



## LA GRANGE

Village of La Grange  
53 S. La Grange Road, La Grange, IL 60525  
villageoflagrange.com

### RESPONSE TO REQUEST FOR PUBLIC RECORDS

To:



On September 30, 2020, the Village of La Grange received your written request for inspection, copying, or certification of the following Village public records:  
See attached.

#### 1. Decision on Request

- ☐ Your request is approved in its entirety.
- ☒ Your request is approved in part and denied in part. Those records for which your request is denied are identified in Section 6 below.
- ☐ Your request is hereby denied in its entirety. Those records for which your request is denied are identified in Section 6 below.

#### 2. Availability of Records

Subject to payment of any required fees or postage, all of the public records for which your request is approved will be made available as follows. (See Section 3 for the public records for which your request is denied.)

Copies of the following public records will be:

- ☐ Made available for your inspection at the Village Hall as indicated in Section 3 below.
- ☐ Made available for pick up by you at the Village Hall as indicated in Section 3 below.
- ☐ Mailed to you at the address you provided in your request.
- ☒ Sent to you via email at the email address you provided in your request.

### 3. Denial of Request

Your request is denied as to the following records or redacted information contained in those records:

1. Certain redacted information in the policy guides, manuals, implementation guides, or training materials produced by Lexipol.

---

- A. Responsible Official. The Village's FOIA Officer is the official responsible for this denial.
- B. Notice of Right to Review by Illinois Attorney General. You have the right to file a request for review of your request and this Notice of Denial by the Public Access Counselor of the Office of the Illinois Attorney General. The Public Access Counselor may be contacted at 500 South 2nd Street, Springfield, Illinois 62706, or by telephone at (217) 558-0486.
- C. Notice of Right to Judicial Review. Under Section 11 of the Illinois Freedom of Information Act, 5 ILCS 140/11, you have the right to seek judicial review of this denial. The Village cannot advise or represent you in this matter. You should consult your own legal counsel.
- D. Justification for Denial. Your request is being denied with respect to the specified records because the specified records are exempt from disclosure pursuant to the Illinois Freedom of Information Act for the following reason or reasons (references are to sections of the Act):

☐ The records are private information. § 2(c-5), §7(1)(b)

Applies to: \_\_\_\_\_

☒ The records were created in the course of administrative enforcement proceedings, or for law enforcement purposes, and disclosure would:

☐ interfere with a pending or actually and reasonably contemplated law enforcement proceeding by the Village. § 7(1)(d)(i)

Applies to: \_\_\_\_\_

☐ interfere with active administrative enforcement proceedings by the Village. §7(1)(d)(ii)

Applies to: \_\_\_\_\_

☐ unavoidably disclose the identity of a confidential source or confidential information provided by the confidential source, or the identity of persons who file complaints with or provide information to administrative, investigative, law enforcements or penal agencies. §7(1)(d)(iv)

Applies to: \_\_\_\_\_

- ☒ disclose unique or specialized investigative techniques other than those generally used and known, and disclosure would result in demonstrable harm to the Village. §7(1)(d)(v)

Applies to: Certain redacted information in policy guides, manuals, implementation guides, or training materials

- ☐ endanger the life or physical safety of any person. §7(1)(d)(vi)

Applies to: Certain redacted information in policy guides, manuals, implementation guides, or training materials

- ☐ obstruct or interfere with an active or ongoing criminal investigation by the Village. §7(1)(d)(iv), §7 (1)(d)(vii)

Applies to: \_\_\_\_\_

Dated: October 12, 2020

Method of Service: \_\_\_\_\_

Village of La Grange

Signed:   
FOIA Officer

**Maureen Rush**

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 30, 2020 4:10 PM  
**To:** FOIAGroup  
**Subject:** FOIA Request

Greetings.

This is a public records request under the Illinois Freedom of Information Act (5 ILCS 140/).

Records requested:

A complete copy of the General Orders of the La grange Police Department.

Name and contact information of requestor:

[REDACTED]  
Purpose: to access information for features of interest to the public, for NON-COMMERCIAL purposes

If the records requested are, in whole or in-part, available electronically, I would like electronic copies. If some or all records are available only in non-electronic format, please so advise, along with associate cost of duplication if any. Note that I am requesting a fee exemption since the records requested are in the public interest, will be disseminated publicly at my personal expense, and are being requested for non-commercial purposes.

Thanks very much

[REDACTED]

# La Grange Police Department

La Grange PD Policy Manual

---

## **CHIEF'S PREFACE**

Pursuant to the laws of the United States of America, the State of Illinois and the Village of La Grange, the following policies, rules or regulations are herein established governing the actions of the members of the La Grange Police Department.

The Chief of Police may amend or repeal these policies, rules and regulations as necessary for the maintenance of a capable and efficient police department and in order to provide for the professional and ethical delivery of police services.

If any provision, clause or phrase of these policies becomes invalid, such invalidity shall not affect other provisions or applications of the remaining policies, and to this end the provisions of these policies, rules and regulations are considered separable.

Individuals subject to these policies, rules and regulations must understand that no compilation of rules and regulations can be established to spell out in detail all conduct which will result in disciplinary penalties, and that necessarily some matters must be left to the intelligence and discretion of individuals. Employees must understand though, that if discretion is used in a wanton and unreasonable manner and acts are committed or in some cases omitted, which law and sound public opinion recognize as injurious to the image of the department or the law profession, those acts on the part of the member may result in disciplinary action.

Existence of facts establishing a violation of law, policies, rules or regulations, general or specific orders, or written or verbal orders or directives is all that is necessary as a basis for disciplinary action. Any previous rules and regulations of the La Grange Police Department are superseded as of the date and time of issuance of the policies, rules and regulations.

# La Grange Police Department

La Grange PD Policy Manual

---

## **LAW ENFORCEMENT CODE OF ETHICS**

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

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

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

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

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . law enforcement.

# La Grange Police Department

La Grange PD Policy Manual

---

## MISSION STATEMENT

The men and women of the La Grange Police Department are committed to the delivery of professional police services through our knowledge, skills, and abilities. We are empowered by the Community we serve, and we pledge to create partnerships with the Community while maintaining order through the equitable enforcement of laws, objective and impartial treatment of others, and by being courteous, polite, responsive and accountable to the community.

We are dedicated to protecting lives, protecting property and protecting the rights of individuals and are guided by the principles of professional conduct, ethical behavior, honesty, and a high degree of integrity. Our mission includes the objective of creating an environment where people live safely and without fear.

The members of the La Grange Police Department subscribe to the philosophy of community orientated policing, crime prevention and problem solving. We pledge collectively and individually to be service oriented, and constantly improve ourselves in order to meet the present and future challenges of our Community.

In accomplishing of mission, we have adopted the motto ***"Pride and Professionalism"***.



# La Grange Police Department

La Grange PD Policy Manual

## Table of Contents

<b>Chief's Preface . . . . .</b>	<b>1</b>
<b>Law Enforcement Code of Ethics . . . . .</b>	<b>2</b>
<b>Mission Statement . . . . .</b>	<b>3</b>
<b>Chapter 1 - Law Enforcement Role and Authority . . . . .</b>	<b>9</b>
100 - Law Enforcement Authority . . . . .	10
102 - Chief Executive Officer . . . . .	12
104 - Oath of Office . . . . .	13
105 - Employee Honor Code . . . . .	14
106 - Policy Manual . . . . .	20
<b>Chapter 2 - Organization and Administration . . . . .</b>	<b>23</b>
200 - Organizational Structure and Responsibility . . . . .	24
204 - Interim Directives . . . . .	26
206 - Emergency Management Plan . . . . .	27
208 - Training . . . . .	28
212 - Electronic Mail . . . . .	31
214 - Administrative Communications . . . . .	33
215 - Patrol Staffing Levels . . . . .	34
216 - Supervisory Staffing Levels . . . . .	35
217 - Telecommunication Center Staffing Levels . . . . .	36
219 - Personnel Shortage Call-Out Procedures . . . . .	38
220 - Retiree Concealed Firearms . . . . .	43
<b>Chapter 3 - General Operations . . . . .</b>	<b>46</b>
300 - Use of Force . . . . .	47
302 - Deadly Force Review . . . . .	55
306 - Handcuffing and Restraints . . . . .	58
308 - Control Devices and Techniques . . . . .	63
310 - Officer-Involved Shootings and Deaths . . . . .	68
312 - Firearms . . . . .	78
314 - Vehicle Pursuits . . . . .	88
316 - Officer Response to Calls . . . . .	103
318 - Canines . . . . .	105
320 - Domestic Violence . . . . .	115
321 - Workplace Violence . . . . .	121
322 - Search and Seizure . . . . .	124
324 - Temporary Custody of Juveniles . . . . .	126
326 - Adult Abuse . . . . .	134
328 - Discriminatory Harassment . . . . .	140
330 - Child Abuse . . . . .	145
332 - Missing Persons . . . . .	151



# La Grange Police Department

## La Grange PD Policy Manual

334 - Public Alerts . . . . .	159
336 - Victim and Witness Assistance . . . . .	163
338 - Hate Crimes . . . . .	166
340 - Standards of Conduct . . . . .	168
342 - Information Technology Use . . . . .	176
344 - Report Preparation . . . . .	180
346 - News Media Relations . . . . .	184
348 - Subpoenas and Court Appearances . . . . .	187
350 - Part-Time Officers . . . . .	189
351 - Auxiliary Officers . . . . .	195
352 - Outside Agency Assistance . . . . .	201
356 - Registered Offender Information . . . . .	203
358 - Major Incident Notification . . . . .	206
360 - Death Investigation . . . . .	208
362 - Identity Theft . . . . .	211
368 - Limited English Proficiency Services . . . . .	212
370 - Communications with Persons with Disabilities . . . . .	220
376 - Chaplain Program . . . . .	228
377 - Public Safety Video Surveillance System . . . . .	232
379 - Child and Dependent Adult Safety . . . . .	236
381 - Service Animals . . . . .	240
383 - Abandoned Newborn Infant Protection . . . . .	243
387 - Off-Duty Law Enforcement Actions . . . . .	245
388 - Department Use of Social Media . . . . .	247
389 - Private Person's Arrest . . . . .	250
390 - Native American Graves Protection and Repatriation . . . . .	251
 <b>Chapter 4 - Patrol Operations . . . . .</b>	 <b>253</b>
400 - Patrol Function . . . . .	254
402 - Bias-Based Policing . . . . .	256
404 - Roll Call Training . . . . .	259
406 - Crime and Disaster Scene Integrity . . . . .	260
407 - Alarms . . . . .	262
410 - Ride-Alongs . . . . .	266
412 - Hazardous Material Response . . . . .	269
413 - Respiratory Protection Program (Rpp) . . . . .	271
414 - Hostage and Barricade Incidents . . . . .	277
416 - Response to Bomb Calls . . . . .	282
418 - Civil Commitments . . . . .	287
420 - Notice to Appear or Summons Releases . . . . .	291
422 - Foreign Diplomatic and Consular Representatives . . . . .	292
424 - Rapid Response and Deployment . . . . .	296
428 - Immigration Violations . . . . .	299
430 - Emergency Utility Service . . . . .	303
432 - Patrol Rifles . . . . .	304
434 - Aircraft Accidents . . . . .	307
436 - Field Training Officer Program . . . . .	311

# La Grange Police Department

## La Grange PD Policy Manual

438 - Obtaining Air Support Assistance . . . . .	314
440 - Contacts and Temporary Detentions . . . . .	315
442 - Criminal Organizations . . . . .	319
444 - Watch Commanders . . . . .	323
446 - Mobile Audio/Video . . . . .	324
448 - Mobile Data Terminal Use . . . . .	331
450 - Portable Audio/Video Recorders . . . . .	334
451 - Portable Radiation Detectors (PRD) . . . . .	341
452 - Medical Marijuana . . . . .	345
454 - Bicycle Patrol Unit . . . . .	350
455 - Segway Patrol Unit . . . . .	353
456 - Citation Dismissal, Correction, and Voiding . . . . .	358
458 - Foot Pursuits . . . . .	360
459 - Closed Home Patrol . . . . .	365
461 - VEHICLE REPOSSESSIONS . . . . .	367
464 - Homeless Persons . . . . .	368
465 - Firearm Concealed Carry . . . . .	371
466 - Crisis Intervention Incidents . . . . .	374
467 - Public Recording of Law Enforcement Activity . . . . .	379
468 - Medical Aid and Response . . . . .	382
469 - Suspicious Activity Reporting . . . . .	388
470 - Civil Disputes . . . . .	390
471 - First Amendment Assemblies . . . . .	393
472 - Automated License Plate Readers (ALPRs) . . . . .	399
 <b>Chapter 5 - Traffic Operations . . . . .</b>	 <b>401</b>
500 - Traffic Function and Responsibility . . . . .	402
502 - Traffic Crash Reporting . . . . .	405
503 - POLICE VEHICLE /TRAFFIC STOP POLICY . . . . .	407
510 - Vehicle Towing . . . . .	413
513 - Driving Under the Influence of Alcohol / Drugs . . . . .	416
514 - Impaired Driving . . . . .	420
515 - Portable Breath Testing Devices . . . . .	426
516 - Notice of Parking Violation Mediation Procedure . . . . .	430
517 - Vehicle Immobilization for Outstanding Traffic or Parking Tickets . . . . .	432
520 - Disabled Vehicles . . . . .	436
524 - Abandoned or Derelict Vehicle Violations . . . . .	437
527 - Roadside Safety Checkpoints . . . . .	439
 <b>Chapter 6 - Investigation Operations . . . . .</b>	 <b>442</b>
600 - Investigation and Prosecution . . . . .	443
606 - Asset Forfeiture . . . . .	447
608 - Informants . . . . .	453
610 - Felony Investigation Discovery . . . . .	459
612 - Eyewitness Identification . . . . .	460
614 - Brady Material Disclosure . . . . .	465
616 - Unmanned Aerial System (UAS) Operations . . . . .	467

# La Grange Police Department

## La Grange PD Policy Manual

---

617 - Sexual Assault Investigations . . . . .	471
618 - Warrant Service . . . . .	477
619 - Operations Planning and Deconfliction . . . . .	481
<b>Chapter 7 - Equipment . . . . .</b>	<b>487</b>
700 - Department Owned and Personal Property . . . . .	488
702 - Personal Communication Devices . . . . .	490
704 - Vehicle Maintenance . . . . .	494
706 - Vehicle Use . . . . .	497
707 - Personal Protective Equipment . . . . .	504
<b>Chapter 8 - Support Services . . . . .</b>	<b>509</b>
800 - the Communications Center . . . . .	510
802 - Evidence Room . . . . .	516
804 - Records Division Procedures . . . . .	526
806 - Restoration of Firearm Serial Numbers . . . . .	528
808 - Records Maintenance and Release . . . . .	530
810 - Protected Information . . . . .	538
812 - Computers and Digital Evidence . . . . .	542
818 - Animal Control . . . . .	546
820 - Jeanne Clery Campus Security Act . . . . .	549
<b>Chapter 9 - Custody . . . . .</b>	<b>554</b>
900 - Temporary Custody of Adults . . . . .	555
902 - Custodial Searches . . . . .	570
904 - Prison Rape Elimination . . . . .	575
<b>Chapter 10 - Personnel . . . . .</b>	<b>585</b>
1000 - Recruitment and Selection . . . . .	586
1002 - Evaluation of Employees . . . . .	591
1004 - Special Assignments and Promotions . . . . .	595
1006 - Grievance Procedure . . . . .	597
1007 - Anti-Retaliation . . . . .	599
1009 - Reporting of Employee Convictions . . . . .	602
1011 - Drug- and Alcohol-Free Workplace . . . . .	604
1013 - Sick Leave . . . . .	607
1014 - Uniformed Services Employment and Reemployment Rights Act Policy . . . . .	609
1015 - Communicable Diseases . . . . .	614
1017 - Smoking and Tobacco Use . . . . .	619
1019 - Personnel Complaints . . . . .	620
1020 - BEHAVIOR OBSERVATION . . . . .	630
1021 - Seat Belts . . . . .	633
1023 - Body Armor . . . . .	635
1025 - Personnel Records . . . . .	638
1027 - Vacation Selection for Patrol Shift Personnel . . . . .	643
1029 - Commendations and Awards . . . . .	645
1031 - Fitness for Duty . . . . .	648

# La Grange Police Department

## La Grange PD Policy Manual

---

1033 - Meal Periods, Breaks, Restricted Leave . . . . .	651
1034 - Lactation Break Policy . . . . .	652
1035 - Payroll Records . . . . .	654
1037 - Overtime Compensation Requests . . . . .	656
1039 - Off Duty/Secondary Employment . . . . .	658
1041 - Occupational Disease and Work-Related Injury Reporting . . . . .	663
1043 - Personal Appearance Standards . . . . .	666
1045 - Uniform Regulations . . . . .	668
1047 - Police Cadets . . . . .	675
1049 - Nepotism and Conflicting Relationships . . . . .	677
1051 - Department Badges . . . . .	680
1053 - Temporary Modified-Duty Assignments . . . . .	683
1054 - Personal Lockers . . . . .	687
1056 - Building Security Access Codes . . . . .	689
1057 - Employee Speech, Expression and Social Networking . . . . .	690
1058 - Illness and Injury Prevention . . . . .	694
1059 - Line-of-Duty Deaths . . . . .	699
<b>Attachments . . . . .</b>	<b>710</b>
lineup_refusal_2014.pdf . . . . .	713
Vacation Pick Form - 2014.pdf . . . . .	730
LGPD Behavior Observation Checklist.pdf . . . . .	731
lineup_advisement_nonindependent_2014.pdf . . . . .	742
lineup_advisement_independent_2014.pdf . . . . .	743

## **Chapter 1 - Law Enforcement Role and Authority**

# Law Enforcement Authority

## 100.1 PURPOSE AND SCOPE

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

## 100.2 POLICY

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

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

## 100.3 PEACE OFFICER POWERS

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

### 100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE LA GRANGE POLICE DEPARTMENT

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

- (a) There are reasonable grounds to believe that an arrest warrant exists.
  - 1. Notifications and waiver requests for the execution of warrants for those in need of emergency medical assistance and sexual assault victims shall be made in compliance with 725 ILCS 5/107-2.
- (b) There are reasonable grounds to believe that the person is committing or has committed an offense.

### 100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE LA GRANGE POLICE DEPARTMENT

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

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Law Enforcement Authority*

---

While outside the jurisdiction of the La Grange Police Department an officer shall make prompt notification to the local law enforcement agency of the county or municipality where any of the above occurs, and shall notify his/her immediate on-duty supervisor as soon as practicable (725 ILCS 5/107-4).

#### **100.4 CONSTITUTIONAL REQUIREMENTS**

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

#### **100.5 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended within other adjoining states:

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

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



# Chief Executive Officer

## 102.1 PURPOSE AND SCOPE

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

### 102.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

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

---

## Oath of Office

### 104.1 PURPOSE AND SCOPE

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

### 104.2 POLICY

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

### 104.3 OATH OF OFFICE

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

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

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

### 104.4 MAINTENANCE OF RECORDS

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

# Employee Honor Code

## 105.1 PURPOSE

The purpose of the Employee Honor Code is to foster a commitment to moral-ethical excellence essential to peace officers.

## 105.2 GOALS

The goals of the La Grange Police Department Employee Honor Code are:

- (a) That Employees develop a strong desire to maintain an honorable lifestyle manifest in the spirit of the code. The Employee Honor Code represents the minimum ethical standard to which all Employees are expected to adhere. The code is expressed as a series of prohibitions.
- (b) That Employees achieve the level of commitment to honorable conduct necessary to prepare them for greater challenges to their integrity throughout their careers as peace officers.

The code is a simple standard by which to live. It demands strict compliance, but it does not demand ethical perfection. In order for the Code to fulfill its role in the moral-ethical development of Employees, each Employee must commit himself or herself to tirelessly exceeding this standard as a way of life. The La Grange Police Department operates under the assumption that those who have chosen to serve this community as peace officers and support staff are already instilled with a basic set of values. It is expected that all Employees will strive to live far above the minimum standard of ethical behavior defined by the Employee Honor Code; and that each Employee will develop a high personal sense of honor within the spirit of the Code. Therefore, enforcement of the minimum standard of the Employee Honor Code, coupled with training that exhorts Employees to live above the Code, strengthens each commitment to the broader ideals consistent with the spirit of the Code. In this way, the Employee Honor Code acts to achieve its most important end: ensuring that members of the La Grange Police Department are honorable men and women who are leaders of character, serving this community as peace officers.

## 105.3 THE SPIRIT OF THE CODE

The Employee Honor Code describes the minimum standard of ethical behavior by which all Employees are expected to live, not an abstract ideal toward which to strive. Easy to understand and meet, it is the expected baseline behavior of Employees.

If the Code is the minimum standard, what is the ideal that Employees should strive to reach? The ideal is the "Spirit of the Code," an affirmation of the way of life that marks true leaders of character. The Spirit of the Code goes beyond the mere external adherence to rules. Rather, it is an expression of integrity and values from within and manifested in the actions of honorable men and women. Persons who accept the Spirit of the Code think of the Honor Code as a set

## *Employee Honor Code*

---

of broad and fundamental principles, not as a list of prohibitions. In deciding to take any action, they ask if it is the right thing to do.

It is the Spirit of the Code that gives rise to the specific tenets of the Honor Code itself:

- (a) The Spirit of the Code embraces truthfulness in all its aspects. The Honor Code prohibits **lying**.
- (b) The Spirit of the Code calls for complete fairness in human relations. The Honor Code prohibits **cheating**.
- (c) The Spirit of the Code requires respect for other people and their property. The Honor Code prohibits **stealing**.
- (d) The Spirit of the Code demands a personal commitment to uphold these ethical standards. The Honor Code prohibits **toleration** of violations of these standards.

The growth of each Employee as a leader of character is marked by strict adherence to the minimum standards of the Code, combined with a driving desire to progress beyond the external standards to an internalization of the Spirit of the Code. The Employee Honor Code is at the heart of each Employee's law enforcement career. When taken into context with the Spirit of the Code, the Employee Honor Code forms a part of the ethical foundation of each Employee's life and career as a peace officer.

### **105.4 THE TENETS OF THE CODE**

The Employee Honor Code states, "An Employee will not lie, cheat or steal nor tolerate those who do." To violate the Honor Code, the accused Employee must have lied, cheated, stolen, attempted to do so, or tolerated such action on the part of another Employee. The honor offenses of lying, cheating, and stealing involve acts accomplished by a specific intent to achieve a particular wrongful purpose as defined for each offense.

"Intent" does not refer to the intent to violate the Honor Code, but intent to commit the act itself. Employees, who have the intent to lie, cheat, or steal, and commit any act in furtherance of that intent, have violated the Honor Code. The fact that they fail in their attempt to lie, cheat, or steal does not exonerate them.

The Honor Code is a minimum standard of ethical behavior for Employees and is to be embraced by each Employee as an internal self-enforcement mechanism. Therefore, the Code is not constrained by any geographical boundaries. Employees should embrace the code both at and away from the La Grange Police Department in their professional and personal lives. One must avoid the attitude that what the Honor Code does not prohibit constitutes acceptable behavior. This is not the case. It bears repeating that the Employee Honor Code represents the minimum standard of ethical behavior by which each Employee is expected to abide. This standard is meant to be exceeded because of a desire to "do what is right" always. Every Employee should embrace the spirit of the code daily and find acting in accordance with its ideals a matter of one's daily lifestyle.

## *Employee Honor Code*

---

### 105.4.1 LYING

Description: Employees violate the Honor Code by lying if they deliberately deceive another by stating an untruth. Employees also violate the Honor Code when they communicate in a partial truth or through the vague or ambiguous use of information or language with the intent to deceive or mislead.

An Employee's Word: An Employee's word is accepted without challenge until significant evidence exists to prove otherwise. Although accepted at their word, there may be occasions when Employees are questioned as to performance, behavior, conduct, or to the accuracy or completeness of submitted work. In any such case, Employees are required to answer directly and truthfully. The questioner may be trying to clarify a particular point or issue. Generally classifying all such questioning as "doubting an Employee's integrity" is unprofessional and should be avoided. Experience demonstrates that human communication is imperfect at best, and actions are often misinterpreted. To desire clarification in such instances does not always indicate doubt about one's personal integrity.

Trust is linked to one's integrity, and that trust must be earned. Only through consistently accurate oral and written statements can one earn the trust of another. Trust comes from a commitment to truthfulness, being completely candid and forthright in all instances. Employees are reminded that in all instances they must be truthful in all oral and written statements.

Accuracy of Reports: Whether oral or written, reports are official statements and must always be complete and accurate. Employees are individually responsible to ensure the correctness of a report both before and after it is rendered. Additionally, if a report is given and is later found to be incorrect, the Employee rendering the false report must make the error known as soon as possible.

Implications of the Signature: An individual's signature or initials affirm a written communication as having been reviewed or written by them. In this way, when Employees affix their signature or initials to a document they make an official statement that, to the best of their knowledge, the document is true and accurate; verified by the signer. Additionally, Employees are never authorized to sign another person's name.

Equivocation: To be equivocal is to use purposely vague, misleading, or ambiguous language. Equivocation is dishonorable and would be a violation of the Honor Code.

Other Direct Forms of Communication: Direct communication that creates an impression or conveys a message to someone else, in lieu of an oral or written statement, must be truthful. The Honor Code offense of lying includes nonverbal actions that are substitutes for oral or written statements. Examples include: nodding one's head, raising one's hand, or giving a "thumbs-up."  
" All such nonverbal actions must be truthful.

Remember that verbal and nonverbal communications carry the same weight. Each is intended to communicate an idea or thought to another person. Employees should strive at all times to make their communication clear and unambiguous.

## *Employee Honor Code*

---

### 105.4.2 CHEATING

Description: Employees violate the Honor Code by cheating if they wrongfully act out of self-interest, do work or obtain results with the intent to gain or to give unfair advantage, or with the intent to deceive or mislead. Actions, which assist another Employee to do these things also, constitute cheating.

Cheating includes such acts as, for example, intentional plagiarism (presenting someone else's ideas, words, data, or work as one's own), misrepresentation (failing to document the assistance of another in the performance of an assignment), using unauthorized references (crib sheets, notes, texts) or intentionally attempting to circumvent a regulation or a commonly accepted procedure.

Basic Principles: The principle of integrity demands that Employees complete their work correctly and completely and, when appropriate, attribute the contributions of information and ideas by other Employees. Through the process of documentation, writers identify contributing sources used and acknowledge any assistance received. Although different disciplines adopt different systems, all adhere to the basic principle that writers must document all sources and assistance.

Frequently an Employee is required to perform work in conditions where he or she cannot be observed or monitored by a superior. Employees must be aware that taking credit for the work of another is improper and may constitute an honor violation.

### 105.4.3 STEALING

Description: Employees violate the Honor Code by stealing if they wrongfully take, obtain, or withhold, by any means, from the possession of the owner or any other person any money, personal property, article, or service of value of any kind, with the intent permanently to deprive or defraud another person of the use and benefit of property or to permanently appropriate it to either their own use or the use of any other person other than the owner.

Found Property: If an Employee finds property of another person, the Employee has a duty to attempt to identify the owner. If an Employee keeps the property rather than turning it in or returning it to the owner, then the Employee is subject to a violation of the Honor Code.

### 105.4.4 TOLERATION

Philosophy: Perhaps the most difficult standard is the Honor Code's non-toleration clause. The non-toleration clause serves as an Employee's daily reminder that he or she is charged with an awesome duty. This is a duty far superior to his or her personal feelings or friendships. The non-toleration clause preserves the ethical community in which peace officers must live and work. The non-toleration clause represents the codification of the concept of "policing the ranks" within the profession. In any profession, it is the responsibility of its members to maintain the standards that have been set. No longer is an Employee limited to maintaining personal integrity. That responsibility has expanded to include maintaining the integrity within the profession. When another member of the profession compromises his or her integrity, it is imperative that action be dealt with in order to restore the integrity of the profession. Description: Employees violate the Honor Code by tolerating if they fail to report an unresolved incident with honor implications to proper authority within a reasonable length of time. "Proper Authority" will usually be the

# La Grange Police Department

## La Grange PD Policy Manual

### *Employee Honor Code*

---

Employee's immediate supervisor. However, unusual circumstances may arise when such an incident should also be reported to a higher-ranking command officer, the Chief of Police or the Village Administrator. A "reasonable length of time" is the time it takes to approach the Employee suspected of the honor violation and clarify whether the incident was a misunderstanding or actually a possible violation of the Honor Code. A reasonable length of time is usually considered not to exceed 24 hours. Here, Employees should keep in mind that speedy resolution of the issue is in the best interest of all concerned. In the event that an Employee witnesses what he or she knows to be a questionable act in his or her presence, a "reasonable length of time" may be much shorter. One should seek to clarify a questionable act made in one's presence as soon as possible. Approach for Clarification: Approaching an Employee whom you have reason to suspect of an honor violation is a difficult duty, but an inescapable responsibility never to be avoided. When attempting to resolve a question of honor, keep two things in mind:

- That the honor violation must consist of both the act and the intent to commit the act.
- That because the Employee's integrity is being questioned, one must be prepared for a defensive or negative initial response.

An Employee who believes an honor violation may have occurred will approach the individual and give the suspected Employee an opportunity to explain his or her actions. When approaching an Employee for clarification, one should point out in a non-accusatory manner the exact action that is considered improper and request an explanation. If at all possible, give the Employee an opportunity to explain the situation before alleging it to be an "honor violation." Such an allegation is serious and, therefore, should be made only after considering both sides of the incident. Resolution: The obligation of Employees not to tolerate violations of the Honor Code requires that an Employee who is aware of a suspected violation report it within a reasonable time to the proper authority unless he or she is successful in resolving the apparent violation in one of two ways, as follows:

- (a) Seek clarification. Ask the suspected Employee to explain the circumstances that raised suspicions to see whether misunderstanding or mis-perception is involved. If suspicion remains, take the following step.
- (b) Encourage the suspected Employee to report him or herself. If the suspected Employee fails to do so in a reasonable time, consider asking him or her about the matter again to ensure that the suspected Employee understands the importance of personally reporting the incident. If he or she still does not report the incident in a reasonable time, report the incident.

Situations will sometimes arise which at first glance may appear to be violation so the Honor Code, but upon closer examination prove to be nothing more than misunderstanding or mis-perceptions. In this eventuality, the Employee should drop the matter. It is important to recognize that the presence of any doubts regarding the matter necessitates the continued pursuit of proper resolution. Giving the Employee "the benefit of the doubt" is not in keeping with proper reporting procedures and may constitute toleration. The resolved approach for clarification should



# La Grange Police Department

## La Grange PD Policy Manual

### *Employee Honor Code*

---

be brought to the attention of the Employee's immediate supervisor and explained as "clarified." This procedure lets the supervisor know that the Employees are living according to the spirit of the non-toleration clause. This procedure also covers the approacher in the event of an investigation resulting from someone else's unresolved perspective of the same act.

***The essence of non-toleration is the seeking of resolution of acts that may be honor violations and/or the clarification of questionable acts with honor implications.***

# Policy Manual

## 106.1 PURPOSE AND SCOPE

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

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

## 106.2 POLICY

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

### 106.2.1 DISCLAIMER

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

## 106.3 AUTHORITY

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

## 106.4 DEFINITIONS

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

**Adult** - Any person 18 years of age or older.

**CFR** - Code of Federal Regulations.

# La Grange Police Department

La Grange PD Policy Manual

## *Policy Manual*

---

**Village** - The Village of La Grange.

**Non-sworn** - Employees and volunteers who are not sworn peace officers.

**Delinquent minor** - Any minor who, prior to his/her 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or state law, county or municipal ordinance, and any minor who prior to his/her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, state, county or municipal law or ordinance classified as a misdemeanor offense.

**Department/LGPD** - The La Grange Police Department.

**Dependent minor** - A person under the age of 18 years who is not an emancipated minor and is without parent, guardian or legal custodian or who is without proper care because of the physical or mental disability of his/her parent, guardian, or custodian, or who is without proper medical or other remedial care.

**Employee/personnel** - Any person employed by the Department.

**IDOT** - The Illinois Department of Transportation.

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

**Juvenile** - Any person under the age of 18 years.

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

**Manual** - The La Grange Police Department Policy Manual.

**May** - Indicates a permissive, discretionary or conditional action.

**Member** - Any person who is employed or appointed by the La Grange Police Department, including sworn officers, non-sworn employees and volunteers.

**Officer** - Those employees, regardless of rank, who are sworn employees of the La Grange Police Department.

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

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

**Part-time law enforcement officer** - A law enforcement officer who has completed his/her probationary period and is employed on a part-time basis as a law enforcement officer.

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

**Shall or will** - Indicates a mandatory action.

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Policy Manual*

---

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

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

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

**USC** - United States Code.

#### **106.5 ISSUING THE POLICY MANUAL**

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

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

#### **106.6 PERIODIC REVIEW OF THE POLICY MANUAL**

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

#### **106.7 REVISIONS TO POLICIES**

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

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

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

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

## **Chapter 2 - Organization and Administration**

# Organizational Structure and Responsibility

## 200.1 PURPOSE AND SCOPE

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

## 200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the La Grange Police Department. There are three divisions in the Police Department as follows:

- Administration Division
- Operations Division
- Investigation Division

### 200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by a Deputy Chief, whose primary responsibility is to provide general management direction and control for the Administration Division. The Administration Division consists of Technical Services and Administrative Services.

### 200.2.2 OPERATIONS DIVISION

The Operations Division is commanded by a Deputy Chief, whose primary responsibility is to provide general management direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol and Special Operations, which includes Traffic, the Communications Center and Police Aides/Assistants.

### 200.2.3 INVESTIGATION DIVISION

The Investigation Division is commanded by a Watchcommander, whose primary responsibility is to provide general management direction and control for the Investigation Division. The Investigation Division consists of the Investigations Bureau, Crime Analysis Unit, Evidence Room, and Forensic Services.

## 200.3 COMMAND PROTOCOL

### 200.3.1 SUCCESSION OF COMMAND

[watchCommander]The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate the Deputy Chief to serve as the acting Chief of Police. Except when designated as above, the command authority in the absence or unavailability of the Chief of Police or Deputy Chief will be with the on duty Watch Commander.

### 200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy

# La Grange Police Department

## La Grange PD Policy Manual

### *Organizational Structure and Responsibility*

---

or special assignment (e.g., K-9, Investigations), any supervisor may temporarily direct any subordinate if an operational necessity exists.

#### 200.3.3 ORDERS

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



## Interim Directives

### 204.1 PURPOSE AND SCOPE

Interim Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with personnel rules and applicable guidelines. Interim Directives will immediately modify or supersede sections of this manual to which they pertain.

#### 204.1.1 INTERIM DIRECTIVES PROTOCOL

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

All existing Interim Directives have now been incorporated in the updated Policy Manual as of the below revision date.

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

### 204.2 RESPONSIBILITIES

#### 204.2.1 STAFF

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

### 204.3 ACCEPTANCE OF INTERIM DIRECTIVES

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

---

# Emergency Management Plan

## **206.1 PURPOSE AND SCOPE**

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

## **206.2 ACTIVATING THE EMERGENCY PLAN**

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

## **206.3 LOCATION OF MANUALS**

Manuals are available in Administration and the Watch Commander's office. All supervisors should familiarize themselves with the Emergency Management Plan and what roles personnel will play when the plan is implemented.

## **206.4 BUILDING EVACUATION PLAN**

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

## **206.5 UPDATING OF MANUALS**

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

# Training

## 208.1 PURPOSE AND SCOPE

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

## 208.2 PHILOSOPHY

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

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

## 208.3 OBJECTIVES

The objectives of the training program are to:

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

## 208.4 TRAINING PLAN

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

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

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

## *Training*

---

### **208.4.1 STATE-MANDATED TRAINING**

Officers must successfully complete the Minimum Standards Basic Law Enforcement Training Course or a similar ILETSB-approved training program within six months of full-time employment (50 ILCS 705/8.1).

- (a) The basic training requirement may be waived if the employee is eligible for certification by meeting training and certification standards within the parameters, extensions, and exceptions set by ILETSB (50 ILCS 705/8.1).
- (b) State-mandated training requirements every year include (50 ILCS 705/7):
  - 1. ILETSB-approved use of force training.
  - 2. Legal updates.
- (c) State-mandated training requirements every three years include (50 ILCS 705/7; 50 ILCS 705/10.19; 725 ILCS 203/20):
  - 1. Constitutional and proper use of law enforcement authority.
  - 2. Procedural justice.
  - 3. Civil rights.
  - 4. Human rights.
  - 5. Mental health awareness and response.
  - 6. Officer wellness.
  - 7. Mandatory child abuse reporting.
  - 8. Cultural competency.
  - 9. Training on sexual assault and sexual abuse response and report writing (refer to Sexual Assault Investigations Policy).
- (d) State-mandated training requirements every five years include:
  - 1. Domestic violence (725 ILCS 5/112A-27; 750 ILCS 60/301.1).

### **208.5 TRAINING NEEDS ASSESSMENT**

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

### **208.6 TRAINING PROCEDURES**

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor, in coordination with the Training Supervisor. Excused absences from mandatory training should be limited to the following:
  - 1. Court appearances
  - 2. First choice vacation

## *Training*

---

3. Sick leave
  4. Physical limitations preventing the employee's participation
  5. Emergency situations
  6. Other exceptions as approved by the supervisor or Training Supervisor.
- (b) When an employee is unable to attend mandatory training due to reasonable unforeseeable circumstances, that employee shall:
1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
  2. Document his/her absence in a memorandum to his/her supervisor. This information should be forwarded to the Training Supervisor.
  3. Make arrangements through his/her supervisor and the Training Supervisor to attend the required training on an alternate date.

### **208.7 DAILY TRAINING BULLETINS**

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

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

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

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

## Electronic Mail

### 212.1 PURPOSE AND SCOPE

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

### 212.2 EMAIL RIGHT OF PRIVACY

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

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

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

### 212.3 PROHIBITED USE OF EMAIL

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

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

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

### 212.4 EMAIL RECORD MANAGEMENT

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Electronic Mail*

---

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



---

# Administrative Communications

## 214.1 PURPOSE AND SCOPE

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

## 214.2 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

## 214.3 CORRESPONDENCE

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

## 214.4 SURVEYS

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

---

## Patrol Staffing Levels

### **215.1 PURPOSE AND SCOPE**

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

### **215.2 MINIMUM STAFFING LEVELS**

Officer safety requires that each patrol shift maintains a minimal level of officers to maintain operational effectiveness and efficiency. Each patrol shift will maintain the following minimum levels of personnel.

First Watch: Will require at least one supervisor and two patrol officers on Monday through Friday. On Saturday and Sunday at least one supervisor and three patrol officers will be required until 0200 hours, after which time only one supervisor and two patrol officers will be required.

Second Watch: Will require at least one supervisor and three patrol officers each day.

Third Watch: Will require at least one supervisor and three patrol officers on Sunday through Thursday. On Friday and Saturday at least one supervisor and four patrol officers will be required.

If more than one supervisor is on duty during a shift then all other supervisors may be counted in lieu of a patrol officer.

Nothing in this policy shall prohibit the Watch Commander from maintaining staffing levels above minimum standards if deemed necessary.

---

## Supervisory Staffing Levels

### **216.1 PURPOSE AND SCOPE**

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

### **216.2 MINIMUM SUPERVISION STAFFING LEVELS**

Minimum supervision staffing levels should result in the scheduling of at least one regular supervisor on duty whenever possible. Watch Commanders will ensure that at least one supervisor is deployed during each watch.

#### **216.2.1 SUPERVISION DEPLOYMENTS**

In order to accommodate training and unforeseen circumstances, a Squad Leader may be used as a supervisor.

## Telecommunication Center Staffing Levels

### 217.1 PURPOSE AND SCOPE

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

### 217.2 DEFINITIONS

**Full-Time Telecommunicators:** Those full-time Telecommunicators, probationary or non-probationary, who have completed their program of training with a department Telecommunications Training Officer, work a minimum of 40 hours per week receive benefits and are deemed fully qualified by the Police Department.

**Part-Time Telecommunicators:** Those part-time Telecommunicators, who have completed their program of training with a department Telecommunications Training Officer, work less than 32 hours per week, receive no benefits and are deemed fully qualified by the Police Department.

**Telecommunicator:** Means any member of the department responsible for answering emergency and non-emergency calls for service by electronic means and assigning another member of the department to handle that request for service.

### 217.3 MINIMAL STAFFING LEVELS

Public safety requires that the Telecommunications Center maintains a minimal level of personnel to maintain operational effectiveness and efficiency. Each Telecommunication shift will maintain the following minimal staffing levels of personnel.

First Watch: One (1) Telecommunicator.

Second Watch: One (1) Telecommunicator.

Third Watch: One (1) Telecommunicator.

### 217.4 OPTIMAL STAFFING LEVELS

When scheduling and available personnel permit the Department will staff the Telecommunications Center at an optimal level. Optimal staffing levels are as follows:

First Watch: One (1) full-time Telecommunicator.

Second Watch: Two (2) full-time Telecommunicators on Monday through Friday and one (1) full-time Telecommunicator on Saturday and Sunday.

Third Watch: Two (2) full-time Telecommunicators everyday.

# La Grange Police Department

## La Grange PD Policy Manual

### *Telecommunication Center Staffing Levels*

---

Due to regularly scheduled days off, vacation, compensatory time, sick-time, personal holiday, training, other departmental approved off time or unexcused absences optimal staffing levels may not always be maintained.

In effort to maintain optimal staffing levels the department may schedule part-time Telecommunicators when available to fill any vacancies created by a full-time Telecommunicator being absent.

The scheduling of Part-Time Telecommunicators to fill in any vacancies created by a full-time Telecommunicator being absent must be approved by the Watch Commander or Support Services Lieutenant.

# Personnel Shortage Call-Out Procedures

## 219.1 PURPOSE AND SCOPE

The purpose of this policy to provide guidelines to Watch Commanders concerning maintaining minimum staffing levels and the procedures for overtime call-out of Supervisors, Patrol Officers, Investigators and Telecommunicators.

This policy will also provide direction to Watch Commanders and Telecommunicators for calling out the Canine Officer and Auxiliary Officers.

Employees should also refer to the Village of La Grange Personnel Manual and the following associated Policy Manual sections:

- Policy 215 - Patrol Staffing Levels
- Policy 216 - Supervisory Staffing Levels
- Policy 217 - Telecommunication Center Staffing Levels
- Policy 318 - Canine Program
- Policy 351 - Auxiliary Officers
- Policy 1014 - Sick Leave Reporting

## 219.2 DEFINITIONS

**Call-Out List:** A list based on seniority of personnel used for determining availability for over-time assignments.

**Exigent or Emergency Circumstance:** A situation requiring swift action to prevent imminent danger to life or serious damage to property, or to forestall the imminent escape of a suspect, or destruction of evidence.

## 219.3 POLICY STATEMENT

It is the policy of the department to afford adequate personnel coverage that will allow the Patrol Division, Investigation Division and Telecommunication Center to perform at maximum efficiency and to accomplish this within budgetary constraints.

## 219.4 REQUIREMENT TO PROVIDE CONTACT NUMBER

Every employee will designate and submit via memo one (1) telephone number or one (1) pager number for the purposes of overtime call out. Every employee is required to maintain a current and working number and provide that number to the Telecommunication Center and their respective Watch Commander. Employees utilizing automatic answering machines will receive a message on their machine regarding the available overtime, but will be considered unavailable if there is no response within ten (10) minutes of the message and the next junior employee will be offered

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Shortage Call-Out Procedures*

---

the overtime. Employees utilizing pagers will be considered unavailable if there is no response within ten (10) minutes of the page.

- No family members, or any person other than the employee, can accept or deny overtime.
- Employees accepting shift assigned overtime will be expected to arrive at normal shift start times.
- If notification and acceptance of overtime is made without adequate time for pre-duty preparation for attendance at roll call, the employee must report for duty within two (2) hours of said notification and acceptance.

Employees scheduled for duty who do not respond to a call-out to come in early within enough time to cover four hours of the affected eight hour shift for a second time in a rolling 12 month period shall be subject to disciplinary action.

#### **219.5 PROCEDURES FOR CALL-OUTS**

##### **219.5.1 PATROL DIVISION AND TELECOMMUNICATION CENTER CALL-OUT**

When an employee contacts the Telecommunication Center to inform the Department they will be absent from duty the Telecommunicator receiving the call will immediately notify the on duty Watch Commander. The Telecommunicator will also time stamp a Duty Card to record the time the employee called and forward the card to the employee's Watch Commander.

The on duty Watch Commander will check the Shift Roster in the Department's computer system as well as the printed schedule on the affected shift's Watch Commander's desk and check staffing levels. If staffing levels are at or above minimum standards no further action is necessary.

If staffing levels fall below minimum standards the on duty Watch Commander shall follow the call-out procedures to meet minimum staffing levels.

The Operations Commander shall ensure each Watch Commander has a current Call-Out List based on seniority of officers assigned to the shift.

The on duty Watch Commander will be responsible for filling the entire eight (8) hour shift and will not leave the responsibility for the oncoming Watch Commander, except when a Day Shift employee calls in an absence. When a Day Shift employee calls in an absence the Midnight Shift Watch Commander will be responsible for filling the first four (4) hours of the shift. The Day Shift Watch Commander will be responsible for filling the last four (4) hours of the shift.

