deficiencies and make recommendations for their improvement and/or correction, and
  - b) Identify positive aspects of the unit/area being inspected.
- 6) The report will be forwarded to the supervisor of the unit/area being inspected, with a copy to the Deputy Superintendent of Patrol over the unit/area being inspected, for review and response.
- 7) The unit being inspected will provide a written response to the Deputy Superintendent of Patrol that addresses each “finding” or deficiency noted in the report, indicating agreement or disagreement, and the action to be taken to address the “finding” or deficiency.
- 8) Follow-up inspections by the original team will be conducted within 90 days of the response to determine if the “findings” and/or deficiencies have been corrected. Their final report documenting the follow-up inspection will be forwarded to the Deputy Superintendent of Patrol.
- 9) Copies of all staff and special inspection reports will be forwarded to the Superintendent.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 53-01-01-A**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** INSPECTIONS SCHEDULES

**1. POLICY:**

It will be the policy of the Cicero Police Department to conduct mandated inspections in accordance with GO 53-01-01. This is provided for convenience, and may not be complete. Supervisors should review all general orders that apply to their position.

**2. PROCEDURES:**

a. Firearms (See GO 01-03-02)

- 1) All firearms will be inspected weekly by the individual officers for wear and cleanliness.
- 2) Department owned weapons will be inspected upon issuance and return.
- 3) Firearm qualification records will be inspected by the department training coordinator at least annually.
- 4) Each firearm brought to a range for qualification will be inspected by the range master or instructor for wear, safety and appropriate maintenance.
  - a) Firearms, the range officer designates as unsafe, will not be permitted to be used by the officer until they are repaired or replaced.
  - b) The range master will provide written notice of an unsafe firearm to the officer and to the officer's supervisor.
  - c) When it is apparent to the range master that a firearm is not being maintained properly, he will provide written notice to the officer. The officer will have 24 hours to correct the deficiencies to the satisfaction of the range officer. If the problem re-occurs, or is not satisfactorily addressed, the officer's supervisor will be advised.

b. Uniforms (Ref: G.O. 22-02-02)

- 1) At roll call, the shift supervisor will make a visual inspection of the officer(s).
- 2) On a semi-annual basis, the Superintendent of Police, or his designee will make a uniform and weapon inspection by the following dates:
  - a) May 1 will be for uniform change from winter to summer attire.
  - b) November 1 will be for uniform change from summer to winter attire.
- 3) Investigative and tactical personnel on those assigned dates of inspection will report to duty in full uniform and will need to comply to the same standards as those being inspected in the patrol division.
- 4) On these dates the Superintendent of Police, or his designee, will also require all officers, including Investigative and Tactical, to show valid and updated drivers

- licenses', Firearm Ownership Identification Card and department issued identification card and badge(s).
- 5) It will be the responsibility of the members being inspected to comply with the requirement of the order and the law.
- c. Vehicle inspection by Officers (See GO 41-03-01-A)
- 1) Officers will inspect their assigned vehicles at the beginning and end of their shift. They should inventory the equipment items and check for damage or any contraband left by persons transported in the police vehicle.
- d. Vehicle inspection by Supervisors (Ref. G.O. 41-03-01 A and B):
- e. Holding Facilities (See GO 72-03-01, 72-04-01, and 72-06-01)
- 1) Daily inspection
    - a) The lock-up keeper will complete the "Lock-up Keeper Daily Shift Report," daily, at the end of each watch, and place his signature, date and time on the form.
    - b) The lock-up keeper will forward the original completed lockup report to the on duty shift supervisor for review and signature.
    - c) The original will be retained and filed in the records division.
  - 2) Weekly inspection of:
    - a) Fire and safety equipment,
    - b) Cleanliness,
    - c) Sanitary facilities.
    - d) First aid supplies.
  - 3) Monthly inspection of the holding facility fire alarm systems
  - 4) ~~Semi-annual inspection (documented) of holding facility fire equipment.~~
  - 5) Each shift supervisor will inspect (on each shift) any unoccupied cells in the holding facility.
- f. Building and grounds (See GO 91-01-01)
- 1) The Deputy Superintendent of Administration will make a monthly inspection of the building and grounds.
  - 2) The midnight shift supervisor will make an inspection, at least weekly, of all exterior lights attached to, and surrounding the building.
- g. Evidence facility (See GO 84-01-02).
- 1) Semi-annual inspection of department evidence vaults, handling procedures, records, disposition and storage facilities, conducted by the superintendent or his designee.
  - 2) An inspection will be required upon a new assignment, or relief of assignment of the evidence custodian or the alternate evidence custodian.
  - 3) Weekly inspection of evidence, handling procedures, records, disposition and storage facilities by the Deputy Superintendent of Administration, or his designee to include random sampling for accuracy.

- 4) Change of facility inspection of evidence, handling procedures, records, disposition and storage facilities whenever property is moved from one vault to another, due to a change in facility.
  - 5) Each inspection will include a comparison of records for the vault regarding items that should be in the vault with the actual contents of the vault.
  - 6) Semi-annual comprehensive staff inspection of the evidence will be completed by the Deputy Superintendent of Administration or designee.
- h. Communication center monitoring
- 1) The communications supervisor will review a random sampling of calls to the 9-1-1 center on a monthly basis.
  - 2) The review will evaluate communications center personnel courtesy, professionalism and knowledge.
  - 3) The review will be done by the communications supervisor monthly and the Deputy Superintendent of Administration quarterly.
  - 4) Reports will be forwarded from the person conducting the review to the Deputy Superintendent of Administration by the 10<sup>th</sup> of each month for the month proceeding, with copies to the Superintendent.
  - 5) The inspection schedule is as follows:
    - a) The communications center supervisor: February, March, May, June, July, August, September, November and December.
    - b) The Deputy Superintendent of Administration in January, April and October.
    - c) The written report will indicate the approximate number of calls reviewed, any specific problems noted, positive items noted, and the overall impression of the inspector.
    - d) Where problems are noted with specific personnel, the Deputy Superintendent of Administration will notify that person's supervisor of the problem(s) noted by the Deputy Superintendent of Administration, with a written response required by the supervisor documenting the corrective counseling/training/action taken.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 52-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** INTERNAL AFFAIRS

**1) POLICY:**

The Cicero Police Department will establish procedures for receiving and investigating complaints against department members, in order to absolve members who are innocent and identify members who are guilty of misconduct.

**2) PROCEDURES:**

a. Individual responsibility

- 1) Each employee will perform his duties and assume the obligations of his rank and/or position in the investigation of complaints or allegations of misconduct against any employee of the department.
- 2) Each employee will cooperate fully with investigative personnel conducting such an investigation in accordance with department policy and applicable collective bargaining agreements.
- 3) When misconduct is observed or a complaint/information about misconduct is received by any employee such employee will immediately notify his supervisor and prepare such written reports as directed.
- 4) Any employee who has or is purported to have knowledge of circumstances surrounding a complaint investigation will submit, as directed, an accurate written report including all facts relating to the incident known or reported to the employee.
- 5) When reports of alleged misconduct or suspected violations are received, the supervisor or command officer who first receives information about the alleged violation will record the information available at the time the complaint is received, and forward the information to the internal affairs division. This will not preempt any immediate, limited investigation and/or notification to Internal Affairs, by the immediate supervisor in an unusual instance where such action is necessary. The supervisor or command officer will make available, to the complainant, a Department complaint form (Complaint Against Department Member form) and provide information on the complaint process.

b. The Internal Affairs Office will:

- 1) Report directly to the Superintendent of Police.
- 2) Upon a receipt of a complaint of misconduct against a member of the department:
  - a) Document and register the complaint by assigning it a case number,
  - b) Advise the person making the complaint of the Internal Affairs complaint number assigned.
  - c) Acknowledge the complaint by mailing a letter with the complaint number to the complainant.