The Call-Out List will be used sequentially to implement one of the following options:

- (a) Call-out an Officer or Telecommunicator on a day off from the affected shift to work the entire shift, if no Officers or Telecommunicators are available then;

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Shortage Call-Out Procedures*

---

- (b) Call-out or assign an Officer or Telecommunicator to hold over four (4) hours from the shift prior to the affected shift and call out or assign an Officer or Telecommunicator to come in early four (4) hours to work the affected shift.
- (c) If an Officer or Telecommunicator will be off for an extended period of time personnel on days off working the same shift will have priority of working the shift over other personnel.
- (d) If no personnel on their days off are available to work the shift then personnel on other shifts who are on a day off may work the shift.

A Part-Time Telecommunicator may be called out to work if no Full-Time Telecommunicator is available. All Part-Time Telecommunicators should be called before ordering a Full-Time Telecommunicator in to work.

At no time will a Part-Time Police Officer be called in or allowed to work in lieu of a Full-Time Police Officer to meet minimum staffing requirement.

It shall be the Watch Commander's responsibility to complete Call-Out Log sheets with the dates, times and names of personnel.

The Watch Commander shall attempt to be as fair and equitable as possible and rotate call-outs so no Officer or Telecommunicator is continually called out to work.

No Officer or Telecommunicator will be authorized to work more than twelve (12) hours of continuous duty without prior approval from the Chief of Police or his designee.

In the event an Officer or Telecommunicator has to leave early for an emergency (i.e. sick, personal, etc.) bringing the shift below minimum strength and the remaining time of the shift is for four (4) hours or less, the overtime would be offered to the oncoming shift by seniority. If the shift is for more than four (4) hours, the supervisor will utilize the Call-Out List.

The Call-Out List for Telecommunicators shall be kept in the Schedule Book in the Telecommunications Center.

The Call-Out List for each shift of the Patrol Division shall be kept and maintained by each shift Watch Commander.

#### 219.5.2 INVESTIGATOR CALL-OUT

The on duty Watch Commander must contact an Investigator if no Investigator is on duty when any of the following incidents occur:

- Active Shooter
- All Homicides
- Armed Robbery
- Arson
- Attempt Murder



# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Shortage Call-Out Procedures*

---

- Bank Robbery
- Barricaded Subject
- Car Jacking
- Child Abduction
- Child Pornography
- Home Invasion
- Hostage Situation
- Kidnapping
- Major Narcotic Case
- Major Sex Offense
- Police Involved Shooting
- Unlawful Restraint
- Vehicle Invasion

The on duty Watch Commander may contact an Investigator if no Investigator is on duty if assistance with an investigation or juvenile matter is needed. The Watch Commander will discuss with the Investigator the reason for the call out and what involvement is expected of the Investigator, such as process the scene, interview suspects, victims, etc. The Investigator has the option to respond immediately, at an agreed upon time or not at all.

If the Investigator chooses not to respond a memo shall be submitted before the end of the Investigator's next duty day to the Watch Commander with a copy forwarded to the Operations Commander and the Chief of Police summarizing the incident and the reason(s) for not responding.

The Watch Commander will make it clear to the Investigator as to their role in the investigation. At any time the Watch Commander can decide that an additional Investigator needs to be called out to assist. The Watch Commander may also assign a Patrol Officer(s) to assist the Investigator(s) in their duties. The Watch Commander will log which Investigator was called as well as the time called, time of arrival and Incident number. If an Investigator is unable to respond the reason shall be noted on the log and another Investigator will be contacted.

The Call-Out List for Investigators shall be kept in the Schedule Book in the Telecommunications Center.

Once an Investigator arrives on the scene additional personnel may be required to assist in handling the investigation. If assistance is requested from the Major Case Assistance Team (M-CAT) the call for assistance will be made by an Investigator. If assistance is requested from any other agency or the South Suburban Major Crimes Task Force (SSMCTF) the call will be made by the Watch Commander. All requests for assistance from other agencies shall be documented.

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Shortage Call-Out Procedures*

---

#### 219.5.3 K-9 CALL-OUT

Officers are encouraged to use the Department canine for narcotic searches, building searches and searching or tracking of wanted or missing persons. Officers may request assistance a Canine Officer for any of these reasons. If the Department Canine Officer is not on duty at the time of request, upon approval of the Watch Commander a Telecommunicator may contact the Department Canine Officer and request their assistance. If the Department Canine Officer is unavailable a Canine Officer from another agency may be contacted. All canine handlers shall have the ultimate authority to deploy or not deploy the dog. All requests for assistance for a Canine Officer shall be documented.

#### 219.5.4 AUXILIARY POLICE OFFICER CALL-OUT

The procedures for emergency call-outs for Auxiliary Officers can be located in this Policy Manual under Auxiliary Officers, Section 351.7 EMERGENCY CALL-OUT FOR AUXILIARY PERSONNEL.

#### **219.6 EXIGENT OR EMERGENCY CIRCUMSTANCES**

Nothing in this policy shall restrict the Department from ordering out personnel that may be required to handle exigent or emergency circumstances.

The Operations Commander, Support Services Commander or Watch Commander may when confronted by exigent or emergency circumstances order out all the necessary personnel to handle exigent or emergency circumstances. Any call-out made for exigent or emergency circumstances must be justified for reasonableness to the Chief of Police when requested.

A Patrol Officer or Telecommunicator may be held over for a maximum of four (4) hours for exigent circumstances. In the event the responsible supervisor anticipates needed shift coverage for more than four hours, the overtime policy must be followed.

## Retiree Concealed Firearms

### 220.1 PURPOSE AND SCOPE

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

### 220.2 POLICY

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

### 220.3 LEOSA

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

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

#### 220.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

#### 220.3.2 AUTHORIZATION

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

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Retiree Concealed Firearms*

---

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

#### **220.4 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD PERMITS**

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

#### **220.5 FORMER OFFICERS RESPONSIBILITIES**

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

##### **220.5.1 RESPONSIBILITIES UNDER LEOSA**

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

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

#### **220.6 DENIAL, SUSPENSION OR REVOCATION**

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

# La Grange Police Department

La Grange PD Policy Manual

## *Retiree Concealed Firearms*

---

### **220.7 FIREARM QUALIFICATIONS**

The Rangemaster will not provide former officers from this department an opportunity to qualify. All former officers must qualify with IROCC.

## **Chapter 3 - General Operations**

## Use of Force

### 300.1 PURPOSE AND SCOPE

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

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

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

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

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

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the [officer\_deputy] and the subject leading up to the use of force.

### 300.2 POLICY

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

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

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Use of Force*

---

#### **300.2.1 DUTY TO INTERCEDE AND REPORT**

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

#### **300.2.2 PERSPECTIVE**

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

#### **300.3 USE OF FORCE**

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

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

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

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

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

#### **300.3.1 USE OF FORCE TO EFFECT AN ARREST**

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



## *Use of Force*

---

### 300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

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

### 300.3.3 PAIN COMPLIANCE TECHNIQUES

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

- (a) The degree to which the application of the technique may be controlled given the level of resistance.

## *Use of Force*

---

- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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

### 300.3.4 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

### 300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the La Grange Police Department for this specific purpose.

### 300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

## *Use of Force*

---

### **300.3.7 RESPIRATORY RESTRAINTS**

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

### **300.4 DEADLY FORCE APPLICATIONS**

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

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

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

#### **300.4.1 MOVING VEHICLES**

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

### **300.5 REPORTING THE USE OF FORCE**

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should

## *Use of Force*

---

articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

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

### **300.6 MEDICAL CONSIDERATIONS**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

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

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

## *Use of Force*

---

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

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

See the Medical Aid and Response Policy for additional guidelines.

### **300.7 USE OF FORCE REPORT**

See attachment: [Use of Force.jpg](#)

### **300.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Use of Force*

---

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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

#### **300.8.1 WATCH COMMANDER RESPONSIBILITY**

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

#### **300.9 TRAINING**

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

#### **300.10 USE OF FORCE ANALYSIS**

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

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

# Deadly Force Review

## 302.1 PURPOSE AND SCOPE

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

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

## 302.2 POLICY

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

## 302.3 REMOVAL FROM LINE DUTY ASSIGNMENT

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

## 302.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

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

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

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

### 302.4.1 COMPOSITION OF THE BOARD

The Administration Deputy Chief should select five Use of Force Review Board members from the following, as appropriate:

- Representatives of each division
- Commanding officer in the involved member's chain of command



## *Deadly Force Review*

---

- Training Supervisor
- Non-administrative supervisor
- A peer officer
- A sworn peace officer from an outside law enforcement agency
- Department instructor for the type of weapon, device or technique used

The senior ranking command representative who is not in the same division as the involved employee will serve as chairperson.

### 302.4.2 RESPONSIBILITIES OF THE BOARD

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

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

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

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

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

The board shall make one of the following recommended findings:

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

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

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional



# La Grange Police Department

La Grange PD Policy Manual

## *Deadly Force Review*

---

actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Deputy Chief for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

# Handcuffing and Restraints

## 306.1 PURPOSE AND SCOPE

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

## 306.2 POLICY

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

## 306.3 USE OF RESTRAINTS

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

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

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

### 306.3.1 RESTRAINT OF DETAINEES

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

### 306.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property.

### *Handcuffing and Restraints*

---

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

#### **306.3.3 RESTRAINT OF JUVENILES**

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

#### **306.3.4 NOTIFICATIONS**

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

#### **306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS**

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

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

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

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

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

#### **306.5 APPLICATION OF SPIT HOODS**

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

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

## *Handcuffing and Restraints*

---

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

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

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

### **306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

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

### **306.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the department shall be used.

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

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

#### **306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS**

When applying leg restraints the following guidelines should be followed:

## *Handcuffing and Restraints*

---

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

### **306.8 REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

## *Handcuffing and Restraints*

---

### **306.9 TRAINING**

Subject to available resources, the Training Supervisor should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

## Control Devices and Techniques

### 308.1 PURPOSE AND SCOPE

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

### 308.2 POLICY

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

### 308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

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

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

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

### 308.4 RESPONSIBILITIES

#### 308.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

#### 308.4.2 RANGEMASTER RESPONSIBILITIES

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

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

#### 308.4.3 USER RESPONSIBILITIES

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

## *Control Devices and Techniques*

---

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to Village property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

### **308.5 BATON GUIDELINES**

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

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

### **308.6 TEAR GAS GUIDELINES**

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

### **308.7 OLEORESIN CAPSICUM (OC) GUIDELINES**

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

#### **308.7.1 OC SPRAY**

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

#### **308.7.2 PEPPER PROJECTILE SYSTEMS**

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.



## *Control Devices and Techniques*

---

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

### **308.7.3 TREATMENT FOR OC SPRAY EXPOSURE**

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

### **308.8 POST-APPLICATION NOTICE**

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

### **308.9 KINETIC ENERGY PROJECTILE GUIDELINES**

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

#### **308.9.1 DEPLOYMENT AND USE**

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.

## *Control Devices and Techniques*

---

- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

### 308.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

### 308.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

### *Control Devices and Techniques*

---

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

#### **308.10 TRAINING FOR CONTROL DEVICES**

The Training Supervisor shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

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

#### **308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES**

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

# Officer-Involved Shootings and Deaths

## 310.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer (50 ILCS 727/1-10; 50 ILCS 727/1-30).

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

### 310.1.1 DEFINITIONS

Definitions related to this policy include:

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

## 310.2 TYPES OF INVESTIGATIONS

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

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

## 310.3 CONTROL OF INVESTIGATIONS

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

### 310.3.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

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

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The

## *Officer-Involved Shootings and Deaths*

---

investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

### **310.3.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS**

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

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

### **310.3.3 ADMINISTRATIVE AND CIVIL INVESTIGATION**

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

## **310.4 INVESTIGATION PROCESS**

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

### **310.4.1 UNINVOLVED OFFICER RESPONSIBILITIES**

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved LGPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

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

### **310.4.2 WATCH COMMANDER RESPONSIBILITIES**

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

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

### **310.4.3 NOTIFICATIONS**

The following persons shall be notified as soon as practicable:

- Chief of Police
- Investigation Deputy Chief
- [OIS protocol] rollout team

## *Officer-Involved Shootings and Deaths*

---

- Outside agency investigators (if appropriate)
- Deputy Chief supervisor
- Civil liability response team
- Psychological/Peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)
- Chief Of Police or Deputy Chief

### 310.4.4 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
  - 1. Involved LGPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  - 2. Requests from involved non-LGPD officers should be referred to their employing agencies.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved LGPD officer. A licensed psychotherapist may also be provided to any other affected LGPD members, upon request.
  - 1. Interviews with a licensed psychotherapist will be considered privileged.
  - 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  - 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications with peer counselors are confidential and may only be disclosed in accordance with 5 ILCS 840/20.

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

# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

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

#### **310.4.5 SUPERVISOR RESPONSIBILITIES**

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any LGPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
  - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Watch Commander and the Communications Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional LGPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
  - 1. Each involved LGPD officer should be given an administrative order not to discuss the incident with other involved officers or LGPD members pending further direction from a supervisor.
  - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

#### **310.5 CRIMINAL INVESTIGATION**

The State Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting that does not result in death. Officer-involved deaths shall be investigated by outside agency investigators as provided in the applicable intergovernmental agreements.



# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

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

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

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

#### 310.5.1 REPORTS BY INVOLVED LGPD OFFICERS

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

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

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

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



# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

#### 310.5.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

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

#### 310.5.3 INVESTIGATIVE PERSONNEL

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

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

#### 310.5.4 OFFICER-INVOLVED DEATH INVESTIGATIONS

The Chief of Police should ensure that the La Grange Police Department enters into appropriate intergovernmental agreements to investigate officer-involved deaths involving members of the LGPD by appropriately trained outside investigators as required by the Police and Community

# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

Relations Improvement Act (50 ILCS 727/1-1 et seq.). The agreement should establish any compensation arrangement for participation in investigations and establish responsibilities for expeditiously providing a complete report to the State's Attorney and a public report if no charge or indictment is brought against the officer.

#### **310.6 ADMINISTRATIVE INVESTIGATION**

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

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

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
  - 1. A sample shall be compelled in the case of a shooting that caused injury or death of a person as soon as practicable but no later than the end of the officer's shift or tour of duty (50 ILCS 727/1-25).
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas, with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  - 2. The interview shall take place at the facility to which the administrative investigator is assigned or the police facility that has jurisdiction over the place where the incident occurred. The interview shall also be conducted at a reasonable time of day and during the time when the officer is on-duty as operational requirements and the nature of the incident permit. The interview shall be of reasonable duration and allow for reasonable periods of rest and personal necessities of the officer (50 ILCS 725/3.1; 50 ILCS 725/3.3; 50 ILCS 725/3.5).

# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

3. The officer shall not be subject to professional or personal abuse, including offensive language (50 ILCS 725/3.6).
  4. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview and shall inform the LGPD of any person who will be present on his/her behalf (50 ILCS 725/3.4; 50 ILCS 725/3.9). The officer shall have the right to be represented by counsel and may request counsel at any time before or during the interview and shall have a reasonable time and opportunity to obtain counsel (50 ILCS 725/3.9). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
  5. A complete record of the administrative interview shall be made and a complete transcript or copy shall be made available to the officer without charge and without undue delay. Such record may be electronically recorded (50 ILCS 725/3.7). The officer may also record the interview.
  6. The officer shall be informed in writing of the nature of the investigation and the name, rank and unit/command of the assigned administrative investigator, the interviewers and all persons who will be present on behalf of the LGPD (50 ILCS 725/3.2; 50 ILCS 725/3.4). If an officer refuses to answer questions, he/she should be given his/her *Garrity* rights in writing and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally (50 ILCS 725/3.8).
  7. The Deputy Chief shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  8. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
  9. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.
- (d) Investigators should take reasonable steps to avoid interfering with the outside criminal investigation conducted under the requirements of 50 ILCS 727/1-10 (50 ILCS 727/1-15).

#### **310.7 AUDIO AND VIDEO RECORDINGS**

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

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted

## *Officer-Involved Shootings and Deaths*

---

to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

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

### **310.8 CIVIL LIABILITY RESPONSE**

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

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

### **310.9 DEBRIEFING**

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

#### **310.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING**

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

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

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Deputy Chief personnel.

#### **310.9.2 TACTICAL DEBRIEFING**

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

### **310.10 MEDIA RELATIONS**

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be

# La Grange Police Department

## La Grange PD Policy Manual

### *Officer-Involved Shootings and Deaths*

---

available to the Watch Commander, Investigation Deputy Chief and Chief Of Police or Deputy Chief in the event of inquiries from the media.

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

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

#### **310.11 REPORTING**

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

## Firearms

### 312.1 PURPOSE AND SCOPE

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

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

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

### 312.2 POLICY

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

### 312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

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

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

#### 312.3.1 HANDGUNS

The only primary duty weapon authorized to be carried by La Grange Police Officers while on duty shall be a personally owned Handgun of the following caliber: 380, .9mm, .40 and .45 caliber and shall be of good quality, workmanship and manufactured by a reputable company.

#### 312.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870. The following additional shotguns are approved for on-duty use:

MAKE	MODEL	CALIBER

# La Grange Police Department

## La Grange PD Policy Manual

### Firearms

---

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

#### 312.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the H&K, MP5, 9mm or Colt, M4, .223. The following additional patrol rifles are approved for on-duty use:

MAKE	MODEL	CALIBER

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

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

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

#### 312.3.4 PERSONALLY OWNED DUTY FIREARMS

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

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.



# La Grange Police Department

## La Grange PD Policy Manual

### Firearms

---

- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

#### 312.3.5 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

#### 312.3.6 AUTHORIZED OFF-DUTY FIREARMS

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

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
  - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.



# La Grange Police Department

## La Grange PD Policy Manual

### Firearms

---

- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badges and La Grange Police Department identification cards under circumstances requiring possession of such identification.

#### 312.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

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

#### 312.4 EQUIPMENT

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

##### 312.4.1 REPAIRS OR MODIFICATIONS

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

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

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

##### 312.4.2 HOLSTERS

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

## Firearms

---

### 312.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

### 312.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

## 312.5 SAFE HANDLING, INSPECTION AND STORAGE

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

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If

## Firearms

---

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

### 312.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

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

### 312.5.2 STORAGE AT HOME

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

### 312.5.3 ALCOHOL AND DRUGS

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

## 312.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their duty firearms (50 ILCS 710/0.01 et seq.).

Members will qualify with off-duty and secondary firearms at least twice a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

### 312.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

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

## Firearms

---

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

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

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

### **312.7 FIREARM DISCHARGE**

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

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

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

#### **312.7.1 DESTRUCTION OF ANIMALS**

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

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

## *Firearms*

---

### **312.7.2 INJURED ANIMALS**

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

### **312.7.3 WARNING AND OTHER SHOTS**

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

### **312.8 RANGEMASTER DUTIES**

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

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

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

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

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

### **312.9 FLYING WHILE ARMED**

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

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

# La Grange Police Department

## La Grange PD Policy Manual

### Firearms

---

- (b) Officers must carry their La Grange Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The La Grange Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the La Grange Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

#### **312.10 CARRYING FIREARMS OUT OF STATE**

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

- (a) The officer shall carry his/her La Grange Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

# La Grange Police Department

## La Grange PD Policy Manual

### *Firearms*

---

- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

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

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



## Vehicle Pursuits

### 314.1 PURPOSE AND SCOPE

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

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

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

#### 314.1.1 VEHICLE PURSUIT DEFINED

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

### 314.2 OFFICER RESPONSIBILITIES

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

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

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



## *Vehicle Pursuits*

---

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

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

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

### 314.2.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

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

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect(s) (e.g., whether the suspect(s) represent a serious threat to public safety).
- (d) The identity of the suspect(s) has been verified and there is comparatively minimal risk in allowing the suspect(s) to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.
- (f) Pursuing officer(s) familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the telecommunicator/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.

## *Vehicle Pursuits*

---

- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources such as helicopter assistance.
- (l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner(s) in the police vehicle.

### 314.2.2 WHEN TO TERMINATE A PURSUIT

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

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

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

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

## *Vehicle Pursuits*

---

### **314.2.3 SPEED LIMITS**

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

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

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

### **314.3 PURSUIT UNITS**

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

#### **314.3.1 SEMI-MARKED AND UNMARKED VEHICLES**

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

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

#### **314.3.2 PRIMARY UNIT RESPONSIBILITIES**

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

## *Vehicle Pursuits*

---

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

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

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

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

### 314.3.3 SECONDARY UNIT(S) RESPONSIBILITIES

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

- (a) The officer in the secondary unit should immediately notify the telecommunicator and supervisor, if feasible, of entry into the pursuit. Until such time that a supervisor assumes responsibility, only one Secondary Unit shall become involved in an ongoing pursuit.
- (b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.
- (c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.
- (d) Upon joining the pursuit or being assigned Secondary Unit responsibilities, the vehicle's emergency warning lights, audible device, and headlights shall be activated.
- (e) If so requested by the Primary Unit or if directed by a supervisor to do so, the Secondary Unit may assume Primary Unit responsibilities. Otherwise, the Secondary Unit may not attempt to overtake or pull alongside the Primary Unit.
- (f) Secondary Unit personnel are responsible for serving as a backup to the Primary Unit. As such, they will respond to directions from the Primary Unit personnel unless otherwise directed by a supervisor or circumstances do not allow.

## *Vehicle Pursuits*

---

### 314.3.4 PURSUIT DRIVING TACTICS

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

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

### 314.3.5 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

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

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

## *Vehicle Pursuits*

---

### **314.3.6 PURSUIT TRAILING**

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

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

### **314.3.7 AIRCRAFT ASSISTANCE**

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

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

## **314.4 SUPERVISORY CONTROL AND RESPONSIBILITY**

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

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

- (a) Upon notification that a pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- (b) The supervisor shall immediately determine whether the pursuit was initiated in accordance with the provisions of this guideline and shall permit the pursuit to be continued only if said guideline has been fully complied with to the best of the supervisor's knowledge.
- (c) Upon being notified of a pursuit, the supervisor shall verify the following:
  - 1. That no more than the required or necessary number of units are involved in the pursuit.
  - 2. That the proper radio frequency is being used.
  - 3. That other agencies are notified as necessary and appropriate.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Pursuits*

---

- (d) The supervisor shall continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- (e) The supervisor shall order a pursuit terminated after concluding danger to the pursuing peace officers or the public outweighs the need for the immediate apprehension of the suspect.
- (f) The supervisor may order a pursuit terminated if the suspect's identity is established to the point where later apprehension is likely and there is no immediate threat to public safety.
- (g) The supervisor should order a pursuit terminated whenever the weather, road, or traffic conditions substantially increase the danger to the public posed by the pursuit beyond the need for immediate apprehension.
- (h) The supervisor should order a pursuit terminated whenever the distance between the pursuing and fleeing vehicles is so great that further pursuit is futile.
- (i) In controlling the pursuit, the supervisor shall be responsible for the coordination of the pursuit as follows:
  - 1. Directing pursuit or support units into or out of the pursuit.
  - 2. The assignment of a Secondary Unit to the pursuit.
  - 3. The re-designation of Primary, Secondary, or other support units as necessary.
  - 4. The approval, disapproval, and coordination of pursuit tactics.
  - 5. The approval or disapproval to cross jurisdictional boundaries in the continuation of the pursuit.
  - 6. Ensure compliance with inter-jurisdictional pursuit agreements.
- (j) The supervisor may approve and assign additional backup or support units to assist the Primary and Secondary Units based upon their analysis of:
  - 1. The nature of the offense for which the pursuit was initiated.
  - 2. The number of suspects and any known propensity for violence.
  - 3. The number of peace officers in the pursuit vehicles.
  - 4. Any damage or injuries to the assigned Primary or Secondary Units or peace officers.
  - 5. The number of peace officers necessary to safely make an arrest at the conclusion of the pursuit.
  - 6. Any other clear and articulable facts that would justify the increased hazards caused by adding more than the Primary and Secondary Units to a pursuit.



## *Vehicle Pursuits*

---

- (k) When the pursuit is terminated, the supervisor shall require that all participating agencies are notified, and identify an on scene supervisor or designee to monitor the arrest and transportation procedures.
- (l) The supervisor shall require throughout the duration of the pursuit that this guideline is followed by all peace officers.

### **314.4.1 WATCH COMMANDER RESPONSIBILITY**

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

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

## **314.5 COMMUNICATIONS**

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

### **314.5.1 THE COMMUNICATIONS CENTER RESPONSIBILITIES**

- (a) Upon notification that a pursuit has been initiated, the Communications Center will:
  - 1. Give priority to the Primary Unit.
  - 2. Notify other units of pursuit, including location, direction of travel, and vehicle description.
  - 3. Keep the channel clear.
  - 4. Notify the Watch Commander and/or patrol supervisor if feasible.
  - 5. Receive and records all incoming information on pursuit.
  - 6. Keep Watch Commander and/or the patrol supervisor apprised of progress of pursuit.
  - 7. Request status when the pursuing peace officer fails to make frequent contact.
  - 8. Notify neighboring jurisdictions of the pursuit approaching their boundaries.
  - 9. Perform relevant records and motor vehicle checks.
  - 10. Coordinate and dispatch backup assistance and air support units under the direction of the supervisor.
- (b) Radio frequency management:



# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Pursuits*

---

1. Pursuit communication will be handled on the frequency designated by the pursuing agency unless one or more of the following conditions exist:
  - (a) The pursuit has or may extend into other jurisdictions.
  - (b) The supervisor directs a switch to ISPERN.
2. Upon using the ISPERN frequency, the Primary Unit shall conform to ISPERN guidelines.

#### **314.5.2 LOSS OF PURSUED VEHICLE**

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

#### **314.6 INTER-JURISDICTIONAL PURSUITS**

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

When a pursuit enters another agency's jurisdiction:

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

#### **314.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY**

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

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

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and ISP units, a request for ISP assistance will

## *Vehicle Pursuits*

---

mean that they will assume responsibilities for the pursuit. For the same reasons, a request for assistance from the ISP should include confirmation that the ISP will relinquish control.

### **314.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION**

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

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

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

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

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

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

### **314.7 PURSUIT INTERVENTION**

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Police Immobilization Technique), ramming, heading off, or roadblock procedures.

#### **314.7.1 WHEN USE AUTHORIZED**

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

## *Vehicle Pursuits*

---

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

### 314.7.2 DEFINITIONS

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

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

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

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

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

### 314.7.3 USE OF FIREARMS/VEHICLE CONTACT ACTION

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

### 314.7.4 INTERVENTION STANDARDS

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

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

## *Vehicle Pursuits*

---

Intervention tactic application circumstances include:

- (a) Officers may use stationary stop techniques to terminate any pursuit so long as the technique is employed in a fashion that is not reasonably calculated to cause death or great bodily harm to persons in the pursued vehicle or others in the vicinity (e.g. the pursued vehicle has sufficient time and distance to stop before reaching the roadblock or the technology employed is designed to disable the vehicle without the loss of control). Where feasible, an officer should obtain authorization from a supervisor before implementing stationary stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.
- (b) Officers may use mobile stop techniques to terminate any pursuit so long as the technique is employed in a fashion that is not reasonably calculated to cause death or great bodily harm to persons in the pursued vehicle or others in the vicinity. Where feasible, an officer should obtain authorization from a supervisor before implementing mobile stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.
- (c) At low speeds the use of forcible stop techniques is permitted when there is legal justification for the use of force. Where feasible, an officer should obtain authorization from a supervisor before implementing forcible stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.
- (d) At high speeds the use of forcible stop techniques is permitted only when there is legal justification for the use of deadly force. Where feasible, an officer should obtain authorization from a supervisor before implementing forcible stop techniques. Absent exigent circumstances, such techniques should not be employed by officers that have not been trained in application of the selected technique.

### **314.7.5 CAPTURE OF SUSPECTS**

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

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

### **314.8 REPORTING REQUIREMENTS**

Officers shall complete an appropriate report of the pursuit incident and assign a case reporting number to each pursuit incident. If involved in inter-jurisdictional pursuit, obtain an Illinois State

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Pursuits*

---

Police Emergency Radio Network (ISPERN) number in addition to their own case reporting number.

- (a) Pursuit incidents will be investigated thoroughly. The acquisition of statements, photographs, drawings, preliminary medical reports and any other evidentiary items that are or could be relevant to the conduct of the pursuit incident should be completed.
- (b) A memorandum shall be completed briefly summarizing the pursuit to his/her department manager. This memo should minimally contain the following information:
  - 1. Date and time of pursuit.
  - 2. Length of pursuit.
  - 3. Involved units and officers.
  - 4. Initial reason for pursuit.
  - 5. Starting and termination points.
  - 6. Disposition: arrest, citation, etc. Arrestee information should be provided if applicable.
  - 7. Injuries and/or property damage.
  - 8. Medical treatment.
  - 9. Name of supervisor at scene.
  - 10. A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow up is warranted.
- (c) The "Pursuit Driving Report" shall be completed. The "Pursuit Driving Report" should be submitted through the chain of command for internal evaluation and review to determine:
  - 1. Guideline compliance.
  - 2. Operational needs.
  - 3. Future training needs.
- (d) The "Pursuit Driving Report" will be submitted to the Illinois Law Enforcement Training Standards Board, 4500 South Sixth Street Road, Room 173, Springfield, Illinois 62703-6617, by each agency involved in a pursuit.

#### 314.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

All sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Pursuits*

---

public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

#### **314.8.2 POLICY REVIEW**

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

#### **314.9 APPLICATION OF VEHICLE PURSUIT POLICY**

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

#### **314.10 PURSUIT DRIVING REPORT FORM**

See attachment: [Pursuit Driving Report.jpg](#)

# Officer Response to Calls

## 316.1 PURPOSE AND SCOPE

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

## 316.2 RESPONSE TO CALLS

Officers dispatched using emergency lights and siren shall consider the call an emergency response and proceed immediately. Officers responding using emergency lights and siren shall continuously operate emergency lighting equipment, and shall sound the siren as reasonably necessary.

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

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

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

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

## 316.3 REQUESTING EMERGENCY ASSISTANCE

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

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

- The unit number
- The location
- The reason for the request and type of emergency

## *Officer Response to Calls*

---

- The number of units required

### **316.3.1 NUMBER OF UNITS ASSIGNED**

Normally, only one unit should respond to an emergency call Code-3 unless the Watch Commander or the field supervisor authorizes an additional unit(s).

### **316.4 RESPONSIBILITIES OF RESPONDING OFFICER(S)**

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

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify the Communications Center. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

### **316.5 FAILURE OF EMERGENCY EQUIPMENT**

If the emergency equipment on the vehicle should fail to operate, the officer shall immediately notify the Telecommunication Center of the equipment failure so that another unit may be assigned to the emergency response.



# Canines

## 318.1 PURPOSE AND SCOPE

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

## 318.2 POLICY

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

## 318.3 ASSIGNMENT

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

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

## 318.4 CANINE COORDINATOR

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

The responsibilities of the coordinator include but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
  - 1. Ensure all department vehicles used to transport canines are equipped with a heat sensor monitoring device that meets the requirements of 510 ILCS 83/15.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

## Canines

---

### 318.5 REQUESTS FOR CANINE TEAMS

Operations Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Division shall be reviewed by the Watch Commander.

#### 318.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following:

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

#### 318.5.2 PUBLIC DEMONSTRATION

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

### 318.6 APPREHENSION GUIDELINES

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

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

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

## Canines

---

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

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

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

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

### 318.6.1 PREPARATION FOR DEPLOYMENT

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

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

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

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

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

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

## *Canines*

---

### 318.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

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

### 318.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES

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

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

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

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

### 318.7 NON-APPREHENSION GUIDELINES

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

- (a) Absent a change in circumstances that presents an immediate threat to officers, the canine, or the public, such applications should be conducted on-leash or under

## Canines

---

conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

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

### 318.7.1 ARTICLE DETECTION

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

### 318.7.2 NARCOTICS DETECTION

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

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

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

### 318.7.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

## Canines

---

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

### **318.8 HANDLER SELECTION**

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
- (c) A garage that can be secured and can accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the La Grange Village limits.
- (e) Agreeing to be assigned to the position for a minimum of three years.

### **318.9 HANDLER RESPONSIBILITIES**

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

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the La Grange Police Department facility.
- (e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the Village at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Watch Commander.

## Canines

---

- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Watch Commander.
- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.
- (l) The handler shall ensure the canine receives an annual medical examination by a licensed veterinarian (510 ILCS 83/10).

### 318.9.1 EXPLOSIVE TRAINING AIDS

Explosive training aids are required to effectively train and maintain the skills of explosives detection dogs and can also provide effective training for law enforcement personnel and the public. Peace officers are permitted by law to possess, transport, store or use explosives or destructive devices while acting within the scope and course of employment. Explosive training aids designed specifically for K-9 teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids is subject to the following requirements:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials they contain.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids held by the Canine Unit.
- (c) The Canine Coordinator shall be responsible to verify the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the Canine Unit shall have access to the explosive training aid storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or second person on scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aid shall be promptly reported to the Unit Supervisor in writing who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

### 318.9.2 CANINE IN PUBLIC AREAS

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

- (a) A canine shall not be left unattended in any area to which the public may have access.



## Canines

---

- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

### **318.10 CANINE INJURY AND MEDICAL CARE**

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

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

### **318.11 TRAINING**

Before assignment in the field, each narcotic detection canine team shall be trained and certified to meet current requirements established by the Illinois Law Enforcement Training and Standards Board (ILETSB) (50 ILCS 705/10.12). Cross-trained canine teams or those canine teams trained exclusively for the detection of explosives also should be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members to familiarize them with how to conduct themselves in the presence of department canines. The canine coordinator shall also be responsible for scheduling periodic training for all canine handlers in the recognition and treatment of a canine's exposure to dangerous substances such as opioids.

All canine training should be conducted while on-duty unless otherwise approved by the canine coordinator or Watch Commander.

#### **318.11.1 CONTINUED TRAINING**

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

- (a) Canine teams should receive training as defined in the current contract with the La Grange Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

#### **318.11.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING**

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably



### *Canines*

---

practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

#### 318.11.3 TRAINING RECORDS

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

#### 318.11.4 TRAINING AIDS

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

#### 318.11.5 CONTROLLED SUBSTANCE TRAINING AIDS

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

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

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

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

#### 318.11.6 CONTROLLED SUBSTANCE PROCEDURES

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

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured

## Canines

---

in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

### 318.11.7 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; 225 ILCS 210/2001).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- (c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

### 318.12 CANINE RETIREMENT

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

# Domestic Violence

## 320.1 PURPOSE AND SCOPE

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

### 320.1.1 DEFINITIONS

Definitions related to this policy include:

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

## 320.2 POLICY

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

## 320.3 OFFICER SAFETY

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

## 320.4 INVESTIGATIONS

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

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

# La Grange Police Department

## La Grange PD Policy Manual

### *Domestic Violence*

---

- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigation Division in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence (725 ILCS 5/112A-30).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred (725 ILCS 5/112A-30). Factors that should not be used as sole justification for declining to take enforcement action include:
  - 1. Marital status of suspect and victim.
  - 2. Whether the suspect lives on the premises with the victim.
  - 3. Claims by the suspect that the victim provoked or perpetuated the violence.
  - 4. The potential financial or child custody consequences of arrest.
  - 5. The physical or emotional state of either party.
  - 6. Use of drugs or alcohol by either party.
  - 7. Denial that the abuse occurred where evidence indicates otherwise.
  - 8. A request by the victim not to arrest the suspect.
  - 9. Location of the incident (public/private).
  - 10. Speculation that the complainant may not follow through with the prosecution.
  - 11. The racial, cultural, social, professional position, or sexual orientation of the victim or suspect.

#### **320.4.1 IF A SUSPECT IS ARRESTED**

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.

## *Domestic Violence*

---

- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

### **320.4.2 IF NO ARREST IS MADE**

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
  - 1. Voluntary separation of the parties.
  - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

### **320.4.3 ELECTRONIC SURVEILLANCE ALERTS**

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

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

If the offender is located within a prohibited location of the victim, an officer should consider whether an arrest for a violation of the conditional discharge, bail, supervision or order of protection is appropriate.

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

## **320.5 VICTIM ASSISTANCE**

Victims may be traumatized or confused. Officers should (725 ILCS 5/112A-30):

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (c) Alert the victim to any available victim advocates, shelters, and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.

## *Domestic Violence*

---

- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

### **320.6 DISPATCH ASSISTANCE**

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

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

### **320.7 FOREIGN COURT ORDERS**

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

### **320.8 VERIFICATION OF COURT ORDERS**

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

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

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

## *Domestic Violence*

---

### **320.9 LEGAL MANDATES AND RELEVANT LAWS**

Illinois law provides for the following:

#### **320.9.1 STANDARDS FOR ARRESTS**

- (a) Whenever an officer has reason to believe that a person has been the victim of domestic abuse, the officer shall immediately use all reasonable means to prevent further abuse including arresting the abusing, neglecting and exploiting party, where appropriate (725 ILCS 5/112A-30).
- (b) Officers investigating reports of domestic violence should consider the appropriate charges, including Domestic Battery, Aggravated Domestic Battery and Interfering with the Reporting of Domestic Violence (720 ILCS 5/12-3.2; 720 ILCS 5/12-3.3; 720 ILCS 5/12-3.5).
- (c) Officers investigating a domestic violence incident, who encounter an individual on bail or bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition or bond or bail by making contact or communicating with the victim, or by entering or remaining at the victim's residence within 72 hours following the defendant's release (725 ILCS 5/110-10(d)).

#### **320.9.2 REPORTS AND RECORDS**

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

- (a) Officers shall include in their reports the victim's statements as to the frequency and severity of prior incidents of domestic violence by the person and the number of prior calls for law enforcement assistance to prevent domestic violence (750 ILCS 60/303; 725 ILCS 5/112A-29).
- (b) Reports must also include information regarding the victim, suspect, date and time of the incident, any injury inflicted, any weapons involved, and the relationship between the victim and the suspect so that the Records Supervisor is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

#### **320.9.3 SPECIFIC VICTIM ISSUES**

Officers should:

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

#### **320.9.4 COURT ORDER RELATED TO PEACE OFFICERS**

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



# La Grange Police Department

## La Grange PD Policy Manual

### *Domestic Violence*

---

If the respondent officer is employed by the La Grange Police Department, the investigating officer shall take any necessary enforcement actions, promptly submit the appropriate report and notify the Chief of Police of the incident through the chain of command.

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

#### 320.9.5 SERVICE OF COURT ORDERS

A summons, along with the petition for protective order, supporting affidavits, if any, and any ex parte protective order that has been issued, shall be served at the earliest time possible and take precedence over service of other summonses, except those of a similar emergency nature (725 ILCS 5/112A-5.5; 725 ILCS 5/112A-17.5).

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

If the La Grange Police Department receives a copy of an ex parte protective order issued to a person who is in custody, an officer shall make reasonable efforts to serve the protective order or a short form notification on the person before he/she is released from custody (725 ILCS 112A-22).



# Workplace Violence

## 321.1 PURPOSE AND SCOPE

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

### 321.1.1 DEFINITIONS

Definitions related to this policy include:

**Workplace violence** - The commission or threatened commission of an act of violence, harassment or stalking as defined under the Illinois Criminal Code of 2012 against a person at his/her place of work. Place of work means any property that is owned or leased by the employer and at which the official business of the employer is conducted, as defined by the Workplace Violence Prevention Act (820 ILCS 275/10).

## 321.2 POLICY

It is the policy of this department to investigate workplace violence as a serious crime and to facilitate employer and victim access to appropriate civil remedies and community resources whenever feasible.

## 321.3 INVESTIGATIONS

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

- (a) Calls of reported, threatened, imminent or ongoing workplace violence may also involve incidents of domestic violence. Members should consider whether a related domestic violence investigation should also be conducted, as provided in the Domestic Violence Policy.
- (b) Members should take reasonable steps to prevent any further workplace violence, including making an arrest where appropriate.
- (c) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (d) Officers should advise the employer and victim about seeking medical attention and preserving evidence (specifically including photographs of injury or damage).
- (e) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

## Workplace Violence

---

- (f) All responses to calls of workplace violence should be documented in an appropriate report.

### **321.4 EMPLOYER AND VICTIM ASSISTANCE**

Officers should:

- (a) If a suspect is arrested, advise the employer and victim that there is no guarantee the suspect will remain in custody.
  - 1. Members should also provide the employer's and victim's contact information to the jail staff to enable notification upon the suspect's release from jail.
- (b) If no arrest is made, inform the victim of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer or other official in accordance with local procedure.
- (c) Provide the victim with the department's domestic violence information handout, if appropriate.
- (d) Advise the parties of available resources, such as victim advocates, shelters or other community resources.
- (e) Accompany the victim to his/her place of residence for a reasonable period of time to remove essential items of personal property if appropriate.
- (f) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (g) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (h) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (i) Assist the employer and victim in obtaining an emergency order if appropriate.
  - 1. Victims may require assistance with transportation to apply for an emergency order of protection.
  - 2. Employers may apply for workplace protection orders if any act of violence, harassment or stalking has been carried out or threatened to be carried out at the workplace (820 ILCS 275/15).
- (j) Officers who are investigating a workplace violence incident and encounter a workplace violence suspect who is on bail or bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of bond or bail, for example by making contact or

## *Workplace Violence*

---

communicating with a domestic violence victim within 72 hours of release (725 ILCS 5/110-10(d)).

### **321.5 REPORTS AND RECORDS**

The La Grange Police Department is required to record, compile and report to the Illinois State Police information regarding workplace crimes (750 ILCS 60/303).

- (a) Officers shall include in their reports the employer's and victim's statements as to the frequency and severity of prior incidents of violence, harassment or stalking by the person and the number of prior calls for law enforcement assistance.
- (b) The Records Supervisor shall maintain and periodically report workplace violence information in the form and manner required by the Illinois State Police.

## Search and Seizure

### 322.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for La Grange Police Department personnel to consider when dealing with search and seizure issues.

### 322.2 POLICY

It is the policy of the La Grange Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

### 322.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be permissible. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with the subject's clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

## *Search and Seizure*

---

### **322.4 SEARCH PROTOCOL**

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
  1. Another officer or a supervisor should witness the search.
  2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

### **322.5 DOCUMENTATION**

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

## Temporary Custody of Juveniles

### 324.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the La Grange Police Department (34 USC § 11133).

#### 324.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

**Juvenile offender** - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated 720 ILCS 5/24-3.1 by possessing a handgun (28 CFR 31.303; 705 ILCS 405/5-105).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

## *Temporary Custody of Juveniles*

---

**Sight and sound separation** - Located or arranged to prevent physical, visual, or auditory contact.

**Status offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession or tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

### **324.2 POLICY**

The La Grange Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the La Grange Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

### **324.3 JUVENILES WHO SHOULD NOT BE HELD**

Juveniles who exhibit any of the following conditions should not be held at the La Grange Police Department:

- (a) Unconsciousness
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention, or mental health assistance, and notify a supervisor of the situation.

These juveniles should not be held at the La Grange Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed.

### **324.4 CUSTODY OF JUVENILES**

Officers should take custody of a juvenile and temporarily hold the juvenile at the La Grange Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the La Grange Police Department without authorization of the arresting officer's supervisor or the Watch Commander.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult, or transferred to a juvenile custody facility, or to other authority as soon as

## *Temporary Custody of Juveniles*

---

practicable, and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the La Grange Police Department (34 USC § 11133; 20 Ill. Adm. Code 720.30).

### **324.4.1 CUSTODY OF JUVENILE NON-OFFENDERS**

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the La Grange Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133; 705 ILCS 405/5-410; 705 ILCS 405/2-6).

A juvenile taken into protective custody for prostitution should be reported to the Illinois Department of Children and Family Services (720 ILCS 5/11-14).

### **324.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS**

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

### **324.4.3 CUSTODY OF JUVENILE OFFENDERS**

Juvenile offenders should be held in non-secure custody while at the La Grange Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when (705 ILCS 405/5-401):

- (a) Probable cause exists to believe he/she has violated, or attempted to violate, a law or ordinance.
- (b) The juvenile has been adjudged a ward of the court and has escaped from any commitment ordered by the court.
- (c) An officer reasonably believes the juvenile has violated court-ordered conditions of probation or supervision.

The officer shall promptly take the juvenile to the nearest juvenile police officer (705 ILCS 405/2-6; 705 ILCS 405/3-8).

The officer shall submit a completed report to the Watch Commander.

## **324.5 ADVISEMENTS**

An officer who takes a juvenile into custody without a warrant shall immediately make a reasonable attempt to notify the parent, guardian or the person with whom the juvenile resides that the juvenile has been taken into custody and where the juvenile is being held (705 ILCS 405/2-6).



## *Temporary Custody of Juveniles*

---

### **324.6 JUVENILE CUSTODY LOGS**

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including (705 ILCS 405/5-410):

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the La Grange Police Department.
- (c) Watch Commander notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

### **324.7 NO-CONTACT REQUIREMENTS**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; 705 ILCS 405/5-410). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the La Grange Police Department shall maintain a constant, immediate presence with the juvenile, or the adult to minimize any contact. If inadvertent, or accidental contact does occur, reasonable efforts shall be taken to end the contact.

### **324.8 TEMPORARY CUSTODY REQUIREMENTS**

Members and supervisors assigned to monitor or process any juvenile at the La Grange Police Department shall ensure the following:

- (a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the La Grange Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the La Grange Police Department more than six hours.
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.

## *Temporary Custody of Juveniles*

---

- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Blankets should be provided as reasonably necessary.
- (l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (m) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

### **324.9 USE OF RESTRAINT DEVICES**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the La Grange Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

### **324.10 PERSONAL PROPERTY**

The officer taking custody of a juvenile offender or status offender at the La Grange Police Department shall ensure a thorough search of the juvenile's property is made and all property is

## *Temporary Custody of Juveniles*

---

removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the La Grange Police Department.

### **324.11 SECURE CUSTODY**

Only juvenile offenders 10 years of age or older may be placed in secure custody (705 ILCS 405/5-410). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

#### **324.11.1 LOCKED ENCLOSURES**

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire time in custody.
- (b) Juveniles shall have constant auditory access to department members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
  1. All checks shall be logged.
  2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
  3. Requests or concerns of the juvenile should be logged.

## *Temporary Custody of Juveniles*

---

- (e) Males and females shall not be placed in the same locked room.
- (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

### **324.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE**

The Watch Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the La Grange Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police, and Investigation Division supervisor.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the Village Attorney.
- (e) Evidence preservation.
- (f) Reporting to the Office of Jail and Detention Standards (20 Ill. Adm. Code 720.130).

### **324.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

A juvenile under 15 years of age at the time of the commission of any of the offenses listed in 705 ILCS 405/5-170 (e.g., homicide, criminal sexual assault, criminal sexual abuse) must be represented by legal counsel during the entire custodial interrogation of the juvenile.

Oral, written or sign-language statements of a juvenile under the age of 18 who is subject to custodial interrogation while in custody at a police station or other custodial location are governed by the Investigation and Prosecution Policy (705 ILCS 405/5-401.5).

A juvenile who was under the age of 18 at the time of the commission of the offense should be read the simplified *Miranda* warning and asked the following questions as set forth in 705 ILCS 405/5-401.5 and 725 ILCS 5/103-2.1:

- (a) Do you want to have a lawyer?
- (b) Do you want to talk to me?

#### **324.13.1 INVESTIGATIONS ON SCHOOL PROPERTY**

Before detaining and questioning a juvenile student during regular hours on school grounds, an officer should make a reasonable effort to notify and have the juvenile's parent or guardian present during questioning unless the officer reasonably believes that urgent and immediate action is necessary to do any of the following (105 ILCS 5/22-85):

- (a) Prevent bodily harm or injury to a person

## *Temporary Custody of Juveniles*

---

- (b) Apprehend an armed or fleeing suspect
- (c) Prevent the destruction of evidence
- (d) Address an emergency or other dangerous situation

The officer should document the time and manner by which the attempted notification or notification of the juvenile's parent or guardian was made.

If the juvenile's parent or guardian is not in attendance during questioning, the officer should have a guidance counselor, nurse, social worker, and/or mental health professional of the school present. If practicable, an officer trained or certified in juvenile investigations should be present or conduct the questioning of the juvenile (105 ILCS 5/22-85).

### **324.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING**

Juveniles over the age of 10 will be fingerprinted and photographed on all offenses that would be a felony if committed by an adult and serious traffic-related offenses as described in 20 ILCS 2630/5. Fingerprints and photographs may be obtained from juveniles for all other offenses (705 ILCS 405/1-7(B)).

Fingerprints, photographs, and other required information of juveniles will be transmitted to the Department of State Police as described in 705 ILCS 405/1-7(B) and 20 ILCS 2630/5.

No student booking station shall be established or maintained on the grounds of any school (105 ILCS 5/10–20.64; 105 ILCS 5/34–18.57).

## Adult Abuse

### 326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for La Grange Police Department members as required by law.

#### 326.1.1 DEFINITIONS

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency.

### 326.2 POLICY

The La Grange Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

### 326.3 MANDATORY NOTIFICATION

- (a) Within 24 hours members of the La Grange Police Department shall notify the Illinois Department on Aging or other designated social services agency when:
  - 1. There is reason to believe that an eligible adult, who because of a disability or other condition or impairment, is unable to seek assistance for him/herself, and;
  - 2. Has, within the previous 12 months, been subjected to abuse, neglect or financial exploitation (320 ILCS 20/4).
- (b) For purpose of this notification, an eligible adult means either:
  - 1. An adult whose disability impairs his/her ability to seek or to obtain protection from abuse, neglect or exploitation, and is 18 through 59 years old.
  - 2. A person 60 years of age or older who resides in a domestic living situation.
- (c) Incidents of alleged abuse shall continue to be reported pursuant to the Illinois Domestic Violence Act (320 ILCS 20/4).
- (d) The La Grange Police Department shall also notify the Department of Aging whenever it determines a death of an eligible adult was caused by abuse or neglect by a caregiver (320 ILCS 20/3).

### 326.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.

## *Adult Abuse*

---

- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (320 ILCS 20/3).

### **326.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Whether a protective order petition should be filed on behalf of the victim when there is a reasonable belief that the victim is incapable of filing a petition for him/herself (750 ILCS 60/201). Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.



## *Adult Abuse*

---

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

### **326.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the Illinois Department on Aging or other designated social services agency. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the Illinois Department on Aging or other designated social services agency.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

### **326.7 ELDERLY SERVICE OFFICER**

The Chief of Police will designate at least one full-time sworn police officer as an Elderly Service Officer.

All officers designated as an Elderly Service Officer also known as an ESO shall attend training as prescribed by the Illinois Law Enforcement Training Standards Board.

#### **326.7.1 DUTIES**

The duties of the Elderly Service Officer will include:

- Liaison with the South West Senior Center on Aging
- Liaison with the Illinois Department of Aging
- Attend scheduled Community Action Team meetings.
- Attend scheduled M-Team meetings.
- Duties assigned by the Chief of Police.



## *Adult Abuse*

---

### **326.8 INTERVIEWS**

#### **326.8.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

#### **326.8.2 DETAINING VICTIMS FOR INTERVIEWS**

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

### **326.9 MEDICAL EXAMINATIONS**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

### **326.10 DRUG-ENDANGERED VICTIMS**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

#### **326.10.1 SUPERVISOR RESPONSIBILITIES**

The Investigation Division supervisor should:

## *Adult Abuse*

---

- (a) Work with professionals from the appropriate agencies, including Illinois Department on Aging or other social services agency designated to investigate adult abuse, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

### **326.10.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives there should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigation Division supervisor so an interagency response can begin.

## **326.11 STATE MANDATES AND OTHER RELEVANT LAWS**

### **326.11.1 RECORDS SECTION RESPONSIBILITIES**

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse report to the Department on Aging or the designated social services agency as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

### **326.11.2 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Management and Release Policy (320 ILCS 20/8).

### **326.11.3 SUMMARY REPORTS OF DEATH INVESTIGATIONS**

This department will provide, upon request, a summary of actions taken in response to a reported death of an eligible adult to a public or nonprofit agency that has been approved by the Department on Aging to receive and assess such reports (320 ILCS 20/3).

## *Adult Abuse*

---

### **326.12 TRAINING**

This department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

---

# Discriminatory Harassment

## 328.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

## 328.2 POLICY

The La Grange Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against members in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

## 328.3 DISCRIMINATION PROHIBITED

### 328.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law (775 ILCS 5/1-103; 775 ILCS 5/2-102; 820 ILCS 180/30).

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

## *Discriminatory Harassment*

---

### 328.3.2 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment (775 ILCS 5/2–102). It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

### 328.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Illinois Department of Human Rights guidelines.
- (b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with Village or departmental rules or regulations, or any other appropriate work-related communication between supervisor and member.

### 328.3.4 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated (820 ILCS 180/20; 820 ILCS 180/30).

### 328.3.5 HARASSMENT

Harassment is any unwelcome conduct based on a classification or status protected by law that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment, either within or outside of the physical area the individual is assigned to work (775 ILCS 5/2-101).

Harassment, including sexual harassment, against non-employees in the workplace or while on-duty (including contractors and consultants conducting business with the Department) is prohibited (775 ILCS 5/2-102).

## *Discriminatory Harassment*

---

### **328.4 RESPONSIBILITIES**

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, Assistant Village Manager or the Village Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violation of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

#### **328.4.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of each supervisor and manager shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or Assistant Village Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

#### **328.4.2 SUPERVISOR'S ROLE**

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating

## *Discriminatory Harassment*

---

or counseling members, or issuing discipline in a manner that is consistent with established procedures.

### **328.5 INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated.

#### **328.5.1 SUPERVISORY RESOLUTION**

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

#### **328.5.2 FORMAL INVESTIGATION**

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Assistant Village Manager or the Village Manager.

#### **328.5.3 ALTERNATIVE COMPLAINT PROCESS**

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.



# La Grange Police Department

## La Grange PD Policy Manual

### *Discriminatory Harassment*

---

#### **328.6 NOTIFICATION OF DISPOSITION**

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

#### **328.7 DOCUMENTATION OF COMPLAINTS**

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- Approved by the Chief of Police, the Village Manager, or the Assistant Village Manager, depending on the ranks of the involved parties.
- Maintained in accordance with the established records retention schedule.

#### **328.8 TRAINING**

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her affiliation with the La Grange Police Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

##### **328.8.1 QUESTIONS OR CLARIFICATION**

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, manager, the Chief of Police, Assistant Village Manager or the Village Manager for further information, direction or clarification.

##### **328.8.2 NOTICE**

A notice of member rights under the Illinois Human Rights Act summarizing the requirements of the Act and information pertaining to the filing of a charge, including the right to be free from unlawful discrimination and the right to certain reasonable accommodations, shall be posted in a conspicuous location at the La Grange Police Department or in an employee handbook (775 ILCS 5/2-102(K)(1)).

##### **328.8.3 STATE-REQUIRED TRAINING**

All members should also participate annually in harassment and discrimination prevention training (5 ILCS 430/5-10.5).

The Training Supervisor should develop a training program that meets the requirements for harassment and discrimination training in 5 ILCS 430/5-10.5 and which includes sexual harassment prevention training consistent with the model sexual harassment prevention program created by the Illinois Department of Human Rights (775 ILCS 5/2-109).



# Child Abuse

## 330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when La Grange Police Department members are required to notify the Illinois Department of Children and Family Services (DCFS) of suspected child abuse.

### 330.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency (325 ILCS 5/3).

## 330.2 POLICY

The La Grange Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCFS is notified as required by law.

## 330.3 MANDATORY NOTIFICATION

Members of the La Grange Police Department shall notify DCFS when they have reasonable cause to believe a child known to them in their official capacity was abused by a parent, immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child or a paramour of the child's parent. Members must also report any case of a neglected child (325 ILCS 5/4; 325 ILCS 5/3).

For purposes of notification, abuse includes physical injuries, risk of physical injuries, sex offenses, torture, excessive corporal punishment, female genital mutilation, etc. Neglect includes failure to provide necessary nourishment or medical care or blatant disregard of parent or caretaker responsibilities. Full definitions of abuse and neglect are provided in 325 ILCS 5/3.

### 330.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (325 ILCS 5/7):

- (a) All notifications of suspected child abuse or neglect shall be made immediately, either to DCFS on the statewide, toll-free telephone number, in person or by telephone through the nearest DCFS office (325 ILCS 5/7.6; 89 Ill. Adm. Code 300.30).
- (b) Notification, when possible, shall include:
  1. The name and address of the child and his/her parents or other persons having custody.

## *Child Abuse*

---

2. The child's age, the nature of the child's condition, including any evidence of previous injuries or disabilities.
  3. Any other information that the person filing the report believes might be helpful in establishing the cause of abuse or neglect and the identity of the person believed to have caused such abuse or neglect.
- (c) A member who suspects that a child has died as a result of child abuse or neglect shall also immediately report his/her suspicion to the appropriate Medical Examiner (325 ILCS 5/4.1).

### **330.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

### **330.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

## *Child Abuse*

---

- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Other investigative steps taken in compliance with any applicable county Child Advocacy Advisory Board protocol the La Grange Police Department follows (55 ILCS 80/3).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

### **330.6 PROTECTIVE CUSTODY**

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCFS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DCFS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (325 ILCS 5/5):

- (a) A court has ordered the removal of the child.
- (b) A court has not ordered the removal of the child but there is reason to believe the child cannot be cared for at home or in the custody of the person responsible for the child's welfare without endangering the child's health or safety, and there is no time to apply for a court order for temporary custody of the child.

## *Child Abuse*

---

### **330.6.1 PROCEDURE**

A department member taking a child into temporary protective custody shall immediately (325 ILCS 5/5):

- (a) Make every reasonable effort to notify the person responsible for the child's welfare.
- (b) Notify DCFS.

See the Abandoned Newborn Infant Protection Policy for guidance regarding the Abandoned Newborn Infant Protection Act (325 ILCS 2/10 et seq.).

### **330.7 INTERVIEWS**

#### **330.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

#### **330.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW**

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
  - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

### **330.8 MEDICAL EXAMINATIONS**

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

## *Child Abuse*

---

### **330.9 DRUG-ENDANGERED CHILDREN**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

#### **330.9.1 SUPERVISOR RESPONSIBILITIES**

The Investigation Division Supervisor should:

- (a) Work with professionals from the appropriate agencies, including DCFS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Division Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

#### **330.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigation Division Supervisor so an interagency response can begin.

### **330.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Illinois requires or permits the following:

#### **330.10.1 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (325 ILCS 5/11).

#### **330.10.2 CHILD ADVOCACY ADVISORY BOARD PROTOCOL**

This department has adopted the Illinois Child Advocacy Advisory Board's protocol governing the investigation of child maltreatment including sexual abuse, physical abuse, exploitation and neglect of a child.

All investigations and interviews conducted by this department shall comply with this protocol, with the procedures to be used in investigating and prosecuting cases arising from alleged child maltreatment and in coordinating treatment referrals for the child and his/her family (55 ILCS 80/3).

## *Child Abuse*

---

### **330.10.3 ACKNOWLEDGEMENT OF REPORTING RESPONSIBILITY**

The Administration supervisor shall ensure that members of this department who are directly involved in the enforcement of the law sign statements acknowledging that they are mandated to notify DCFS of suspected child abuse and neglect. The statement shall be on a form prescribed by DCFS. It shall be signed before beginning employment and shall be retained by this agency as a permanent part of the personnel record (325 ILCS 5/4).

### **330.10.4 ASSISTANCE TO CHILD PROTECTIVE SERVICES INVESTIGATORS**

Upon receiving a request for assistance from a child protective services investigator involving an investigation of a high-risk report of child abuse or neglect officers should determine the reason for the request. If the protective services investigator reasonably believes that the person being investigated has a potential for violence, officers should accompany him/her. However, if resources are limited or unavailable, officers should notify the Watch Commander to arrange for the assistance to occur at a mutually agreeable time (325 ILCS 5/7.2).

### **330.10.5 SEXUAL ABUSE INVOLVING SCHOOL PERSONNEL**

In all reported incidents of sexual abuse of a child involving school personnel, including vendors or volunteers, the Investigation Division supervisor or authorized designee shall notify the relevant school when the investigation has been suspended or completed, as well as the outcome of the investigation (105 ILCS 5/22-85).

## **330.11 TRAINING**

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

### **330.11.1 TRAINING RECORDS**

In addition to providing copies of completed mandated reporter training records to the Training Supervisor as required in the Personnel Records Policy, members should maintain records of their completed training and forward copies to their licensing or certification board (325 ILCS 5/4).

# Missing Persons

## 332.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

### 332.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk missing person** - A person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include but are not limited to any of the following (50 ILCS 722/10(a)(1)):

- (a) The person is missing as a result of a stranger abduction.
- (b) The person is missing under suspicious circumstances.
- (c) The person is missing under unknown circumstances.
- (d) The person is missing under known dangerous circumstances.
- (e) The person is missing more than 30 days.
- (f) The person has already been designated as a high-risk missing person by another law enforcement agency.
- (g) There is evidence that the person is at risk because:
  - 1. The person is in need of medical attention, including persons with dementia-like symptoms, or in need of prescription medication.
  - 2. The person does not have a pattern of running away or disappearing.
  - 3. The person may have been abducted by a non-custodial parent.
  - 4. The person is mentally impaired, or is developmentally or intellectually disabled.
  - 5. The person is under the age of 21.
  - 6. The person has been the subject of past threats or acts of violence.
  - 7. The person has eloped from a nursing home.
  - 8. The person is a veteran, active duty, or reserve member of the United States Armed Forces or National Guard, and is believed to have a physical or mental health condition related to his/her service.
- (h) Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18, reported to the Department as abducted, lost or a runaway, whose identity is entered into the Law Enforcement Agencies Data System (LEADS) (325 ILCS 55/1(c)).



## *Missing Persons*

---

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and LEADS (20 Ill. Adm. Code 1291.40).

### **332.2 POLICY**

The La Grange Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The La Grange Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

### **332.3 REQUIRED FORMS AND DNA COLLECTION KITS**

The Investigation Division supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form (50 ILCS 722/5(c))
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- DNA collection kits

### **332.4 ACCEPTANCE OF REPORTS**

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (50 ILCS 722/5(a)).

#### **332.4.1 REPORTS OF MISSING CHILDREN**

Any member taking a report of a missing person under the age of 18 shall provide the reporting party with the following information (325 ILCS 40/7.2):

- (a) The 24-hour toll-free telephone numbers for:
  - 1. The National Center for Missing and Exploited Children® (NCMEC).
  - 2. The National Runaway Safeline.
- (b) A description of the services provided to families of missing children by NCMEC and the National Runaway Safeline.



## *Missing Persons*

---

### **332.5 INITIAL INVESTIGATION**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be a high-risk missing person.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast an alert if the person is under 18 years of age or there is evidence that the missing person is high-risk. If the missing person is under 18, the alert should be broadcast immediately or as soon as practicable, but in no event more than one hour after determining the missing person may be high-risk (325 ILCS 40/7).
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
  - 1. Immediately when the missing person is high-risk.
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided DNA sample of the missing person, if available (e.g., toothbrush, hairbrush). Any DNA samples obtained shall immediately be forwarded to the Illinois State Police for analysis (50 ILCS 722/5(d)(3)).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) If the missing person is a child, immediately contact the State Missing Persons Clearinghouse (325 ILCS 40/7(b)).

## Missing Persons

---

- (k) In the event that a missing child is not found during the shift in which the report was made, information regarding the missing child shall be disseminated to all sworn officers in the Department (325 ILCS 40/7(b)).

### **332.6 REPORT PROCEDURES AND ROUTING**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

#### **332.6.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to the Records Section.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

#### **332.6.2 RECORDS SECTION RESPONSIBILITIES**

The responsibilities of the Records Section member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigation Division.
- (e) Coordinating with the NCIC Terminal Contractor for Illinois to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

### **332.7 INVESTIGATION DIVISION FOLLOW-UP**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

# La Grange Police Department

## La Grange PD Policy Manual

### Missing Persons

---

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The notice shall be in writing and should also include a photograph.
  - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Shall attempt to obtain, if not previously received, the following (50 ILCS 722/5(d)):
  - 1. DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including but not limited to the Local DNA Index System (LDIS), State DNA Index System (SDIS), and National DNA Index System (NDIS).
  - 2. An authorization to release dental or skeletal X-rays of the missing person.
  - 3. Any additional photographs of the missing person that may aid with the investigation or an identification and enter the photograph into applicable missing person networks (34 USC § 41308). No written authorization to publicly release any photograph that would aid in the investigation or identification of the missing person is required.
    - (a) If the missing person is under 18 years of age, the photographs should be forwarded to the Illinois State Police and LEADS.
  - 4. Dental information and X-rays.
  - 5. Fingerprints.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update LEADS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and NCMEC if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records.

## Missing Persons

---

- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) Shall immediately begin an investigation and notify the Illinois State Police if information is received that a request for the birth certificate, school record, or any other information concerning a missing child has been made (325 ILCS 55/6).
- (l) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

### 332.7.1 NOTIFICATION TO REPORTING PERSON

The investigator shall notify the person making the report, a family member or other person in a position to assist the Department in its efforts to locate the missing person of the following (50 ILCS 722/5(d)(1)):

- (a) General information about the handling of the missing person case or about intended efforts in the case to the extent that the disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance.
- (b) That the person should promptly contact the La Grange Police Department if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information and cellular telephone records.
- (c) That any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.
- (d) That, dependent upon the missing person's age, the NCMEC and the National Center for Missing Adults may be contacted.

### 332.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Supervisor shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Illinois State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a missing person is high-risk, the fact that the person has been found shall be reported within 24 hours to the Illinois State Police.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

## *Missing Persons*

---

### **332.8.1 UNIDENTIFIED PERSONS**

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

### **332.9 CASE CLOSURE**

The Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of La Grange or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

### **332.10 TRAINING**

Subject to available resources, the Training Supervisor should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
  - 1. Assessments and interviews
  - 2. Use of current resources, such as Mobile Audio/Video (MAV)
  - 3. Confirming missing status and custody status of minors
  - 4. Evaluating the need for a heightened response
  - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile, catastrophe).

## *Missing Persons*

---

- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., internet use, cell phone use).
- (n) Media relations.

## Public Alerts

### 334.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

### 334.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### 334.3 RESPONSIBILITIES

#### 334.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the La Grange Police Department should notify their supervisor, Watch Commander or Investigation Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

#### 334.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Deputy Chief and the Chief Of Police or Deputy Chief when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Deputy Chief

### 334.4 AMBER ALERTS

The AMBER Alert Notification Plan is a tool for law enforcement to promptly notify the media of a confirmed abduction so the information can be broadcast to the public for assistance in locating the child and/or abductor.



# La Grange Police Department

## La Grange PD Policy Manual

### Public Alerts

---

#### 334.4.1 CRITERIA

An AMBER Alert should only be implemented when all of the following criteria are met (20 Ill. Adm. Code 1292.30):

- (a) A confirmed abduction.
- (b) The child must be under the age of 16 or have a proven mental or physical disability.
- (c) The agency has a belief the child is in danger of serious bodily harm or death.
- (d) There is enough descriptive information about the child, abductor, and/or suspect's vehicle to believe an immediate broadcast alert will help.

#### 334.4.2 PROCEDURE

In the event a confirmed child abduction meeting the Illinois AMBER Alert criteria has occurred the following procedures designed to alert the media shall be followed:

- (a) Notify the nearest ISP district or call the Illinois State Police Communication Center (SCC) (217) 786-6677, or fax the AMBER Fax Packet (217) 786-7191.
- (b) Include detailed information which could be helpful to the public in identifying the child.
- (c) Designate a department contact for the ISP SCC (include a name and telephone number).
- (d) Designate a secondary number (PIO) for media contacts.
- (e) Follow department policy regarding the actual investigation process involving any abducted/kidnapped child incident which takes place within this department's jurisdiction.
- (f) Disseminate necessary abduction information via a LEADS/NLETS message (sent ISPERN messages shall be coordinated through the ISP district of occurrence).
- (g) If a current portrait of the child is available, forward it electronically along with a copy of all abduction details/summaries to the ISP Clearinghouse for Missing and Exploited Children Manager ( [missing@isp.state.il.us](mailto:missing@isp.state.il.us) ).
- (h) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
  - 1. Federal Bureau of Investigation (FBI Local Office).
  - 2. Prompt entry of information into the Missing Person System (LEADS/NCIC).
  - 3. National Center for Missing and Exploited Children (800) 843-5678.
- (i) The Investigation Division investigator or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.



## Public Alerts

---

- (j) The Investigation Division investigator or other individual responsible for making notifications shall, immediately upon locating the abducted child, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing alerts.

### **334.5 ENDANGERED MISSING PERSON ADVISORY**

The Endangered Missing Persons Advisory is a voluntary partnership between law enforcement and local media to notify the public about a missing and endangered person.

#### **334.5.1 CRITERIA**

The advisory is initiated by the department utilizing the criteria established in the definitions section of the Missing Persons Policy (50 ILCS 722/10).

#### **334.5.2 PROCEDURE**

Upon receipt of a missing person report and using the above criteria, the Investigation Division investigator or other individual assigned to the investigation shall promptly determine if there is a basis to classify the missing person as high-risk and endangered and, following approval by a supervisor:

- (a) Immediately enter the missing person information, including any vehicle information, into the LEADS and the NCIC databases.
- (b) Complete the Endangered Missing Person Advisory available on the Amber Alert Task Force website ([www.amberillinois.com](http://www.amberillinois.com)) and fax the completed form to the Illinois State Police district of occurrence.
- (c) If appropriate, coordinate an ISPERN message through the Illinois State Police District of occurrence.
- (d) Upload DNA profiles as determined by the State Police into the State DNA Index System and the National DNA Index System.
- (e) Submit relevant information to the FBI Violent Criminal Apprehension Program (ViCAP).
- (f) Notify department employees to be on the lookout for the high-risk missing person and/or suspected abductor.
- (g) Follow department policy regarding missing persons reporting and documentation, required notifications, conduct of the investigation and follow up investigation.
- (h) Immediately upon locating a missing high-risk individual, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing advisory.

## *Public Alerts*

---

### **334.6 CRIMES AGAINST POLICE OFFICERS ADVISORY**

The Crimes Against Police Officers Advisory provides a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit certain crimes against a peace officer (20 ILCS 2605/2605-600).

#### **334.6.1 CRITERIA**

A Crimes Against Police Officers Advisory may be initiated under the following circumstances (20 ILCS 2605/2605-600):

- (a) The Department believes that a suspect has committed one or more of the following offenses against a peace officer:
  - 1. First degree murder
  - 2. Second degree murder
  - 3. Involuntary manslaughter
  - 4. Reckless homicide
  - 5. Concealment of a homicidal death
- (b) The Department believes that the suspect may be a serious threat to the public.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

#### **334.6.2 PROCEDURE**

The Illinois Department of State Police will be contacted with a request to initiate a Crimes Against Police Officers Advisory (20 ILCS 2605/2605-600).

## Victim and Witness Assistance

### 336.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

### 336.2 POLICY

The La Grange Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the La Grange Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

### 336.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the La Grange Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

#### 336.3.1 SPECIFIC DUTIES

The crime victim liaison or the authorized designee shall ensure the Department (725 ILCS 120/4.5; 725 ILCS 120/7):

- (a) Responds to victim requests regarding the status of investigations, as authorized.
- (b) Notifies victims when an investigation is reopened, as appropriate.
- (c) Maintains the confidentiality of victim and witness contact information.
- (d) Upon request, provides a victim with a free copy of any related report within 5 business days of the request (725 ILCS 120/4).
- (e) Provides the Illinois Attorney General's office with a police report (redacted as necessary) within 15 days of receipt of a written request needed for a crime victim's compensation application (740 ILCS 45/4.2).

### 336.4 CRIME VICTIMS

Officers shall provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

## *Victim and Witness Assistance*

---

### 336.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

At the time of first contact with the victim of a sexual assault, [officers/deputies] shall provide him/her with the appropriate victim information handouts, offer to arrange transportation to a hospital for treatment or evidence collection, and offer to arrange transportation to apply for an emergency civil no contact order or order of protection. If the sexual assault report is taken through a third-party representative, that representative shall be given the handouts and asked to deliver them to the victim (725 ILCS 203/25).

[Officers/Deputies] shall also provide the appropriate handout to a victim of a sexual assault who has undergone a forensic examination at a hospital but who has not yet consented to release the evidence for testing (725 ILCS 203/30).

### 336.5 VICTIM INFORMATION

The Administration Deputy Chief shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (h) Notice regarding U-Visa and T-Visa application processes.
- (i) Resources available for victims of identity theft.
- (j) A place for the officer's name, badge number, and any applicable case or incident number.
- (k) A written statement from the Illinois Attorney General about crime victim compensation and an explanation of victim's rights as required by 725 ILCS 120/4 and 725 ILCS 120/4.5, which includes the rights afforded victims under Article I, Section 8.1(a) of the Illinois Constitution.
- (l) Witnesses may request in writing a notice from the State Attorney about post-conviction review, associated hearings, notice of the defendant's discharge from custody, release on parole, probation, or escape.

## *Victim and Witness Assistance*

---

- (m) Specific contact information for the Illinois Attorney General's Office regarding compensation and victim assistance resources.
- (n) Information regarding the Illinois Automated Victim Notification system, including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and register for automatic notification when a person is released from jail.
- (o) Information regarding the Gang Crime Witness Protection Program Fund (725 ILCS 173/10).
- (p) Information and state forms for sexual assault victims prepared by the Illinois Attorney General and notice for victims who may be the subject of an outstanding arrest warrant regarding waiver requests (725 ILCS 5/107-2; 725 ILCS 203/25).
- (q) Information for those sexual assault victims who have undergone a forensic examination at a hospital but who have not yet consented to release the evidence for testing as provided by 725 ILCS 203/30.

### **336.6 WITNESSES**

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

### **336.7 WITNESS INFORMATION**

The Administration Deputy Chief shall ensure that witness information handouts are available and current. Handouts should include information regarding:

- (a) The Gang Crime Witness Protection Program Fund (725 ILCS 173/10).
- (b) Witness rights, which include (725 ILCS 120/5):
  - 1. Notification of all court dates where the witness will be required.
  - 2. Access to employer intercession services.
  - 3. Availability of a secure waiting area during trial.
  - 4. Availability of translation or sign language services as necessary.
  - 5. The right to submit a written request to receive notice of post-conviction relief sought, discharge information involving the accused, notification of any escape, parole, or other supervised release.

Witnesses may request in writing a notice from the State Attorney about post-conviction review, associated hearings, notice of the defendant's discharge from custody, release on parole, probation, or escape.

## Hate Crimes

### 338.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

### 338.2 DEFINITIONS

Definitions related to this policy include:

**Hate crime** - A specified offense, as defined in 720 ILCS 5/12-7.1, motivated by prejudice based on the actual or perceived race, color, creed, religion, ancestry, national origin, gender, sexual orientation, gender identity, national origin or disability of the victim.

### 338.3 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for potential hate crimes by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Accessing assistance by community and victim groups when necessary.
- (c) Providing victim assistance and follow-up as outlined below, including community follow-up.

### 338.4 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practical.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

## *Hate Crimes*

---

- (f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes. Such brochures will also be available to members of the general public upon request. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.
- (h) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the State's Attorney or Village Attorney).

### **338.4.1 INVESTIGATION DIVISION RESPONSIBILITY**

If a case is assigned to the Investigation Division, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the State's Attorney and other appropriate law enforcement agencies, as appropriate. Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on the circumstances (18 USC § 245).
- (b) Maintain contact with the victim and other involved individuals as needed.
- (c) Ensure that the Records Supervisor is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

### **338.5 TRAINING**

All members of this department will receive ILETSB approved training on hate crimes as provided by 20 ILCS 2605/2605-390(b).



# Standards of Conduct

## 340.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the La Grange Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

## 340.2 POLICY

The continued employment or appointment of every member of the La Grange Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

## 340.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

### 340.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.



## *Standards of Conduct*

---

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

### 340.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

### 340.3.3 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

### 340.3.4 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

## *Standards of Conduct*

---

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

### **340.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

### **340.5 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

#### **340.5.1 LAWS, RULES AND ORDERS**

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or Village manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

#### **340.5.2 ETHICS**

- (a) Using or disclosing one's status as a member of the La Grange Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

## *Standards of Conduct*

---

- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

### 340.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

### 340.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

### 340.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without a reasonable excuse.

# La Grange Police Department

## La Grange PD Policy Manual

### *Standards of Conduct*

---

#### 340.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing active or protected investigation information to any unauthorized person.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

#### 340.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers.
- (f) Failure to notify the Personnel Department of changes relevant to personal information (e.g., information associated with benefits determination) in a timely fashion.

#### 340.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority,

# La Grange Police Department

## La Grange PD Policy Manual

### *Standards of Conduct*

---

in connection with any investigation or in the reporting of any department-related business.

- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
  - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
  - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
  - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Village policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by Village policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

#### 340.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.

# La Grange Police Department

## La Grange PD Policy Manual

### *Standards of Conduct*

---

- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Village.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

#### 340.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic crash.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

#### 340.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

## *Standards of Conduct*

---

- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance or driving.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

### **340.6 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

### **340.7 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.



# Information Technology Use

## 342.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

### 342.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the La Grange Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

## 342.2 POLICY

It is the policy of the La Grange Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

## 342.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.



## *Information Technology Use*

---

The Department shall not request, require or coerce a member to provide a username, password or other related account information, or require or coerce a member to invite other members to join a group affiliated with any personal account of the member or to join a member's list of contacts in order to gain access to the member's account or profile on a personal online account (820 ILCS 55/10).

### **342.4 RESTRICTED USE**

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Watch Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

#### **342.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or Village-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

#### **342.4.2 HARDWARE**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

## *Information Technology Use*

---

### **342.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

### **342.4.4 OFF-DUTY USE**

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

### **342.5 PROTECTION OF AGENCY SYSTEMS AND FILES**

All employees have a duty to protect the system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

### **342.6 CERTIFICATION**

All employees of the Police Department with access to electronic communications systems shall execute the following Certification of Understanding.

[See attachment: Certification of Understanding.jpg](#)

### *Information Technology Use*

---

#### **342.7 INSPECTION OR REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

# Report Preparation

## 344.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

### 344.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

## 344.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

### 344.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Incidents to be documented in a written report include:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving crimes against persons, threats or stalking behavior
- (d) Situations covered by separate policy (see the corresponding policy for guidance). These situations include:

## Report Preparation

---

1. Use of Force
2. Domestic Violence
3. Child Abuse
4. Adult Abuse
5. Hate Crimes
6. Suspicious Activity Reports

- (e) All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

### 344.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Anytime an officer points a firearm at any person.
- (b) Any use of force against any person by a member of this department (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms Policy).
- (d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons policy).
- (e) Any found property or evidence.
- (f) Any traffic crashes above the minimum reporting level (see the Traffic Crash Reporting Policy).
- (g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

### 344.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.

## *Report Preparation*

---

- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

### 344.2.4 INJURY OR DAMAGE BY VILLAGE PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a Village employee. Additionally, reports shall be taken involving damage to Village property or Village equipment.

### 344.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

### 344.2.6 ALTERNATE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
  - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- (i) Hit-and-run vehicle crashes with no suspect or suspect vehicle.
- (j) Supplemental property lists.

## *Report Preparation*

---

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

### **344.2.7 STOLEN VEHICLE REPORTS**

All incidents involving the theft or recovery of any stolen or converted vehicle shall be reported as soon as practicable to the Illinois State Police as provided in 625 ILCS 5/4-107.

### **344.3 GENERAL POLICY OF EXPEDITIOUS REPORTING**

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

#### **344.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS**

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

#### **344.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS**

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

### **344.4 REPORT CORRECTIONS**

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor will advise the reporting officer of the necessary corrections as soon as practical. It shall be the responsibility of the reporting officer to ensure that any report returned for correction is processed in a timely manner. Every effort should be made by the reporting officer to complete the corrections and submit the report to the supervisor for approval before the end of the current shift. All reports should be completed and submitted to the supervisor for approval prior to any off days of the reporting officer.

### **344.5 REPORT CHANGES OR ALTERATIONS**

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

---

## News Media Relations

### 346.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 346.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Lieutenants, Watch Commanders and Investigators may prepare and release information to the media in accordance with this policy and the applicable law.

#### 346.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

### 346.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should



# La Grange Police Department

## La Grange PD Policy Manual

### News Media Relations

---

be coordinated through the department Chief Of Police or Deputy Chief or other designated spokesperson.

2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Chief Of Police or Deputy Chief.

#### 346.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

#### 346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

# La Grange Police Department

## La Grange PD Policy Manual

### *News Media Relations*

---

- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.).

#### 346.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Peace Officer Personnel Files policies) (5 ILCS 140). When in doubt, authorized and available legal counsel should be obtained.

## Subpoenas and Court Appearances

### 348.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the La Grange Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

### 348.2 POLICY

La Grange Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

### 348.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Service of a subpoena shall not be accepted unless witness fees are tendered as allowed by law (705 ILCS 35/4.3).

#### 348.3.1 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by any current collective bargaining agreement or Village personnel rules.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

#### 348.3.2 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

#### 348.3.3 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the Village Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the Village or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

## *Subpoenas and Court Appearances*

---

- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the La Grange Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the La Grange Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

### **348.4 FAILURE TO APPEAR**

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

### **348.5 STANDBY**

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

### **348.6 COURTROOM PROTOCOL**

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

#### **348.6.1 TESTIMONY**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

### **348.7 OVERTIME APPEARANCES**

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with any current collective bargaining agreement or Village personnel rules.

## Part-Time Officers

### 350.1 PURPOSE AND SCOPE

The La Grange Police Department Part-Time Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn part-time officers who can augment regular staffing levels.

#### 350.1.1 DEFINITIONS

Definitions related to this policy include:

**Part time police officer** - An officer who has completed his/her probationary period and is employed on a part time basis as a law enforcement officer by a participating unit of local government or as a campus policeman by a participating state controlled university, college, or public community college (50 ILCS 705/2).

### 350.2 SELECTION AND APPOINTMENT OF POLICE PART-TIME OFFICERS\_DEPUTIES

The La Grange Police Department shall endeavor to recruit and appoint to the Part-Time Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

- (a) **Candidate Qualifications** - Prior to appointment as a part-time officer, the candidate must meet all prescribed qualifications as described within this policy and set forth in the La Grange Village Code. In accordance with this code a part-time officer shall:
  - 1. Be twenty-two (22) years of age upon date of application for employment
  - 2. Be a United States Citizen
  - 3. Possess a valid Illinois Driver's License
  - 4. Have completed and passed the four hundred and eighty (480) hour State of Illinois Certified Police Officer Training Course or its equivalent and have received a waiver from the Illinois Law Enforcement Training Standards Board (ILETSB) under the provisions of the Illinois Police Training Act (50 ILCS 705/8.2)
  - 5. Have completed a forty (40) hour firearms training course in accordance to Mandatory Firearms Act (P. A. 79-632)
  - 6. Submit to and pass an extensive background investigation as established by the Chief of Police or his designee
  - 7. Subsequent to a conditional job offer, submit to, and pass, a psychological and physical examination including a drug screen
- (b) **Appointment Guidelines** - Applicants for the position of part-time police officer will be appointed under the following guidelines:

# La Grange Police Department

## La Grange PD Policy Manual

### Part-Time Officers

---

1. Candidates will be appointed to the position of (Probationary) Part-Time Officer by the Chief of Police.
  - (a) Candidates will be presented for consideration by an ad-hoc committee of sworn members of the police department after a prescribed screening process.
2. Once appointed, the part-time officer must successfully complete the Part-Time Officer Field Training Program as prescribed by the Chief of Police, in conjunction with a twelve (12) month probation period.
3. The Chief of Police may remove any and all part-time police officers from police service, without cause.
4. All part-time officers are bound and required to adhere to every policy, procedure, rule and regulation, general and special order or any other written or verbal order from the Chief of Police or his designee. Additionally, part-time officers are also required to abide by all local ordinances, and State or Federal Laws.
5. Part-time officers are "at will" employees, and not under the jurisdiction of the Fire and Police Commission.

#### 350.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

- (a) Part-time officers are required to perform the same duties and accept the same responsibilities and hazards as full-time officers. Therefore the criteria utilized for selection of applicants shall be substantially similar to those of full-time officers: Some of the criteria considered shall include, but not be limited to:
  1. Level of formal education
  2. Prior experience in another law enforcement agency or environment
  3. State of applicant's physical condition and apparent ability to possess fitness attributes to perform required functions
- (b) The La Grange Police Department shall require that all sworn part-time officers complete a prescribed recruit academy training program prior to appointment. However, those part-time officers appointed prior to such requirements may, at the discretion of the Chief of Police, attend a certain part-time officer enhancement training as allowed by law. In any event, all part-time sworn officers of the Department shall be required to complete prescribed training that will provide appropriate certification by the Illinois Law Enforcement Training and Standards Board as set forth in 50 ILCS 705/8.2.

# La Grange Police Department

## La Grange PD Policy Manual

### *Part-Time Officers*

---

#### **350.2.2 APPOINTMENT**

Applicants who are selected for appointment to the Police Part-Time Unit shall, after meeting the requirements set forth above in this policy, and on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

#### **350.2.3 COMPENSATION FOR POLICE PART-TIME OFFICERS**

Compensation for part-time officers is provided as follows:

Part-time officer appointees shall be compensated as prescribed in the ordinances of the Village of La Grange. Part-time officer appointees are issued uniforms and all designated attire and safety equipment. All property issued to the part-time officer shall be returned to the Department upon termination or resignation. Part-time officers shall receive uniform and equipment replacement as needed.

#### **350.2.4 EMPLOYEES WORKING AS PART-TIME OFFICERS**

Qualified employees of this department, when authorized, may also serve as part-time officers. However, the Department must not utilize the services of a part-time officer in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a part-time officer for reduced or no pay). Therefore, the Part-Time Coordinator should consult the Personnel Department prior to an employee serving in a part-time officer capacity (29 CFR 553.30).

#### **350.2.5 UNIFORMS**

Equipment and uniforms for part-time officers shall not be distinguishable from those of full-time officers. However, quantity of uniforms and equipment may be reduced, at the discretion of the Chief of Police or his designee, to reflect the level of activity or hours worked by any part-time officer. Issuance of all uniforms and equipment to part-time officers shall be done under the following guidelines:

- (a) All uniforms purchases must receive approval from the Chief of Police or his designee
- (b) All cleaning, maintenance and alterations are the responsibility of the individual officer
- (c) The uniform will be worn as prescribed in the existing uniform policy
- (d) The prescribed uniform will be worn only while the officer is traveling to and from work and while on duty unless otherwise authorized by the Chief of Police or designee

### **350.3 DUTIES OF PART-TIME POLICE**

Part-time officers assist full time officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of part-time officers will usually be to augment the Operations Division. Part-time officers may be assigned to other areas within the Department as needed. A part-time officer may not exceed 1,560 hours of work accumulated from all part-time peace officer positions in any 12-month period (20 Ill. Adm. Code 1770.102).



# La Grange Police Department

## La Grange PD Policy Manual

### *Part-Time Officers*

---

#### **350.3.1 POLICY COMPLIANCE**

Police part-time officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each part-time officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn part-time officer unless by its nature it is inapplicable.

#### **350.3.2 PART-TIME OFFICER ASSIGNMENTS**

All part-time officers will be assigned additional duties by the Chief of Police, Part-Time Officer Coordinator or Watch Commander.

#### **350.3.3 PART-TIME COORDINATOR**

The Chief of Police shall delegate the responsibility for administering the Part-Time Officer Program to a Part-Time Coordinator.

The Part-Time Coordinator shall have the responsibility of, but not be limited to:

- (a) Assignment of part-time personnel.
- (b) Conducting part-time meetings.
- (c) Establishing and maintaining a part-time call-out roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring individual part-time officer performance.
- (f) Monitoring overall Part-Time Program.
- (g) Maintaining a relationship with other agency Part-Time Coordinators.

### **350.4 FIELD TRAINING**

Field training is intended to provide the necessary and mandated instruction and practice for part-time officers to properly and safely perform their assigned duties.

#### **350.4.1 TRAINING OFFICERS**

Officers of this department, who demonstrate a desire and ability to train part-time officers, may train the part-time officers, subject to the Part-Time Coordinator's approval.

#### **350.4.2 PRIMARY TRAINING OFFICER**

Part-time officers will be assigned to a Field Training Officer. The Field Training Officer will be selected by the Part-Time Coordinator and Field Training Officer Program Supervisor. The part-time officer will be assigned to work with his/her primary training officer during the mandatory 40 hours of training.

#### **350.4.3 FIELD TRAINING MANUAL**

Each new part-time officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to



# La Grange Police Department

## La Grange PD Policy Manual

### *Part-Time Officers*

---

properly function as an officer with the La Grange Police Department. The part-time officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

#### **350.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE**

At the completion of Field Training the primary training officer will meet with the Part-Time Coordinator. The purpose of this meeting is to discuss the progress of the part-time officer in training.

If the part-time officer has progressed satisfactorily, he/she will then proceed to solo patrol. If he/she has not progressed satisfactorily, the Part-Time Coordinator will determine the appropriate action to be taken.

#### **350.5 SUPERVISION OF PART-TIME OFFICERS**

All part-time officers shall be under the supervision of a supervisor or an officer in charge. Part-time officers should not supervise a full-time officer.

##### **350.5.1 IDENTIFICATION OF PART-TIME OFFICERS**

All part-time officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Part-Time" will be indicated on the card.

##### **350.5.2 UNIFORM**

Part-time officers shall conform to all uniform regulation and appearance standards of this department.

##### **350.5.3 INVESTIGATIONS AND COMPLAINTS**

If a part-time officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Part-Time Coordinator, at the discretion of the Operations Deputy Chief .

Part-time officers are considered at-will employees. The Uniform Peace Officers' Disciplinary Act applies to part-time officers (see the Personnel Complaints Policy).

#### **350.6 FIREARMS REQUIREMENTS**

##### **350.6.1 CARRYING WEAPON ON DUTY**

It is the policy of this department to allow part-time officers to carry firearms only while on duty or to and from duty.

Part-time officers who are permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered properly and be inspected and certified as fit for service by the Department Range Master.

# La Grange Police Department

## La Grange PD Policy Manual

### *Part-Time Officers*

---

Before being allowed to carry any optional firearm during an assigned tour of duty, part-time officers shall have demonstrated proficiency with the carried weapon.

#### **350.6.2 CONCEALED FIREARMS PROHIBITED**

A part-time officer shall not carry a concealed firearm while in an off-duty capacity, other than to and from work, unless he/she possesses a valid concealed carry license.

#### **350.6.3 PART TIME OFFICER FIREARM TRAINING**

All part-time officers are required to maintain proficiency with firearms used in the course of their assignments. Part-time officers shall comply with all requirements set forth by ILETSB.

#### **350.7 EMERGENCY CALL-OUT FOR PART-TIME PERSONNEL**

The Part-Time Coordinator shall maintain a current roster of part-time officers including their phone numbers and addresses. A copy of the current roster of part-time officers will be maintained in the Telecommunications Center.

If an emergency situation occurs and additional personnel are needed the on-duty Watch Commander may call any and all part-time officers and request the officer if available to work. No part-time officer will be requested to work until all full-time officers have been contacted.

## Auxiliary Officers

### 351.1 PURPOSE AND SCOPE

The La Grange Police Department Auxiliary Unit was established to assist regular sworn police officers in their duties. This unit provides professional, sworn auxiliary officers who can augment regular staffing levels.