- d) Anonymous complaints of a criminal nature will be accepted and referred to the Superintendent, or his/her designee, for a determination regarding investigation.
  - 3) Investigate the complaint if it is a serious allegation, or assign the investigation to a department supervisor if it is a less serious allegation.
  - 4) Investigate cases at the direction of the Superintendent.
  - 5) Review instances of serious injury or death of a person involving alleged action of a department member and conduct an independent investigation, when warranted.
  - 6) Establish and maintain liaison with the:
    - a) Cook County States Attorney's Office,
    - b) Office of the United States attorney,
    - c) Other law enforcement agencies and
    - d) Community groups
  - 7) Represent the Superintendent in internal affairs or other matters as directed.
  - 8) Prepare and present discipline cases to the Superintendent and assist the Town Attorney in presenting cases to the Board of Police, Fire and Public Safety Commissioners or arbitrator.
  - 9) Maintain files of on-going and completed investigations, indices of complaint register numbers, and other data.
  - 10) Maintain discipline records.
- c. Conduct of the investigation
- 1) The Internal Affairs Division commanding officer will immediately designate personnel to conduct the investigation.
  - 2) Normally, an employee who has initiated a complaint against another officer will not be designated to conduct the investigation of the complaint.
  - 3) Investigation of alleged misconduct
    - a) The officer assigned to investigate a complaint against an employee will remain cognizant of and abide by the terms of the current collective bargaining contracts and the specific rights afforded police officers as stated in 50 ILCS 725/1 through 50 ILCS 725/7.
    - b) When necessary, require the employee to be photographed and/or to participate in a line-up when these actions are material to a particular investigation.
    - c) An investigative interview of the accused employee will be conducted or a written statement ordered, as determined, remaining cognizant of the employee's statutory and administrative rights.
    - d) The employee against whom an allegation has been made will be informed in writing of the nature of the allegations before any interview begins.
    - e) The individual assigned to investigate the alleged act of misconduct on the part of an employee of the department will conduct a thorough, objective and accurate investigation. Generally, the investigation will be completed within ninety (90) days for investigations of serious allegations (IAD) and fifteen (15) days for investigations of less serious allegations (Department supervisor).
    - f) The investigation will include:
      - 1. Formal statements from all parties concerned, when necessary and pertinent,
      - 2. The gathering and preservation of physical evidence pertaining to the case and
      - 3. All other information bearing on the matter.

- 4) The investigating officer will report the pertinent facts including:
  - a) A summary of the complaint of alleged act(s) of misconduct,
  - b) Pertinent portions of the statements of all parties to the incident,
  - c) A description of the incident, physical evidence and other evidence important to the case.
- 5) If appropriate, recommendations for review or modification of policy, procedures, rules and regulations that may prevent future allegations of misconduct, as well as the need to review or modify training, will be included.
- 6) The investigating officer will prepare charges as directed by the Superintendent.
- 7) Conclusion of investigation.
  - a) All investigations of department employees accused of misconduct will conclude with one of the following findings by the superintendent or his designee:
    1. Unfounded - The investigation indicates the act or acts complained of did not occur or failed to involve police personnel.
    2. Exonerated - Acts did occur, but were justified, lawful and proper.
    3. Not Sustained - The investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
    4. Sustained - The investigation disclosed sufficient evidence, to clearly prove the allegations made in the complaint.

d. Discipline

- 1) The Superintendent, who may consult with the chain of command prior to making the decision, will make decisions on appropriate disciplinary action.
- 2) The Superintendent will assess discipline up to and including a five-day suspension.
- 3) Discipline exceeding suspension for more than five days will be recommended by the Superintendent to the Board of Police, Fire and Public Safety Commissioners.
- 4) At the employee's request, and when the Superintendent and the employee agree, and the suspension is for three days or less, the employee will be permitted to use accumulated time, such as vacation, holiday, personal or compensatory time due, to meet the terms of the suspension. If the suspension is for more than three days, the employee is permitted to use accumulated time for up to three days of the suspension.

e. Closure of Files

- 1) Files are considered closed when:
  - a) The employee is exonerated because the employee's conduct was proper;
  - b) The complaint is determined to be unfounded or not sustained;
  - c) The employee completes imposed discipline.
- 2) The employee will be notified when their file is closed and the allegation is unfounded, not sustained, or the employee is exonerated. If discipline is imposed, then the official disciplinary letter or documented reprimand will serve as notification that the file is closed.
- 3) As appropriate, the complainant will be advised by letter of the resolution of the complaint.

- f. The Internal Affairs Division commanding officer will maintain records of ongoing and completed investigations separately and securely and in compliance with Local Records Act, 50 ILCS 205/1 et seq.
- g. The Internal Affairs Division commanding officer will submit an annual report summarizing investigations conducted and their outcomes to the Superintendent. This report will be submitted by March 15<sup>th</sup> of each year documenting the prior year's investigations.

By Order of:

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**Superintendent of Police**

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 51-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** INTELLIGENCE INFORMATION

**1. POLICY**

The Cicero Police Department will establish guidelines for the requesting, receiving and storing of criminal intelligence data.

**2. DEFINITIONS:**

- a. ***Intelligence material:*** Information gathered for the purpose of ongoing and future law enforcement investigations, including, but not limited to:
  - 1) Homeland Security Working Group bulletins that reveal sensitive information about current terrorism threat assessments and case report incidents.
  - 2) Bulletins from the Cicero Police Department or any other law enforcement departments.
  - 3) Other information classified as intelligence and/or exposure sensitive by Cicero Police Department such as confidential sources.
  - 4) All other reliable information such as: databases, contact cards, video etc.

**3. PROCEDURES**

- a) The Deputy Superintendent of Investigations is designated the criminal intelligence officer for the department.
- b) All requests received by the department for criminal intelligence data will be forwarded to the criminal intelligence officer.
- c) Any requests for criminal intelligence data generated by a member of the department will be referred to the criminal intelligence officer or his designee.
- d) Only information concerning activities of a criminal nature and/or which present a threat to the community will be investigated, gathered and/or disseminated.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 55-02-04**

**EFFECTIVE DATE:** **August 1<sup>st</sup>, 2013**

**REVIEW DATE:** **August 1<sup>st</sup>, 2015**

**SUBJECT:** **HATE CRIMES**



**1. POLICY:**

- a. The Cicero Police Department will:
  - 1) Protect the constitutional rights of all citizens regardless of race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin;
  - 2) Not Tolerate crimes motivated by bias or hatred toward an individual's race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin;
  - 3) Establish guidelines and procedures for vigorously pursuing all criminal acts, malicious or misguided that are based upon race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin.

**2. DEFINITIONS:**

- a. **Hate crime:** Defined by Illinois Law (720 ILCS 5/12-7.1) as follows: "a person commits hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, he commits assault, battery, aggravated assault, misdemeanor theft, criminal trespass to residence, misdemeanor criminal damage to property, criminal trespass to vehicle, criminal trespass to real property, mob action or disorderly conduct as these crimes are defined in Sections 12-1, 12-2, 12-3, 16-1, 19-4, 21-1, 21-2, 21-3, 25-1, and 26-1 of this Code, respectively, or harassment by telephone as defined in Section 1-1 of the Obscene Phone Call Act (720 ILCS 135/1-1). Under state law, hate crime is a class 4 felony for a first offense and a class 2 felony for a second or subsequent offense."

- b. **Race:** A group of persons who possess common physical characteristics (e.g., color of skin, eyes and/or hair, facial features; etc.) genetically transmitted by descent and heredity that distinguishes them as a distinct division of humanity (e.g., Asians, African Americans, Whites, etc.).
- c. **Ethnic group:** A group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Latinos, etc.).
- d. **Non-criminal incidents motivated by hate:** Reported incidents not amounting to a crime will be documented in accordance with normal police reporting procedures.