#### 351.1.1 DEFINITIONS

Definitions related to this policy include:

**Auxiliary officer** - Part-time, at will, member of the Department, regardless of title, however, not an employee (65 ILCS 5/3.1-30-20; 55 ILCS 5/3-6013).

**Conservators of the peace powers** - The statutory authority granting auxiliary officers the authority to arrest or cause to be arrested, with or without process, all persons who break the peace and are found violating any municipal ordinance or any criminal law of the state.

### 351.2 SELECTION AND APPOINTMENT OF POLICE AUXILIARY OFFICERS

The La Grange Police Department shall endeavor to recruit and appoint to the Auxiliary Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

Auxiliary officers shall receive a course of training in the use of weapons and other law enforcement procedures appropriate for the exercise of the powers conferred upon them before entering upon any of their duties. The specific training and course of study shall be determined and provided by the corporate authorities of the Village of La Grange (65 ILCS 5/3.1-30-20/ 55 ILCS 5/3-6013).

#### 351.2.1 PROCEDURE

All applicants shall be required to meet and pass the following requirements before appointment.

- Applications must be completed and returned to the Auxiliary Police Coordinator or Unit Director.
- An oral interview will be conducted by the Auxiliary Police Unit Review Board which will consist of the Auxiliary Coordinator or his/her designee, Auxiliary Police Unit Director and at least two Auxiliary Police Unit Sergeants.
- Candidates will be fingerprinted for purposes of a criminal history check.
- Successfully complete a background investigation conducted by the Investigations Division.
- Successfully complete a physical examination including a drug screen.
- Successfully complete a polygraph/ pre-employment examination and a psychological examination if requested.

# La Grange Police Department

## La Grange PD Policy Manual

### *Auxiliary Officers*

---

Final candidate approval must be made by the Chief of Police upon recommendation by the Auxiliary Coordinator.

#### **351.2.2 APPOINTMENT**

Applicants who are selected for appointment to the Police Auxiliary Unit shall, after meeting the requirements set forth above in this policy, and on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

#### **351.2.3 COMPENSATION FOR POLICE AUXILIARY OFFICERS\_DEPUTIES**

Compensation for auxiliary officers is provided as follows:

Auxiliary officer appointees shall be compensated as prescribed in the ordinances of the Village of La Grange.

Auxiliary officer appointees will be issued the following uniform; two pants, two long sleeve shirts, two short sleeve shirts, one three season jacket with thermal liner, one baseball cap, two stars and two name tags.

Other equipment such as a firearm, magazine pouches, handcuffs, duty belt, shoe or boots and any other police related items approved by the Auxiliary Coordinator are to be purchased by the auxiliary officer. Auxiliary officers shall receive a yearly uniform / equipment allowance of \$250.00. All property purchased by the Police Department and issued to the Auxiliary officer shall be returned to the Department upon termination or resignation.

#### **351.2.4 EMPLOYEES WORKING AS AUXILIARY OFFICERS**

Qualified employees of this department, when authorized, may also serve as auxiliary officers. However, the Department must not utilize the services of an auxiliary officer in such a way that it would violate employment laws or labor agreements (Example: a detention officer working as an auxiliary officer for reduced or no pay). Therefore, the Auxiliary Coordinator should consult the Human Resources Department prior to an employee serving in an auxiliary capacity (29 CFR 553.30).

### **351.3 DUTIES OF AUXILIARY OFFICERS**

Auxiliary officers will usually be assigned to augment the Operations Division. Auxiliary officers may be assigned to other areas within the Department as needed.

#### **351.3.1 POLICY COMPLIANCE**

Police auxiliary officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each auxiliary officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn auxiliary officer unless by its nature it is inapplicable.

## *Auxiliary Officers*

---

### **351.3.2 AUXILIARY OFFICER ASSIGNMENTS**

All auxiliary officers will be assigned to duties by the Auxiliary Coordinator or his/her designee.

### **351.3.3 AUXILIARY COORDINATOR**

The Chief of Police shall delegate the responsibility for administering the Auxiliary Officer Program to a Auxiliary Coordinator.

The Auxiliary Coordinator shall have the responsibility of, but not be limited to:

- (a) Assignment of auxiliary personnel.
- (b) Conducting auxiliary meetings.
- (c) Establishing and maintaining an auxiliary call-out roster.
- (d) Monitoring individual auxiliary officer performance.
- (e) Monitoring overall Auxiliary Program.
- (f) Maintaining a relationship with other agency Auxiliary Coordinators.

### **351.3.4 AUXILIARY DIRECTOR**

The Chief of Police shall designate an auxiliary officer as the Director of the unit to assist the Auxiliary Coordinator in administering his/her responsibilities.

The Auxiliary Director shall have the responsibility of, but not limited to:

- (a) Maintaining personnel records of auxiliary officers.
- (b) Administering the auxiliary unit budget.
- (c) Monitoring individual auxiliary officer performance.
- (d) Maintaining equipment assigned to the unit.
- (e) Conducting auxiliary meetings.
- (f) Training auxiliary officers.
- (g) Assignment of auxiliary personnel.

## **351.4 FIELD TRAINING**

Field training is intended to provide the necessary and mandated instruction and practice for auxiliary officers to properly and safely perform their assigned duties. Auxiliary officers not granted conservator of the peace powers may have their training requirements reduced corresponding to their assignment as determined by the corporate authorities of the Village of La Grange (65 ILCS 5/3.1-30-20).

### **351.4.1 TRAINING OFFICERS**

Officers of this department, who demonstrate a desire and ability to train auxiliary officers, may train the auxiliary officers, subject to Auxiliary Unit Coordinator.

# La Grange Police Department

## La Grange PD Policy Manual

### *Auxiliary Officers*

---

#### **351.4.2 PRIMARY TRAINING OFFICER**

Auxiliary officers will be assigned to a training officer. The training officer will be selected by the Auxiliary Unit Coordinator. The auxiliary officer will be assigned to work with his/her training officer during the 40 hours of training. This training must be completed within a two months period.

#### **351.4.3 FIELD TRAINING MANUAL**

Each new auxiliary officer will be issued a Field Training Manual at the beginning of his/her Field Training. This manual is an outline of the subject matter and/or skills necessary to properly function as an auxiliary officer with the La Grange Police Department. The auxiliary officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Officer will check off, date and initial each training item as it is covered once the auxiliary understands and/or successfully performs the task.

All training items must be successfully completed within a two month period. Failure to complete this training will result in the auxiliary officer being removed from the unit.

#### **351.4.4 COMPLETION OF THE FORMAL TRAINING PROCESS**

When an auxiliary officer has satisfactorily completed the 40 hour field training he/she may now be assigned to ride with any full-time or part-time officer.

### **351.5 SUPERVISION OF AUXILIARY OFFICERS**

All auxiliary officers shall be under the supervision of a supervisor or an officer in charge. Auxiliary officers shall never supervise a Full Time officer.

#### **351.5.1 AUXILIARY OFFICER MEETINGS**

All auxiliary officer meetings will be scheduled and conducted by the Auxiliary Coordinator or Director. All auxiliary officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Auxiliary Coordinator or Director.

#### **351.5.2 IDENTIFICATION OF AUXILIARY OFFICERS**

All auxiliary officers will be issued a uniform badge and a Department identification card. Identification symbols worn by auxiliary officers shall be different and distinct from those used by members of the regular police department through the inclusion "Auxiliary" on the badge and shoulders of the uniform (55 ILCS 5/3-6013). The identification card will be the standard identification card with the exception that "Auxiliary" will be indicated on the card.

#### **351.5.3 INVESTIGATIONS AND COMPLAINTS**

If an auxiliary officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Auxiliary Coordinator, at the discretion of the Operations Deputy Chief .

Auxiliary officers are considered at-will employees. The Uniform Peace Officers' Disciplinary Act applies to auxiliary officers.

## *Auxiliary Officers*

---

Any disciplinary action that may have to be administered to an auxiliary officer shall be accomplished as outlined in the Policy Manual.

### **351.6 FIREARMS REQUIREMENTS**

#### **351.6.1 CARRYING A FIREARM ON DUTY**

Auxiliary officers shall not carry firearms except with the permission of the Chief of Police. Should permission to carry a firearm be granted, auxiliary officers, may carry firearms only while in uniform and in the performance of their duties or to and from duty. Prior to being permitted to carry a firearm an auxiliary officer must complete the same course of training as required of peace officers under section 2 of the Peace Officer and Probation Officer Firearm Training Act and shall maintain proficiency with firearms used in the course of his/her assignment (65 ILCS 5/3.1-30-20; 55 ILCS 5/3-6013).

Auxiliary officers who are permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon must be registered properly and be inspected and certified as fit for service by a department Rangemaster.

Before being allowed to carry any optional firearm during an assigned tour of duty, auxiliary officers shall have demonstrated proficiency with the carried weapon.

#### **351.6.2 CONCEALED FIREARMS PROHIBITED**

An auxiliary officer shall not carry a concealed firearm while in an off-duty capacity, other than to and from work, unless he/she possesses a valid concealed carry license.

### **351.7 EMERGENCY CALL-OUT FOR AUXILIARY PERSONNEL**

The Auxiliary Coordinator shall develop a plan outlining an emergency call-out procedure for auxiliary personnel. The Auxiliary Coordinator shall be responsible for maintaining a current list of telephone numbers and addresses for all auxiliary officers. This list will be forwarded to the Telecommunications Center.

If an emergency or need for additional personnel occurs in which members of the auxiliary unit may assist, the on-duty Watch Commander may activate a call out of any or all auxiliary personnel for assistance. The procedure to activate a call-out will be:

**STEP 1:** Watch Commander or Telecommunicator at the Watch Commander's direction calls the Auxiliary Unit Director.

**STEP 2:** The Telecommunicator will assign an Incident Number and list the Watch Commander's name along with the reason of the call-out request. Also listed will be the date and time the Auxiliary Unit Director was called and contact was made.

**STEP 3:** The Unit Director will be advised of the Watch Commander's name who activated the call-out, the reason of the call-out and any other necessary information such as number of officers requested, location of incident and assignments.



# La Grange Police Department

## La Grange PD Policy Manual

### *Auxiliary Officers*

---

**STEP 4:** The Unit Director will contact each Auxiliary Unit Sergeant who will in turn contact all of his/her squad officers. If a Sergeant fails to return the Director's call within 10 minutes the Director will contact each officer of the squad.

**STEP 5:** If the Unit Director fails to respond within 10 minutes the Watch Commander or Telecommunicator shall call each Auxiliary Unit Sergeant.

**STEP 6:** Each Auxiliary Unit Sergeant will call back the Auxiliary Director with the names and estimated time of arrival of each responding auxiliary officer. If the Auxiliary Director fails to answer or call back within 10 minutes the Auxiliary Unit Sergeant will contact the Telecommunications Center with the names and estimated time of arrival of each responding auxiliary officer.

**STEP 7:** The Auxiliary Director will contact the Telecommunications Center with the names and estimated time of arrival of each responding auxiliary officer.

**STEP 8:** The Telecommunicator will record the names of the responding auxiliary officers on the Incident Record.

### **351.8 AUXILIARY OFFICER POWERS**

- (a) An auxiliary officer may be assigned the following duties within the Department (65 ILCS 5/3.1-30-20):
  - 1. Aiding or directing traffic
  - 2. Aiding in control of natural or man-made disasters
  - 3. Aiding in case of civil disorders as directed by the Chief of Police or the authorized designee
  - 4. Normal and regular police duties only when assigned by the Chief of Police or the authorized designee when it is impractical for regular sworn members of the Department to perform such duties
- (b) An auxiliary officer has conservator of the peace powers:
  - 1. Upon obtaining from the Illinois Law Enforcement Training and Standards Board (ILETSB) one of the following (65 ILCS 5/3.1-30-20; 50 ILCS 705/10.5):
    - (a) A certificate attesting to his/her successful completion of the training course
    - (b) A certificate attesting to his/her satisfactory completion of a training program with similar content and number of hours completed that has been approved by ILETSB
    - (c) A certificate attesting to ILETSB's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience
- (c) Unless such powers are withheld by the Village of La Grange ordinances.



## Outside Agency Assistance

### 352.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### 352.2 POLICY

It is the policy of the La Grange Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

### 352.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Watch Commander's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

#### 352.3.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the La Grange Police Department shall notify his/her supervisor or the Watch Commander and the Communications Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

### 352.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

## *Outside Agency Assistance*

---

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

### **352.5 REPORTING REQUIREMENTS**

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Watch Commander.

### **352.6 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Deputy Chief or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
  - 1. The use of the supplies and equipment.
  - 2. The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to the Communications Center and the Watch Commander to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Supervisor should maintain documentation that the appropriate members have received the required training.

## Registered Offender Information

### 356.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the La Grange Police Department will address issues associated with certain offenders residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

### 356.2 POLICY

It is the policy of the La Grange Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 356.3 REGISTRATION

The Investigation Division Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Illinois State Police (ISP) (730 ILCS 150/8; 730 ILCS 154/45).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

### 356.4 CONTENTS OF REGISTRATION

The Investigation Division Supervisor shall assign a detective to reasonably accommodate registration. The assigned detective will (730 ILCS 150/3; 730 ILCS 150/8; 730 ILCS 154/45):

- (a) Obtain proof of identity and residency.
- (b) Conduct a criminal history check.
- (c) Utilize the appropriate ISP Offender Registration Form to process registration and obtain the offender's signature on the completed form.
- (d) Photograph and fingerprint the individual.
- (e) Provide the offender with a registration receipt.
- (f) Enter registration information into Law Enforcement Agencies Database System (LEADS).

## *Registered Offender Information*

---

### **356.5 MONITORING OF REGISTERED OFFENDERS**

The Investigation Division Supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the ISP website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the assigned Investigation Division detective.

The Investigation Division Supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to La Grange Police Department personnel, including timely updates regarding new or relocated registrants.

### **356.6 DISSEMINATION OF OFFENDER INFORMATION**

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the [Illinois Sex Offender Information website](#) or the La Grange Police Department's website.

The Records Supervisor shall release local registered offender information to residents in accordance with applicable state law and in compliance with a Freedom of Information Act request (730 ILCS 152/120; 730 ILCS 154/95).

#### **356.6.1 RELEASE NOTIFICATIONS**

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

## *Registered Offender Information*

---

### 356.6.2 MANDATORY OFFENDER INFORMATION DISSEMINATION

Information on registered offenders shall be posted at department headquarters (730 ILCS 152/120; 730 ILCS 154/95) and must be made available for public inspection to any person, no later than 72 hours or three business days from the date of a request (730 ILCS 152/120/ 730 ILCS 154/95).

Upon registration of a juvenile sex offender who is also enrolled in school, the department shall provide a copy of the sex offender registration form only to the principal or chief administrative officer of the school and any guidance counselor designated by the chief administrative officer (730 ILCS 152/121).

### 356.6.3 OFFENDER INFORMATION AVAILABLE VIA THE INTERNET

Information that may be posted on the department's website regarding registered offenders includes (730 ILCS 152/120; 730 ILCS 154/95):

- (a) The offender's name, address and date of birth.
- (b) The offense for which the offender was convicted.
- (c) The offender's photograph or other such information that will help identify the sex offender or violent offender against youth.
- (d) Offender employment information.
- (e) For sex offenders, the following additional information may be posted on the department's website: adjudication as a sexually dangerous person, e-mail addresses, instant messaging identities, chat room identities and other Internet communications identities, all Uniform Resource Locators (URLs) registered or used by the sex offender, and all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information.

# Major Incident Notification

## 358.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

## 358.2 POLICY

The La Grange Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

## 358.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Deputy Chief . The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent La Grange official
- Arrest of Department employee or prominent La Grange official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

## 358.4 WATCH COMMANDER RESPONSIBILITY

The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander shall attempt to make the notifications as soon as practical. Notification should be made by calling the home phone number first and then by pager or cellular phone.

### 358.4.1 STAFF NOTIFICATION

In the event an incident occurs as described in the Minimum Criteria for Notification section of this policy, the Chief of Police shall be notified along with the Deputy Chief and the Detective Supervisor if that division is affected.

# La Grange Police Department

La Grange PD Policy Manual

## *Major Incident Notification*

---

### 358.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.

# Death Investigation

## 360.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

## 360.2 INVESTIGATION CONSIDERATIONS

Death investigations require certain actions be taken. Paramedics shall be called in all suspected death cases unless the cause of death is obvious (e.g., when the subject has been decapitated or the body is decomposed). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations. The Medical Examiner should be notified in all deaths and shall be notified under those conditions listed below in this policy.

The responsible supervisor should determine whether follow-up investigation is required and ensure that a lead investigator is assigned when appropriate.

Only officers who have successfully completed the Illinois Law Enforcement Training and Standards Board (ILETSB) program in death and homicide investigations, or who have been granted a waiver by the board, shall be assigned as lead investigator on any death or homicide investigation (50 ILCS 705/10.11).

### 360.2.1 MEDICAL EXAMINER REQUEST

Every Medical Examiner has the responsibility to investigate the following as soon as he knows or is informed that the dead body of any person is found, or lying within his/her county, whose death is suspected of being (55 ILCS 5/3-3013):

- (a) A sudden or violent death, whether apparently suicidal, homicidal or accidental.
- (b) A maternal or fetal death due to abortion, or any death due to a sex crime or a crime against nature.
- (c) A death where the circumstances are suspicious, obscure, mysterious or otherwise unexplained or where, in the written opinion of the attending physician, the cause of death is not determined.
- (d) A death where addiction to alcohol or to any drug may have been a contributory cause.
- (e) A death where the decedent was not attended by a licensed physician.

The body shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner.

### 360.2.2 SEARCHING DEAD BODIES

The Medical Examiner or Deputy Medical Examiner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in 55 ILCS 5/3-3013.



# La Grange Police Department

## La Grange PD Policy Manual

### *Death Investigation*

---

The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card. If such a donor card is located, the Medical Examiner or Deputy Medical Examiner shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Medical Examiner or Deputy Medical Examiner; the investigating officer shall first obtain verbal consent from the Medical Examiner or Deputy Medical Examiner (55 ILCS 5/3-3019).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Medical Examiner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Deputy Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

#### **360.2.3 DEATH NOTIFICATION**

When practical, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner or Medical Examiner may be requested to make the notification. The Medical Examiner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

#### **360.2.4 UNIDENTIFIED DEAD BODIES**

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner's office will issue a "John Doe" or "Jane Doe" number for the report.

#### **360.2.5 DEATH INVESTIGATION REPORTING**

All incidents involving a death shall be documented on the appropriate form.

#### **360.2.6 SUSPECTED HOMICIDE**

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a Investigator to respond to the scene for further immediate investigation.

### **360.3 SPECIMEN SUBMISSION**

As soon as possible, but no later than 30 days after receipt of any blood, buccal or tissue specimen from the Medical Examiner, the Investigation Deputy Chief shall ensure the specimen and department case number is submitted to an approved National DNA Index System (NDIS) participating laboratory within this state for analysis and categorizing into genetic marker groupings and that the results are submitted to the Illinois State Police (55 ILCS 5/3-3013).

### **360.4 UNUSED MEDICATIONS**

If an officer collects any unused prescription medication at the scene of a death investigation, the officer shall (210 ILCS 150/18(g)):

# La Grange Police Department

## La Grange PD Policy Manual

### *Death Investigation*

---

- (a) Document the number or amount of medication to be disposed of.
- (b) If the medication is collected as evidence, photograph the unused medication and its container or packaging, if available, and include the photograph and documentation with the report.

# Identity Theft

## 362.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

## 362.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft shall initiate a report for victims residing within the jurisdiction of this department (720 ILCS 5/16-35). For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
  - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides.
- (b) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (c) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus and U.S. Postal Service with all known report numbers).
- (d) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

## 362.3 VICTIM ASSISTANCE

- (a) Officers should provide all victims of identity theft with the Attorney General's Identity Theft Resource Guide.
- (b) In a case where another person has been arrested, cited or charged in the victim's name, where a criminal complaint was filed against a perpetrator in the victim's name or where the victim's name has been mistakenly associated with a criminal conviction, the reporting officer should inform the victim of identity theft of his/her right to obtain an expedited judicial determination of factual innocence (720 ILCS 5/16-35(b)).

## Limited English Proficiency Services

### 368.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

#### 368.1.1 DEFINITIONS

Definitions related to this policy include:

**Authorized interpreter** - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

**Interpret or interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

**Limited English proficient (LEP)** - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Qualified bilingual member** - A member of the La Grange Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

**Translate or translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

### 368.2 POLICY

It is the policy of the La Grange Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

### 368.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Operations Deputy Chief or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

# La Grange Police Department

## La Grange PD Policy Manual

### *Limited English Proficiency Services*

---

- (a) Coordinating and implementing all aspects of the La Grange Police Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Deputy Chief. The list should include information regarding the following:
  - 1. Languages spoken
  - 2. Contact information
  - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

#### **368.4 FOUR-FACTOR ANALYSIS**

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

## *Limited English Proficiency Services*

---

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

### **368.5 TYPES OF LEP ASSISTANCE AVAILABLE**

La Grange Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

### **368.6 WRITTEN FORMS AND GUIDELINES**

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

### **368.7 AUDIO RECORDINGS**

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

### **368.8 QUALIFIED BILINGUAL MEMBERS**

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

## *Limited English Proficiency Services*

---

When a qualified bilingual member from this department is not available, personnel from other Village departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

### **368.9 AUTHORIZED INTERPRETERS**

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

#### **368.9.1 SOURCES OF AUTHORIZED INTERPRETERS**

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other Village departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.



## *Limited English Proficiency Services*

---

### **368.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE**

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

### **368.10 CONTACT AND REPORTING**

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

### **368.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE**

The La Grange Police Department will take reasonable steps and will work with the Personnel Department to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

#### **368.11.1 EMERGENCY CALLS TO 9-1-1**

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in the Communications Center, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.



## *Limited English Proficiency Services*

---

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

### **368.12 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

### **368.13 INVESTIGATIVE FIELD INTERVIEWS**

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

## *Limited English Proficiency Services*

---

### **368.14 CUSTODIAL INTERROGATIONS**

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

### **368.15 BOOKINGS**

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

### **368.16 COMPLAINTS**

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

### **368.17 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

### **368.18 TRAINING**

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

### *Limited English Proficiency Services*

---

The Training Supervisor shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training as time and resources permit. The Training Supervisor shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

#### **368.18.1 TRAINING FOR AUTHORIZED INTERPRETERS**

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training as time and resources permit. This training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Supervisor shall be responsible for coordinating the refresher training and will maintain a record of all training the interpreters have received.

# Communications with Persons with Disabilities

## 370.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

### 370.1.1 DEFINITIONS

Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters shall have a valid Illinois license to practice interpreting for the deaf (225 ILCS 443/15), unless they are exempt under 225 ILCS 443/25.

## 370.2 POLICY

It is the policy of the La Grange Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

## 370.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Operations Deputy Chief or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

- (a) Working with the Village ADA coordinator regarding the La Grange Police Department's efforts to ensure equal access to services, programs and activities.
- (b) Developing reports, new procedures, or recommending modifications to this policy.

## *Communications with Persons with Disabilities*

---

- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Watch Commander and Deputy Chief. The list should include information regarding the following:
  - 1. Contact information
  - 2. Availability
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

### **370.4 FACTORS TO CONSIDER**

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

## *Communications with Persons with Disabilities*

---

### **370.5 INITIAL AND IMMEDIATE CONSIDERATIONS**

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the La Grange Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

### **370.6 TYPES OF ASSISTANCE AVAILABLE**

La Grange Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

## *Communications with Persons with Disabilities*

---

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

### **370.7 AUDIO RECORDINGS AND ENLARGED PRINT**

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

### **370.8 QUALIFIED INTERPRETERS**

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speech reading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

### **370.9 TTY AND RELAY SERVICES**

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).



## *Communications with Persons with Disabilities*

---

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

### **370.10 COMMUNITY VOLUNTEERS**

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

### **370.11 FAMILY AND FRIENDS**

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

### **370.12 REPORTING**

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.



## *Communications with Persons with Disabilities*

---

### **370.13 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

#### **370.13.1 FIELD RESOURCES**

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

### **370.14 CUSTODIAL INTERROGATIONS**

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual

### *Communications with Persons with Disabilities*

---

has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

#### **370.15 ARRESTS AND BOOKINGS**

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

#### **370.16 COMPLAINTS**

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

#### **370.17 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

## *Communications with Persons with Disabilities*

---

### **370.18 TRAINING**

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Training Supervisor shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training as time and resources permit. The Training Supervisor shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

#### **370.18.1 CALL-TAKER TRAINING**

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all the Communications Center members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

# Chaplain Program

## 376.1 PURPOSE AND SCOPE

The La Grange Police Department Chaplain Program is established for the purposes of providing spiritual and emotional support to all members of the Department, their families and members of the public.

## 376.2 POLICY

It is the policy of this department that the Chaplain Program shall be a non-denominational, ecumenical ministry provided by volunteer clergy without financial compensation.

## 376.3 GOALS

Members of the Chaplain Program shall fulfill the program's purpose in the following manner:

- (a) By serving as a resource for department personnel when dealing with the public in such incidents as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.
- (b) By providing an additional link between the community, other chaplain programs and the Department.
- (c) By providing counseling, spiritual guidance and insight for department personnel and their families.
- (d) By being alert to the spiritual and emotional needs of department personnel and their families.
- (e) By familiarizing themselves with the role of law enforcement in the community.

## 376.4 REQUIREMENTS

Candidates for the Chaplain Program shall meet the following requirements:

- (a) Must be above reproach, temperate, prudent, respectable, hospitable, able to teach, not be addicted to alcohol or other drugs, not contentious, and free from excessive debt. Must manage their household, family, and personal affairs well. Must have a good reputation with those outside the church.
- (b) Must be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body.
- (c) Must successfully complete an appropriate level background investigation.
- (d) Must have at least five years of successful ministry experience within a recognized church or religious denomination.
- (e) Membership in good standing with the International Conference of Police Chaplains (ICPC).

## *Chaplain Program*

---

- (f) Possess a valid Illinois Drivers License.

### **376.5 SELECTION PROCESS**

Chaplain candidates are encouraged to participate in the ride-along program before and during the selection process. Chaplain candidates shall successfully complete the following process prior to deployment as a chaplain:

- (a) Appropriate written application.
- (b) Recommendation from their church elders, board, or council.
- (c) Interview with Chief of Police.
- (d) Successfully complete an appropriate level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

### **376.6 DUTIES AND RESPONSIBILITIES**

The duties of a chaplain include, but are not limited to, the following:

- (a) Assisting in making notification to families of department members who have been seriously injured or killed.
- (b) After notification, responding to the hospital or home of the department member.
- (c) Visiting sick or injured law enforcement personnel in the hospital or at home.
- (d) Attending and participating, when requested, in funerals of active or retired members of the Department.
- (e) Assisting sworn personnel in the diffusion of a conflict or incident when requested.
- (f) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the Department's mission.
- (g) Being on call and if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department personnel.
- (h) Counseling officers and other personnel with personal problems when requested.
- (i) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (j) Being responsible for the organization and development of spiritual organizations in the Department.
- (k) Responding to all major disasters such as earthquakes, bombings and similar critical incidents.
- (l) Providing liaison with various religious leaders of the community.

# La Grange Police Department

## La Grange PD Policy Manual

### *Chaplain Program*

---

- (m) Assisting public safety personnel and the community in any other function of the clergy profession as requested.
- (n) Participating in in-service training classes.
- (o) Willing to train to enhance effectiveness.
- (p) Promptly facilitating requests for representatives or ministers of various denominations.
- (q) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while on-duty unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or follow-up contact that was provided while functioning as a chaplain for the La Grange Police Department.

#### **376.7 CLERGY-PENITENT CONFIDENTIALITY**

No person who provides chaplain services to members of the department may work or volunteer for the La Grange Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent privilege and shall inform department members when it appears reasonably likely that the department member is discussing matters that are not subject to the clergy-penitent privilege. In such cases, the department chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any La Grange Police Department employees concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

#### **376.8 COMMAND STRUCTURE**

- (a) Under the general direction of the Chief of Police or his/her designee, chaplains shall report to the Senior Chaplain and/or Watch Commander.
- (b) The Chief of Police shall make all appointments to the Chaplain Program and will designate a Senior Chaplain/Chaplain Commander.
- (c) The Senior Chaplain shall serve as the liaison between the Chaplain Unit and the Chief of Police. He/she will arrange for regular monthly meetings, act as chairman of all chaplain meetings, prepare monthly schedules, maintain records on all activities of the Chaplain Unit, coordinate activities that may concern the members of the Chaplain Unit and arrange for training classes for chaplains.

## *Chaplain Program*

---

### **376.9 OPERATIONAL GUIDELINES**

- (a) Chaplains will be scheduled to be on-call for a period of seven days at a time during each month, beginning on Monday and ending on the following Sunday.
- (b) Generally, each chaplain will serve with La Grange Police Department personnel a minimum of eight hours per month.
- (c) At the end of each watch the chaplain will complete a Chaplain Shift Report and submit it to the Chief of Police or his/her designee.
- (d) Chaplains shall be permitted to ride with officers during any shift and observe La Grange Police Department operations, provided the Watch Commander has been notified and approved of the activity.
- (e) Chaplains shall not be evaluators of employees and shall not be required to report on an employee's performance or conduct.
- (f) In responding to incidents, a chaplain shall never function as an officer.
- (g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (h) Chaplains shall serve only within the jurisdiction of the La Grange Police Department unless otherwise authorized by the Chief of Police or his/her designee.
- (i) Each chaplain shall have access to current personnel rosters, addresses, telephone numbers, duty assignments and other information that may assist in their duties. Such Information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the information.

#### **376.9.1 UNIFORMS AND BADGES**

A distinct uniform, badge and necessary safety equipment will be provided for the Chaplains. This uniform may be similar to that worn by the personnel of this department.



# Public Safety Video Surveillance System

## 377.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

## 377.2 POLICY

The La Grange Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the Village to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist Village officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

## 377.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

### 377.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected Village divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

## *Public Safety Video Surveillance System*

---

- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander's office and the Communications Center. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or trained the Communications Center personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

### **377.3.2 CAMERA MARKINGS**

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

### **377.3.3 INTEGRATION WITH OTHER TECHNOLOGY**

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

### **377.4 VIDEO SUPERVISION**

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

## *Public Safety Video Surveillance System*

---

### **377.4.1 PROHIBITED ACTIVITY**

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

### **377.5 STORAGE AND RETENTION OF MEDIA**

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

#### **377.5.1 EVIDENTIARY INTEGRITY**

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

### **377.6 RELEASE OF VIDEO IMAGES**

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the La Grange Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

### **377.7 TRAINING**

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction

# La Grange Police Department

La Grange PD Policy Manual

## *Public Safety Video Surveillance System*

---

with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

## Child and Dependent Adult Safety

### 379.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

### 379.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The La Grange Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

### 379.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, the officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

The officer shall assist the arrestee in the placement of the children or dependent adult with a relative or other responsible person designated by the arrestee. If the officer has reasonable cause to believe that a child may be a neglected child as defined in the Abused and Neglected Child Reporting Act, he/she shall report it immediately to the Department of Children and Family Services (725 ILCS 5/107-2(2)).

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

## *Child and Dependent Adult Safety*

---

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

### 379.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
  - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
  - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Illinois Department of Children and Family Services, if appropriate.
- (e) Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

## *Child and Dependent Adult Safety*

---

### **379.3.2 DURING THE BOOKING PROCESS**

During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

### **379.3.3 REPORTING**

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
  - 1. Name
  - 2. Sex
  - 3. Age
  - 4. Special needs (e.g., medical, mental health)
  - 5. How, where and with whom or which agency the child was placed
  - 6. Identities and contact information for other potential caregivers
  - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:
  - 1. Name
  - 2. Sex
  - 3. Age
  - 4. Whether he/she reasonably appears able to care for him/herself
  - 5. Disposition or placement information if he/she is unable to care for him/herself

### **379.3.4 SUPPORT AND COUNSELING REFERRAL**

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

### **379.4 DEPENDENT WELFARE SERVICES**

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.



# La Grange Police Department

## La Grange PD Policy Manual

### *Child and Dependent Adult Safety*

---

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

#### **379.5 TRAINING**

The Training Supervisor is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

## Service Animals

### 381.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

#### 381.1.1 DEFINITIONS

Definitions related to this policy include:

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, the horse is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i); 720 ILCS 5/48-8).

Service animal also includes any animal that is trained in obedience and task skills to meet the needs of a person with a disability or that is trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental or intellectual disability (510 ILCS 70/2.01c; 720 ILCS 5/48-8).

### 381.2 POLICY

It is the policy of the La Grange Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

### 381.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.

## *Service Animals*

---

- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or to follow daily routines.

### **381.4 MEMBER RESPONSIBILITIES**

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed (720 ILCS 5/48-8; 775 ILCS 30/3). Department members are expected to treat individuals with service animals with the same courtesy and respect that the La Grange Police Department affords to all members of the public (28 CFR 35.136).

#### **381.4.1 INQUIRY**

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

#### **381.4.2 CONTACT**

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

#### **381.4.3 REMOVAL**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to

### *Service Animals*

---

an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

#### 381.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

# Abandoned Newborn Infant Protection

## 383.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper managing of incidents of newborn infant abandonment according to the Abandoned Newborn Infant Protection Act (325 ILCS 2/10).

## 383.2 ACCEPTANCE

Officers must accept a newborn infant relinquished at the Department (325 ILCS 2/20 (c)). The State of Illinois defines a newborn infant as a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished (325 ILCS 2/10). Although a person relinquishing a newborn infant retains the right to limited immunity and anonymity, officers should request the person's personal information. Absent any other information, officers should attempt to obtain any known medical information about the newborn infant. Any information obtained should be documented in the report and, if appropriate, transmitted to the hospital or medical facility to which the newborn infant is taken.

If there is no evidence of abuse or neglect of the newborn infant, the relinquishing person has the right to remain anonymous and leave the premises at any time without being pursued or followed. The act of relinquishing a newborn infant does not, in and of itself, constitute a basis for a finding of abuse, neglect or abandonment. If there is suspected abuse or neglect that is not based solely on the newborn infant's relinquishment, the relinquishing person no longer has the right to remain anonymous (325 ILCS 2/30).

## 383.3 MEDICAL CONSIDERATIONS

After accepting a relinquished newborn infant the officer will request paramedics for a medical evaluation and transportation to the nearest hospital (325 ILCS 2/20 (c)). If the infant is not being transported by the paramedics, the officer will see that transportation of the infant to the nearest hospital is accomplished as soon as transportation can be arranged. Newborn infants will not be transported in a department vehicle equipped with a prisoner screen or in any department vehicle without the appropriate child safety restraint and/or which does not allow for the proper placement of such child safety restraint.

## 383.4 NOTICE TO RELINQUISHING PERSON

When accepting a newborn infant, officers will offer the relinquishing person an information packet prepared and maintained by the Department for this purpose (325 ILCS 2/35). If possible, the employee will also inform the relinquishing person of the following:

- His/her acceptance of the information is completely voluntary.
- Registration with the Illinois Adoption Registry and Medical Information Exchange is voluntary.
- He/she will remain anonymous if they complete a Denial of Information Exchange.

## *Abandoned Newborn Infant Protection*

---

- He/she has the option to provide medical information only and still remain anonymous.
- By relinquishing the child anonymously, he/she will have to petition the court of jurisdiction if he/she desires to prevent the termination of parental rights and regain custody of the child.

### **383.4.1 SUPERVISOR NOTIFICATION**

When accepting a newborn infant, officers will notify their immediate supervisor as soon as practical.

### **383.4.2 DOCUMENTATION**

When accepting a newborn infant, officers will generate a report and document all pertinent information.

### **383.5 RIGHT OF PARENT TO RETURN**

If the parent of a relinquished newborn infant returns to reclaim the infant within 72 hours after relinquishing the infant at the Department, an officer must inform the parent of the name and location of the hospital where the infant was transported (325 ILCS 2/20 (c)).

### **383.6 INFORMATION DISCLOSURE**

Employees will not publicly disclose any information concerning the relinquishment of a newborn infant and the individuals involved, except as otherwise provided by law (325 ILCS 2/37).

### **383.7 INVESTIGATIVE RESPONSIBILITIES**

Neither a child protective investigation nor a criminal investigation should be initiated solely because a newborn infant is relinquished (325 ILCS 2/25 (c)).

After accepting a newborn infant, or upon being contacted to assist in regards to a newborn infant relinquished elsewhere, the handling employee should take the necessary steps to ensure that the infant is not a missing child.

If there is suspected child abuse or neglect that is not based solely on the newborn infant's relinquishment, as mandated reporters under the Abused and Neglected Child Reporting Act officers shall report their observations (325 ILCS 2/25(b)). In this instance, officers shall begin their criminal investigation.

### **383.8 REQUIRED SIGNAGE**

The Administration Deputy Chief will ensure that an appropriate sign is posted in a conspicuous place on the exterior of the police facility informing persons that a newborn infant may be relinquished at the facility. The sign and its placement will comply with the prescribed specifications to ensure statewide uniformity (325 ILCS 2/22).

## Off-Duty Law Enforcement Actions

### 387.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the La Grange Police Department with respect to taking law enforcement action while off-duty.

### 387.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

### 387.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the officer's senses or judgment.

### 387.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.



## *Off-Duty Law Enforcement Actions*

---

- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

### **387.4.1 INTERVENTION PROCEDURE**

If involvement is reasonably necessary the officer should attempt to call, or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an La Grange Police Department officer until acknowledged. Official identification should also be displayed.

### **387.4.2 INCIDENTS OF PERSONAL INTEREST**

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

### **387.4.3 NON-SWORN RESPONSIBILITIES**

Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

### **387.4.4 OTHER CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

## **387.5 REPORTING**

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

## Department Use of Social Media

### 388.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 388.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

### 388.2 POLICY

The La Grange Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

### 388.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

### 388.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

# La Grange Police Department

## La Grange PD Policy Manual

### *Department Use of Social Media*

---

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

#### **388.4.1 INCIDENT-SPECIFIC USE**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Chief Of Police or Deputy Chief or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

#### **388.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the La Grange Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

#### **388.5.1 PUBLIC POSTING PROHIBITED**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

# La Grange Police Department

## La Grange PD Policy Manual

### *Department Use of Social Media*

---

The Department may provide a method for members of the public to contact department members directly.

#### **388.5.2 BOOKING PHOTOGRAPHS**

Booking photographs in connection with civil, petty, and business offenses, and Class B and C misdemeanors may not be published on department social media sites unless the photograph is posted to assist in the search for a fugitive, person of interest, missing person, or individual wanted in relation to a crime other than a petty or business offense, or Class B or C misdemeanor (5 ILCS 140/2.15).

#### **388.6 MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

#### **388.7 RETENTION OF RECORDS**

The Administration Deputy Chief should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

#### **388.8 TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

## Private Person's Arrest

### 389.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

### 389.2 POLICY

It is the policy of the La Grange Police Department to accept a private person's arrest only when legal and appropriate.

### 389.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another when the person has probable cause to believe the other person has committed an offense other than an ordinance violation (725 ILCS 5/107-3).

### 389.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

### 389.5 PRIVATE PERSON'S ARREST FORM

The arresting person should be asked to complete and sign a private person's arrest form. If the person fails or refuses to do so, the arrested individual should be released, unless the officer has a lawful reason, independent of the private person's arrest, to take the individual into custody and determines an arrest is appropriate.

# Native American Graves Protection and Repatriation

## 390.1 PURPOSE AND SCOPE

This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

### 390.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

**Funerary objects and associated funerary objects** - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

**Native American human remains** - The physical remains of the body of a person of Native American ancestry.

**Objects of cultural patrimony** - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

**Sacred objects** - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

## 390.2 POLICY

It is the policy of the La Grange Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

## 390.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

# La Grange Police Department

## La Grange PD Policy Manual

### *Native American Graves Protection and Repatriation*

---

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Medical Examiner (20 ILCS 3440/3)
- Tribal land - Responsible Indian tribal official

#### **390.4 EVIDENCE AND PROPERTY**

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).



## **Chapter 4 - Patrol Operations**

## Patrol Function

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

#### 400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of La Grange, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other divisions within the Department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
- (i) Traffic direction and control.

#### 400.1.2 TERRORISM

It is the goal of the La Grange Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Investigation Division Supervisor in a timely fashion.

## *Patrol Function*

---

### **400.2 PATROL INFORMATION SHARING PROCEDURES**

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the La Grange Police Department.

#### **400.2.1 CRIME REPORTS**

A crime report may be completed by any police officer who receives criminal information. The report will be reviewed and approved by the Watch Commander. If additional follow-up investigation is required, then the report will be forwarded to the Investigation Division. If no additional investigation is required the report will be forwarded to the Records Division.

#### **400.2.2 PATROL ROLL CALLS**

Patrol supervisors and Investigators are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol Roll Calls as time permits.

#### **400.2.3 INFORMATION CLIPBOARDS**

Several information clipboards will be maintained in the Roll Call room and will be available for review by officers from all divisions within the Department. These will include, but not be limited to, Shift Report clipboard, Case Report clipboard, Information clipboard, Wanted Flyer clipboard, STIC clipboard and Homeland Security clipboard.

#### **400.2.4 BULLETIN BOARDS**

A bulletin board will be kept in the Roll Call room and the Investigation Division for display of suspect information, intelligence reports and photographs. New Interim Directives will be made available for patrol supervisors and will be discussed at Roll Calls and shift meetings. A copy of the Interim Directive will be placed on the Roll Call room clipboard.

### **400.3 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

## Bias-Based Policing

### 402.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the La Grange Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

#### 402.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

### 402.2 POLICY

The La Grange Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### 402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 402.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

#### 402.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

## *Bias-Based Policing*

---

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### **402.4.2 REPORTING STOPS**

The Chief of Police or the authorized designee shall ensure stop cards are created and available to members, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop.

### **402.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

### **402.6 STATE REPORTING**

The Records Section shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

### *Bias-Based Policing*

---

#### **402.7 ADMINISTRATION**

Each year, the Operations Deputy Chief should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the required state reporting forms and the annual report and discuss the results with those they are assigned to supervise.

#### **402.8 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Section.

## Roll Call Training

### 404.1 PURPOSE AND SCOPE

Roll Call training is generally conducted at the beginning of the officer's assigned shift. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call; however officers may conduct Roll Call for training purposes with supervisor approval.

Roll Call should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new Interim Directives or changes in Interim Directives.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

#### 404.1.1 ATTENDANCE

**Attendance is mandatory** for all officers assigned to the Patrol Division. Officers assigned to the Investigation Division should attend all Roll Calls during their tour of duty if possible.

Any officer failing to attend Roll Call or is late for Roll Call shall meet with the Watch Commander as soon as practical to explain the reason. Absence and tardiness to Roll Call are subject to disciplinary action.

### 404.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.



# Crime and Disaster Scene Integrity

## 406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

## 406.2 POLICY

It is the policy of the La Grange Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

## 406.3 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

## 406.4 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

### *Crime and Disaster Scene Integrity*

---

#### **406.5 SEARCHES**

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

##### **406.5.1 CONSENT**

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

# Alarms

## 407.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan of action to be taken in response to activated alarms.

Alarms are a means of notifying the La Grange Police Department that a robbery or burglary is in progress when the use of a telephone is impractical or impossible. Officers shall exercise sound judgment and proceed with extreme caution when answering any type of alarm call. Despite the large number of false alarms, no officer can afford an alarm that turns out to be real when he or she thought it was false.

## 407.2 DUTIES OF TELECOMMUNICATORS

When a silent alarm signal is received, the Telecommunicator shall dispatch units immediately to the alarm location. The number of units dispatched will be determined by the type of alarm activated and any additional information available.

If a robbery or burglary has taken place and the Telecommunicator has the victim or complainant on the telephone, they shall obtain any available information about suspect(s) description, mode and direction of travel, time lapse, and will advise the business or home to keep everyone out except police personnel.

Silent alarms that appear on the Police Station's alarm board will be dispatched as [REDACTED]

Police units being dispatched to fire alarms will be dispatched with the address of the location.

### 407.2.1 WATER FLOW ALARM

This alarm is to monitor any activity at the Department of Public Works Water Department. The alarm activates when the water levels deviate from normal settings. No police units need to be dispatched for this alarm.

The Telecommunicator will contact the on duty DPW employee and advise them of the alarm and the zone.

## 407.3 DUTIES OF RESPONDING OFFICERS

Responding officers will use emergency lights when responding to a silent alarm. [REDACTED]

[REDACTED]. When emergency lights are turned off, **EXTREME CAUTION MUST BE USED AS THE EMERGENCY STATUS OF THE POLICE UNIT NO LONGER EXISTS.** In the event a lane of traffic is blocked, warning lights to the rear of the police unit will be used.

Excessive response speeds are not necessary and should not be used. Arriving at the scene safely is the priority.

# La Grange Police Department

## La Grange PD Policy Manual

### Alarms

---

Officers shall proceed with caution in the event the suspects are nearby.

Officers shall be alert to all subjects and vehicles leaving the immediate area in effort to apprehend offender(s).

Other available units will precede to the area in their respective zone closest the location, and stand by maintaining radio silence, unless another emergency exists.

Officers shall secure crime scene and all physical evidence and summon appropriate personnel.

#### 407.3.1 DISPLAY OF WEAPONS

Officers will not display weapons in any manner unless a specific problem develops.

#### 407.4 BANK ALARMS

When possible three units will be dispatched for each alarm.

[REDACTED]

When all responding units are on scene, the Telecommunicator will call the bank.

- The Telecommunicator will contact the bank and request to speak to the manager/supervisor. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- If an actual hold-up is in progress, the Telecommunicator will advise officers.
- If the manager/supervisor is unaware of any malfunctions, they will place Telecommunicator on hold and check with the rest of the employees and do a walk through the bank and teller line and advise the Telecommunicator of the alarm status. At this time, the manager/supervisor will advise who is coming outside as well as a clothing description and relay information to Officers on scene.

If no bank official has approached in a reasonable time and the Telecommunicator has made telephone contact with the bank, then officers shall consider the alarm to be a robbery in progress. In this event, maintain a safe position, advise the Telecommunicator and always keep radio contact.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

#### 407.4.1 [REDACTED]

[REDACTED]

## Alarms

---

407.4.2 [REDACTED]  
[REDACTED]

407.4.3 [REDACTED]  
[REDACTED]

407.4.4 [REDACTED]  
[REDACTED]

407.4.5 [REDACTED]  
[REDACTED]

407.4.6 [REDACTED]  
[REDACTED]

407.4.7 [REDACTED]  
[REDACTED]

### **407.5 BUSINESS ALARMS**

Two units will be dispatched for each alarm.

All possible exit areas should be covered.

If the business is closed, the owner or another person on the call list shall be notified immediately by the Telecommunicator.

A business, showing no physical signs of break-in, shall be entered only after the owner or agent arrives. Officers shall conduct a complete search of the premises.

Officers at the scene knowing that a break-in has taken place and the offender(s) may be still inside the building shall take the appropriate action to apprehend the suspect(s).

### **407.6 RESIDENTIAL ALARMS**

Two units will be dispatched for each alarm.

The Telecommunicator shall check the Closed Home Cards to learn if the home owner is out of town.

Officers shall try to contact the owner or person left in charge of the residence before entering.

Officers shall check for suspicious persons and vehicles.

Unescorted entry shall only be made if evidence of a break-in exists or the owner or person left in charge can not be contacted.

### **407.7 VILLAGE HALL ALARM**

Three units will be dispatched for each alarm. [REDACTED]  
[REDACTED].

# La Grange Police Department

## La Grange PD Policy Manual

### Alarms

---

When all units are on the scene, the Telecommunicator will telephone the Village Hall and have an official step out to the Unit [REDACTED]

If the official indicates that the alarm was false, the officer in charge at the scene will then enter the building for a visual check.

Officers will enter only to verify a false alarm.

[REDACTED]  
[REDACTED].

407.7.1 [REDACTED]  
[REDACTED]

#### **407.8 FALSE ALARMS**

If responding officers determine the situation to be a false alarm, they shall so advise the Telecommunicator.

The Telecommunicator shall complete the False Alarm letter after confirming with the officer that the alarm is a chargeable false alarm.

The Watch Commander may waive False Alarm letters during power or weather problems.

False Alarm letters are not requires for Village Hall Alarms, Department of Public Works Alarms or Water Flow Alarms.

## Ride-Alongs

### 410.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

#### 410.1.1 ELIGIBILITY

The La Grange Police Department Ride-Along Program is offered to residents, students and those employed within the Village. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

#### 410.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Deputy Chief, or Watch Commander.

### 410.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Watch Commander. The participant will complete a ride-along waiver form. Information requested will include a valid ID or Illinois driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Watch Commander will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

#### 410.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Explorers, RSVP, Chaplains, Part-time and Auxiliary, police applicants, and all others with approval of the Watch Commander.

# La Grange Police Department

## La Grange PD Policy Manual

### *Ride-Alongs*

---

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

Ride-along requirements for police cadets are covered in the Police Cadets Policy.

#### **410.2.2 SUITABLE ATTIRE**

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

#### **410.2.3 PEACE OFFICER RIDE-ALONGS**

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

#### **410.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK**

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an Automated check through LEADS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the La Grange Police Department).

### **410.3 OFFICER'S RESPONSIBILITY**

The officer shall advise the telecommunicator that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The telecommunicator will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time. The Watch Commander shall be immediately notified of any injury or noteworthy incident involving the ride-along.

The Watch Commander is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the yellow form shall be returned to the Watch Commander with any comments which may be offered by the officer. Any injury or noteworthy incident involving the ride-along shall be documented or reported appropriately.

### **410.4 CONTROL OF RIDE-ALONG**

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.



## *Ride-Alongs*

---

- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.
- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

### **410.5 RIDE-ALONG WAIVER**

All persons wishing to participate in the Ride-along Program shall read, sign and date the following La Grange Police Department Ride-along Waiver prior to participating in the Ride-along Program. Failure to sign and date the waiver will prohibit the person from participating in the program. The waiver shall also be signed and dated by the officer with whom the person is riding and the Watch Commander. All completed forms will be forwarded to the Records Division upon the completion of the ride-along.

[See attachment: Ride Along Release.jpg](#)

# Hazardous Material Response

## 412.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure.

### 412.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

## 412.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify type of hazardous substance. Identification can be determined by placard, driver's manifest or statements from the person transporting the material.
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary.

## 412.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

### 412.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure.

# La Grange Police Department

## La Grange PD Policy Manual

### *Hazardous Material Response*

---

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.

## Respiratory Protection Program (Rpp)

### 413.1 PURPOSE AND SCOPE

The LaGrange Police Department has determined that employees may be exposed to respiratory hazards during emergency operations. These hazards include chemical, biological, or radiological exposures during both accidentally or intentionally events that could cause Immediately Dangerous to Life or Health (IDLH) conditions. The purpose of this program is to ensure all sworn LaGrange Police personnel have the equipment and training to protect themselves from exposure to these respiratory hazards during performance of thier duties.

This policy applies to all Sworn Police Personnel who are required to wear respirators during non-routine or emergency operations such as spills of hazardous substances or intentional chemical attacks. All employees assigned to the patrol and investigations divisions must participate in the department's respiratory protection program.

### 413.2 RESPONSABILITIES

#### 413.2.1 PROGRAM ADMINISTRATOR

The program administrator is responsible for administering the respiratory protection program. Duties of the program administrator include:

- Identifying events or tasks that require personnel to wear respirators and evaluation of potential hazards.
- Selection of respiratory protection options.
- Arranging for and/or conducting training to ensure respirators are used, stored, cleaned, maintained, and inspected in accordance with their certification and manufacturers recommendations.
- Conduct regular quantitative and qualitative fit test.
- Maintain records and medical fitness for the program.
- Evaluation and updating of the written program, as needed.

#### 413.2.2 SUPERVISORS

Supervisors are responsible for ensuring the RPP is implemented properly when required. In addition to being knowledgeable about the RPP requirements for their own protection, supervisors must also ensure that the program is understood and followed by the personnel under their responsibility. Duties of the supervisor include:

- Ensuring that personnel under their supervision have received appropriate training, fit testing, and annual medical evaluation and notifying the RPP administrator of know deficiencies.

## *Respiratory Protection Program (Rpp)*

---

- Be capable of identifying events or conditions requiring the use of respiratory protection and enforcing the proper use of respiratory protection when deemed necessary.
- Continually monitor work areas and operations to identify respiratory hazards.
- Ensure their personnel maintain the proper cleanliness, maintainance, storage, fit, and availability of respirators.
- Coordinate with the RPP administrator any program deficiencies, needed updates, or recommended changes as they are identified.

### **413.2.3 PERSONNEL**

All sworn personnel has the responsibility:

- To wear his or her respiratory when and where required and in the manner in which they were trained.
- Care for and maintain their respiratory as instructed, and store them in a clean, sanitary, and accessible location while on duty.
- Inform their supervisor if the respirator no longer fits well, and request a new respiratory that fits properly.
- Inform their supervisor or the program administrator of any respiratory hazards during field operations or in the workplace, and of any concerns they have regarding the program.
- Inform supervisor of need for a medical reevaluation.

### **413.3 PROGRAM ELEMENTS**

The program will utilize the Avon FM12 or N95 Respirators as provided by ILEAS with appropriate NIOSH/CBRN filters. The respirators should be used during all incidents that involve exposure to chemical, biological, or radiological hazards during both accidentally or intentionally events that require a law enforcement presence to maintain order, protect the public, or control a perimeter. The respirator's are to be used only for ligitimate law enforcement purposes and as a means of escape of, or operation in a potentially hazardous area.

The Department will provide a NIOSH approved Filter/Canister that is a combination filter specifically designed for the removal of particulate, traditional chemical warfare agents and riot control agents, as well as a wide range of Toxic Industrial Chemicals in liquid, vapor and aerosol form. It should have a P100 particulate element that is effective against all dusts, mists and fumes, as well as bacteria, virus and radioactive particulate for protection against the following challenge agents at the chemical cartridge level:

- Cl<sub>2</sub> Chlorine
- CS O-chlorobenzalmalononitrile

## *Respiratory Protection Program (Rpp)*

---

- PH Phosphine
- CN Chloroacetophenone
- OV Organic Vapor
- P100 Particulates

The filter should also meet the US chemical cartridge requirements for the following agents and protect against chemical warfare agents as follows:

- NH<sub>3</sub> Ammonia
- CH<sub>3</sub>NH<sub>2</sub> Methylamine
- HCl Hydrogen Chloride
- ClO<sub>2</sub> Chlorine dioxide
- H<sub>2</sub>S Hydrogen sulfide
- HF Hydrogen fluoride
- HCHO Formaldehyde
- SO<sub>2</sub> Sulfur dioxide
- Hydrogen cyanide: meets NATO Triptych requirement.
- DMMP and Sarin: meets MIL-PRF-51560A (as C2A1 specification).
- Cyanogen chloride: meets Finnish military standard.

### 413.3.1 FIT TESTING

Fit testing is required prior to being allowed to wear a respiratory. Fit testing should be completed annually and when there are changes in an officer's physical condition that could affect respiratory fit (e.g. obvious change in body weight, facial scarring, etc.). Fit testing will be completed using various sizes of respirators, with a respiratory that the employee will actually wear, and employ QNFT (quantitative fit testing) methods to ensure optimal fit.

### 413.3.2 RESPIRATOR USE

The respirators will be used under the conditions specified in this policy, in accordance with the training received, and in a manner for which it is certified by NIOSH or its manufacturer. When the respirator is deployed the user should:

- Conduct a seal check each time it is donned by using either a positive or negative seal check.
- Not wear a respiratory that is tight or ill fitting preventing a firm seal.
- Not wear headphones, jewelry, or other articles that would interfere with the facepiece-to-face seal.

## *Respiratory Protection Program (Rpp)*

---

- Don the respirator immediately when hazardous conditions arise or are identified, and perform necessary emergency responder tasks until the affected area/scene is secured.

### **413.4 CLEANING, MAINTENANCE AND CHANGE SCHEDULES**

Issued respirators should be cleaned as often as necessary, but at least once annually and each time after the respiratory is deployed or donned as part of operational need. Procedures for cleaning include:

- Dissassemble respirator, removing any filters, canisters, or cartridges.
- Wash facepiece and associated parts with a mild detergent and warm water then rinse completely in warm water.
- Wipe the respirator with disinfectant wipes (70% Isopropyl Alcohol) to kill germs.
- Allow to air dry completely, reassemble after replacing any worn or defective parts and then place back in plastic bag and carrying pouch.

Respirators are to be properly maintained at all times to ensure that they are functioning properly. Maintenance includes visual inspections for cleanliness and defects, replacement of worn or deteriorated parts, and be conducted regularly and not only when their use is required. Inspections should include:

- Checking for cracks, tears, holes in the facepiece, facemask distortion, and cracked or loose lenses/faceshield.
- Checking for residue or dirt in the valves, and cracks or tears in the valve membrane/material.
- Checking filters/cartridges for approval designation, gaskets, cracks or dents in housings, and the proper cartridge for likely hazards.

Cartridges/filters will be changed on or before the manufacturers listed expiration date, or if an inspection reveals that it is worn, missing parts or damaged. Additionally, If the respiratory is deployed and the cartridges are subject to significant exposure to known hazards replacement may be warranted.

Respirators will be stored in a clean, dry area, and in accordance with the manufacturers recommendations. They should be in a plastic bag in the nylon carrying pouch provided by the department and available for deployment during regular and emergency field operations.

### **413.5 TRAINING**

The program administrator or his/her designee, will provide training to respirator users and their supervisors on the LaGrange Police Department Respiratory Protection Program and their responsibilities under it, and the OSHA Respiratory Protection standard. All officers and supervisors will be trained prior to using a respirator and that training must be comprehensive,

# La Grange Police Department

## La Grange PD Policy Manual

### *Respiratory Protection Program (Rpp)*

---

understandable and recur annually, or more often if necessary. The training shall ensure that each officer and supervisor can:

- Identify why and under what conditions the respirator is necessary, and how improper fit , usage, or maintenance can compromise its protective effect.
- Define the limitations and capabilities of the respirator.
- Demonstrate they know how to use the respirator effectively in emergency situations.
- Properly inspect, put on and remove, use, and check the seals of the respirator.
- Recognize medical signs and symptoms that may limit or prevent the effective use of respirators.
- Understand the general requirements of the Respiratory Protection standard.

Any officer or supervisor who is able to demonstrate that a new employee has received training within the last 12 months that addresses the elements specified in *paragraph (k)(1)(i) through (vii)* is not required to repeat such training provided that, as required by *paragraph (k)(1)*, the employee can demonstrate knowledge of those element(s).

Retraining will also occur when:

- Changes in the type/model of respirator occur.
- Inadequacies in the officer's or supervisor's knowledge or use of the respirator indicate that they have not retained the requisite understanding or skill.
- Any other situation arises in which retraining appears necessary to ensure safe respirator use.

The basic advisory information on respirators, as presented in *Appendix D of the Respirator Protection standard*, shall be provided by the LaGrange Police Department in any written or oral format to the officers and supervisors who wear respirators when such use is not required by this section or by the department.

#### **413.6 PROGRAM EVALUATION**

The program administrator will conduct periodic evaluations of the program to ensure that the provisions of the program are being implemented. The evaluations should include regular consultations with users of the respirators and records review to help identify problems which should be noted in an inspection log and corrected by the program administrator. All findings should be reported to the department administration and include plans to correct deficiencies in the program and target dates for implementing those corrections.

#### **413.7 DOCUMENTATION AND RECORDKEEPING**

A written copy of the program and OSHA standard will be available to all officers and supervisors as part of the policy manual and reviewable on the department network. A copy of all training material, current fit test records, training rosters (for both annual and new training sessions), and



# La Grange Police Department

## La Grange PD Policy Manual

### *Respiratory Protection Program (Rpp)*

---

any additional documents required by the program will be maintained by th program administrator. The completed medical questionnaires are confidential and will remain at Concentra Immediate Care Center. The program administrator will only retain the physicians written recommendation regarding each employees ability to wear a respirator.

## Hostage and Barricade Incidents

### 414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

#### 414.1.1 DEFINITIONS

Definitions related to this policy include:

**Barricade situation** - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

**Hostage situation** - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

### 414.2 POLICY

It is the policy of the La Grange Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

### 414.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

#### 414.3.1 EMERGENCY COMMUNICATIONS

[REDACTED]

## *Hostage and Barricade Incidents*

---

### **414.4 FIRST RESPONDER CONSIDERATIONS**

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

#### **414.4.1 BARRICADE SITUATION**

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

## *Hostage and Barricade Incidents*

---

- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Chief Of Police or Deputy Chief.
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

### 414.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

## *Hostage and Barricade Incidents*

---

- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Chief Of Police or Deputy Chief.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

### **414.5 SUPERVISOR RESPONSIBILITIES**

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Crisis Response Unit (CRU) response if appropriate and apprising the CRU Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the Village during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Communications Center.
- (i) Identify a media staging area outside the outer perimeter and have the department Chief Of Police or Deputy Chief or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

### *Hostage and Barricade Incidents*

---

#### **414.6 CRISIS RESPONSE UNIT RESPONSIBILITIES**

It will be the Incident Commander's decision, with input from the CRU Commander, whether to deploy the CRU during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the CRU Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the CRU. The Incident Commander and the CRU Commander or the authorized designee shall maintain communications at all times.

#### **414.7 REPORTING**

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

## Response to Bomb Calls

### 416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the La Grange Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

### 416.2 POLICY

It is the policy of the La Grange Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

### 416.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Watch Commander is immediately advised and informed of the details. This will enable the Watch Commander to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

### 416.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

#### 416.4.1 LA GRANGE POLICE DEPARTMENT FACILITY

If the bomb threat is against the La Grange Police Department facility, the Watch Commander will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

#### 416.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the La Grange Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Watch Commander deems appropriate.

## *Response to Bomb Calls*

---

### **416.4.3 FEDERAL BUILDING OR PROPERTY**

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

### **416.5 PRIVATE FACILITY OR PROPERTY**

When a member of this department receives notification of a bomb threat at a location in the Village of La Grange, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
  - 1. No evacuation of personnel and no search for a device.
  - 2. Search for a device without evacuation of personnel.
  - 3. Evacuation of personnel without a search for a device.
  - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Watch Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

#### **416.5.1 ASSISTANCE**

The Watch Commander should be notified when police assistance is requested. The Watch Commander will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Watch Commander determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.



## *Response to Bomb Calls*

---

- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
  - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
  - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
  - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

### **416.6 FOUND DEVICE**

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
  - 1. Two-way radios
  - 2. Cell phones
  - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) [REDACTED].
- (g) [REDACTED]
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Watch Commander including:
  - 1. The time of discovery.

## *Response to Bomb Calls*

---

2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

### **416.7 EXPLOSION/BOMBING INCIDENTS**

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

#### **416.7.1 CONSIDERATIONS**

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

#### **416.7.2 NOTIFICATIONS**

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

### *Response to Bomb Calls*

---

#### 416.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

#### 416.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Watch Commander should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

## Civil Commitments

### 418.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under a civil commitment (405 ILCS 5/1-100 et seq.).

### 418.2 POLICY

It is the policy of the La Grange Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

### 418.3 AUTHORITY

An officer responding to or handling a call involving a suspected civil commitment may take that person into custody and transport him/her to an approved mental health facility when the officer has reasonable grounds to believe the person is in need of immediate hospitalization to protect him/herself or others from physical harm (405 ILCS 5/3-606).

Upon arrival at the facility, the officer should complete the written petition for involuntary admission, which includes (405 ILCS 5/3-601):

- A detailed statement of the reason for the commitment, including observed signs and symptoms, a description of any acts, threats, other behavior or pattern of behavior, and the time and place of occurrence.
- The name and address of the spouse, parent, guardian, substitute decision-maker, if any, and close relative, or if none, the name and address of a known friend. If this information is unavailable, the officer shall state that diligent inquiry was made.

If the petition is not completed by the officer transporting the person, the transporting officer's name, badge number and department shall be included in the petition (405 ILCS 5/3-606).

#### 418.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

## *Civil Commitments*

---

### **418.3.2 MINORS**

An officer may take a minor into custody and transport the minor to a mental health facility when there is reasonable grounds to believe that the minor has a mental illness or emotional disturbance of such severity that hospitalization is necessary to protect him/herself or others from physical harm, and that the minor is likely to benefit from inpatient treatment (405 ILCS 5/3-503; 405 ILCS 5/3-504(b)).

Upon arrival at the facility, the officer should complete the written petition for involuntary admission and shall further include (405 ILCS 5/3-503; 405 ILCS 5/3-504(b)):

- A detailed statement of the reason for the commitment, including a description of any acts or significant threats, and the time and place of occurrence.
- The name, address and telephone number of any witness.

### **418.4 CONSIDERATIONS AND RESPONSIBILITIES**

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for individuals who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

### **418.5 TRANSPORTATION**

When transporting any individual for a civil commitment, the transporting officer should have the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol vehicle and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

### **418.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should

## *Civil Commitments*

---

provide the staff member with the written petition for involuntary admission and remain present to provide clarification of the grounds for detention, upon request (405 ILCS 5/3-606).

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

### **418.7 DOCUMENTATION**

The officer should complete a petition for involuntary admission, provide it to the facility staff member assigned to the individual and retain a copy of the petition for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

#### **418.7.1 NOTIFICATION TO ILLINOIS STATE POLICE**

A member who reasonably determines that a person poses a clear and present danger because he/she has engaged in verbally or physically threatening behavior (e.g., violent, suicidal or assaultive threats or actions), shall ensure this information is reported to the Illinois State Police (ISP) within 24 hours (430 ILCS 65/8.1). The fact that the ISP has been notified and the manner of notification should be documented.

### **418.8 CRIMINAL OFFENSES**

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

### **418.9 FIREARMS AND OTHER WEAPONS**

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon.

### *Civil Commitments*

---

Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officers should further advise the individual of the procedure for the return of any confiscated firearm or other weapon that has been taken into custody.

#### **418.9.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS**

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer should detail those facts and circumstances in a report. The report should be forwarded to the Investigation Division, which shall be responsible for contacting the Illinois State Police Firearms Services Bureau.

#### **418.10 TRAINING**

This department will endeavor to provide training approved by the Illinois Law Enforcement Training and Standards Board on interaction with mentally disabled persons, civil commitments and crisis intervention.

## Notice to Appear or Summons Releases

### 420.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the La Grange Police Department with guidance on when to release adults who are suspected offenders on a summons or notice to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

### 420.2 RELEASE

Whenever a peace officer is authorized to arrest a person without a warrant he/she may be released on issuance of a summons or notice to appear (65 ILCS 5/1-2-9; 725 ILCS 5/107-12).

### 420.3 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

### 420.4 POLICY

The La Grange Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a summons or notice to appear when authorized to do so.



# Foreign Diplomatic and Consular Representatives

## 422.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the La Grange Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

## 422.2 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes note a	Yes	Yes	Yes	No for official acts Yes otherwise note a	No immunity or inviolability note a
Career Consul Officer	Yes if for a felony and pursuant to a warrant note a	Yes note d	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise note a	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employee	Yes note a	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise note a	No immunity or inviolability note a

# La Grange Police Department

La Grange PD Policy Manual

## *Foreign Diplomatic and Consular Representatives*

Int'l Org Staff note b	Yes note c	Yes note c	Yes	Yes note c	No for official acts Yes otherwise note c	No immunity or inviolability
Diplomatic- Level Staff of Missions to Int'l Org	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

### **422.3 DOCUMENTATION**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

### **422.4 ENFORCEMENT ACTION**

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

# La Grange Police Department

## La Grange PD Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
  1. Diplomatic-level staff of missions to international organizations and recognized family members
  2. Diplomatic agents and recognized family members
  3. Members of administrative and technical staff of a diplomatic mission and recognized family members
  4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
  1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
  2. Support staff of missions to international organizations
  3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
  4. Honorary consular officers

#### **422.5 POLICY**

The La Grange Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

#### **422.6 CLAIMS OF IMMUNITY**

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

# La Grange Police Department

## La Grange PD Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 , or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

## Rapid Response and Deployment

### 424.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

### 424.2 POLICY

The La Grange Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

### 424.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.

## *Rapid Response and Deployment*

---

- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

### **424.4 TRAINING**

The Training Supervisor should include rapid response to critical incidents in the department training plan.

This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

### **424.5 CONSIDERATIONS**

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

### **424.6 PLANNING**

The Operations Deputy Chief should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.

## *Rapid Response and Deployment*

---

- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

### 424.6.1 SCHOOL SAFETY DRILLS

The Training Supervisor should work with the administration of public and private elementary and secondary schools that offer education to persons under 21 to schedule annual on-site drills within 90 days after the first day of the school year to respond to school shooting incidents (105 ILCS 128/15; 105 ILCS 128/20).

---

# Immigration Violations

## 428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the La Grange Police Department relating to immigration and interacting with federal immigration officials.

## 428.2 POLICY

It is the policy of the La Grange Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

## 428.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or Illinois constitutions.

## 428.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.



## *Immigration Violations*

---

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

### **428.4.1 SUPERVISOR RESPONSIBILITIES**

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

### **428.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT**

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

### **428.6 FEDERAL REQUESTS FOR ASSISTANCE**

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

### **428.7 INFORMATION SHARING**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; 5 ILCS 805/5):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

#### **428.7.1 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 or any other hold request unless the person has been charged with a federal crime or the detainer is accompanied by a judicial warrant. Notification to the federal authority issuing the detainer should be made prior to the release (5 ILCS 805/15).

### **428.8 U VISA AND T VISA NONIMMIGRANT STATUS**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). The

# La Grange Police Department

## La Grange PD Policy Manual

### *Immigration Violations*

---

Investigation Division supervisor is designated to complete the law enforcement certification for a U visa.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). The Investigation Division supervisor is designated to complete a law enforcement declaration for a T visa (5 ILCS 825/10).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Division supervisor assigned to oversee the handling of any related case. The Investigation Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
  - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
  - 2. The certification form should be completed within 90 business days of the request unless (5 ILCS 825/10):
    - (a) There is a written agreement with the victim or the victim's representative extending the time to complete the certification form.
    - (b) The victim is eligible for expedited completion of the certification form.
  - 3. Complete and reissue a certification form within 90 days of a request to reissue by a victim unless the circumstances of the victim require that the completion and reissuance of the certification form be expedited (5 ILCS 825/10).
- (d) Provide written notice to the victim or the victim's representative if it cannot be determined based on the evidence that the victim is qualified for a U visa or T visa (5 ILCS 825/10).
- (e) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

#### 428.8.1 NON-DISCLOSURE OF IMMIGRATION STATUS

No member shall disclose the immigration status of the victim or the person requesting the certification form unless authorized in writing by the individual or as required by law (5 ILCS 825/10).

#### 428.8.2 PUBLICATION OF DECLARATION AND CERTIFICATION FORM PROCESS

The Investigation Division supervisor should make the department's procedures for certification requests publicly available for victims and their representatives (5 ILCS 825/10).

## *Immigration Violations*

---

### **428.9 TRAINING**

The Training Supervisor should ensure officers receive training on this policy.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

## Emergency Utility Service

### 430.1 PURPOSE AND SCOPE

The Village Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

#### 430.1.1 BROKEN WATER LINES

The Village's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the Village side of the meter, emergency personnel should be called as soon as practical by the Communications Center.

#### 430.1.2 ELECTRICAL LINES

Village Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The appropriate utility company or Public Works should be promptly notified.

#### 430.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

Public Works maintains the public water equipment and may maintain other municipal utility equipment as well. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

#### 430.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by the Communications Center.

### 430.2 TRAFFIC SIGNAL MAINTENANCE

The Village of La Grange contracts with a private maintenance company to furnish maintenance for all traffic signals within the Village, other than those maintained by the Illinois Department of Transportation or other unit of government.

#### 430.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise the Communications Center of the location and problem with the signal. The telecommunicator should make the necessary notification to the proper maintenance agency.

## Patrol Rifles

### 432.1 PURPOSE AND SCOPE

In order to more effectively and accurately address the increasing level of fire power and body armor utilized by criminal suspects, the La Grange Police Department will make patrol rifles available to qualified patrol officers as an additional and more immediate tactical resource.

### 432.2 PATROL RIFLE

#### 432.2.1 DEFINITION

**Patrol Rifle** - An authorized weapon which is owned by the Department and which is made available to properly trained and qualified officers as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried for patrol duty unless pre-approved in writing by the Chief of Police and the department Rangemaster.

### 432.3 SPECIFICATIONS

Only weapons and ammunition that meet agency authorized specifications, approved by the Chief of Police, and issued by the Department may be used by officers in their law enforcement responsibilities. The authorized patrol rifle issued by the Department is the H & K MP5 and Colt M4 Carbines.

### 432.4 RIFLE MAINTENANCE

- (a) Primary responsibility for maintenance of patrol rifles shall fall on the Rangemaster, who shall inspect and service each patrol rifle on a monthly basis.
- (b) Each patrol officer carrying a patrol rifle may be required to field strip and clean an assigned patrol rifle as needed.
- (c) Each patrol officer shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle.
- (d) Any patrol rifle found to be unserviceable shall be removed from service. The rifle shall be clearly labeled as "out of service" and details regarding the weapon's condition shall be included on the label.
- (e) Each patrol rifle shall be subject to inspection by a supervisor or the Rangemaster at any time.
- (f) No modification shall be made to any patrol rifle without prior written authorization from the Rangemaster.

### 432.5 TRAINING

Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial 8-hour patrol rifle user's course

## *Patrol Rifles*

---

and qualification score with a qualified patrol rifle instructor. Officers shall thereafter be required to successfully complete annual training and qualification conducted by a qualified patrol rifle instructor.

Any officer who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol officers user's course and qualification.

### **432.6 DEPLOYMENT OF THE PATROL RIFLE**

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

- (a) Situations where the officer reasonably anticipates an armed encounter.
- (b) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.
- (c) Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.
- (e) When an officer reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

### **432.7 DISCHARGE OF THE PATROL RIFLE**

The discharge of the patrol rifle shall be governed by the Department's Deadly Force Policy, Policy Manual § 300.

### **432.8 PATROL READY**

Any qualified officer carrying a patrol rifle in the field shall maintain the weapon in the "patrol ready" condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned officer, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well.

### **432.9 RIFLE STORAGE**

- (a) When not in use, patrol rifles will be stored in the department gun safe.
- (b) Patrol rifles may remain secured in patrol vehicle's rifle rack at the end of an officer's assigned shift.

# La Grange Police Department

## La Grange PD Policy Manual

### *Patrol Rifles*

---

- (c) Patrol rifles must be removed from patrol vehicles and secured in the department safe anytime the patrol vehicle is brought to another location for service, repair or storage.

# Aircraft Accidents

## 434.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

### 434.1.1 DEFINITIONS

Definitions related to this policy include:

**Aircraft** - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

## 434.2 POLICY

It is the policy of the La Grange Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

## 434.3 DOCUMENTATION

All aircraft accidents occurring within the Village of La Grange shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of LGPD members deployed to assist; other Village resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

### 434.3.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
  - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.



## *Aircraft Accidents*

---

- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

### **434.3.2 WITNESSES**

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

### **434.4 ARRIVAL AT SCENE**

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

### **434.5 INJURIES AND CASUALTIES**

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

### **434.6 NOTIFICATIONS**

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and

## *Aircraft Accidents*

---

the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

### **434.7 CONTROLLING ACCESS AND SCENE AUTHORITY**

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

### **434.8 DANGEROUS MATERIALS**

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.
- (d) Evacuation chutes, ballistic parachute systems and composite materials.

### **434.9 MEDIA RELATIONS**

The Chief Of Police or Deputy Chief (Chief of Police) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the

# La Grange Police Department

## La Grange PD Policy Manual

### *Aircraft Accidents*

---

surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The Chief of Police should coordinate with other involved entities before the release of information.

# Field Training Officer Program

## 436.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the La Grange Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

## 436.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

### 436.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of three years of patrol experience with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Participate and pass an internal oral interview selection process.
- (e) Evaluation by supervisors and current FTOs.
- (f) Possess an ILETSB certificate.

### 436.2.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved FTO course prior to being assigned as an FTO.

All FTOs must complete an FTO update course approved by this department every three years while assigned to the position of FTO.

## 436.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Operations Deputy Chief or his/her designee and shall when practical, have completed the ILETSB certified (40 hour) Field Training Officer's Course.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.

# La Grange Police Department

## La Grange PD Policy Manual

### *Field Training Officer Program*

---

- (c) Maintain and ensure FTO/Trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO Coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete an ILETSB approved Field Training Administrator's Course, preferably within one year of appointment to this position.

#### **436.4 TRAINEE DEFINED**

Any entry level, lateral police officer, or person granted Conservators of the Peace Power newly appointed to the La Grange Police Department who has successfully completed an ILETSB training course.

#### **436.5 REQUIRED TRAINING**

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

To the extent practicable, officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

##### **436.5.1 FIELD TRAINING MANUAL**

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the La Grange Police Department. The manual is not intended to cover every contingency, but will be periodically reviewed and adjusted as appropriate. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the La Grange Police Department.

#### **436.6 EVALUATIONS**

Evaluations are an important component of the training process and shall be completed as outlined below.

## *Field Training Officer Program*

---

### **436.6.1 FIELD TRAINING OFFICER**

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO program supervisor on a daily basis.
- (b) Review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.
- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

### **436.6.2 TRAINEE**

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

### **436.7 DOCUMENTATION**

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of phase evaluations.
- (c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.

## Obtaining Air Support Assistance

### 438.1 PURPOSE AND SCOPE

The use of a law enforcement helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

### 438.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

#### 438.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Watch Commander, or his/her designee, will call the closest agency having helicopter support available. The Watch Commander on duty will apprise that agency of the specific details of the incident prompting the request.

#### 438.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law Enforcement helicopters may be requested under any of the following conditions:

- (a) When the helicopter is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.
- (c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

## Contacts and Temporary Detentions

### 440.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

#### 440.1.1 DEFINITIONS

Definitions related to this policy include:

**Consensual encounter** - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Field interview (FI)** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

**Field photographs** - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-down search** - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

**Reasonable suspicion** - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

**Temporary detention** - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

### 440.2 POLICY

The La Grange Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.



## *Contacts and Temporary Detentions*

---

### **440.3 FIELD INTERVIEWS**

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the La Grange Police Department to strengthen community involvement, community awareness, and problem identification.

#### **440.3.1 INITIATING A FIELD INTERVIEW**

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

### **440.4 PAT-DOWN SEARCHES**

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

## *Contacts and Temporary Detentions*

---

- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

### **440.5 FIELD PHOTOGRAPHS**

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

#### **440.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT**

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

#### **440.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT**

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

#### **440.5.3 DISPOSITION OF PHOTOGRAPHS**

All detainee photographs must be adequately labeled and submitted to the Watch Commander with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Watch Commander should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Watch Commander will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Section.

## *Contacts and Temporary Detentions*

---

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

### **440.5.4 SUPERVISOR RESPONSIBILITIES**

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

### **440.6 STOP RECEIPTS**

Whenever an officer stops a person in a public place and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number (725 ILCS 5/107-14).

### **440.7 WITNESS IDENTIFICATION AND INTERVIEWS**

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

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

# Criminal Organizations

## 442.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the La Grange Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

### 442.1.1 DEFINITIONS

Definitions related to this policy include:

**Criminal intelligence system** - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

## 442.2 POLICY

The La Grange Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

## 442.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

### 442.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any

## *Criminal Organizations*

---

supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Records Supervisor may not purge such documents without the approval of the designated supervisor.

### **442.3.2 SWORD SYSTEM ENTRIES**

It is the designated supervisor's responsibility to approve the entry of any information into the Statewide Organized Criminal Gang Database (SWORD) criminal intelligence system (20 ILCS 2605/2605-305). Entries into such a database should be based upon on reasonable suspicion of criminal activity or actual criminal activity, and should be supported by documentation, where documentation is available.

The designated supervisor may approve creation or submission of information into the SWORD criminal intelligence system when the individual has been arrested and there is a reasonable belief that the individual is a member or affiliate of an organized gang. The designated supervisor may notify the appropriate prosecutor of the individual's alleged gang membership or gang affiliate status (20 ILCS 2640/15).

### **442.4 TEMPORARY INFORMATION FILE**

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

#### **442.4.1 FILE CONTENTS**

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Section or Evidence Room, but should be copies of, or references to, retained documents such as copies of reports, field interviews (FI) forms, the Communications Center records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

## *Criminal Organizations*

---

- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

### **442.4.2 FILE REVIEW AND PURGING**

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

### **442.5 INFORMATION RECOGNITION**

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Supervisor to train members to identify information that may be particularly relevant for inclusion.

### **442.6 RELEASE OF INFORMATION**

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

### **442.7 REVIEW AND PURGING OF GANG PARTICIPANT FILE**

The file shall be reviewed annually by the Operations Commander. Each individual file having no entry indicating law enforcement contact for the preceding year's period shall be purged from the file and disposed of in accordance with the Department purge criteria.

## *Criminal Organizations*

---

Exception: In the event there is a legitimate law enforcement reason to retain the information in the file, an explanation for doing so shall be entered in the file by the Operations Commander. Files that are retained beyond the one-year period shall be reviewed every six months to determine if they should be purged.

### **442.8 CRIMINAL STREET GANGS**

The Investigation Division supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity.
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

### **442.9 TRAINING**

The Training Supervisor should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

## Watch Commanders

### **444.1 PURPOSE AND SCOPE**

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

### **444.2 DESIGNATION AS ACTING WATCH COMMANDER**

When a Sergeant is unavailable for duty as Watch Commander, in most instances the senior qualified Squad Leader shall be designated as acting Watch Commander. This policy does not preclude designating a less senior Squad Leader as an acting Watch Commander when operational needs require or training permits.



## Mobile Audio/Video

### 446.1 PURPOSE AND SCOPE

The La Grange Police Department has equipped marked patrol cars with Mobile Audio and Video (MAV) recording systems to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

#### 446.1.1 DEFINITIONS

Definitions related to this policy include:

**Activate** - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

**In-car video and Mobile Audio Video (MAV) system** -Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

**MAV technician** - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

**Recorded media** - Audio-video signals recorded or digitally stored on a storage device or portable media.

### 446.2 POLICY

It is the policy of the La Grange Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

### 446.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only La Grange Police Department identified and labeled media with tracking numbers are to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name, serial number, badge or PIN number and the current date and time at the start and again at the end of each shift.

## *Mobile Audio/Video*

---

If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

### **446.4 ACTIVATION OF THE MAV**

The MAV system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

#### **446.4.1 REQUIRED ACTIVATION OF MAV**

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident, due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated as soon as practicable in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct, within video or audio range:
  - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
  - 2. Priority responses
  - 3. Vehicle pursuits
  - 4. Suspicious vehicles
  - 5. Arrests
  - 6. Vehicle searches
  - 7. Physical or verbal confrontations or use of force
  - 8. Pedestrian stops
  - 9. DUI investigations including field sobriety tests
  - 10. Crimes in progress
  - 11. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify the Communications Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:

## *Mobile Audio/Video*

---

1. Domestic violence calls
  2. Disturbance of peace calls
  3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

### **446.4.2 CESSATION OF RECORDING**

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

### **446.4.3 WHEN ACTIVATION IS NOT REQUIRED**

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

### **446.5 REVIEW OF MAV RECORDINGS**

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of MAV systems
- (e) By a department investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation

# La Grange Police Department

## La Grange PD Policy Manual

### *Mobile Audio/Video*

---

- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
- (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (i) By the media through proper process or with permission of the Chief of Police or the authorized designee
- (j) To assess possible training value
- (k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Watch Commander. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

#### **446.6 DOCUMENTING MAV USE**

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

#### **446.7 RECORDING MEDIA STORAGE AND INTEGRITY**

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15)).

##### **446.7.1 COPIES OF ORIGINAL RECORDING MEDIA**

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

##### **446.7.2 MAV RECORDINGS AS EVIDENCE**

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the La Grange Police Department

## *Mobile Audio/Video*

---

should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

### **446.7.3 RECORDING RETENTION REQUIREMENTS**

Notwithstanding the 90 day retention period in 720 ILCS 5/14-3(h-15), if the Department receives funds under the Illinois Law Enforcement Camera Grant Act, MAV video records must be stored for no less than two years (50 ILCS 707/15).

### **446.8 SYSTEM OPERATIONAL STANDARDS**

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

### **446.9 MAV TECHNICIAN RESPONSIBILITIES**

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
  - 1. Ensures it is stored in a secure location with authorized controlled access.

# La Grange Police Department

## La Grange PD Policy Manual

### Mobile Audio/Video

---

2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
  1. Pursuant to a court order.
  2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
  1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

#### 446.9.1 ADDITIONAL MAV TECHNICIAN RESPONSIBILITIES FOR GRANT FUNDING

If the Department receives any grants under the Illinois Law Enforcement Camera Grant Act, the MAV technician is also responsible for (50 ILCS 707/15):

- (a) Remaining familiar with the applicable requirements of the Illinois Law Enforcement Camera Grant Act including any model rules developed by the Illinois Law Enforcement Training and Standards Board (ILETSB).
- (b) Ensuring the MAV system includes audio of the officer when the officer is outside of the vehicle.
- (c) Limiting access to the camera to the officer's supervisor.
- (d) Working with the Records Supervisor to develop procedures to process requests from other law enforcement agencies and local State's Attorneys for video recordings, including procedures for protecting identities of individuals not related to the recorded incident.
- (e) Completing the annual MAV report required by 50 ILCS 707/15.

#### 446.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

#### 446.11 ACTIVATION OF THE MAV

The MAV system shall be activated continuously throughout the officer's shift (50 ILCS 707/15).

#### 446.12 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of the Communications Center.

# La Grange Police Department

## La Grange PD Policy Manual

### *Mobile Audio/Video*

---

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
  - 1. The tracking number of the MAV system media.
  - 2. The date it was issued.
  - 3. The law enforcement operator or the vehicle to which it was issued.
  - 4. The date it was submitted.
  - 5. Law enforcement operators submitting the media.
  - 6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.



# Mobile Data Terminal Use

## 448.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Center.

## 448.2 POLICY

La Grange Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

## 448.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

## 448.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Watch Commanders.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

### 448.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.



## *Mobile Data Terminal Use*

---

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

### **448.5 DOCUMENTATION OF ACTIVITY**

Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

#### **448.5.1 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

#### **448.5.2 EMERGENCY ACTIVATION**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

### **448.6 EQUIPMENT CONSIDERATIONS**

#### **448.6.1 MALFUNCTIONING**

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify the Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

# La Grange Police Department

La Grange PD Policy Manual

## *Mobile Data Terminal Use*

---

### 448.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

## Portable Audio/Video Recorders

### 450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any La Grange Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

#### 450.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

**Body-worn camera or camera** - An electronic camera system for creating, generating, sending, receiving, storing, displaying and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

**Law enforcement-related activities** - Activities in which the member is enforcing the law, including traffic or pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd and traffic control. It does not include tasks unrelated to the investigation of a crime such as participating in town halls or other community outreach; helping a child find his/her parents; providing death notifications; performing in-home or hospital well-being checks on the sick, elderly or persons presumed missing; or completing paperwork while alone or only in the presence of another law enforcement officer.

**Portable recorder or recorder** - Either an audio-only recording device or a body-worn camera.

### 450.2 POLICY

If and when the Department adopts a Body Worn Camera program: The La Grange Police Department may allow members to use approved portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### 450.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

## *Portable Audio/Video Recorders*

---

### **450.4 MEMBER RESPONSIBILITIES**

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable (50 ILCS 706/10-20). Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, LGPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

### **450.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER**

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20).

Other portable recorders should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify the Communications Center
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

# La Grange Police Department

## La Grange PD Policy Manual

### *Portable Audio/Video Recorders*

---

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20).

Members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Members should remain sensitive to the dignity of all individuals being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

#### 450.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Illinois law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential (720 ILCS 5/14-2).

However, officers using body-worn cameras are not prohibited from recording a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the officer from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

#### 450.5.2 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, witness or community member reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the officer should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20).

Officers are permitted to turn off body-worn cameras while inside a patrol car equipped with Mobile Audio/Video (MAV). Cameras may also be turned off when the officer is not engaged in law

## *Portable Audio/Video Recorders*

---

enforcement-related activities or when completing paperwork alone or while only in the presence of another member (50 ILCS 706/10-20).

### **450.5.3 EXPLOSIVE DEVICE**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

### **450.6 PROHIBITED USE OF PORTABLE RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

### **450.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS**

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

## *Portable Audio/Video Recorders*

---

- (g) The recording or portions of the recording may be protected under the Freedom of Information Act or the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5; 50 ILCS 706/10-20).

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

### **450.8 REVIEW OF RECORDED MEDIA FILES**

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

#### **450.8.1 DOCUMENTING REVIEW OF RECORDINGS**

Members who review recordings prior to completing incident reports or other documentation shall disclose that fact in the report or other documentation (50 ILCS 706/10-20).

### **450.9 BODY-WORN CAMERA COORDINATOR**

The Chief of Police or the authorized designee should designate a coordinator responsible for (50 ILCS 706/10-20):

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact, label or duplicate recordings.



## *Portable Audio/Video Recorders*

---

- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:
  - 1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures or problems with the equipment.
  - 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.
  - 3. Security of recordings including access controls.
  - 4. Redacting, labeling and duplicating recordings.
  - 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).

### **450.10 RETENTION OF RECORDINGS**

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

#### **450.10.1 RETENTION REQUIREMENTS FOR BODY-WORN CAMERA RECORDINGS**

Recordings made on body-worn cameras shall be retained for 90 days. Recordings shall not be altered, erased or destroyed prior to the expiration of the 90-day storage period (50 ILCS 706/10-20).

After the 90-day storage period, recordings must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed
- (b) The officer discharged his/her firearm or used force during the encounter
- (c) Death or great bodily harm occurred to any person in the recording
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense with a fine of more than \$1,000
- (e) The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct



# La Grange Police Department

## La Grange PD Policy Manual

### *Portable Audio/Video Recorders*

---

- (f) The supervisor of the officer, prosecutor, defendant or court determines that the encounter has evidentiary value in a criminal prosecution
- (g) The recording officer requests that the video be retained for official purposes related to his/her official duties

Under these circumstances, the recording of the encounter shall not be altered or destroyed for two years. If the recording is used in a criminal, civil or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court.

Recordings may be retained anytime a supervisor designates the recording for training purposes and may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training or ensuring compliance with department policies.

#### 450.10.2 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

## Portable Radiation Detectors (PRD)

### 451.1 PURPOSE AND SCOPE

The LaGrange Police Department believes that safeguarding the public from the illegal or dangerous use of hazardous materials, including radioactive materials, is a critical mission. In this instance, the monitoring of radioactive materials that may be found in public is included as part of the ILEAS Police Department mission. The LaGrange Police Department has acquired portable radiation detectors and provided the appropriate radiation detector training to members of the agency. It shall be the policy of the LaGrange Police Department to utilize these detectors when possible to locate and identify sources of radiation that are either illegal or hazardous to the health of the general public.