- 1) The same relevant information required in a criminal report of a hate crime needs to be included in the report of this offense/incident. This information will be used for follow-up and appropriate referrals to mutually concerned agencies, in accordance with the mission of this general order.
- 2) Complaints of insults jeers, signs, literature or any other such expression, when the act in and of itself does not constitute a criminal or quasi-criminal act, but where the primary

motive/intent of the action is an expression of animosity, contempt or bias based upon another's race, gender, color, creed, religion, ancestry, sexual orientation, physical or mental disability, or national origin, will be titled with the reported offense and include the phrase "non-criminal incident motivated by hate."

### **3. PROCEDURES:**

- a. Whenever a police officer make a determination that an offense was committed due to a bias of race, religion, ethnicity, or sexual orientation, etc. the following procedures are to be instituted to achieve a thorough investigation and a sensitive response to the victims and community:
  - 1) Whenever any incident, as described above, comes to the attention of a department member, the incident will be immediately reported to the field supervisor and the shift commander.
  - 2) Officers will:
    - a) Treat victims in a compassionate manner.
    - b) If the incident constitutes a definable crime, preserve the crime scene and all possible evidence.
    - c) Immediately take all appropriate investigative and enforcement action.
    - d) Photographs of all physical injuries/signs of attack should be taken, if possible. Police officers will arrange transportation for the victim to a medical facility for treatment of injuries.
    - e) Police officers will prepare a case report that indicates what identifies the offense as a hate crime and include relevant information concerning race, ethnicity, religion and sexual orientation, etc. of all people involved in the incident. The case report will be titled with the appropriate complaint and then "Hate Crime".
  - 3) The field supervisor will:
    - a) Respond to all calls identified as an incident motivated by hatred.
    - b) Ensure that assigned patrol officers take all above-mentioned steps.
    - c) Determine if an investigator or youth officer needs to be notified and if investigators are needed at the scene.
    - d) Protect the crime scene.
    - e) Express empathy for the victim and provide assurances that the police department places high priority on the investigation and apprehension of offenders of these crimes.
    - f) Receive, review and approve all initial reports.
    - g) Produce and distribute copies of the initial report to command/staff members, including the superintendent of police.
  - 4) Investigative officers will:
    - a) Respond to the scene if requested.
    - b) Assume control of the investigation.
    - c) Process the crime scene for evidence.
    - d) Establish follow up contact with the victim as soon as possible.
    1. Inform the victim of the officer's name who will be conducting the investigation and provide the victim appropriate police department phone numbers.
    2. Assure the victim that the investigation will be actively pursued.

- e) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact upon the community.
  - f) Make the determination as to whether the incident should be classified as a crime motivated by hate.
  - g) Refer to an appropriate victim services agency, depending on the nature and seriousness of the offense.
  - h) Coordinate the investigation with federal, state and regional law enforcement agencies, if appropriate. Guidance should be sought on the possibility of criminal patterns, organized group involvement and suspects potentially involved in the offense.
  - i) Notify the appropriate office of the Cook County State's Attorney, and request assistance in case preparation, depending on the nature and seriousness of the offense.
- 5) Police personnel will take the following actions, as appropriate:
- a) The responding officer, or case investigator (if assigned to an investigator) will assume the lead role in ensuring the victim(s) is/are provided needed or requested information or assistance.
  - b) Department personnel will provide direct and referral assistance to the victim and family members when needed.
  - c) Department command, or designees, may meet with neighborhood/community groups, when appropriate, to allay fears, relay the Cicero Police Department's concern about the offense, reduce the potential for counter-violence and provide safety, security, and crime prevention information.
  - d) Ensure that the public works department is promptly notified to remove graffiti upon clearance from the responsible investigators.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 55-02-03**



**EFFECTIVE DATE:** August 1, 2013

**REVISED:** May 22, 2019

**SUBJECT:** FOREIGN NATIONALS

**1. POLICY:**

- a. Protect and defend all persons to the extent which is consistent with current federal and state law.
- b. Afford all persons the full protection of the law.
- c. Cooperate with all Federal Law Enforcement Agencies
- d. Comply with state and federal law as well as guidelines established by the U.S. Department of State regarding the detention or arrest of foreign nationals.