The purpose of this policy is to govern the use of radiation detectors employed by the LaGrange Police Department and to provide guidance to members of the Department with regard to their use, training and operation.

### 451.2 DEFINITIONS

1. Illinois Law Enforcement Alarm System (ILEAS) €" The consortium of local law enforcement agencies that has purchased the personal radiation detectors for use by this Department.
2. Illinois Emergency Management Agency (IEMA) €" The agency of state government charged with the responsibility for developing a plan for training and coordination between law enforcement and other agencies that will be assigned personal radiation detectors (PRD) for use in their daily or routine response activities.
3. Personal Radiation Detector (PRD) €" A PRD is a small detection device instrument worn, mounted in a car, or carried by an officer that measures the ionizing radiation exposure.
4. Radioactive Material €" This shall mean any solid, liquid or gaseous substance that emits radiation at a level detectable by the PRD.
5. Radiological Duty Officer - A person assigned by IEMA to provide 24-hour technical assistance to Group B Reach Back personnel.
6. Group B Reach Back €" The agency or multi-agency response team that is the first line of contact for the officer who cannot resolve a radiation alarm after investigation.

### 451.3 LEGAL AUTHORITY

1. 20 ILCS 3310/1, et. seq., "Nuclear Safety Law of 2004"
2. 20 ILCS 3310/40 et. seq., "Regulation of Nuclear Safety"
3. 420 ILCS 40/1, et seq., "the Illinois Radiation and Protection Act of 1990"
4. 430 ILCS 30/1 et seq., "the Illinois Hazardous materials Transportation Act"
5. 625 ILCS 5/18b-100, et seq., "the Illinois Motor Carrier Safety Law"

## *Portable Radiation Detectors (PRD)*

---

6. Title 18, United States Code, Section 831: "prohibited Transactions involving Nuclear Materials"

7. Illinois Joint Committee on Administrative Rules, Title 32; Energy, Chapter II, Subchapter b, Part 340,

section 340.310 "Dose Limits for Individual Members of the Public"

### **451.4 PROCEDURE**

#### **451.4.1 LEGAL STANDING**

a) Officers will base traffic stops, investigative detentions, arrests, and searches of property on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the United States Constitution, the Illinois Constitution, applicable statutes, or as otherwise permitted under current law.

b) Officers must be able to articulate reasonable facts, circumstances, and conclusions that support probable cause or reasonable suspicion for an arrest, traffic stop, search, seizure, or investigative detention.

c) Because radiation detection alone may not be indicative of criminal activity officers are prohibited from taking strict enforcement action based solely on a positive alert from the PRD. Traffic stops based upon an alert from these devices may be made only when the officer has reasonable suspicion or probable cause under the totality of the circumstance that a brief detention is necessary.

d) If there is high exposure rate alarm (i.e. an alarm exceeding 2 mR per hour), there is a sufficient public health concern to justify further investigation. The officer should take reasonable efforts to determine the source of the radiation, taking into account the totality of the current circumstances.

#### **451.4.2 TRAINING**

a) No member of the LaGrange Police Department shall operate the PRD or take enforcement action based on any reading or alarm of the PRD without first successfully completing the authorized and appropriate training.

b) Such training shall include the operation of the PRD, interpretation of alarms, techniques involved in radiation detection investigations, and procedures to follow if it is necessary to request assistance for further investigation or containment.

#### **451.4.3 PROCEDURE ON PRD ALARM**

a) Members of the Department shall follow the procedures as outlined in Appendix A of this Directive with regard to actions taken as a result of the alarm.

b) Officers shall use appropriate judgment when making stops, investigations and taking other police actions based on alerts from a PRD. Radiation detection is highly technical, involving intricate legal issues. Officers are encouraged to utilize the resources provided to assist with alarm interpretation.

## *Portable Radiation Detectors (PRD)*

---

c) When an officer is investigating a high rate exposure alarm over 2 mR/hr, an attempt should be made to move the source to a secondary location out of traffic and away from critical infrastructure.

d) When the regional Group B Reach Back team arrives on scene, Officers of the LaGrange Police Department will provide support as requested. Supervisors shall ensure that on-scene communication occurs between the LaGrange Police Department and the responding agency clarifying which agency is ultimately responsible for the scene and the investigation.

e) Officers shall follow investigative protocols as outlined in the authorized training when investigating radiological sources. Not all radioactive sources are illegal or dangerous. Officers should follow the protocol of attempting to identify a legitimate source for the alarm before initiating a criminal investigation or over-reacting on a public safety basis.

f) Alarms may be triggered by many different legitimate sources that are not life threatening, such as:

1) Legitimate radioactive materials or sources being transported legally in approved and properly prepared packaging.

2) Patients that have undergone recent medical treatments including certain types of radiation therapy, nuclear medicine, or PET scans.

3) Items in commerce that contain naturally occurring radioactive materials, including radium in pipe scale, granite rock, and certain fertilizers.

4) Detector malfunction or operator error.

5) Organizations and individuals that are licensed by the State and/or Federal governments to possess legitimate radioactive sources.

g) In the event that a source of radiation cannot be determined or explained, guidance should be obtained through the regional Group B Reach Back team.

### **451.5 ALARM SUPPORT SYSTEM**

a) IEMA has developed a Detection Response Protocol to assist law enforcement and fire agencies when the alarm cannot be resolved on scene. The LaGrange Police Department shall use this Detection Response Protocol to resolve PRD alarms that cannot otherwise be resolved by the investigative officer.

b) The IEMA protocol calls for three levels of investigation €" Group A, Group B, and Group C:

1) Group A €" the local law enforcement officer on scene that makes the initial contact and primary screening of the radiological source.

2) Group B €" the regional hazmat or other specially trained response team (LaGrange Fire Department/MABAS 10) that provides 24/7 assistance to any Group A PRD user that is unable to resolve or adjudicate radiation alarms encountered while on duty.

# La Grange Police Department

## La Grange PD Policy Manual

### *Portable Radiation Detectors (PRD)*

---

3) Group C will be the IEMA Radiological Duty Officer, contacted via the IEMA Communication Center's 24-hour number (800-782-7860), provides additional support to Group B personnel that cannot isolate, identify, or explain the presence of the radiation source.

c) When a detected radiation source is unresolved after initial investigation or the radiation source is

believed to be illegal, the LaGrange Police Department will contact the Group B Reach Back team.

d) If the situation cannot be resolved over the telephone, the Group B Reach Back team will then respond to the scene and conduct a secondary screening of the source using, in part, Radioactive Isotope Identifiers (RIIDs) to determine the source and spectra of the radioactivity.

e) If the Group B Reach Back team cannot resolve the alarm, they will contact Group C and request the assistance of the on-call Radiological Duty Officer.

f) If at any time an officer's PRD exceeds a reading of 3R, thereby triggering the dose alarm, contact Group C and request the assistance of the on-call Radiological Duty Officer.

#### **451.5.1 DATA RETENTION AND ADMINISTRATION**

a) There shall be assigned at least one person in the LaGrange Police Department who receives additional training regarding the administration of this program.

b) This person shall be able to answer questions about the PRD, including questions about standard operation of the instrument, maintenance and repair of the instruments, and procedures regarding how to handle unresolved alarms by using the Alarm Support System.

c) The assigned administrator will also be responsible for downloading data contained within the PRD to a computer, as assigned. This data must be logged and organized. Each PRD shall undergo routine data downloads at least twice a year.

d) In the event that an alarm is used, in part or in whole, to justify a detention or seizure, at the end of his shift, the officer shall provide the administrator the PRD for immediate download of the alarm data. This data shall be retained as evidence and shall be maintained according to the LaGrange Police Department's Evidence Policy.

#### **451.6 APPENDIX A-RADIATION ALARMS**

See attachment: [Publication2.gif](#)

# Medical Marijuana

## 452.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of cannabis under the Illinois Compassionate Use of Medical Cannabis Program Act (the Act) (410 ILCS 130/1 et seq.).

### 452.1.1 DEFINITIONS

Definitions related to this policy include (410 ILCS 130/10):

**Authorized amount** - No more than 2.5 ounces of usable cannabis unless the person has a Department of Public Health-approved quantity waiver for more than 2.5 ounces. The pre-mixed weight of cannabis used in making cannabis-infused products shall apply toward the authorized amount of cannabis.

**Cardholder** - A person who has been issued a valid registry identification card or valid provisional registration by the Department of Public Health (410 ILCS 130/55).

**Dispensary** - An organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to cardholders.

**Medical use of cannabis** - The acquisition, administration, delivery, possession, transfer, transportation, or use of cannabis to treat or alleviate a person's debilitating medical condition or symptoms associated with the debilitating medical condition.

**Qualifying patient** - A person who has been diagnosed by a physician, an advanced practice registered nurse, or a physician assistant as having a debilitating medical condition listed in 410 ILCS 130/10(h).

**Registered designated caregiver** - A person who has a valid registry identification card to assist a qualifying patient with the medical use of cannabis.

**Registry identification card** - A document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

**Usable cannabis** - The seeds, leaves, buds, and flowers of the cannabis plant. It does not include the stalks and roots of the plant or the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

## 452.2 POLICY

It is the policy of the La Grange Police Department to prioritize resources to avoid making arrests related to cannabis that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

## *Medical Marijuana*

---

Illinois medical cannabis laws are intended to provide protection from arrest and prosecution to those who comply with the registration requirements of the law and who use, possess or provide care to mitigate the symptoms of certain chronic or debilitating medical conditions, or produce or deliver cannabis. However, Illinois medical cannabis laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of cannabis. The La Grange Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Illinois law and the resources of the Department.

### **452.3 INVESTIGATION**

Investigations involving the possession, delivery, production or use of cannabis generally fall into one of two categories:

- (a) Investigations when no person makes a medicinal claim
- (b) Investigations when a medicinal claim is made by a cardholder

#### **452.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM**

In any investigation involving the possession, delivery, production, or use of cannabis or drug paraphernalia where no person claims that the cannabis is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use of marijuana (410 ILCS 705/10-5). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the cannabis was possessed or produced for medicinal purposes.

#### **452.3.2 INVESTIGATIONS INVOLVING A CARDHOLDER**

No enforcement action should be taken when a person is in possession of, delivers, or uses cannabis or cannabis paraphernalia when the following amounts of cannabis are not exceeded (410 ILCS 130/25; 410 ILCS 130/10; 410 ILCS 705/10-5):

- (a) 2.5 ounces of cannabis obtained from a dispensary
- (b) More than 2.5 ounces of cannabis obtained from a dispensary if the person has a Department of Public Health-approved quantity waiver
- (c) Five plants more than 5 inches tall (unless properly licensed to possess more plants under a special license)

The total amount possessed between the patient and caregiver shall not exceed the patient's adequate supply.

Despite the existence of a valid registry identification card, if there is evidence that the conduct related to cannabis was not for the purpose of treating or alleviating the qualifying patient's medical condition or symptoms associated with the medical condition, a criminal investigation should occur (410 ILCS 130/25(a)-(d)).

Registered qualifying patients and their designated caregivers are required to possess their registry identification cards at all times when engaging in the medical use of cannabis (410 ILCS



## *Medical Marijuana*

---

130/70). However, officers who reasonably believe that a person who does not have a registry identification card in his/her possession has been issued a card may treat the investigation as if the person has the card in his/her possession.

### 452.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving cannabis possession, delivery, production, or use (410 ILCS 130/25):

- (a) No person may be arrested solely for:
  - 1. Selling cannabis paraphernalia to a cardholder, if the person is employed and registered as a dispensing agent of a dispensary.
  - 2. Being in the presence or vicinity of the medical use of cannabis.
  - 3. Assisting a qualifying patient in possession of a registry identification card with the act of administering cannabis.
- (b) Cannabis, cannabis paraphernalia, illegal property, or interest in legal property that is possessed, owned, or used in connection with the medical use of cannabis may not be seized or forfeited. However, nothing in this policy prohibits cannabis exceeding the authorized amounts or unrelated to any cannabis that is possessed, manufactured, transferred, or used under the Act from being seized or forfeited
- (c) Possession of, or application for, a registry identification card or registration certificate does not itself constitute reasonable suspicion or probable cause to search, nor does it preclude the existence of other independent probable cause.
- (d) Because enforcement of medical cannabis laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  - 1. The suspect has been identified and can be easily located at another time.
  - 2. The case would benefit from review by a person with expertise in medical cannabis investigations.
  - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  - 4. There are any other relevant factors, such as available department resources and time constraints.
- (e) Registered cultivation centers and dispensaries, as well as their officers, agents, and employees, may not be searched or seized solely because they are a cultivation center or dispensary, or are officers, agents, or employees of such facilities.
- (f) Before proceeding with enforcement related to a cultivation center, officers should consider conferring with appropriate legal counsel or the medical department of the state police (410 ILCS 705/15-135).



## *Medical Marijuana*

---

### 452.3.4 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (410 ILCS 130/30):

- (a) Undertakes any task under the influence of cannabis when doing so would constitute negligence, professional malpractice, or professional misconduct.
- (b) Possesses or uses cannabis:
  - 1. In a school bus, except as provided under 105 ILCS 5/22-33.
  - 2. On the grounds of any preschool, or primary, or secondary school, except as provided under 105 ILCS 5/22-33.
  - 3. In any correctional facility.
  - 4. In a vehicle, except that a person may possess medical cannabis if it is in a reasonably secured, sealed, container and is reasonably inaccessible while the vehicle is moving (see 625 ILCS 5/11-502.15 for how recreational marijuana may be transported in a motor vehicle).
  - 5. In a private residence that is used at any time to provide licensed child care or other similar social service care on the premises.
- (c) Uses cannabis:
  - 1. In any motor vehicle.
  - 2. In any place except a private residence where an individual could reasonably be expected to be observed by others, except as provided under 105 ILCS 5/22-33.
  - 3. Knowingly in close physical proximity to anyone under the age of 18, except as provided under 105 ILCS 5/22-33.
  - 4. As an active duty law enforcement officer, correctional officer, correctional probation officer, or firefighter.
  - 5. As a person with a school bus permit or a Commercial Driver's License (CDL).
- (d) Smokes medical cannabis in any place where smoking is prohibited under the Smoke Free Illinois Act.
- (e) Operates, navigates, or is in actual physical control of any motor vehicle, aircraft, or motorboat while using or under the influence of cannabis, in violation of Sections 11-501 and 11-502.1 of the Illinois Vehicle Code.
- (f) Uses or possesses cannabis if that person does not have a debilitating medical condition and is not a registered qualifying patient or registered designated caregiver.
- (g) Allows another person who is not allowed to use cannabis under the Act to use cannabis that a cardholder is allowed to possess.
- (h) Transfers cannabis to any person contrary to the provisions of the Act
- (i) Drives any vehicle in violation of Section 11-503 of the Illinois Vehicle Code (reckless driving).

## *Medical Marijuana*

---

### **452.4 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a cannabis investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

### **452.5 EVIDENCE ROOM SUPERVISOR RESPONSIBILITIES**

The Evidence Room supervisor should ensure that cannabis, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical cannabis is not destroyed. The Evidence Room supervisor is not responsible for caring for live cannabis plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Evidence Room supervisor should return to the person from whom it was seized any useable cannabis, plants, drug paraphernalia or other related property.

The Evidence Room supervisor should not destroy cannabis that was alleged to be for medical purposes except upon receipt of a court order.

The Evidence Room supervisor may release cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Investigation Division supervisor.

## Bicycle Patrol Unit

### 454.1 PURPOSE AND SCOPE

The La Grange Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

### 454.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Watch Commander.

### 454.3 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a change of assignment request to their appropriate Deputy Chief. A copy will be forwarded to the BPU supervisor. Qualified applicants will then be invited to an oral interview. The oral board will consist of the BPU supervisor and second person to be selected by the BPU supervisor. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as it pertains to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

#### 454.3.1 BICYCLE PATROL UNIT SUPERVISOR

The Bicycle Patrol Unit supervisor will be selected from the rank of sergeant by the Operations Deputy Chief or his/her designee.

The Bicycle Patrol Unit supervisor shall have responsibility for the following:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
- (c) Scheduling maintenance and repairs.
- (d) Evaluating performance of bicycle officers.
- (e) Coordinating activities with the Operations Division.

## *Bicycle Patrol Unit*

---

- (f) Other activities as required to maintain the efficient operation of the Bicycle Patrol Unit.

### **454.4 TRAINING**

Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

### **454.5 UNIFORMS AND EQUIPMENT**

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches and department-approved bicycle patrol pants or shorts.

Optional equipment includes jacket in colder weather, turtleneck shirts or sweaters when worn under the uniform shirt, and a radio head set and microphone.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

### **454.6 CARE AND USE OF PATROL BICYCLES**

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a Police decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of the Illinois Vehicle Code (625 ILCS 5/11-1507). A bicycle is a police vehicle as authorized by 625 ILCS 5/1-162.3.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

# La Grange Police Department

## La Grange PD Policy Manual

### *Bicycle Patrol Unit*

---

Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information and use manuals. These items are to remain with/on the bicycle at all times.

Each bicycle shall be equipped with an oscillating, rotating or flashing red and/or blue warning light that is visible from the front, sides, or rear of the bicycle (625 ILCS 5/12-215).

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each officer assigned an electric bicycle shall periodically rotate the batteries on the respective charges to increase battery life.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

#### **454.7 OFFICER RESPONSIBILITY**

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers operating an authorized emergency vehicle may park or stand, irrespective of the provisions of the Illinois Vehicle Code (625 ILCS); proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation; exceed the maximum speed limits so long as he/she does not endanger life or property; disregard regulations governing direction of movement or turning in specified directions (625 ILCS 5/11-205).

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

## Segway Patrol Unit

### 455.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use and care of an Electronic Personal Assistive Mobility Device commonly known as a Segway. The La Grange Police Department has established the Segway Patrol Unit (SPU) for the purpose of enhancing patrol efforts in the community. Segway patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress.

### 455.2 POLICY

It is the policy of the La Grange Police Department to enhance the foot patrol capabilities of officers through use of an Electronic Personal Assistive Mobility Device. Officers will use these devices in a safe manner, within the requirements of state law, village ordinance and guidelines of this policy.

Segways may be used for regular patrol duty, parking control, or special events. Segways shall not be used to conduct a traffic stop, block traffic or direct traffic. The use of the Segway will emphasize their mobility and visibility to the community. Segways may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow. Requests for specific deployment of Segway patrol officers shall be coordinated through the Segway Patrol Unit supervisor or the Watch Commander.

#### 455.2.1 DEFINITION

**SEGWAY:** a self-balancing, non-tandem two wheeled electronic personal assistive mobility device designed to transport one person with an electric propulsion system that limits the speed of the device to fifteen miles an hour or less.

#### 455.2.2 APPLICABLE STATE STATUTES

Officers of the SPU will operate the Segway in a safe manner and follow all applicable state statutes. The following state statutes specifically apply to the safe operation of a Segway.

- **625 ILCS 5/1 117.7:** Electric personal assistive mobility device. A self balancing 2 non tandem wheeled device designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.
- **625 ILCS 5/11 1005.1:** Electric personal assistive mobility devices. Every person operating an electric personal assistive mobility device upon a sidewalk or roadway has all the rights and is subject to all the duties applicable to a pedestrian.
- **625 ILCS 5/11 1412.1:** Driving upon sidewalk. No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. This Section does not apply to any vehicle moved exclusively by

## Segway Patrol Unit

---

human power, to any electric personal assistive mobility device, nor to any motorized wheelchair.

- **625 ILCS 5/11 1412.2:** Operating an electric personal assistive mobility device on a public sidewalk. A person may not operate an electric personal assistive mobility device upon a public sidewalk at a speed greater than 8 miles per hour.

### 455.2.3 APPLICABLE VILLAGE ORDINANCE

Officers of the SPU will operate the Segway in a safe manner and follow all applicable Village of La Grange Ordinances. The following ordinances specifically apply to the safe operation of a Segway.

### **71.102 SKATEBOARDS, ROLLER BLADES, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, AND SIMILAR DEVICES**

- (a) No person using a skateboard, roller blades, roller skates, a coaster, a scooter, a toy vehicle, an go on any public roadway, except while crossing a street within a crosswalk and except on a street when authorized by the Village (such as during a block party).
- (b) No skateboard, roller blades, roller skates, a coaster, a scooter, a toy vehicle, an electric personal assistive mobility device (as defined below, such as a Segway or similar device), or any similar device shall be operated or otherwise used on any public street or sidewalk or other public way in any area classified in the C-1 Central Commercial District or the C-2 Limited Service Commercial District as set forth on the official Zoning Map of the Village. Nor shall any such device be operated or otherwise used on any private property without the permission of the property owner.
- (c) For purposes of this Section, "electric personal assistive mobility device" shall mean a self-balancing, non-tandem, two-wheeled device designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less, as defined in Section 1-117.7 of the Illinois Vehicle Code, 625 ILCS 5/1-117.7.
- (d) The provisions of this Section 71.102 shall not apply to any of the above-referenced devices when operated (i) as part of a parade for which a valid permit has been issued by the Village pursuant to this Chapter or (ii) by a law enforcement officer in the performance of his or her official duties.

### **455.3 SELECTION OF PERSONNEL**

Any officer interested in becoming a Segway Patrol Unit Officer shall submit a request to their appropriate Lieutenant. Officer includes full-time, part-time and auxiliary officers. Selection of SPU Officers will be made by the candidate's Lieutenant, SPU Supervisor and the Operations Commander using the following criteria:

- Recognized competence and ability as evidenced by performance.
- Special skills or training as it pertains to the assignment.
- Good physical condition.



## *Segway Patrol Unit*

---

- Meet the required rider weight limits.
  - (a) Minimum weight is 100 pounds, including duty gear.
  - (b) Maximum weight is 250 pounds, including duty gear.
- Willingness to perform duties using the Segway as a mode of transportation.

### **455.3.1 SEGWAY PATROL UNIT SUPERVISOR**

The Segway Patrol Unit supervisor will be selected from the rank of Sergeant by the Operations Lieutenant. The Segway Patrol Unit supervisor shall have responsibility for the following:

- Organizing Segway patrol training.
- Inspecting and maintaining inventory of Segways and program equipment.
- Scheduling maintenance and repairs.
- Evaluating performance of Segway officers.
- Coordinating activities with the Operations Division.
- Other activities as required to maintain the efficient operation of the Segway Patrol Unit.

### **455.4 TRAINING**

Only personnel who have successfully completed the Segway HT Product Orientation, Safety and User Skills Training and/or Segway Train the Trainer Course are approved to ride the Electronic Personal Assistive Mobility Device. Thereafter Segway patrol officers should receive yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Proper operation of the Segway
- Segway patrol strategies
- Segway safety and accident prevention
- Operational tactics using Segways

### **455.5 UNIFORMS AND EQUIPMENT**

Segway officers shall wear the departmentally approved uniform and safety equipment while operating the police Segway.

#### **Uniform**

- Officers may wear either the uniform worn by bicycle officers or regular patrol officers when riding the Segway.
- Officers shall wear soft body armour as required in Policy 1024.



# La Grange Police Department

## La Grange PD Policy Manual

### Segway Patrol Unit

---

- In cold weather the approved Segway/Bicycle jacket may be worn. Turtleneck shirts or sweaters may be worn under the uniform shirt.

#### **Safety Equipment**

- Officers shall wear a departmentally approved helmet.
- Officers may wear additional safety equipment such as riding gloves, protective eyewear and footwear. All additional safety equipment must be approved by the Segway Unit Supervisor.

Segway officers shall carry the same equipment on the Segway patrol duty belt as they would on a regular patrol assignment. Officers will be responsible for obtaining necessary forms, citation books and other needed equipment to keep available while on Segway patrol.

#### **455.6 CARE AND USE OF SEGWAYS**

Officers will only use Departmental issued Segways while on duty. The Electronic Personal Assistive Mobility Device used by the Department is a Segway i2 Police model. Officers will be assigned a specially marked and equipped Segway.

- (a) Segways utilized for uniformed Segway patrol will have a reflective Police decal affixed to each side of the leansteer frame, both fenders and front of the handlebar bag. Every Segway shall be equipped with front and rear reflectors, white front headlight, rear red taillight and a siren/horn. A Segway is a police vehicle as authorized by 625 ILCS 5/1-162.3. Each Segway shall be equipped with an oscillating, rotating or flashing red and/or blue warning light that is visible from the front, sides, or rear of the Segway (625 ILCS 5/12-215).
- (b) Segways utilized for uniformed Segway patrol shall be equipped with a front handlebar bag sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.
- (c) Officers will obtain permission from the on-duty Watch Commander or Segway Patrol Unit Supervisor before using a Segway.
- (d) Officers will notify the Telecommunications Center that the Segway is in use.
- (e) Officers will inspect the Segway before and after its use for operability, damage and missing equipment and report it to the on-duty Watch Commander. If the Segway is inoperable, damaged or in need of repair it will immediately be taken out of service and a "Request for Service" form will be completed and forwarded to the Segway Patrol Unit Supervisor.
- (f) Officers shall not modify the Segway, remove, modify or add components except with the expressed approval of the Segway Patrol Unit Supervisor, or in the event of an emergency.

# La Grange Police Department

## La Grange PD Policy Manual

### *Segway Patrol Unit*

---

- (g) Only authorized departmental equipment may be carried in the handle bar compartment.
- (h) Each Segway will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.
- (i) Officers will use the Segway in a safe manner relative to pedestrian traffic and obstacles.
- (j) The Segway is designed to be driven on sidewalks, walkways, paths, etc. Crossing a street is to be done at a crosswalk. They are not to be driven on the street unless used in a parade, festival, special detail or at the direction of the on-duty Watch Commander.
- (k) The Segway will not be used during inclement weather such as snow, rain or cold temperatures.
- (l) The Segway will not be used to conduct a traffic stop, block traffic or direct traffic.
- (m) Officers will secure the Segway by removing the Info Key Controller or setting the alarm when leaving the unit unattended.
- (n) Officers will ensure the unit is clean and both the power cords are plugged in to charge the batteries for the power source, light and siren. Both power cords are to be plugged in at all times when the unit is not in use.
- (o) Any officer operating the Segway in an unsafe manner or in violation of this policy will be subject to disciplinary action.

# Citation Dismissal, Correction, and Voiding

## 456.1 PURPOSE AND SCOPE

This policy outlines the responsibility for citations, the procedure for dismissal, correction, and voiding of citations.

## 456.2 RESPONSIBILITIES

The Records Supervisor shall be responsible for the development and design of all Department citations in compliance with County standards, state law, or the Illinois Supreme Court.

The Records Section shall be responsible for the supply and accounting of all citations issued to employees of this department.

## 456.3 DISMISSAL OF CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the generating member's Deputy Chief . Upon a review of the circumstances involving the issuance of the citation, it is the decision of the Deputy Chief to recommend dismissal of the citation. If approved, the citation will be forwarded to the prosecutor's office with a request for dismissal. All recipients of citations whose request for the dismissal of a citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the prosecutor to dismiss the citation. Upon dismissal of the citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Deputy Chief for review.

## 456.4 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Records Division and Court Clerk's Office.

## 456.5 CORRECTION OF CITATIONS

When a citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Records Section. The Records Section shall prepare a letter of correction to the State's Attorney's Office having jurisdiction and to the recipient of the citation.

# La Grange Police Department

## La Grange PD Policy Manual

### *Citation Dismissal, Correction, and Voiding*

---

#### **456.6 DISPOSITION OF CITATIONS**

The court and file copies of all citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Section.

Upon separation from employment with this department, all employees issued citations books shall return any unused citations to the Records Section.

## Foot Pursuits

### 458.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue a pursuit of suspects on foot.

### 458.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### 458.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances present at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.

## Foot Pursuits

---

- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

### 458.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm, radio, or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

## *Foot Pursuits*

---

- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

### **458.5 RESPONSIBILITIES IN FOOT PURSUITS**

#### **458.5.1 INITIATING OFFICER RESPONSIBILITIES**

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

#### **458.5.2 ASSISTING OFFICER RESPONSIBILITIES**

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

#### **458.5.3 SUPERVISOR RESPONSIBILITIES**

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible;

## *Foot Pursuits*

---

the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

### **458.5.4 THE COMMUNICATIONS CENTER RESPONSIBILITIES**

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Watch Commander as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

### **458.6 REPORTING REQUIREMENTS**

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
  - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.



# La Grange Police Department

## La Grange PD Policy Manual

### *Foot Pursuits*

---

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

# Closed Home Patrol

## 459.1 PURPOSE AND SCOPE

The purpose of this policy is to establish specific guidelines concerning patrol of reported closed homes.

It is the policy of the LaGrange Police Department to provide a closed home patrol program that authorizes the LaGrange Auxiliary Police Unit to conduct home checks where the residents are out of town or the home is vacant.

## 459.2 CLOSED HOME CARDS

Residents of the Village may stop by the Police Department and complete a Closed Home Card requesting the Police Department to check their residence when they will not be home. The card must be filled out in person and not over the telephone.

The Officer or Telecommunicator should ask for identification from the resident completing the card to verify identity and address of residence requested to be checked. Information on the card should also be reviewed with the resident for accuracy and completeness.

Information on the card shall include the following information:

- Name of resident.
- Address of resident.
- Telephone number.
- Emergency telephone number.
- Contact information of any key holder.
- Identification of any person(s) that may have access to the residence during resident's absence.
- Location of any lights on timers along with on/off times.
- Signature of resident completing card.

The back of the card shall contain spaces to list the date and time the residence was checked by an Auxiliary Officer along with a listing of any unusual situations. The Auxiliary Officer making the entry shall initial and enter his/her badge number on all entries.

The Closed Home Cards shall be kept in the Telecommunications Center for retrieval by Auxiliary Officers.

When the resident returns home, the return shall be verified by an officer and an entry made on the card. The card shall then be forwarded to the Records Division for filing.

# La Grange Police Department

## La Grange PD Policy Manual

### *Closed Home Patrol*

---

#### **459.3 PROCEDURE**

The Auxiliary Unit will assign an Auxiliary Police Officer twice a week for closed home patrol. The patrol will be on Mondays and Thursdays on the 3rd watch.

The Auxiliary Police Officer assigned to the Monday closed home patrol will also prepare a list of street lights not operating. This list should then be faxed to the Department of Public Works.

The Auxiliary Police Officer assigned to closed home patrol shall report to the on-duty Watch Commander.

The Auxiliary Police Officer assigned to closed home patrol will use Squad 514. In the event Squad 514 is not available he/she may use Squad 512 or a marked squad car if available and only after consulting with the on-duty Watch Commander.

The Auxiliary Police Officer assigned to closed home patrol will check each house listed on the closed home cards. Any suspicious activity or security problems will be reported to the Telecommunication Center immediately. A regular sworn officer will be dispatched to investigate. The Auxiliary Police Officer should wait until the regular sworn officer arrives before taking any action.

In a life threatening situation an Auxiliary Police Officer may take appropriate action to protect his or her life or another.

In the event a resident has returned home and the closed home card has not been canceled, the Auxiliary Police Officer will note the return on the closed home card and notify the Telecommunication Center that the resident has returned home. The Auxiliary Police Officer may request a regular sworn officer if he feels the need for assistance.

# VEHICLE REPOSSESSIONS

## 461.1 PURPOSE AND SCOPE

The purpose of this policy is to establish specific guidelines concerning the repossession of vehicles within the Village of La Grange.

## 461.2 DUTIES OF REPOSSESSOR

All requests for repossession of vehicles shall be made in person at the police department.

The person seeking to repossess a vehicle will submit copies of the repossession paperwork along with a driver's license and repossession ID to the Telecommunicator.

The reposessor will inform the Telecommunicator where the vehicle is located.

At no time will the reposessor use threats, intimidation or physical force to repossess a vehicle.

Any objection by the owner of the vehicle requires the repossession to stop and a court order be secured for the removal of the vehicle.

The reposessor will not be permitted to enter an enclosed building to remove the vehicle.

The reposessor shall follow all Illinois State Laws and Village Ordinances or be subject to arrest.

## 461.3 DUTIES OF TELECOMMUNICATOR

The Telecommunicator shall obtain and make copies of repossession paperwork as well as the reposessor's driver's license and repossession ID.

The copies shall be placed in the Repossession File in the Telecommunications Center.

A CAD event shall be assigned including the location along with description of vehicle and license plate.

An officer should only be assigned if the repossession is a criminal court ordered.

## 461.4 DUTIES OF OFFICER

Officers will not assist a reposessor in any way. Repossession is a civil matter and we do not want to appear as if we sanction any repossession.

If these matters rise to a dispute, a police officer should be assigned and respond in order to keep the peace. An officer should respond to a repossession if it is a criminal court ordered action.

## Homeless Persons

### **464.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The La Grange Police Department recognizes that members of the homeless community are often in need of special protection and services. It is the goal of the La Grange Police Department to address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

#### **464.1.1 POLICY**

It is the policy of the La Grange Police Department to provide law enforcement services and to protect the rights, dignity and private property of all members of the community, regardless of their socioeconomic status. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

### **464.2 HOMELESS COMMUNITY LIAISON**

If appropriate for proper handling of contacts with homeless persons and adherence to this policy, the Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.
- (c) Maintain a list of those areas within and near this jurisdiction that are used as frequent homeless encampments.
- (d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
  - 1. Proper posting of notices of trespass and clean-up operations.
  - 2. Proper retention of property after clean-up, including procedures for owners to reclaim their property in accordance with the Evidence Room Policy and other established procedures.
- (e) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.
- (f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

## *Homeless Persons*

---

1. This should include what constitutes a reasonable expectation of privacy for the property of a homeless person (775 ILCS 45/5).

### **464.3 FIELD CONTACTS**

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. When encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace officers may consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest. However, nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

#### **464.3.1 OTHER CONSIDERATIONS**

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

### **464.4 PERSONAL PROPERTY**

The personal property of homeless persons must not be treated differently than the property of other members of the public (775 ILCS 45/10(a)(7)). Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of homeless persons.

### *Homeless Persons*

---

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department Homeless Liaison Officer. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, is a blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

#### **464.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT**

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (See the Civil Commitments Policy).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

#### **464.6 ECOLOGICAL ISSUES**

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to our environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

---

## Firearm Concealed Carry

### 465.1 PURPOSE AND SCOPE

This policy provides guidance for responding to situations involving individuals who possess concealed carry handgun licenses under the provisions of the Illinois Firearm Concealed Carry Act (430 ILCS 66/1 et seq.).

### 465.2 POLICY

The La Grange Police Department respects the rights of individuals to carry concealed handguns in compliance with the Illinois Firearm Concealed Carry Act.

It is the policy of the La Grange Police Department to not unreasonably interfere with or discriminate against individuals who lawfully carry concealed handguns.

### 465.3 OFFICER RESPONSIBILITY

When an officer initiates an investigative stop, including a traffic stop, and determines that any persons contacted, including passengers, are in possession of concealed firearms and are license holders, the duration of the contact may only be extended by the amount of time reasonably necessary to verify the validity of the license or to verify that possession of the weapon is lawful, absent reasonable suspicion of other criminal activity.

If an officer reasonably believes a person is a clear and present danger because the person has engaged in verbally or physically threatening behavior (e.g., violent, suicidal or assaultive threats or actions), the officer shall report this information to the Illinois State Police (ISP) within 24 hours (430 ILCS 65/8.1). The fact that ISP has been notified and the manner of notification should be documented.

The officer should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent). Officers are cautioned that a search warrant may be needed before seizing weapons or entering a residence or other place to search, unless a lawful, warrantless entry has already been made (e.g., exigent circumstances, consent).

#### 465.3.1 OFFICER SAFETY

If an officer reasonably believes it is necessary for the safety of anyone present, the officer may secure a firearm or direct that it be secured during any contact with a licensee lawfully carrying a firearm or non-resident lawfully transporting a firearm in a vehicle. The officer shall return the firearm to the person after it is determined he/she is not a threat to the safety of any person present unless he/she is being transported to another location for treatment, in which case the officer shall proceed as provided in the Firearms in Non-Custody Situations section of this policy (430 ILCS 66/10(h-1)).



### *Firearm Concealed Carry*

---

#### **465.4 FIREARMS IN CUSTODY SITUATIONS**

No person shall be transported in a department vehicle or be brought into a department facility or other prohibited facility while armed. If no other reasonable accommodation for the firearm is available, officers should take possession of the firearm, safely secure it during transport and retain possession until the person is released. If the person is not released, the firearm will be submitted to the Evidence Room as evidence or for safekeeping.

If a licensee's vehicle is towed and his/her firearm is in the vehicle, officers should handle the vehicle inventory in a manner that is consistent with the Vehicle Towing Policy. The officer should remove any firearms and submit them to the Evidence Room for either safekeeping or evidence, whichever is appropriate for the circumstances.

If the firearm is locked in a storage container inside the vehicle and is not considered evidence, officers should ask the licensee whether he/she prefers to have the firearm secured for safekeeping in the Evidence Room or left with the vehicle. If the licensee chooses to leave the firearm with the vehicle, his/her decision should be documented in the incident report or towed vehicle report.

The handling officer should provide a receipt, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Evidence Room Policy.

#### **465.5 FIREARMS IN NON-CUSTODY SITUATIONS**

If a licensee who is in lawful possession of a firearm is encountered under circumstances where he/she cannot adequately secure the firearm, (i.e., is incapacitated or being transported to the hospital for medical reasons), the firearm shall be retained and submitted to the Evidence Room for safekeeping.

The handling officer should provide a receipt documenting the make, model, caliber and serial number of the firearm, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Evidence Room Policy (430 ILCS 66/10(h-1)).

#### **465.6 OBJECTIONS TO LICENSE APPLICATIONS**

State law allows law enforcement agencies to file an objection to a license applicant when there is reasonable suspicion that the applicant is a danger to him/herself or others, or poses a threat to public safety (430 ILCS 66/15(a)). Any member who becomes aware of a license applicant who the member reasonably suspects is a danger to him/herself or others, or who poses a threat to public safety should promptly forward an incident report or a memorandum, as appropriate, to the Chief of Police or the authorized designee for approval and forwarding to ISP.

#### **465.7 SURRENDER OR SEIZURE OF LICENSES**

Members receiving a concealed carry license that has been voluntarily surrendered to the department because it has been revoked, suspended or denied shall provide the individual

# La Grange Police Department

## La Grange PD Policy Manual

### *Firearm Concealed Carry*

---

surrendering the license with a receipt and ensure that the license is forwarded to ISP (430 ILCS 66/70).

Officers should seize concealed carry licenses when the officer serves an order of protection and the person served is known to possess a concealed carry license. A notification of the order and the license must be forwarded to ISP within seven days of the date the order was served (430 ILCS 66/70).

It is a misdemeanor for a person to fail to surrender a concealed carry license within 48 hours of receiving notice of the revocation, denial or suspension of the license. Officers observing a license in the possession of a person whose license has been revoked, suspended or denied should consider seizing the license as evidence, if there are articulable facts that establish the person was aware of the revocation, suspension or denial. If the license is seized as evidence, ISP should be notified as soon as practicable. A copy of the report should be forwarded to ISP.

# Crisis Intervention Incidents

## 466.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

### 466.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

## 466.2 POLICY

The La Grange Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

## 466.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

## *Crisis Intervention Incidents*

---

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

### **466.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS**

The Chief of Police should designate an appropriate Deputy Chief to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

### **466.5 FIRST RESPONDERS**

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

## *Crisis Intervention Incidents*

---

### **466.6 DE-ESCALATION**

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

### **466.7 INCIDENT ORIENTATION**

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

### **466.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

## *Crisis Intervention Incidents*

---

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Deputy Chief .
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

### **466.9 INCIDENT REPORTING**

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

#### **466.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

### **466.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS**

Non-sworn members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

# La Grange Police Department

## La Grange PD Policy Manual

### *Crisis Intervention Incidents*

---

#### **466.11 EVALUATION**

The Deputy Chief designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

#### **466.12 TRAINING**

Subject to available resources, the Department will provide training to department members to enable them to effectively interact with persons in crisis.

Training may include the ILETSB's training on crisis response (50 ILCS 705/10.17).

## Public Recording of Law Enforcement Activity

### 467.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence (50 ILCS 706/10-20).

### 467.2 POLICY

The La Grange Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### 467.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (720 ILCS 5/14-2; 50 ILCS 706/10-20).
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to (50 ILCS 706/10-20):
  - 1. Inciting others to violate the law.
  - 2. Being so close to the activity as to present a clear safety hazard to the officers.
  - 3. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
  - 4. Engaging in any other action that could interfere with an officer's ability to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations or protect the public safety and order.

### 467.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.



## *Public Recording of Law Enforcement Activity*

---

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

### **467.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

### **467.6 SEIZING RECORDINGS AS EVIDENCE**

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
  - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

# La Grange Police Department

## La Grange PD Policy Manual

### *Public Recording of Law Enforcement Activity*

---

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department device.

Recording devices and media that are seized will be submitted within the guidelines of the Evidence Room Policy.

#### **467.7 DISCIPLINE**

Departmental discipline consistent with the Personnel Complaints Policy and criminal prosecution may result from unlawful confiscation or destruction of a public recording of law enforcement activity (50 ILCS 706/10-20).

# Medical Aid and Response

## 468.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

## 468.2 POLICY

It is the policy of the La Grange Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

## 468.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Communications Center and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
  - 1. Signs and symptoms as observed by the member.
  - 2. Changes in apparent condition.
  - 3. Number of patients, sex, and age, if known.
  - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
  - 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

## *Medical Aid and Response*

---

### **468.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

### **468.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

### **468.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

### **468.7 AIR AMBULANCE**

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

# La Grange Police Department

## La Grange PD Policy Manual

### *Medical Aid and Response*

---

The Operations Deputy Chief should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

#### **468.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE**

A member should use an AED only after he/she has successfully completed a course of instruction in accordance with the standards of a nationally recognized organization or rules existing under the AED Act, 410 ILCS 4/20.

##### **468.8.1 AED USER RESPONSIBILITY**

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Supervisor who is responsible for ensuring appropriate maintenance.

# La Grange Police Department

## La Grange PD Policy Manual

### *Medical Aid and Response*

---

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member using an AED shall notify the Communications Center as soon as possible and request response by EMS (410 ILCS 4/20).

#### **468.8.2 AED REPORTING**

Any member using an AED will complete an incident report detailing its use.

#### **468.8.3 AED TRAINING AND MAINTENANCE**

The Training Supervisor shall ensure that the La Grange Police Department is equipped with at least one operational and functional AED and that all AED are appropriately maintained and tested (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

Records of all maintenance and testing should be maintained in accordance with the established records retention schedule.

The Training Supervisor shall ensure that an adequate number of members receive training in the use of an AED (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

### **468.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION**

The Training Supervisor shall maintain written procedures to manage the department's acquisition, storage, transportation, training and administration of opioid overdose medication (20 ILCS 301/5-23).

Members who have received training may administer opioid overdose medication in accordance with protocol specified by the health care professional who prescribed the overdose medication for use by the member (20 ILCS 301/5-23).

#### **468.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES**

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Supervisor.

Any member who administers an opioid overdose medication should contact the Communications Center as soon as possible and request response by EMS.

#### **468.9.2 OPIOID OVERDOSE MEDICATION REPORTING**

Any member administering opioid overdose medication should detail its use in an appropriate report.

#### **468.9.3 OPIOID OVERDOSE MEDICATION TRAINING**

The Training Supervisor should ensure training is provided to members authorized to administer opioid overdose medication that includes information and training on drug overdose prevention,

### *Medical Aid and Response*

---

recognition, the administration of an overdose medication and care for the person after administration of the medication as provided in 20 ILCS 301/5-23.

#### **468.10 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS**

The Training Supervisor shall create and maintain procedures for the acquisition, storage, transportation, administration and disposal of epinephrine auto-injectors (50 ILCS 705/10.19(e)).

Members who have successfully completed ILETSB-approved training program to recognize and respond to anaphylaxis and administer an epinephrine auto-injector may carry and administer an epinephrine auto-injector for suspected anaphylaxis (50 ILCS 705/10.19(d)).

##### **468.10.1 EPINEPHRINE USER RESPONSIBILITIES**

Members who are qualified to carry and administer epinephrine should handle, store and administer epinephrine auto-injectors consistent with their training, any protocol specified by the health care professional who prescribed epinephrine auto-injectors to the La Grange Police Department and department procedures.

Members should check the auto-injectors at the beginning of their shift to ensure they are not expired. Any expired medication should be removed from service and given to the Training Supervisor or disposed of in accordance with department procedures.

Any member who administers epinephrine should contact the Communications Center as soon as possible and request response by EMS.

##### **468.10.2 EPINEPHRINE REPORTING**

Any member who administers epinephrine should detail its use in an appropriate report.

##### **468.10.3 EPINEPHRINE TRAINING**

The Training Supervisor should ensure that members authorized to administer an epinephrine auto-injector are provided with initial and refresher training that meets the requirements of 50 ILCS 705/10.19(c).

#### **468.11 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems

# La Grange Police Department

## La Grange PD Policy Manual

### *Medical Aid and Response*

---

or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

#### **468.12 FIRST AID TRAINING**

Subject to available resources, the Training Supervisor should ensure officers receive periodic first aid training appropriate for their position.



# Suspicious Activity Reporting

## 469.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

### 469.1.1 DEFINITIONS

Definitions related to this policy include:

**Involved party** - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

**Suspicious activity** - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Race, ethnicity, national origin or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include, but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

**Suspicious Activity Report (SAR)** - An incident report used to document suspicious activity.

## 469.2 POLICY

The La Grange Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism, and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

## 469.3 RESPONSIBILITIES

The Investigation Deputy Chief and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Investigation Deputy Chief include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

## *Suspicious Activity Reporting*

---

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

### **469.4 REPORTING AND INVESTIGATION**

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

### **469.5 HANDLING INFORMATION**

The Records Section will forward copies of SARs, in a timely manner, to the following:

- Investigation Division supervisor
- Crime Analysis Unit
- Other authorized designees

---

## Civil Disputes

### 470.1 PURPOSE AND SCOPE

This policy provides members of the La Grange Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Illinois law.

### 470.2 POLICY

The La Grange Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

### 470.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

## *Civil Disputes*

---

### **470.4 COURT ORDERS**

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

#### **470.4.1 STANDBY REQUESTS**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

### **470.5 VEHICLES AND PERSONAL PROPERTY**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

### **470.6 REAL PROPERTY**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

# La Grange Police Department

## La Grange PD Policy Manual

### *Civil Disputes*

---

# First Amendment Assemblies

## 471.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

## 471.2 POLICY

The La Grange Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

## 471.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disorderly conduct. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

## *First Amendment Assemblies*

---

### **471.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS**

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

Care should be taken to ensure that any simultaneous audio recording does not violate the Illinois Eavesdropping Act (720 ILCS 5/14-2; 720 ILCS 5/14-3).

### **471.4 UNPLANNED EVENTS**

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

### **471.5 PLANNED EVENT PREPARATION**

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

#### **471.5.1 INFORMATION GATHERING AND ASSESSMENT**

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.

# La Grange Police Department

## La Grange PD Policy Manual

### *First Amendment Assemblies*

---

- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

#### 471.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with Village government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.



## *First Amendment Assemblies*

---

- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

### **471.5.3 MUTUAL AID AND EXTERNAL RESOURCES**

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

### **471.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS**

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

### **471.7 USE OF FORCE**

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

## *First Amendment Assemblies*

---

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

### **471.8 ARRESTS**

The La Grange Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

### **471.9 MEDIA RELATIONS**

The Chief Of Police or Deputy Chief should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

### **471.10 DEMOBILIZATION**

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

## *First Amendment Assemblies*

---

### **471.11 POST EVENT**

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

#### **471.11.1 AFTER-ACTION REPORTING**

The Incident Commander should work with Village legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

### **471.12 TRAINING**

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

## Automated License Plate Readers (ALPRs)

### 472.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the La Grange Police Department to convert data associated with vehicle license plates for official law enforcement purposes including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

### 472.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Administration Deputy Chief. The Administration Deputy Chief will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

### 472.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (b) An ALPR shall only be used for official and legitimate law enforcement business.
- (c) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (d) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (e) If practicable, the officer should verify an ALPR response through the Illinois Law Enforcement Agencies Data System (LEADS) before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may access LEADS unless otherwise authorized to do so.

### 472.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the La Grange Police Department and because such data may contain confidential LEADS information, it is not open

### *Automated License Plate Readers (ALPRs)*

---

to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

The Administration Deputy Chief is responsible to ensure proper collection and retention of ALPR data and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by the department's record retention guidelines and thereafter may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

#### **472.5 ACCOUNTABILITY AND SAFEGUARDS**

All saved data will be closely safeguarded and protected by both procedural and technological means. The La Grange Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password protected system capable of documenting all access of information by name, date and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted on a regular basis.

## Chapter 5 - Traffic Operations

# Traffic Function and Responsibility

## 500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

## 500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the La Grange Police Department. Traffic crash information provided by the Illinois Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

## 500.3 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of citations issued by any officer shall not be used as criterion for evaluating officer overall performance, but the number of traffic stops completed, arrests, written warnings, and crime prevention measures are appropriate evaluation criterion (55 ILCS 5/5-1136; 65 ILCS 5/11-1-12).

Several methods are effective in the reduction of collisions:

## *Traffic Function and Responsibility*

---

### 500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

### 500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

### 500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Criminal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Reckless homicide.
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs.
- (c) Felony or misdemeanor hit-and-run.
- (d) Refusal to sign notice to appear.
- (e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

## **500.4 SUSPENDED OR REVOKED DRIVERS LICENSES**

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to 625 ILCS 5/6-303.

## **500.5 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.



## *Traffic Function and Responsibility*

---

### **500.5.1 REQUIRED USE**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

### **500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VEST**

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the re-sealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Supervisor should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

### **500.6 STOP RECEIPTS**

Whenever an officer stops a motorist under 725 ILCS 5/107-14 and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number.

### **500.7 SEIZURE OF ITEMS**

Officers who reasonably believe that any certificate of title, registration card, permit, license, registration plate, license plate, disability license plate, parking decal or device, or registration sticker is fictitious, expired, revoked, cancelled, suspended or unlawfully issued shall seize such items for return of the items to the Secretary of State (625 ILCS 5/2-111).

# Traffic Crash Reporting

## 502.1 PURPOSE AND SCOPE

The La Grange Police Department prepares traffic crash reports in compliance with the Illinois Department of Transportation, Division of Traffic Safety Illinois Traffic Crash Report (Form SR1050) Manual and as a public service makes traffic crash reports available to the community with some exceptions.

## 502.2 RESPONSIBILITY

The Watch Commander will be responsible for distribution of the Illinois Traffic Crash Report Manual. The Watch Commander will receive all changes in the state manual and ensure conformity with this policy.

## 502.3 TRAFFIC CRASH REPORTING

All traffic crash reports taken by members of this department shall be forwarded to the Traffic Bureau for approval and data entry into the Records Management System. The Watch Commander will be responsible for monthly and quarterly reports on traffic crash statistics to be forwarded to the Operations Deputy Chief , or other persons as required.

## 502.4 REPORTING SITUATIONS

### 502.4.1 TRAFFIC CRASHES INVOLVING VILLAGE VEHICLES

Traffic crash investigation reports shall be taken when a Village-owned vehicle is involved in a traffic crash upon a roadway or highway or on private property when any damage or injury results. Whenever there is damage to a Village vehicle or injury to any person in the traffic crash the necessary IRMA Report(s) shall be completed and forwarded to the Village Hall.

Photographs of the crash scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

### 502.4.2 TRAFFIC CRASHES WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic crash within the jurisdiction of the La Grange Police Department resulting in a serious injury or fatality, the Watch Commander or the Watch Commander, should notify an allied agency, the County Sheriff, or the Illinois State Police for assistance.

The term serious injury is defined as any injury that may result in a fatality.

### 502.4.3 TRAFFIC CRASHES WITH OTHER VILLAGE EMPLOYEES OR OFFICIALS

The Watch Commander or on-duty Watch Commander should request assistance from an allied agency, the County Sheriff, or the Illinois State Police for the investigation of any traffic crash involving any Village official or employee where a serious injury or fatality has occurred.

## *Traffic Crash Reporting*

---

### **502.4.4 TRAFFIC CRASHES ON PRIVATE PROPERTY**

Generally, traffic crash reports shall not be taken for traffic crashes occurring on private property, unless there is a death or injury to any person involved, damage to the property of any one person in excess of \$1,500 (or \$500 if any of the involved vehicles are uninsured in violation of 625 ILCS 5/7-601), a hit-and-run violation, other criminal traffic violation or a school bus is involved. An Incident Report may be taken at the discretion of any supervisor (625 ILCS 5/11-406).

### **502.4.5 TRAFFIC CRASHES ON ROADWAYS OR HIGHWAYS**

Traffic crash reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

- (a) When there is a death or injury to any persons involved in the crash.
- (b) When there is damage to the property of any one person valued over \$500, including the driver.
- (c) When there is an identifiable violation of the Illinois Vehicle Code or similar local ordinance.
- (d) When a report is requested by any involved drivers.
- (e) Whenever a school bus is involved.

### **502.5 SUPERVISORY DISCRETION**

A supervisor may, if appropriate to the circumstances, request assistance from an allied agency, the County Sheriff, or the Illinois State Police for the investigation of any traffic crash.

# POLICE VEHICLE /TRAFFIC STOP POLICY

## 503.1 PURPOSE AND SCOPE

The La Grange Police Department is committed to ensuring the safety and health of its employees, thus has established departmental/operational guidelines for stopping and approaching motorists in a manner that promotes the safety of the officer and the motorist. This policy provides guidelines for the interaction between motorist and officers, establishes procedures when stopping vehicles, and outlines special processing requirements.

## 503.2 POLICY

Although stopping motorists on the highway for traffic violations or other purposes is often considered a routine function of patrol officers, it is one that has been demonstrated to be potentially dangerous for both officers and motorists even during apparently "routine" situations. For drivers it is frequently an emotionally traumatic experience. Therefore, it is the policy of this department that motor vehicle stops shall be performed professionally and courteously, and with a goal of educating the public about proper driving procedures while consistently recognizing and taking the necessary steps to minimize the dangers involved in this activity for the officer, the motorist and other users of the highway.

## 503.3 PROCEDURE

### 503.3.1 OFFICER/DRIVER CONTACT

- (a) Officers shall perform vehicle stops only when they have a legal reason to do so.
- (b) Once an initial decision has been made to stop a motorist, the officer shall select an area that provides reasonable safety. The officer shall attempt to avoid curves, hills, narrow roadways and areas where a large volume of spectators are likely to gather.
- (c) When a location has been selected for the stop, the officer shall notify the communications center of its nature providing unit location, a description of the vehicle, vehicle license number and the number of occupants. At the officer's discretion or dispatcher's request, additional information may be exchanged.
- (d) At the desired location, the officer should signal the operator to stop at the far right side of the roadway or at the safest shoulder by activating the overhead emergency lights and siren as necessary. 1. Whenever necessary, the officer shall signal or instruct the operator through the use of the public address system to pull to the nearest side street or parking lot. This will reduce the risk of serious harm from vehicular traffic to both the officer and driver. 2. On multi-lane roads, the officer may facilitate movement to the right shoulder by gradually changing lanes behind the vehicle until the right side of the roadway is reached. 3. Should the driver stop abruptly in the wrong lane or location, the officer should instruct him/her to move by using the appropriate hand signals or by using the vehicle's public address system.

# La Grange Police Department

La Grange PD Policy Manual

## *POLICE VEHICLE /TRAFFIC STOP POLICY*

---

- (e) Once properly stopped, the officer should position the police vehicle about one to one and one half car lengths behind the stopped vehicle and at an off set, with the front approximately 2 feet to the traffic side of the stopped vehicle to create a protected path. 1. At night, the spotlight should not be used to direct the driver, but may be used to illuminate the vehicle's interior once stopped. The patrol vehicle should use its low beams if high beams would blind oncoming motorists and deactivate the flashing headlamps.
- (f) When exiting the patrol vehicle, the officer should be particularly alert to suspicious movements or actions of the vehicle operator or passengers.
- (g) Approaching the vehicle, the officer should be observant of the passenger compartment and rear seat of the vehicle whether or not passengers are visible or present. 1. Where circumstances dictate, particularly where traffic is close enough to create a potential problem, the officer should choose to approach the driver's vehicle from the passenger side and stop at the trailing edge of the front door. 2. The officer may also choose to approach on the driver's side when safe to do so and/or when perceived to be tactically beneficial by the officer. 3. When the stopped vehicle has occupants in the rear seat, the officer should approach to a point near the leading edge of the driver or passenger door, being particularly observant of the occupant's movements and choosing a path that will not allow the occupants to thrust the door open against the officer. 4. In two officer police vehicles, the passenger officer shall be responsible for radio communications, note taking and relaying messages to the communications center. He will also act as an observer and cover for his fellow officer.
- (h) Non-uniformed officers operating unmarked patrol vehicles with concealed emergency lights and siren shall not normally make vehicle stops for traffic violations. In situations where failure to act would create unreasonable risks of injury, death or significant property damage, such personnel shall contact the communications center to request a marked patrol unit to make the stop and may, depending upon the urgency of the situation, activate emergency lights and siren to make a traffic stop.
- (i) Non-uniformed officers operating vehicles not equipped with emergency lights or siren shall not make motor vehicle stops unless there is imminent danger of loss of life should they fail to act. In other less urgent cases that demand attention, officers shall contact the communications center, request that a marked patrol vehicle perform the stop, and assist in directing the marked unit to the subject vehicle's location.
- (j) Once the officer has stopped the vehicle and communications are taking place, officer/driver relations begin. The officer should: 1. be alert at all times; 2. present a professional image, physically and emotionally; 3. base enforcement action on driver's driving behavior; 4. greet the driver in a courteous manner; 5. ask the driver for a driver's license, proof of insurance and any other appropriate documents; 6. inform the driver of the reason for the stop and type of enforcement action intended; 7. complete

## *POLICE VEHICLE /TRAFFIC STOP POLICY*

---

the forms for the enforcement action taken; and, 8. explain the options for satisfying the citation, if issued to the driver.

- (k) When issuing citations, conducting roadside sobriety tests or conversing with the driver, the officer and other parties shall be positioned to the side of the road, clear of the motor vehicles. Whenever possible the officer and the driver should avoid standing in front of, between or behind the stopped vehicles.
- (l) During the stop, the officer should instruct the driver to remain in his motor vehicle while the officer writes the citation or conducts other business. Drivers shall not be permitted to sit in patrol vehicles while citations are being prepared or other police business is being conducted unless the officer is investigating a traffic collision. Occasionally, the driver of a vehicle may be required to exit the vehicle for further investigation of a traffic or criminal offense, or for the safety of the investigating officer(s). Drivers required to perform Field Sobriety Tests should be directed to a reasonably level area away from the flow of vehicular traffic. Whenever the driver, or passengers, of a vehicle are required to exit the stopped vehicle, they should be directed to an area of safety away from vehicular traffic. Officers and occupants of vehicles should not stand between the stopped vehicle and the police unit. Occupant(s) should be instructed to exit their vehicle unless the police officer is satisfied that he/she can reasonably control the occupant(s).
- (m) When preparing citations, in the patrol vehicle, the officer should position paperwork and related material in a manner that allows him to maintain observation over actions of the driver and other occupants.
- (n) Officers will provide motorists with information explaining his rights and responsibilities concerning his arrest or citing for a traffic violation.
- (o) Officers should advise drivers of the location, date, time of their court appearance, and whether their appearance is mandatory.
- (p) Offenses not requiring a mandatory court appearance or that qualify for court diversion may be prepaid according to current Court bond rules. Officers shall advise drivers of this option and the locations and restrictions on prepayment.
- (q) Drivers shall be advised of their various bonding options by the officer.

### 503.3.2 MAKING HIGH-RISK VEHICLE STOPS

- (a) When planning to stop the suspect vehicle, the initiating officer should use the Department's main dispatch radio frequency to notify a supervisor and coordinate the actions of the assisting police officers. If multiple jurisdictions that do not have a common radio frequency are involved in the High-Risk traffic stop, the ISPERN or IREACH radio frequencies should be used to coordinate actions. The officer should describe the nature or reason for the stop, the location of the stop, provide information

## *POLICE VEHICLE /TRAFFIC STOP POLICY*

---

on the vehicle, license number and number of occupants; and request appropriate assistance to make the stop.

- (b) An officer should not individually initiate high-risk vehicle stops unless back up units will not be available in an appropriate amount of time or the urgency of the situation demands immediate action.
- (c) After selecting an appropriate location and with adequate support units in position, the officer should signal the suspect to stop.
- (d) Officers should position their vehicles approximately 30 feet behind the suspect vehicle, in positions that will maximize opportunities for cover and in a manner that will illuminate the interior of the vehicle to the occupants' disadvantage.
- (e) Once the suspect vehicle has stopped, officers should assume positions of cover.
- (f) The primary officer initiating the stop, or the officer with the best observation point, should issue verbal commands to vehicle occupants through the vehicle's public address system, if available. Generally only the primary officer shall issue commands.
- (g) The primary officer shall first identify himself or herself and then notify the occupants of the vehicle that they are under arrest and that all instructions are to be followed without hesitation or suspicious movements.
- (h) The operator of the suspect vehicle should be ordered to follow all commands, such as: lower his window; remove the ignition keys with his left hand; drop them on the ground; open the door from the outside; step out of the vehicle; turn completely around; face away from the officers; walk backward until commanded to stop and lay face down on the ground with hands stretched far to the sides. All other occupants should be similarly commanded until all are in position to be handcuffed and searched.
- (i) With appropriate cover, officers should then approach the suspect vehicle to inspect the passenger compartment and trunk.

### 503.3.3 STOPPING OVERSIZE AND OVERWEIGHT VEHICLES

- (a) Select a location for the stop that provides enough room for the vehicle and sufficient stability to support the vehicle's weight, and allow the operator sufficient time and distance to make the stop.
- (b) Approach the cab from the rear, using the driver's outside mirror to observe the driver and activity in the cab.
- (c) Never climb onto the vehicle to make contact with the operator. Maintain a position to the rear of the driver's door and ask him to exit the vehicle, when necessary.



## *POLICE VEHICLE /TRAFFIC STOP POLICY*

---

### 503.3.4 EXEMPTIONS / SPECIAL PROCESSING REQUIREMENTS

- (a) Chapter 725, Act 5, Section 107 7 of the Illinois Compiled Statutes affords individuals exemption from arrest under specified circumstances.
- (b) The following have temporary immunity, except for cases of treason, a felony or a breach of the peace: 1. members of the United States Electoral College, during their attendance at an election and in going to and returning from; 2. senators and representatives during sessions of the General Assembly, and in going to and coming from; 3. members of the military reserve forces and the National Guard during their attendance at official meetings, and in going to and coming from; and, 4. judges, attorneys, clerks, sheriffs, and other court officers shall be privileged from arrest while attending court and while going to or returning from.
- (c) Officers having contact with persons claiming exemptions based on the above should attempt to verify that person's exemption through personal identification.
- (d) Nothing in this procedure or in the law precludes an officer from obtaining a warrant or issuing a citation at a later time for the person released.

### 503.3.5 DIPLOMATIC IMMUNITY

- (a) Diplomatic immunity is not a right that a foreign official has because of his position, but a privilege given by the President of the United States.
- (b) Diplomatic officers, their families and servants who are not nationals or permanent residents of the United States are protected by unlimited immunity from arrest, detention or prosecution, with respect to any civil or criminal offense.
- (c) Persons making such a claim must possess photo identity cards (not diplomatic passports) issued by the State Department and the United Nations.
- (d) Consuls, vice consuls, deputy consuls and some of their staff hold immunity while specifically engaged in diplomatic work. This immunity depends upon the activity of the person at that particular moment.
- (e) Officers having contact with a foreign official are empowered to temporarily detain any person claiming diplomatic immunity while official status is verified by the U.S. State Department. All foreign mission members and dependents are accountable for traffic violations. Stopping a foreign mission member or dependent, and issuing a traffic citation, does not constitute an arrest or detention, and is permissible. Normal procedures should be followed in the intervention of a traffic violation, even if immunity ultimately bars prosecution of a serious offense. Levels of immunity vary depending on the individual.
- (f) The United States Department of State, Office of Foreign Missions can provide detailed driver and vehicle information. They can advise an officer on the scene on handling, documenting, and reporting an incident involving individuals that may



## *POLICE VEHICLE /TRAFFIC STOP POLICY*

---

have a level of immunity. The officer shall document all information pertaining to the incident. The following phone numbers can be used to obtain information: 1. Use 202-647-4570/1404/1405 (Duty hours 8-5 eastern time Monday - Friday) to verify if an individual is a foreign mission member with immunity. 2. Use 202-895-3521 for handling, documenting and reporting procedures. 3. Use 202-647-7277 for all after hours questions.

### 503.3.6 JUVENILES

- (a) Juvenile traffic arrests should be handled in the following manner: 1. If necessary, a report will be completed. 2. The juvenile's parents will be notified if the juvenile is taken into custody. (Option: Require parental notification when traffic violations issued.) 3. If a cash bond is needed, the officer should allow the youth to make every effort to secure funds. If all efforts fail and the bond cannot be made, then on the approval of the watch commander, an I-Bond will be issued. The juvenile should not be detained for more than two (2) hours while arranging for bond. 4. Juveniles awaiting bond for FINE ONLY offenses may be placed in the lobby vestibule. 5. Juveniles arrested for traffic offenses where jail is a possible penalty may be confined in the juvenile detention room until bonding or release. The juvenile's parents will be notified if the juvenile is held in custody.
- (b) When a juvenile commits a traffic offense that may establish sufficient cause for the issuance of a petition to Juvenile court a Juvenile Officer will be assigned to handle the case.

### 503.3.7 NONRESIDENTS

- (a) The State of Illinois is a member of the Nonresident Violator Compact (NRVC). These States allow drivers to sign the traffic citation, for minor violations, instead of posting the required bond. This allows a motorist to accept a traffic citation and proceed without delay, and does not burden the officer with a lengthy bonding process.
- (b) Drivers from all other States shall be required to deposit bond for all traffic violations pursuant to Illinois Supreme Court bond rules.

## Vehicle Towing

### 510.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

### 510.2 POLICY

The La Grange Police Department will tow vehicles when appropriate and in accordance with the law.

### 510.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through the Communications Center to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (625 ILCS 5/4-203).

Vehicles that are not the property of the Village should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

### 510.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.

## *Vehicle Towing*

---

- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

### **510.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS**

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

### **510.6 RECORDS**

Records Section members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

#### **510.6.1 VEHICLE STORAGE REPORT**

Department members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the Records Section as soon as practicable after the vehicle is towed.

A copy of the vehicle tow report for a vehicle towed pursuant to 625 ILCS 5/4-202 or 625 ILCS 5/4-203 shall be provided to the tow service (625 ILCS 5/4-204).

#### **510.6.2 NOTICE OF TOW**

The Records Section should send a notice of tow to all registered owners, lienholders and others having a recorded interest in the vehicle within 48 hours, excluding weekends and holidays, but in no event shall the notice be sent later than 10 business days after the tow. Notice shall be sent to all such individuals by certified mail (625 ILCS 5/4-205). The notice shall include:

- (a) The name, address and telephone number of the La Grange Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle, including:
  1. Color.
  2. Manufacturer year.
  3. Make and model.
  4. License plate number and/or Vehicle Identification Number (VIN).
  5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing.
- (f) A request for disposition for the vehicle and any information regarding a public sale of the vehicle, if applicable.

## *Vehicle Towing*

---

If the registered owner, lienholder or other persons having a recorded interest in the vehicle cannot be immediately determined, the notice shall be sent no later than two days after such determination can be made (625 ILCS 5/4-205).

### **510.7 TOWING SERVICES**

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation system established by the Department for tow services should be followed (625 ILCS 5/4-203.5).

#### **510.7.1 TOW ROTATION LIST**

The Operations supervisor is responsible for ensuring that tow rotation lists to be used by department members when authorizing tows is established and maintained (625 ILCS 5/4-203.5). All complaints regarding the process for inclusion on a tow rotation list or the use of a tow rotation list shall be forwarded to the Chief of Police.

Members should only deviate from the rotation list in the following circumstances (625 ILCS 5/4-203.5):

- (a) A safety emergency justifies deviation.
- (b) The tow service next on the list is incapable of or not properly equipped for handling a specific task related to the tow that requires special skills or equipment.

Members should document the reason for any deviation.

Towing firms are prohibited from soliciting tows that have not been requested by a member or the owner or operator of a disabled vehicle. Members should tell any such tow operator who is present or arrives to leave the scene (625 ILCS 5/4-203.5).

### **510.8 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY**

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

# Driving Under the Influence of Alcohol / Drugs

## 513.1 PURPOSE AND SCOPE

It shall be the policy of the La Grange Police Department to arrest persons for driving under the influence of alcohol and/or drugs. This order establishes guidelines to be followed for:

- (a) Enforcement action to be taken on the charge of driving while under the influence of alcohol, other drug or drugs, and intoxicating compound or compounds or any combination thereof.
- (b) Completing the requirements of the implied consent law (Illinois Vehicle Code 625 ILCS 5/11.501.1 and 11.501.6).
- (c) Conducting the collection and analysis of breath, blood and urine samples used in the investigation of DUI cases.
- (d) Fulfilling the stipulations of the Statutory Summary Suspension Law.

Employees should also refer to the following associated Policy Manual sections:

- Section 513.3.2 - DUI Zero Tolerance Enforcement

## 513.2 DEFINITIONS

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

**Agency** - County, Municipal, State or Federal law enforcement agency, involved in the use of a breath analysis instrument.

**Alcohol** - Ethanol commonly referred to as ethyl alcohol or alcoholic beverage.

**Alcohol Concentration** - Either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. (Illinois Vehicle Code 625 ILCS 5/11- 501, 2(a)).

**Foreign Substance** - Any substance not presently in the subject's body, excluding those due to normal breathing.

**Ingested** - Eaten, chewed, swallowed or consumed by mouth or in any other manner; inhaled, sniffed, snorted, sprayed or introduced into the breathing passages in any other manner; injected or introduced into the body in any manner.

**Instrument** - Any item or combination of items of equipment approved by the Illinois Department of Public Health and used to make a measurement of breath alcohol concentrations by breath analysis.

**License** - Evidence issued by the Illinois Department of Public Health to an individual as proof of his/her authority and competence to operate a breath analysis instrument.

# La Grange Police Department

## La Grange PD Policy Manual

### *Driving Under the Influence of Alcohol / Drugs*

---

**Logbook** - A written business record maintained by the LaGrange Police Department of tests performed by operators, and monthly accuracy checks performed by inspectors in accordance with Illinois Compiled Statutes on each instrument for use in court.

**Operator** - Any individual licensed by the Illinois Department of Public Health to operate a breath analysis instrument.

**Other Qualified Person** - A person trained and employed by a licensed medical facility or affiliate as a phlebotomist regardless of job title (Section 11-501 of the Illinois Vehicle Code).

**Phlebotomist** - A qualified and trained person who uses venipuncture to collect blood from another individual.

**Venipuncture** - The puncturing of a vein for the purpose of drawing blood.

### **513.3 PROCEDURES**

#### **513.3.1 ARREST - PROBABLE CAUSE**

The officer shall establish probable cause and place the subject under arrest for those violations leading to the initial stop, if applicable, and/or for driving under the influence, in violation of Illinois Vehicle Code, 625 ILCS 5/11.501a. Probable cause for DUI arrest may be based on a combination of the following factors:

- Observable traffic violation.
- Accident incident.
- Information from witnesses, including emergency room personnel.
- Personal observation and interview of suspect driver including, but not limited to:
  - Glassy eyes.
  - Slurred, mumbled or otherwise impaired speech.
  - Detectable odor of alcoholic beverage.
  - Visual sobriety tests.
  - Horizontal Gaze Nystagmus test.
  - Ataxia of the driver (inability to speak).
- Once the officer has decided to affect the arrest, the offender shall be verbally advised of the arrest for the charge of DUI. Proper searching, custody and transportation of the offender shall be for officer safety, and the safety of the impaired arrestee in accordance with departmental procedure.

Whenever an officer reasonably believes that a person under arrest is likely, upon release, to commit a subsequent violation of Section 11.501 of the Illinois Vehicle Code, or the person under arrest is the registered owner 625ILCS 5/4-203(e-5) the officer will have the vehicle the person

# La Grange Police Department

## La Grange PD Policy Manual

### *Driving Under the Influence of Alcohol / Drugs*

---

was operating at the time of the arrest impounded for a period of not more than twelve (12) hours (24 hours second violation - 48 hours third violation) after the time of the arrest at a secure location that is immediately accessible for release. The vehicle may be released prior to the end of the impoundment period if:

- The vehicle was not owned by the person under arrest and the lawful owner requesting release possesses a valid operator's license, proof of insurance and ownership and would not, as determined by the law enforcement agency indicate a lack of ability to operate a motor vehicle in a safe manner.
- The person under arrest owns the vehicle, and the person under arrest gives permission to another person to operate such vehicle. Provided however, that the other person possesses a valid operator's license and is judged by the law enforcement agency to be able to operate a motor vehicle in a safe manner.
- When the vehicle is removed from either public or private property by authorization of a police officer, the owner shall be responsible for all towing and storage charges.
- The towing facility will be notified on the La Grange Police Department Vehicle Release Form of the time of impoundment and the time the vehicle may be released, in the event of a hold. The owner and an agent for the towing company shall make any arrangements for a vehicle to be released after business hours.

Complete the D.U.I. complaint form (TCR 105, Verification Form) (TCR 104) and companion citations, if applicable.

The Miranda Warning is not required until the questions on the reverse side of the "Alcohol/Drug Influence Report Form" are asked.

The arrestee may post bond and be released in accordance with Department procedure, and the pertinent legal requirements of governing statutes.

#### 513.3.2 ZERO TOLERANCE - DRIVERS UNDER AGE 21

- (a) The officer shall establish probable cause and place the subject under arrest for those violations leading to the initial stop.
- (b) The officer has probable cause or first-hand knowledge the driver has consumed an alcoholic beverage. This may be based on any of the following factors:
  - 1. Physical condition of the driver
    - (a) Glassy eyes.
    - (b) Slurred, mumbled or otherwise impaired speech.
    - (c) Visual sobriety tests.
    - (d) Horizontal Gaze Nystagmus test.
  - 2. Presence of odor of an alcoholic beverage on driver's breath.



# La Grange Police Department

## La Grange PD Policy Manual

### *Driving Under the Influence of Alcohol / Drugs*

---

3. Empty containers in the vehicle or seen thrown from vehicle.
  4. Statements, solicited or unsolicited, by the driver.
- (c) Once the officer has decided to affect the arrest, the offender shall be verbally advised of the arrest for the charge of DUI or Zero Tolerance depending on the circumstances. Proper searching, custody and transportation of the offender shall be for officer safety, and the safety of the impaired arrestee in accordance with Departmental procedure.
- (a) If the driver passes field sobriety tests but still exhibits any of the factors listed above, the driver under 21 can be charged with Zero Tolerance.
- (d) Follow towing procedures set forth in section.
- (e) A uniform traffic citation shall be issued for any violation of the Illinois Vehicle Code or a similar provision of a local ordinance showing the initial cause for the stop in accordance with 625ILCS 5/11-501.8(a).
- (f) The "Warning to Motorists" will be read verbatim to the arrestee.
- (g) The arresting officer will request the driver to submit to a chemical test or tests to determine the content of alcohol, drugs or combination thereof.
- (h) If the driver refuses testing or the results indicate less than .08 but greater than .00, the Officer shall issue the **Zero Tolerance Sworn Report 625 ILCS 5/11-501.8** stating probable cause.
- (a) The officer has the option of issuing additional citations, i.e. seat belt, transportation of open liquor, etc.
- (b) Release the driver on bond for **the traffic violation**.
- (i) Once arrested for zero tolerance the arrest may not be changed to a standard DUI. This is the current teaching of the academies and DUI classes. One may arrest for DUI and Zero tolerance but may not arrest for DUI after the fact.



# Impaired Driving

## 514.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

## 514.2 POLICY

The La Grange Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Illinois's impaired driving laws.

## 514.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Watch Commander will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Illinois or another jurisdiction.

## 514.4 FIELD TESTS

The Watch Commander should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

### 514.4.1 MEDICAL CANNABIS CARDHOLDER

A person who is a medical cannabis card holder and is reasonably suspected of driving or in actual physical control of a motor vehicle while impaired by the use of cannabis is deemed to have consented to standardized field sobriety tests (625 ILCS 5/11-501.9(a)).

## *Impaired Driving*

---

### **514.5 CHEMICAL TESTS**

A person implies consent under Illinois law to a chemical test or tests, and to providing the associated sample, under any of the following:

- (a) The arresting officer has probable cause to believe that the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds or any combination thereof (625 ILCS 5/11-501.1).
- (b) The person is arrested for driving a vehicle involved in a motor vehicle accident resulting in personal injury or death of any person (625 ILCS 5/11-401).
- (c) The person was driving or in actual physical control of a vehicle and involved in a personal injury or fatality accident (625 ILCS 5/11-501.6).
- (d) The person is under the age of 21, was driving or in actual physical control of a vehicle and the officer has probable cause to believe that the person has consumed any amount of an alcoholic beverage (625 ILCS 5/11-501.8).

Chemical tests shall be taken pursuant to the standards promulgated by the Department of State Police (625 ILCS 5/11-501.2(a)).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

#### **514.5.1 BREATH SAMPLES**

The Watch Commander should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Watch Commander.

#### **514.5.2 BLOOD SAMPLES**

Only persons authorized by law to draw blood shall collect blood samples (625 ILCS 5/11-501.2(a)(2)). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood test because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability

## *Impaired Driving*

---

to take a blood test shall not be treated as a refusal. However, that arrestee may be required to complete another available and viable test.

### **514.5.3 URINE SAMPLES**

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the person giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

### **514.5.4 STATUTORY NOTIFICATIONS**

An officer requesting that a person submit to a chemical test, or to a field sobriety test during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis, shall provide the person with the mandatory statutory warning.

If the person refuses to acknowledge in writing receipt of the warning regarding failure to submit to a chemical test, the officer shall document on the warning that the person refused to sign (See generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).

### **514.5.5 DESIGNATION OF CHEMICAL TESTS**

The Watch Commander shall designate which type of chemical tests may be administered by officers.

Officers may generally administer up to two additional tests of urine or other bodily substance even if a blood or breath test, or both, has been administered (625 ILCS 5/11-501.1(a); 625 ILCS 5/11-501.6(a); 625 ILCS 5/11-501.8(a)).

### **514.6 REFUSALS**

When an arrestee refuses to provide a chemical sample during a DUI investigation, or to submit to field sobriety tests during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis, officers should:

- (a) Advise the arrestee of the requirement to provide a sample or submit to field sobriety tests (see generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

## *Impaired Driving*

---

### 514.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, or to submit to a field sobriety test during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis as required by law, officers shall personally serve the notice of statutory summary suspension or revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a temporary driving permit (625 ILCS 5/11-501.1(f); 625 ILCS 5/11-501.9).

### 514.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to a crash investigation or medical treatment of the person.
- (c) Exigent circumstances exist and the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds or any combination thereof and caused death or personal injury to another person (625 ILCS 5/11-501.2).

### 514.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
  - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.

## *Impaired Driving*

---

- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.
  - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
  - 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

### **514.7 ARREST AND INVESTIGATION**

#### **514.7.1 PRELIMINARY BREATH SCREENING TEST**

An officer having reasonable suspicion to believe that a person is DUI may, prior to arrest, request that the person provide a sample of his/her breath for a preliminary breath screening (PBS) test using a portable device approved by the Department of State Police. The person may refuse the test, however, if a test is administered, the results may be used by the officer for the purpose of determining whether probable cause exists to require a chemical test as authorized by 625 ILCS 5/11-501.1 and 625 ILCS 5/11-501.2 (625 ILCS 5/11-501.5).

#### **514.7.2 ADDITIONAL TESTING**

A person submitting to a chemical test may have qualified medical personnel of his/her own choosing administer an additional chemical test (625 ILCS 5/11-501.2).

#### **514.7.3 OFFICER RESPONSIBILITIES**

If a person refuses to submit to a chemical test or submits to a test that discloses a prohibited alcohol or drug concentration, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the Secretary of State (SOS) (625 ILCS 5/11-501.1(d)).

If a medical marijuana card holder refuses to submit to field sobriety tests or submits to a test that discloses impairment by the use of cannabis, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the SOS (625 ILCS 5/11-501.9(e)).

#### **514.7.4 COLLISIONS**

An officer having probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drugs, or intoxicating compounds or any combination thereof has caused the death or personal injury of another person, shall request that the person submit to a chemical test (625 ILCS 5/11-501.2(c)(2)).

## *Impaired Driving*

---

### **514.7.5 REPORTING**

The Watch Commander shall ensure that the Department complies with all state reporting requirements pursuant to 20 ILCS 2630/5.

### **514.7.6 IMPOUNDMENT**

An officer making an arrest for DUI should impound the vehicle driven by the arrestee when no other person is available to take lawful control of the vehicle and the arrestee may be released and have access to the vehicle within 12 hours (625 ILCS 5/4-203).

## **514.8 RECORDS SECTION RESPONSIBILITIES**

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

### **514.8.1 WARNING NOTIFICATION**

The Records Supervisor shall forward the warning notification and sworn report in accordance with 625 ILCS 5/11-501.1, 625 ILCS 5/11-501.6, 625 ILCS 5/11-501.8, and 625 ILCS 5/11-501.9.

## **514.9 ADMINISTRATIVE HEARINGS**

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the SOS.

Any officer who receives notice of required attendance at an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the SOS file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The Records Section should forward this to the prosecuting attorney as part of the case file.

## **514.10 TRAINING**

The Training Supervisor should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Supervisor should confer with the prosecuting attorney's office and update training topics as needed.

## Portable Breath Testing Devices

### 515.1 PURPOSE AND SCOPE

The purpose of this order is to set forth procedures and guidelines for the proper use and application of portable breath testing devices.

### 515.2 DEFINITIONS

#### PBT - Portable Breath Test

- PBT's are portable electric or battery-powered units that measure breath alcohol content.
- PBT's must be approved by the Department of Public Health.
- PBT test units shall be authorized in accordance with the manufacturer's specifications and procedures.

**Alco-Sensor III** - The make and model of the only portable breath test device that may be used by on-duty La Grange Police personnel is the Alco-Sensor III, manufactured by Intoximeters, Inc.

- (a) The Alco Sensor III shall be inspected by the Illinois Department of Public Health when the breath testing equipment used in the Processing Room is tested.
- (b) A record of the test result will be logged in the book.
- (c) Any malfunction with the PBT will be recorded in the logbook and be immediately taken out of service until it is repaired and tested by the Illinois Department of Public Health.

### 515.3 PROCEDURES

#### 515.3.1 CONDUCTING PRELIMINARY BREATH SCREENING

A P.B.T. may be administered by a certified officer under the following conditions:

- (a) **D.U.I.**
  1. Reasonable Suspicion.
  2. Screen done after all other field sobriety tests.
  3. Results can be used by the violator in civil and or criminal actions.
- (b) **Zero Tolerance**
  1. Establish probable cause.
- (c) **Commercial Driver Sanctions**
  1. Shows alcohol in the system.
  2. Reading used in administrative hearings.
- (d) **Traffic Accident**



## *Portable Breath Testing Devices*

---

1. PBT may end up as a primary instrument used.
  2. Make sure that there is no blood in the mouth of the subject.
- (e) **Minor Consumption**
1. Use to confirm consumption.
  2. The result may be prima facia evidence.
- (f) **Illegal Transportation**
1. Use of a PBT to determine alcohol content.

### 515.3.2 CONDITIONS OF USE

Elements required prior to requesting an individual to submit to a portable breath test.

- Articulable probable cause for the traffic stop is necessary. The driver suspected of Driving Under the Influence and from whom a portable breath test is requested must have committed a traffic violation.
- A portable breath test will be conducted only after sobriety tests are performed. A portable breath test reading is presumptive information used to verify the results of the field sobriety test.
- Illinois law (625 ILCS 5/11-501.5): Provides that a law enforcement officer needs reasonable suspicion to request the person to provide a sample of his or her breath for a preliminary breath screening test. Also the State of Illinois may use the results of a preliminary breath screening test as evidence in any administrative or court proceeding involving a Driving Under the Influence charge if chemical testing is refused or defendant contests the accuracy of a chemical test.
- An officer may conduct a portable breath test on a minor at the consent of a parent.

### 515.3.3 ALCO-SENSOR III

The approved PBT for use by this department shall be the Alco-Sensor III. Operating instructions for the Alco-Sensor III are as follows:

- (a) Check temperature windows on back of instrument. If any numbers are showing proceed with the test.
- (b) Install fresh mouthpiece on unit.
- (c) Depress READ button for 10 seconds. a. If digital reading remains at .00, proceed with test. b. If not, depress SET button and place instrument inside pocket.
- (d) If green light is on or digital at .00, keep SET button depressed.
- (e) Have test subject blow steadily for as long as possible.



## *Portable Breath Testing Devices*

---

- (f) Depress READ button before exhalation ceases (but not less than 3 seconds after blowing begins).
- (g) Keep READ button depressed until green, amber or red lights appear or until maximum digital (.00) reading is obtained.
- (h) Discard used mouthpiece and depress SET button. Wait several minutes before conducting the next test.

### 515.3.4 FACTORS INFLUENCING PBT USE

#### Important Factors to Remember:

- (a) The PBT Test is no more or less important than any other Field Sobriety Test
- (b) Do not base decision to arrest entirely on the PBT result
- (c) There is NO penalty for refusing to take the PBT test
- (d) Look at the total picture - What You Observe, What You Hear, What You Smell
- (e) Residual mouth alcohol must be out of the mouth (confirm on radio the time of your stop - wait 20 minutes from the first observation)
- (f) Fuel cell operation - specific to ethanol
- (g) R.F.I. - radio frequency interference is NOT a factor with a PBT
- (h) The PBT is the LAST field sobriety test
- (i) Use surgical gloves to remove the mouthpiece
- (j) Record the name of the PBT operator, the test result and the serial number off the testing unit for your report

### 515.4 BREATH TEST RESULTS

#### As stated in 625 ILCS 5/11-501.2:

- (a) An alcohol concentration in excess of 0.05 or less, it shall be presumed that the person was not under the influence.
- (b) An alcohol concentration in excess of 0.05 but less than 0.08, such facts shall not give rise to any presumption that the person was or was not under the influence of alcohol, but such fact may be considered with other component evidence in determining whether the person was under the influence of alcohol.
- (c) An alcohol concentration of 0.08 or more, it shall be presumed that the person was under the influence of alcohol.
- (d) An officer has the discretion when to arrest an individual for driving under the influence. A person whose results are 0.06 or more shall not be allowed to drive.

# La Grange Police Department

## La Grange PD Policy Manual

### *Portable Breath Testing Devices*

---

- (e) If an officer chooses not to arrest the suspected driver and a sober passenger is present, the driver may be released to the sober individual.
- (f) In those cases where the driver is alone or a sober passenger is not present the driver may be transported to their residence within the Village or to the Police Department and allowed to use the phone to make arrangements for alternative transportation. Under no circumstance will any driver suspected of driving while the influence be taken to a public place other than police department.
- (g) Voluntary compliance will result in an officer generating an incident number through the Telecommunications Center. The officer will complete the disposition for the incident, which will include the driver's name, race, date of birth, and location of vehicle.
- (h) Involuntary compliance will result in the driver being placed under arrest and transported to the police department processing room. The officer will complete an arrest report charging the driver with driving under the influence.
- (i) The supervisor in charge of the shift will be notified if a driver under the age of 21 registers any reading on the portable breath-testing device.

# Notice of Parking Violation Mediation Procedure

## 516.1 PURPOSE AND SCOPE

This policy outlines the procedure for mediation of parking violations.

## 516.2 RESPONSIBILITIES

The Administrative Lieutenant or the Watch Commander of the Officer who issued the parking violation shall be responsible for mediation of the parking violation.

## 516.3 APPEAL STAGES

Appeals may be pursued sequentially at two different levels:

### 1. Mediation

- (a) Mediation forms are available at the Parking Department or Telecommunications Center service windows of the La Grange Police Department. The mediation form is an informal written statement outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be delivered or mailed to the La Grange Police Department Parking Division.
- (b) The Watch Commander of the officer who issued the parking ticket will review the submitted mediation form and documentary information and decide upon one of the available disposition.
  1. Ticket Dismissed (no fine, no Court appearance) because:
    - (a) It was improperly issued.
    - (b) It was properly issued, but there are mitigating circumstances.
  2. Ticket will not be dismissed. The fine is payable until the assignment of a Court date.
    - (a) The due date has been extended to: \_\_\_\_\_.
  3. No cases will be mediated after a delinquent notice has been mailed.

### 2. Court

- (a) If the appellant wishes to pursue the matter beyond mediation the Parking Division will schedule a court date for the matter to be scheduled for trial.

## 516.3.1 PARKING TICKET MEDIATION FORM

See attachment: [Parking Mediation Form.jpg](#)

## 516.4 TIME REQUIREMENTS

All requests for Mediation or appearance in Court will be governed by the following time limits.

# La Grange Police Department

## La Grange PD Policy Manual

### *Notice of Parking Violation Mediation Procedure*

---

- (a) Requests for Mediation must be made prior to the due date listed on the parking violation. After 14 days a Notice of Delinquent Parking Violation will be mailed and mediation is no longer available.
- (b) Requests for appeal to Court may be made at any time.
- (c) Registered owners of leased or rented vehicles may transfer responsibility for the violation to the lessee or renter of the vehicle at the time of the violation if the name, address, and driver's license number of the lessee/renter is provided to the processing agency within 10 days of the mail date of the delinquent notice.

#### **516.5 COSTS**

- (a) There is no cost for mediation.
- (b) There is no cost for requesting a court date.
  - 1. Any costs will result from the determination of a disposition by the Court.

# Vehicle Immobilization for Outstanding Traffic or Parking Tickets

## 517.1 PURPOSE AND SCOPE

This policy outlines the procedure for immobilizing a vehicle for outstanding traffic or parking tickets and related hearings.

## 517.2 DEFINITIONS

**Eligible Vehicle:** A motor vehicle eligible for immobilization.

**Immobilizing Restraint:** A wheel locking restraint device consisting of a clamp which surrounds a vehicle wheel and is designed to prevent removal of both itself and the wheel. Such a device is commonly referred to as the "Denver Boot."

**Vehicle Immobilization List:** A list maintained by the Parking Division of the State registration number of all motor vehicles eligible for immobilization.

## 517.3 VEHICLE IMMOBILIZATION

### 517.3.1 AUTHORIZATION

All Police Officers and Parking Enforcement Officers are authorized to immobilize any motor vehicle that is located in or on any street, highway, Village-owned or operated parking facility, or any other Village-owned property.

### 517.3.2 ELIGIBILITY FOR IMMOBILIZATION

Subject to notice and hearing requirements a motor vehicle is eligible for inclusion on the Vehicle Immobilization List at any time after there are five or more outstanding or otherwise unsettled notices of violation of vehicular standing, parking, or compliance regulations, or one or more warrants issued for any such violations, pending against the owner of such motor vehicle.