**NOTE:** The cooperation of state and local law enforcement authorities is essential if the United States is to carry out its notification obligations effectively and to ensure that U.S. citizens arrested or detained abroad obtain the treatment to which they are entitled.

**2. AUTHORITY:**

- a. Vienna Convention on Consular Relations (Treaties and other International Acts Series (TIAS) 6820)
- b. Bi-lateral treaties or other international agreements between the United States and other sovereign nations.
- c. Title 8 United States Code (U.S.C.) 1324, Section 274 (Bringing in and harboring certain immigrants)
- d. Title 8 U.S.C. 1324, Section 275 (Illegal entry)
- e. Title 8 U.S.C. 1357

**NOTE:** Title 8 U.S.C. 1226 and 1357 grants power and authority to the employees and officers of the U.S. Department of Homeland Security, ICE, to issue immigration detainers and warrants and arrest persons as undocumented foreign nationals. No CPD officer has authority to arrest or detain an undocumented foreign national due solely to the individual's status as an undocumented foreign national.

- f. Title 8 Code of Federal Regulations (CFR) 245.23, Adjustment of aliens in T nonimmigrant classification

g. Title 8 CFR 245.24, Adjustment of aliens in U nonimmigrant classification

**3. DEFINITIONS:**

- a. Foreign National - for purposes of this General Order, a foreign national is any individual who is other than a United States citizen. The Department will handle those foreign nationals who identify themselves as diplomatic or consular officials as established and published by the U.S. Department of State and explained in the manual "Diplomatic and Consular Immunity: Guidance for Law Enforcement Officers and Judicial Authorities."
- b. "Immigration detainer" - a document issued by an immigration agent that is not approved or ordered by a judge and requests a law enforcement agency or law enforcement official to provide notice of release or maintain custody of a person, including a detainer issued under Section 1226 or 1357 of Title 8 of the United States Code or Section 236.1 or 287.7 of Title 8 of the Code of Federal Regulations.
- c. "Non-judicial immigration warrant" - a Form I-200 or I-205 administrative warrant or any other immigration warrant or request that is not approved or ordered by a judge, including administrative warrants entered into the Federal Bureau of Investigation's National Crime Information Center database.
- d. Undocumented Foreign National - a foreign national illegally entering and living in the U.S., or who enters legally and then overstays their visa.
- e. Certification forms:
  - i. T visa – United States Customs and Immigration Services (USCIS) Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim in Trafficking of Persons (Form I-914B or declaration) or any successor forms
  - ii. U visa – USCIS Form I-918, Supplement B, U Nonimmigrant Status Certification (Form I-918B or certification) or any successor forms

**4. PROCEDURES:**

The U.S. Department of State requires the assistance of state and local law enforcement authorities in carrying out the following international obligations of the United States concerning the detention or arrest of foreign nationals in this country. The legal requirements are as follows:

- a. Handling of undocumented foreign nationals during official duties
  - i. When an officer conducts a traffic stop on an undocumented foreign national, the driver will only be charged with traffic and criminal violation(s) stemming from the traffic stop and will be allowed to post bond or be transported to jail (whichever applies).
- b. Officer will:
  - i. Comply with a valid, enforceable federal criminal warrant.
  - ii. Not stop, arrest, search, detain, or continue to detain a person solely based on:
    - A. Their citizenship or immigration status, or
    - B. The suspicion they may be an undocumented foreign national.

- iii. Not detain or continue to detain a person solely on the basis of any immigration detainer or non-judicial immigration warrant or otherwise comply with an immigration detainer or non-judicial immigration warrant.
  - iv. Not initiate police action where the primary objective is discovery of the citizenship or lawful resident status of any person.
  - v. Contact a Federal Law Enforcement Agency regarding an individual (driver, passenger, or pedestrian) only under the following circumstances:
    - A. The subject of a National Crime Information Center (NCIC) alert
    - B. Posing an articulable, clear and present danger to the community
    - C. Suspected of terrorist activity
    - D. Suspected of smuggling undocumented foreign nationals (human trafficking)
    - E. The subject of an on-going criminal investigation
    - F. Applying for a position with the CPD and is the subject of a background investigation
- NOTE:** Officers may contact a Federal Law Enforcement Agency, directly or through a Telecommunicator, to clarify the status or nature of an NCIC alert.
- vi. Cooperate and share information with a Federal Law Enforcement Agency when cooperation serves a public safety interest, as defined in paragraph 4.b and is consistent with the Illinois TRUST Act.
- c. Whenever a CPD officer arrests, imprisons, or otherwise detains a foreign national, the officer must promptly inform the detainee of his/her right to have their government informed of such event.
- i. If the detainee asks to exercise this right, the detaining authority will inform the appropriate foreign consulate or embassy (\*) without delay and make a written record of such notification.

\* Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should be informed immediately that the nearest office of the Taipei Economic and Cultural Representative Office (TECRO), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

**NOTE:** A current list of telephone numbers for all foreign consulates and embassies is accessible through the Law Enforcement Agencies Data System (LEADS) help program. The Watch Commander is responsible for calling the appropriate foreign consulate or embassy, the U.S. Department of State (see paragraph 4.h for telephone numbers), and maintaining records of such calls.

- ii. Subject to local laws and regulations regarding access to detained persons, consular officers (\*) have the right to:
  - A. Visit their nationals who are in prison, custody, or detention
  - B. Converse and correspond with their detained nationals
  - C. Arrange for legal representation for the detainees

- \* Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should be informed without delay that the nearest office of the TECRO, the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.
- d. When a foreign national is charged with a felony or any sex offense, the officer will advise the appropriate Federal Law Enforcement Agency of the charges and the pending court date.
  - e. When a foreign national has been identified and documented as a gang member, and when, in the officer's judgment, the person poses an articulable, clear and present danger to the community, the appropriate Federal Law Enforcement Agency may be notified. Prior to notification of the appropriate Federal Law Enforcement Agency, the gang membership should be documented.
  - f. Notification of appropriate Federal Law Enforcement Agencies:
    - i. Federal Law Enforcement Agencies will only be contacted when one or more of the criteria listed in section 4.b.iv are met or to clarify the status of an NCIC alert.
    - ii. The telephone numbers for Federal Law Enforcement Agencies are available from the Watch Commander.
    - iii. When the officer calls the after-hours number, he must give his or her name, rank, and the name of the department they represent as this number is an answering service only.
    - iv. A Federal Law Enforcement Agency may request the detention of and respond to pick up the prisoner or request the subject be released pending follow-up by their agents. Detention may only occur pursuant to a valid, enforceable federal criminal warrant or as a request to interview meets one of the criteria listed in section 4.b.iv and may not be based upon an immigration detainer or non-judicial immigration warrant.
    - v. When calling the Federal Law Enforcement Agency, always obtain the name of the officer authorizing the detention
    - vi. Contacts with a Federal Law Enforcement Agency will be documented on the Watch Commander Daily Log.
  - g. U.S. Immigration and Customs Enforcement (ICE) involvement – if an undocumented foreign national is detained pursuant to a valid, enforceable federal criminal warrant or in connection with a criminal investigation:
    - i. An ICE criminal investigator may contact the CPD officer by telephone and may telephonically conduct an interview with the person being detained.
    - ii. Officers will request an ICE criminal investigator respond to the scene of undocumented foreign national smuggling operations.
  - h. While the above requirements are universally applicable, law enforcement personnel must be aware that agreements with certain countries mandate notification to consular or embassy officials of those nations when nationals of those countries are confined or detained.
    - i. In these cases, the foreign national has no choice regarding notification, and law enforcement authorities must notify the consulate or the embassy of the situation immediately.
    - ii. The foreign national will be advised that his consul has been notified.
    - iii. The United States has these special agreements with countries indicated on page 6