### 517.3.3 REMOVAL OF IMMOBILIZATION RESTRAINT

The registered owner of an Eligible Vehicle that is immobilized may secure the release of the immobilizing restraint by vehicle by completing all of the following actions:

- Deliver a notice of post-immobilization appeal to the Chief of Police.
- Payment to the Parking Division of the immobilization fee and all fines and penalties on all outstanding parking citations issued against the Eligible Vehicle.

Once payment is received or an appeal is filed a La Grange Police Officer or Parking Enforcement Officer will immediately remove the immobilizing restraint.

Any unauthorized relocation of the immobilized vehicle, attempt to move the vehicle or immobilizing restraint may result in damage to the vehicle and is prohibited and punishable by a fine.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Immobilization for Outstanding Traffic or Parking Tickets*

---

#### **517.4 VEHICLE TOWING AND IMPOUNDMENT**

##### **517.4.1 TOWING AFTER 48 HOURS**

If the registered owner of an immobilized Eligible Vehicle does not secure release of the vehicle within 48 hours after immobilization then the Department is authorized to tow and impound the vehicle.

##### **517.4.2 AUTHORIZED TOWING**

An immobilized Eligible Vehicle may be towed only by a Department approved towing company. Towing of an Eligible Vehicle may be authorized only by the Police Chief or his or her authorized designee.

##### **517.4.3 IMPOUNDMENT**

All immobilized vehicles that are towed may only be impounded at a facility approved by the Department. The vehicle will be impounded only until claimed or disposed of pursuant to the provisions of Village Ordinance and State Statutes.

##### **517.4.4 ILLINOIS VEHICLE CODE APPLIES**

Nothing in this policy may be construed to prohibit the towing of vehicles in accordance with Article II of Chapter 4 of the Illinois Vehicle Code, 625 ILCS 5/4 210 et seq.

##### **517.4.5 RELEASE OF IMPOUNDED VEHICLE**

The registered owner of an Eligible Vehicle that has been impounded due to immobilization may secure the release of the impounded vehicle by completing all of the following actions:

- Deliver a notice of post-immobilization appeal to the Chief of Police.
- Payment to the towing company of towing and impoundment fees.
- Payment to the Parking Division of the immobilization fee.
- Deposit to the Parking Division \$500.00 or 50% of all fines and penalties on all outstanding parking citations issued against the Eligible Vehicle.

#### **517.5 NOTICES**

The following notices must be made by the La Grange Police Department to the registered owner of any vehicle eligible to be immobilized, immobilized or impounded.

##### **517.5.1 PRE-IMMOBILIZATION NOTICE**

Before placing the registration number of an Eligible Vehicle on the Vehicle Immobilization List, the Parking Division must send a notice of pending immobilization to the registered owner of the Eligible Vehicle. The notice must provide information how the registered owner may contest the notice of pending immobilization and obtain a pre-immobilization hearing. The notice of pending immobilization must be sent certified or registered mail, return receipt requested, to the address of the registered owner of the Eligible Vehicle recorded with the Illinois Secretary of State or the state's registry of motor vehicles in which the Eligible Vehicle is registered.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Immobilization for Outstanding Traffic or Parking Tickets*

---

#### **517.5.2 NOTICE OF IMMOBILIZATION**

Immediately after immobilization of an Eligible Vehicle, a Police Officer or Parking Enforcement Officer must affix a notice of immobilization in a conspicuous place on the Eligible Vehicle. The notice will provide information how the registered owner may secure release of the immobilizing restraint and obtain a post-immobilization hearing.

#### **517.5.3 NOTICE OF VEHICLE IMPOUNDMENT**

Within five days after impounding an Eligible Vehicle the Parking Division must send a notice of vehicle impoundment to the registered owner of the impounded vehicle. The notice must also include a summary of the procedures to contest the notice of vehicle impoundment as well as the possible sale or other disposal pursuant to State and local statutes, ordinance and regulations. The notice of vehicle impoundment must be sent certified or registered mail, return receipt requested, to the address of the registered owner of the Eligible Vehicle recorded with the Illinois Secretary of State or the state's registry of motor vehicles in which the Eligible Vehicle is registered.

If the registered owner does not secure the release of the Eligible Vehicle within 30 days after receiving the notice of vehicle impoundment, then the Eligible Vehicle may be sold or disposed of pursuant to all applicable State and local statutes, ordinances and regulations.

#### **517.6 APPEAL**

Vehicle immobilization appeals are available to the registered owner of any vehicle placed on the Vehicle Immobilization List, immobilized or towed and impounded to contest such action taken against their vehicle. If the registered owner of an Eligible Vehicle does not request a hearing within these time limitations the right to a hearing will be deemed waived.

Immediately after the initiation of an appeal the Eligible Vehicle will be released and the registration number of that vehicle will be immediately removed from the Vehicle Immobilization List.

##### **517.6.1 PENDING IMMOBILIZATION - PRE-IMMOBILIZATION HEARING**

The registered owner of an Eligible Vehicle must initiate an appeal within five days after receipt of the notice of pending immobilization.

##### **517.6.2 IMMOBILIZED VEHICLE - POST-IMMOBILIZATION HEARING**

The registered owner must initiate an appeal within 48 hours after the Eligible Vehicle has been immobilized.

##### **517.6.3 TOW AND IMPOUNDED VEHICLE - POST-IMMOBILIZATION HEARING**

The registered owner must initiate an appeal within seven days after receipt of the notice of vehicle impoundment.

#### **517.7 HEARING**

Vehicle immobilization hearings are an informal process to evaluate the validity of the immobilization of a vehicle. The Police Chief shall conduct all hearings or may appoint a hearing officer. The registered owner must appear at any hearing and will be allowed to present

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Immobilization for Outstanding Traffic or Parking Tickets*

---

evidence conclusively establishing that the eligibility for immobilization, immobilization, towing or impoundment of the vehicle was not authorized.

The registration number of the Eligible Vehicle may not be placed on the Vehicle Immobilization List while a hearing is pending.

The registered owner will be deemed to have waived the right to an appeal if the registered owner fails to appear for the hearing without prior notice of absence.

Based on the hearing record, the Police Chief will issue a written decision affirming, in whole or in part, the validity of the immobilization, towing and impoundment of the registered owner's vehicle or invalidating, in whole or in part, the immobilization, towing, or impoundment of the registered owner's vehicle. The Police Chief must deliver a copy of the decision to the registered owner of the subject vehicle after the close of the hearing.

If the Police Chief affirms the validity of the immobilization the registered owner will have three days after receipt of the Police Chief's decision to pay all fines and penalties on the Eligible Vehicle before the Eligible Vehicle is placed back on the Vehicle Immobilization List. The Department will be authorized to immobilize the Eligible Vehicle without further notice.

If the Police Chief invalidates in whole the immobilization, towing, and impoundment of the subject vehicle the Department must return to the registered owner all amounts received and the registration number of the subject vehicle will be immediately removed from the Vehicle Immobilization List.

The decision of the Police Chief on an appeal is final.

#### 517.7.1 PRE-IMMOBILIZATION HEARING

The Police Chief must schedule a pre-immobilization hearing not later than five days after receipt of a request for a pre-immobilization. The Police Chief must notify the owner not less than 48 hours before such hearing by telephone, mail, or in person.

The Police Chief must issue a written decision and deliver a copy of the decision to the registered owner within 48 hours after the conclusion of the hearing.

#### 517.7.2 POST-IMMOBILIZATION HEARING

The Police Chief must schedule, in consultation with the registered owner of the Eligible Vehicle, a post-immobilization hearing no later than three days after the registered owner initiates a post-immobilization appeal or on such later day as is mutually agreed by the parties.

The Police Chief must issue a written decision and deliver a copy of the decision to the registered owner within seven days after the conclusion of the hearing.



## Disabled Vehicles

### 520.1 PURPOSE AND SCOPE

All law enforcement agencies having responsibility for traffic enforcement should develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

### 520.2 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the telecommunicator should be advised of the location of the disabled vehicle and the need for assistance. The telecommunicator should then assign another available officer to respond for assistance as soon as practical.

### 520.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

#### 520.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

#### 520.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

#### 520.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

### 520.4 POLICY

It is the policy of the La Grange Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

# Abandoned or Derelict Vehicle Violations

## 524.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the La Grange Village Ordinance or state laws regulating abandoned or derelict vehicles.

### 524.1.1 DEFINITIONS

Definitions related to this policy include:

**Abandoned vehicle** - Means any vehicle in a state of disrepair rendering the vehicle incapable of being driven in its condition or any vehicle that has been left unattended for any amount of time and is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic; or for 2 hours or more on a toll highway, interstate highway, or expressway or expressway; or on a highway in an urban district 10 hours or more; or outside of an urban district for 24 hours or more; or on private property for 7 consecutive days or more (625 ILCS 5/4-201; 625 ILCS 5/4-203).

**Derelict vehicle** - Means any inoperable, unregistered, discarded motor vehicle, regardless of title, that constitutes a danger, hazard, or blight (625 ILCS 5/4-301).

## 524.2 IDENTIFICATION

Vehicles suspected of being in violation of the Village of La Grange abandoned or derelict vehicle ordinance shall be brought to the attention of the Department's Tow Officer. An Incident number shall be assigned describing the vehicle and its location. All information related to the vehicle including the Incident Report, Illinois Secretary of State Vehicle Registration and Title shall be placed in the Tow Book mailbox located in Roll Call for retrieval and follow up by the Tow Officer.

### 524.2.1 VEHICLE STORAGE

Any vehicle in violation shall be towed and stored by the authorized towing service and a Vehicle Tow Report shall be completed by the officer authorizing the storage of the vehicle.

The Vehicle Tow Report shall be submitted to the Telecommunications Center immediately following the storage of the vehicle. It shall be the responsibility of the Telecommunications Center to immediately notify LEADS.

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Tow Officer to determine the names and addresses of any individuals having an interest in the vehicle. Notice to all such individuals shall be sent first-class or certified mail.

### 524.2.2 VEHICLE STORAGE

Any property left inside of the vehicle shall be returned to its rightful owner or in accordance to **Policy 804: Property Procedures**, contained within this Policy Manual.

# La Grange Police Department

## La Grange PD Policy Manual

### *Abandoned or Derelict Vehicle Violations*

---

#### 524.2.3 PROCESSING DERELICT OR ABANDONED VEHICLES AS JUNK

If this department elects or is otherwise required to process a derelict or abandoned vehicle as a "junk" vehicle the department shall, within 15 days complete the following (625 ILCS 5/3-117.1):

- (a) Surrender the junk vehicle's certificate of title, salvage certificate, certificate of purchase, or a similarly acceptable out of state document of ownership to the Secretary of State along with an application for a junking certificate.
- (b) Dispose of the vehicle as junk upon receipt of the junking certificate.

Vehicles or vehicle parts that have had the manufacturer's identification number removed, altered, defaced or destroyed shall be identified in compliance with 625 ILCS 5/4-107(i) before processing as "junk".

# Roadside Safety Checkpoints

## 527.1 PURPOSE AND SCOPE

It shall be the policy of the La Grange Police Department that roadside safety checks be preformed professionally and courteously and with a view towards educating the public about proper driving procedures.

Roadside safety checkpoints will be periodically conducted to promote the safety of persons using public roadways and to provide a continuing deterrent for those who violate statutes contained in the Vehicle Code and Municipal Code with particular emphasis on the following:

- (a) Driving under the influence of alcohol/drugs.
- (b) Occupant protection (seatbelts/child restraint).
- (c) Mandatory insurance act.
- (d) No valid, suspended or revoked driver's license.

## 527.2 PROCEDURE

### 527.2.1 AUTHORITY & TACTICS

The roadside safety check will be conducted in conjunction with the authority granted by statute and case law and the enforcement of state and local laws will be exercised in good faith.

Any tactic used by police officers in a roadside safety check will be in accordance with the following considerations and priorities:

- (a) Enhancement of officer and motorist safety.
- (b) Avoidance of undue inconvenience to the public.
- (c) The deterrent effect created by the roadside safety check.

### 527.2.2 DETAIL REQUIREMENTS

The Chief of Police or his designee will assign a supervisor to serve as the Checkpoint Commander who will conduct a pre-detail briefing immediately prior to the setup and activation of a checkpoint.

The checkpoint site selection will fulfill the following minimum requirements:

- (a) Sufficient visibility to oncoming motorists to ensure officer and motorist safety.
- (b) Ample space for police and subject vehicles in screening area.
- (c) Reduced opportunity for motorist to avoid or escape from the checkpoint.
- (d) Sufficient advanced warning devices will be in place before activation of the checkpoint to ensure officer and motorist safety.
- (e) Uniformed officers and marked vehicles will be in sufficient quantity and visibility to clearly indicate the presence of legal authority.

## *Roadside Safety Checkpoints*

---

### 527.2.3 CHECKPOINT

The Checkpoint Commander will be responsible for:

- (a) Establishing target violations.
- (b) Deploying personnel.
- (c) Obtaining necessary equipment.
- (d) Preparing an activity summary and submitting it to the Operations Lieutenant and Chief of Police.

The selection sequence of the vehicles to be stopped will be uniformly applied as prescribed. This sequence may only be altered by the Checkpoint Commander who will document the reason for the alteration.

Assigned officers will not have the authority to change operational plan. Officer discretion will only be applied as designated by the Checkpoint Commander.

The Checkpoint Commander will be present on scene to guide operations. Should it become necessary to leave the scene, an acting supervisor will be appointed.

The checking process must be through while causing a minimal delay to motorists. So long as the available mobile data terminals are functioning properly, driver's licenses and registration will be routinely checked for validity.

Officers will be particularly vigilant for any signs of motorist impairment. If an officer detects a violation or acquires probable cause to believe an offense has been committed, appropriate enforcement action will be taken.

The courteous treatment of motorists by officers will be a high priority.

Roadway traffic will be closely monitored to avoid excessive congestion.

Any police agency that assists in the checkpoint operation will be expected to abide by this procedure.

### 527.2.4 REPORTS

The Checkpoint Commander will prepare a report summarizing the activities of the checkpoint and submit it to:

- Operations Lieutenant
- Chief of Police
- Appropriate supervisor of any assisting agencies

### 527.2.5 MEDIA RELEASE

The Operations Commander shall ensure that:

- (a) Roadside safety checks will be publicized in advance to enhance the general deterrent effect of such activities.

# La Grange Police Department

## La Grange PD Policy Manual

### *Roadside Safety Checkpoints*

---

- (b) Roadside checkpoint results will be published as soon as possible to inform the community of the following:
  - 1. Date, time, location and duration of checkpoint.
  - 2. Number of vehicles passing through the checkpoint.
  - 3. Number of vehicles checked.
  - 4. Number and type of violations discovered.

## Chapter 6 - Investigation Operations

# Investigation and Prosecution

## 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

## 600.2 POLICY

It is the policy of the La Grange Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

## 600.3 INITIAL INVESTIGATION

### 600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  - 1. An initial statement from any witnesses or complainants.
  - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
  - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  - 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
  - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  - 5. Collect any evidence.
  - 6. Take any appropriate law enforcement action.
  - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

### 600.3.2 NON-SWORN MEMBER RESPONSIBILITIES

A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take



## *Investigation and Prosecution*

---

any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

### **600.4 CUSTODIAL INTERROGATION REQUIREMENTS**

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies.

#### **600.4.1 AUDIO/VIDEO RECORDINGS**

All custodial interrogations at the La Grange Police Department of suspects in investigations of offenses as provided in 725 ILCS 5/103-2.1 shall be electronically recorded in their entirety (motion picture, audiotape or videotape, or digital recording) (725 ILCS 5/103-2.1; 705 ILCS 405/5-401.5). Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of an interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Investigation Division supervisor. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes. Electronic recordings of a custodial interrogation in connection with an investigation for the offenses listed in 725 ILCS 5/103-2.1 shall be preserved until the conclusion of all criminal proceedings, including the exhaustion of habeas corpus appeals or the prosecution is barred by law (725 ILCS 5/103-2.1(c); 705 ILCS 405/5-401.5(c)).

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

### **600.5 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

## *Investigation and Prosecution*

---

- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

### **600.6 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

### **600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

#### **600.7.1 ACCESS RESTRICTIONS**

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses,

### *Investigation and Prosecution*

---

requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

#### **600.8 MODIFICATION OF CHARGES FILED**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Deputy Chief or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

#### **600.9 CELL SITE SIMULATOR USE**

A member may only use a cell site simulator device for the purpose of locating, tracking or identifying a communications device and only after obtaining a warrant unless an exception exists as provided by 725 ILCS 168/15 (725 ILCS 137/10).

The member shall delete non-target data that is obtained no later than once every 24 hours if a cell site simulator device is used to locate or track a known communications device, and no later than within 72 hours of the time that the unknown communications device is identified if a cell site simulator device is used to identify an unknown communication device (725 ILCS 137/15).

## Asset Forfeiture

### 606.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

#### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Fiscal agent** - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the La Grange Police Department seizes property for forfeiture or when the La Grange Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

**Forfeiture** - The process by which legal ownership of an asset is transferred to a government or other authority.

**Forfeiture reviewer** - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

#### Property subject to forfeiture -

- (a) Profits, proceeds, property, etc. derived from or used for crimes set forth in 725 ILCS 5/124B-10 may be subject to forfeiture
- (b) Receipts obtained, and any interests in, claims against, receipts from, or property or rights resulting from calculated and gang criminal drug conspiracies (720 ILCS 570/405; 720 ILCS 570/405.2)
- (c) Profits, proceeds, property, etc. forfeitable through civil action under the Illinois Controlled Substances Act, the Cannabis Control Act, the Illinois Food, Drug and Cosmetic Act, or the Methamphetamine Control and Community Protection Act
- (d) Counterfeit trademark items and instrumentalities used for a violation of the Counterfeit Trademark Act (765 ILCS 1040/9)
- (e) Vehicles, vessels, or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit any of the offenses identified in 720 ILCS 5/36-1
- (f) Illegal gambling devices or funds (720 ILCS 5/28-5)
- (g) Profits, proceeds, property, etc. derived or used to launder money or conduct unlawful financial transactions (720 ILCS 5/17-10.6; 720 ILCS 5/29B-5)
- (h) Any interest in any enterprise, real property, or personal property including money in violation of the Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law (720 ILCS 5/33G-6)
- (i) Any profits, proceeds and property derived or used or intended for use in any manner to facilitate street gang related activity (740 ILCS 147/40)

## Asset Forfeiture

---

**Seizure** - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

### 606.2 POLICY

The La Grange Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the La Grange Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

### 606.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

#### 606.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property that is subject to forfeiture because it constitutes evidence of a crime and may be legally seized as part of a criminal investigation, search warrant or by other court order.
- (b) Property seized without a court order when there is probable cause to believe that the property is subject to forfeiture, the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable (i.e., property would be lost without immediate seizure), and the seizure is authorized by statute, as in:
  - 1. Seizure of vessels, vehicles, and aircraft under the Criminal Code of 2012 (720 ILCS 5/36-1.1).
  - 2. Money laundering (720 ILCS 5/29B-6).
  - 3. The Illinois Controlled Substances Act (725 ILCS 150/3.1).
  - 4. The Cannabis Control Act (725 ILCS 150/3.1).
  - 5. The Illinois Food, Drug and Cosmetic Act (410 § 620/3.23; 725 ILCS 150/3.1).
  - 6. The Methamphetamine Control and Community Protection Act (725 ILCS 150/3.1).

Officers may request the Attorney General or any state attorney seek a court order to seize property when there is probable cause to believe that it may be subject to forfeiture upon a successful criminal prosecution (725 ILCS 5/124B-805; 725 ILCS 5/124B-150).

Whenever practicable, a court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

## Asset Forfeiture

---

### 606.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the statutory or state attorney's current minimum forfeiture thresholds.
- (b) If reasonably known to the officer, property held by a person known as an "innocent owner" or a "lender" who did not have knowledge or intent that would reasonably justify a seizure (720 ILCS 5/29B-17; 725 ILCS 5/124B-130; 725 ILCS 150/8)
- (c) Property that the officer reasonably believes would be excessive as it relates to the offense in question (720 ILCS 5/36-3.1; 725 ILCS 150/9.5)

### 606.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following (720 ILCS 5/36-1.2; 725 ILCS 150/3.2):

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry, and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

### 606.5 MAINTAINING SEIZED PROPERTY

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition (720 ILCS 5/36-1.3; 725 ILCS 150/3.3).
- (b) All property received for forfeiture is checked to determine if the property has been stolen.



# La Grange Police Department

## La Grange PD Policy Manual

### Asset Forfeiture

---

- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

#### **606.6 FORFEITURE REVIEWER**

The Chief of Police will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the Seizure and Forfeiture Reporting Act, the Drug asset Forfeiture Procedure Act, and the forfeiture policies of the state attorney and the Illinois State Police (5 ILCS 810/10 et seq.).
- (b) Serving as the liaison between the Department, the state attorney, and the Illinois State Police and ensuring prompt legal review of all seizures.
  - 1. Presentation for review should generally be accomplished as soon as practicable but within seven days of a seizure (720 ILCS 5/29B-8; 720 ILCS 5/29B-9; 720 ILCS 5/36-1.4; 720 ILCS 5/36-1.5; 725 ILCS 150/3.5; 725 ILCS 150/5).
  - 2. Presentation for review shall include a form 4-64 when required.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form, and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
  - 1. Names and contact information for all relevant persons and law enforcement officers involved.
  - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
  - 3. The signature of the person from whom cash or property is being seized.
  - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the

# La Grange Police Department

## La Grange PD Policy Manual

### Asset Forfeiture

---

seizure, information regarding the process to contest the seizure and a detailed description of the items seized (720 ILCS 5/36—1.2; 725 ILCS 150/3.2).

5. Any other information that may be required for reporting under 5 ILCS 810/10.
- (g) Ensuring that those who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs), or Interim Directive. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
  1. Written documentation of the seizure and the items seized is in the case file.
  2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
  3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (720 ILCS 5/36-2.1; 720 ILCS 5/29B-10; 725 ILCS 150/4).
  4. Property is promptly released to those entitled to its return (720 ILCS 5/29B-25; 720 ILCS 5/36-2; 720 ILCS 5/36-6; 725 ILCS 150/9; 725 ILCS 150/13.1).
  5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
  6. Any cash received is deposited with the fiscal agent.
  7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
  8. Current minimum forfeiture thresholds are communicated appropriately to officers.
  9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
  10. Inventories of seized property and their estimated value are forwarded to the Illinois State Police as appropriate (720 ILCS 5/29B-7; 720 ILCS 5/36—1.3; 725 ILCS 150/3.3).
- (i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (j) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.
- (k) Upon completion of any forfeiture process, ensuring that no property is retained by the La Grange Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.
- (l) Ensuring compliance with the requirement that a probable cause determination be sought within 14 days of the seizure (725 ILCS 150/3.5).



## *Asset Forfeiture*

---

- (m) When the property seized for forfeiture is a vehicle, notifying the Secretary of State immediately that forfeiture proceedings are pending against the vehicle (720 ILCS 5/29B-8; 720 ILCS 5/36-1.4; 725 ILCS 150/5).
- (n) Completing the required seizure reporting under 5 ILCS 810/10
- (o) Assisting the Auditor General when required (5 ILCS 810/15).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and Village financial directives.

### **606.7 DISPOSITION OF FORFEITED PROPERTY**

Distribution and use of forfeited assets related to the Food, Drug and Cosmetic Act, Illinois Cannabis Control Act, Illinois Controlled Substance Act, and Methamphetamine Control and Community Protection Act should be conducted in accordance to the procedures set forth in the Drug Asset Forfeiture Procedure Act (410 ILCS 620/3.23; 720 ILCS 550/12; 720 ILCS 570/505; 720 ILCS 646/85; 725 ILCS 150/13.2)

Distribution and use of forfeited assets related to obscenity offenses should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-420.

Distribution and use of forfeited assets related to child pornography should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-505.

Distribution and use of forfeited assets related to computer and financial crimes should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-605.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

# Informants

## 608.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

### 608.1.1 DEFINITIONS

Definitions related to this policy include:

**Informant** - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the La Grange Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the La Grange Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

## 608.2 POLICY

The La Grange Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

## 608.3 USE OF INFORMANTS

### 608.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

### 608.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

## *Informants*

---

### **608.3.3 INFORMANT AGREEMENTS**

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

### **608.4 INFORMANT INTEGRITY**

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Deputy Chief, Investigation Division supervisor or their authorized designees.
  - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the La Grange Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
  - 1. Members shall not become intimately involved with an informant.
  - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Investigation Division supervisor.
  - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Investigation Division supervisor.
  - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

### *Informants*

---

#### **608.4.1 UNSUITABLE INFORMANTS**

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

#### **608.5 INFORMANT FILES**

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Investigation Division. The Investigation Division supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Deputy Chief, Investigation Division supervisor or their authorized designees.

The Investigation Deputy Chief should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Investigation Division supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

# La Grange Police Department

## La Grange PD Policy Manual

### *Informants*

---

#### **608.5.1 FILE SYSTEM PROCEDURE**

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
  - 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

#### **608.6 INFORMANT PAYMENTS**

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Investigation Division supervisor will discuss the above factors with the Operations Deputy Chief and recommend the type and level of payment subject to approval by the Chief of Police.

#### **608.6.1 PAYMENT PROCESS**

Approved payments to an informant should be in cash using the following process:

# La Grange Police Department

## La Grange PD Policy Manual

### *Informants*

---

- (a) Payments of \$500 and under may be paid in cash from a Investigation Division buy/expense fund.
  - 1. The Investigation Division supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
  - 1. The check shall list the case numbers related to and supporting the payment.
  - 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
  - 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
  - 4. Authorization signatures from the Chief of Police and the Village Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
  - 1. The cash transfer form shall include the following:
    - (a) Date
    - (b) Payment amount
    - (c) La Grange Police Department case number
    - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
  - 2. The cash transfer form shall be signed by the informant.
  - 3. The cash transfer form will be kept in the informant's file.

#### 608.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as other income and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

# La Grange Police Department

## La Grange PD Policy Manual

### *Informants*

---

#### 608.6.3 AUDIT OF PAYMENTS

The Investigation Division supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

# Felony Investigation Discovery

## 610.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for proper management of discovery issues in homicide and “non-homicide felony” investigations as mandated by 725 ILCS 5/114-13.

## 610.2 INVESTIGATIVE MATERIALS

In every homicide investigation and “non-homicide felony” investigation conducted by the department, or when the Department participates in an investigation of a homicide or “non-homicide felony,” the Department shall exercise due diligence to provide to the State’s Attorney’s Office all investigative materials that have been generated or come into the possession of the department concerning the homicide or “non-homicide felony.”

Investigative materials include, but are not limited to, reports and memoranda. In homicide investigations, investigative materials also include field notes.

## 610.3 COMPLIANCE

The Investigation Deputy Chief shall implement appropriate procedures, including the periodic review of all homicide and “non-homicide felony” case files to ensure that all investigative materials and exculpatory evidence has been provided to the State’s Attorney’s Office.

All department personnel shall document in writing the tendering of investigative materials to the State’s Attorney’s Office and include the date, description of materials transmitted and to whom the materials were tendered.

The Department shall cooperate with all requests for investigative materials made by the State’s Attorney in a timely and efficient manner.

## 610.4 CONTINUING OBLIGATIONS

The duty to disclose exculpatory information under this policy continues throughout the course of the prosecution of the case, remains after a defendant’s conviction and until the fact finding proceedings, or the possibility of further proceedings, have ended.



# Eyewitness Identification

## 612.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (725 ILCS 5/107A-2).

### 612.1.1 DEFINITIONS

Definitions related to the policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

## 612.2 POLICY

The La Grange Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

## 612.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

## 612.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Investigation Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (725 ILCS 5/107A-2):

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

## *Eyewitness Identification*

---

- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) Notice that if an audio/video recording of the lineup is made it will be of the persons in the lineup and the witness.
- (j) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (k) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary to ensure compliance with 725 ILCS 5/107A-2 and applicable judicial decisions. The Investigation Division supervisor shall prepare written guidelines setting forth when simultaneous lineups may be conducted rather than sequential lineups.

### **612.5 EYEWITNESS IDENTIFICATION**

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses shall view suspects or a lineup individually and outside the presence of other witnesses (725 ILCS 5/107A-2). Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses. Witnesses should be separated or monitored and the lineup administrator shall ensure that all eyewitnesses are monitored to prevent them from conferring with one another while waiting to view the lineup and during the lineup (725 ILCS 5/107A-2).

Whenever feasible, the eyewitness identification procedure shall be audio and/or video recorded and the recording should be retained according to current evidence procedures. If the witness

# La Grange Police Department

## La Grange PD Policy Manual

### *Eyewitness Identification*

---

refuses to allow a recording of the process, the refusal shall be recorded and the member shall document in the report that no recording was made and the reason (725 ILCS 5/107A-2).

#### **612.6 DOCUMENTATION**

A thorough description of the eyewitness process and the results of any eyewitness identification shall be documented in the case report (725 ILCS 5/107A-2). If practicable, an audio or video recording of the witness statements shall be made.

If a photographic lineup is utilized, the actual photographic lineup presented to the witness shall be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report. If a live lineup is utilized, a photograph or other visual recording shall be included in the case report (725 ILCS 5/107A-2).

If an automated computer process or other similar device is used to conduct a photographic lineup, the results of that lineup, including the photographs displayed, will be saved in a manner that permits the process to be repeated and shall be made part of the case report.

##### **612.6.1 RECORDS KEEPING**

Records are exempt from FOIA requests. On the other hand, the protection of disclosure of photographs and recordings of the line-ups should only be tendered by the ASA to the defense in court so the protection is maintained.

#### **612.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS**

When practicable, the member presenting the lineup shall not be involved in the investigation of the case or know the identity of the suspect (725 ILCS 5/107A-2).

In no case should the member presenting a lineup to a witness know which photograph or person in the live lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

##### **612.7.1 ADDITIONAL CONSIDERATIONS**

Members presenting a lineup shall also ensure that (725 ILCS 5/107A-2):

- (a) Only one suspect is presented in a photo lineup and a minimum of five filler photos is utilized.

## *Eyewitness Identification*

---

- (b) When practicable there should be five filler subjects used in a live lineup. In no case will fewer than three filler subjects be used.
- (c) No writings or information related to the persons presented is visible or made known to the witness.
- (d) If the witness requests to view a photograph or person again, he/she may do so, but only after first viewing each person or photograph.
- (e) If the witness identifies a person as the perpetrator, he/she shall not be provided with any information concerning the person until after the lineup is completed.
- (f) An automated computer program or other device may be used to display a photo lineup to an eyewitness provided the member administering the lineup cannot view the photos until completion of the lineup process.

### **612.8 FIELD IDENTIFICATION CONSIDERATIONS**

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
  - 1. The length of time the witness observed the suspect.
  - 2. The distance between the witness and the suspect.
  - 3. Whether the witness could view the suspect's face.
  - 4. The quality of the lighting when the suspect was observed by the witness.
  - 5. Whether there were distracting noises or activity during the observation.
  - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
  - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.

# La Grange Police Department

## La Grange PD Policy Manual

### *Eyewitness Identification*

---

- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of a show-up as the perpetrator, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

## Brady Material Disclosure

### 614.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

#### 614.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** -Information known or possessed by the La Grange Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

### 614.2 POLICY

The La Grange Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the La Grange Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

### 614.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

## *Brady Material Disclosure*

---

### **614.4 DISCLOSURE OF PERSONNEL INFORMATION**

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.
  - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
  - 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

### **614.5 INVESTIGATING BRADY ISSUES**

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

### **614.6 TRAINING**

Department personnel should receive periodic training on the requirements of this policy.



# Unmanned Aerial System (UAS) Operations

## 616.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which unmanned aerial systems (UAS) may be used, and the storage, retrieval and dissemination of images and data captured by such systems.

### 616.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft or drone of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

## 616.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

## 616.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

## 616.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.



## *Unmanned Aerial System (UAS) Operations*

---

Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, especially regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic program reports to the Chief of Police.

### **616.5 USE OF UAS**

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

The UAS, or images and data produced by its use, shall not be used for personal business of any type. Any use of the UAS that is not specifically related to the operation or mission of this department shall require the express authorization of the Chief of Police or the authorized designee.

## *Unmanned Aerial System (UAS) Operations*

---

The La Grange Police Department may not use the UAS to gather information except (725 ILCS 167/15):

- (a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is a risk.
- (b) Pursuant to a search warrant based on probable cause. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
- (c) Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect or prevent the destruction of evidence. The use of a UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of UAS initiation under this paragraph, the Chief of Police must report its use, in writing, to the State's Attorney.
- (d) To locate a missing person while not also undertaking a criminal investigation.
- (e) To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. The use of the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.
- (f) To obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts.

### **616.5.1 PRIVATE UAS OWNERS**

This policy and its restrictions apply to the department's directed use of a UAS owned by a private third party and information gathered by a UAS voluntarily submitted to the Department by a private third party (725 ILCS 167/40).

### **616.6 PROHIBITED USE**

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

### **616.7 RETENTION AND DISCLOSURE OF UAS INFORMATION**

Within 30 days of UAS use, the Records Section supervisor shall destroy all information gathered by the UAS except when there is reasonable suspicion that the information contains evidence of

# La Grange Police Department

## La Grange PD Policy Manual

### *Unmanned Aerial System (UAS) Operations*

---

criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/20).

The disclosure of information gathered by the UAS is prohibited except to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/25).

#### **616.8 REPORTING**

The Records Section supervisor shall report annually, by April 1, to the Illinois Criminal Justice Information Authority the number of UAS's owned by the La Grange Police Department (725 ILCS 167/35).

# Sexual Assault Investigations

## 617.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims (725 ILCS 203/15).

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

### 617.1.1 DEFINITIONS

Definitions related to this policy include:

**Sexual assault** - Any of the following (725 ILCS 203/10):

- (a) Any crime or attempted crime defined in 720 ILCS 5/11-1.20 through 720 ILCS 5/11-1.60 of the Criminal Code of 2012
- (b) Any crime or attempted crime defined in sections 720 ILCS 5/12-13 through 720 ILCS 5/12-16 of the Criminal Code of 1961
- (c) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/11-0.1 of the Criminal Code of 2012
- (d) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/12-12 of the Criminal Code of 1961

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

## 617.2 POLICY

It is the policy of the La Grange Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

### 617.2.1 WRITTEN GUIDELINES

The Investigation Division supervisor should ensure that written procedures are in place for members responding to reports of sexual assaults or assigned to these investigations. These procedures shall be consistent with the Illinois Attorney General guidelines on response to, and investigation of, sexual assaults (725 ILCS 203/15).

## 617.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

## *Sexual Assault Investigations*

---

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations (50 ILCS 705/10.21).
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

### **617.4 REPORTING**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

#### **617.4.1 REPORTING REQUIREMENTS**

Written reports shall include to the extent reasonably known to the reporting member the following (725 ILCS 203/20):

- (a) The victim's name or other identifier
- (b) The victim's contact information
- (c) The time, date and location of the offense
- (d) Information provided by the victim
- (e) The suspect's description and name, if known
- (f) The names of persons with information relevant to the time before, during or after the offense, and their contact information
- (g) The names of medical professionals who conducted a medical forensic examination of the victim, and any information provided about the offense
- (h) Whether an Illinois State Police Sexual Assault Evidence Collection Kit was completed, the name and contact information for the hospital, and whether the victim consented to testing of the Evidence Collection Kit by law enforcement
- (i) Whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement
- (j) Information the victim related to medical professionals during a medical forensic examination and which the victim consented to disclose to law enforcement
- (k) Other relevant information

## *Sexual Assault Investigations*

---

### **617.4.2 THIRD-PARTY COMPLAINTS**

A written report shall be completed even if the information regarding a sexual assault or sexual abuse is reported by a third party, unless the third party fails to provide the following (725 ILCS 203/22):

- (a) His/her name and contact information
- (b) Affirmation that the victim of the sexual assault or sexual abuse gave consent to the third party to provide information about the sexual assault or sexual abuse

### **617.4.3 JURISDICTIONAL ISSUES**

If the sexual assault investigation determines that the sexual assault occurred outside the jurisdiction of La Grange, the Watch Commander should ensure that the report is forwarded to the appropriate agency within 24 hours by fax or email (725 ILCS 203/20).

Within 24 hours of receiving a report from a law enforcement agency in another jurisdiction regarding a sexual assault that occurred in our jurisdiction, the Watch Commander should ensure that a written confirmation or receipt is sent by fax or email or delivered in person. The written confirmation shall contain the name and identifier of the officer who is confirming receipt of the report and a name and contact phone number that will be given to the victim (725 ILCS 203/20).

In all reported or suspected cases of sexual assault that may have occurred in another jurisdiction, a report should still be written and forwarded to the appropriate law enforcement agency within 24 hours unless the other agency promptly responds to the location of the initiating interview and takes responsibility for the investigation (725 ILCS 203/20). If an agency from the other jurisdiction responds to take responsibility for the investigation, the La Grange member who initially responded should report any statements obtained up until that point, relevant observations and the name and contact information of the member of the agency that is taking responsibility for the investigation.

### **617.5 RELEASING INFORMATION TO THE PUBLIC**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Investigation Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

### **617.6 TRAINING**

Training will be provided to (725 ILCS 203/20; 50 ILCS 705/10.21):

- (a) Members who are first responders. This includes:
  - 1. Initial response to sexual assaults.
  - 2. Legal issues.
  - 3. Victim advocacy.
  - 4. Victim's response to trauma.

## *Sexual Assault Investigations*

---

- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
  - 1. Interviewing sexual assault victims.
  - 2. SART.
  - 3. Medical and legal aspects of sexual assault investigations.
  - 4. Serial crimes investigations.
  - 5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
  - 6. Techniques for communication with victims to minimize trauma.

### **617.7 VICTIM INTERVIEWS**

The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

No victim shall be compelled or required to submit to an interview (725 ILCS 203/20).

Victims shall not be asked or required to take a polygraph examination or any form of a mechanical or electrical lie detector test (34 USC § 10451; 725 ILCS 200/1).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

### **617.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim. Victims should be permitted to have an advocate present during the medical evidentiary and physical examination whenever reasonably practicable. Victims may also have an additional person present for support during the examination (725 ILCS 120/4.6).

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.



## *Sexual Assault Investigations*

---

Biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be collected.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should still be collected and stored appropriately.

### 617.8.1 MEMBER RESPONSIBILITIES

Members investigating sexual assaults or handling related evidence are further required to do the following (725 ILCS 203/30; 725 ILCS 202/10):

- (a) Take custody of sexual assault evidence as soon as practicable. Sexual assault evidence collected from a forensic examination shall be collected within five days after the completion of the exam.
- (b) Document the date and time the sexual assault evidence is picked up from a hospital and the date and time the sexual assault evidence was sent to a lab.
- (c) Prior to submitting forensic examination evidence for testing, obtain the appropriate written consent from the victim or authorized representative (410 ILCS 70/6.5(a)).
- (d) Document the date when consent was given by a victim to have his/her forensic examination evidence tested.
- (e) Submit any sexual assault evidence for testing within 10 business days of the consent of the victim or authorized representative.
- (f) Not be present in the examination room during a medical examination, unless summoned in an emergency (77 Ill. Adm. Code 545.60).

Additional guidance regarding evidence retention and destruction is found in the Evidence Room Policy.

### 617.8.2 RELEASE PROTOCOL

The Investigation Division supervisor shall ensure that a procedure is in place for responding to a victim who wants to sign a consent form for the release of sexual assault evidence for testing (725 ILCS 203/30).

### 617.8.3 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of the status and results of any DNA test (725 ILCS 203/35).

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.



## *Sexual Assault Investigations*

---

Members investigating sexual assault cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

### **617.9 DISPOSITION OF CASES**

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Investigation Division supervisor.

Classification of a sexual assault case as unfounded requires the Investigation Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

### **617.10 CASE REVIEW**

The Investigation Division supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

#### **617.10.1 INVENTORY REPORT**

The Investigation Division supervisor or the authorized designee is responsible for ensuring an annual inventory is conducted of all sexual assault cases in the custody of the La Grange Police Department and that a written report of the findings is submitted to the local State's Attorney's office (725 ILCS 202/20).

### **617.11 CRIMINAL INVESTIGATION OF AN OFFICER**

Any member uncovering or receiving a complaint of a criminal sexual assault involving an officer of the La Grange Police Department should as soon as practicable notify his/her supervisor, who should immediately notify his/her chain of command so that the Chief of Police can contact an outside agency to conduct the criminal investigation (5 ILCS 815/10).

The Chief of Police or the authorized designee may pursue an intergovernmental or interagency agreement to facilitate such an investigation should it be needed (5 ILCS 815/20).

An administrative investigation of the involved officer may be conducted pursuant to the Personnel Complaints Policy and will be conducted in a manner that does not interfere with the criminal investigation (5 ILCS 815/15).

## Warrant Service

### 618.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### 618.2 POLICY

It is the policy of the La Grange Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 618.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 618.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### 618.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence

## *Warrant Service*

---

to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

### **618.6 WARRANT PREPARATION**

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched (numerical address, location relative to other buildings, color, unique identifying features, etc.), including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

### **618.7 HIGH-RISK WARRANT SERVICE**

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is video-recorded when practicable and legal to do so under 720 ILCS 5/26-4. The warrant service may be audio-recorded if done in an open and conspicuous manner or with the consent of all parties (720 ILCS 5/14-2).

## Warrant Service

---

- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

### **618.8 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

### **618.9 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

### **618.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members

### *Warrant Service*

---

- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the La Grange Police Department are utilized appropriately. Any concerns regarding the requested use of La Grange Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Watch Commander should assume this role.

If officers intend to serve a warrant outside La Grange Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the La Grange Police Department when assisting outside agencies or serving a warrant outside La Grange Police Department jurisdiction.

#### **618.11 MEDIA ACCESS**

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

#### **618.12 TRAINING**

The Training Supervisor should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

# Operations Planning and Deconfliction

## 619.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

### 619.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

## 619.2 POLICY

It is the policy of the La Grange Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

## 619.3 OPERATIONS DIRECTOR

The Chief of Police will designate a member of this department to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

## 619.4 RISK ASSESSMENT

### 619.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

# La Grange Police Department

## La Grange PD Policy Manual

### *Operations Planning and Deconfliction*

---

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

#### 619.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

#### 619.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
  - 1. Crisis Response Unit (CRU)
  - 2. Additional personnel
  - 3. Outside agency assistance
  - 4. Special equipment
  - 5. Medical personnel
  - 6. Persons trained in negotiation
  - 7. Additional surveillance



## *Operations Planning and Deconfliction*

---

8. Canines
  9. Evidence Room or analytical personnel to assist with cataloguing seizures
  10. Forensic specialists
  11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
  - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
  - (d) Coordinate the actual operation.

### **619.5 DECONFLICTION**

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

### **619.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
  1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
  2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces,



## *Operations Planning and Deconfliction*

---

- availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
- 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
- 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
  - 1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
  - 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
  - 2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (k) Communications plan
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

### **619.6.1 OPERATIONS PLAN RETENTION**

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

### **619.7 OPERATIONS BRIEFING**

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

## *Operations Planning and Deconfliction*

---

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
  - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
  - 1. It is the responsibility of the operations director to ensure that the Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
  - 2. If the radio channel needs to be monitored by the Communications Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
  - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

### **619.8 CRU PARTICIPATION**

If the operations director determines that CRU participation is appropriate, the director and the CRU supervisor shall work together to develop a written plan. The CRU supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the CRU supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

### **619.9 MEDIA ACCESS**

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

### **619.10 OPERATIONS DEBRIEFING**

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any CRU debriefing.

# La Grange Police Department

## La Grange PD Policy Manual

### *Operations Planning and Deconfliction*

---

#### **619.11 TRAINING**

The Training Supervisor should ensure officers and CRU team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

## Chapter 7 - Equipment

## Department Owned and Personal Property

### 700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

### 700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

### 700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made in writing and submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Lieutenant, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

## *Department Owned and Personal Property*

---

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

### **700.3.1 REPORTING REQUIREMENT**

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

### **700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER**

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

#### **700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY**

If employees of another jurisdiction cause damage to real or personal property belonging to the Village, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Lieutenant.

# Personal Communication Devices

## 702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

## 702.2 POLICY

The La Grange Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

## 702.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCDs issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

## 702.4 DEPARTMENT-ISSUED OR FUNDED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

## *Personal Communication Devices*

---

Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

### **702.5 PERSONALLY OWNED PCD**

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to the provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the La Grange Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate



## *Personal Communication Devices*

---

compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

### **702.6 USE OF PCD**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (f) Members will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

### **702.7 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
  - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.

### *Personal Communication Devices*

---

2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

#### **702.8 USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles while performing official duties should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (625 ILCS 5/12-610.2). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

#### **702.9 OFFICIAL USE**

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

# Vehicle Maintenance

## 704.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

## 704.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

Documents describing the correction of the safety issue shall be promptly filed with the vehicle history.

### 704.2.1 VEHICLE MAINTENANCE OFFICER

The Chief of Police shall designate a sworn officer(s) as the Vehicle Maintenance Officer. Responsibilities of the Vehicle Maintenance will include, but is not limited to the following duties:

- Keeping a current inventory of all department vehicles
- Keeping up to date records on all vehicle repairs and maintenance
- Contacting repair, maintenance and body shops to service vehicles
- Submitting budget proposals in a timely manner for the purchase of new vehicles and related equipment.
- Submitting all reports as requested by the Chief of Police

### 704.2.2 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

### 704.2.3 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

### 704.2.4 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

## 704.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

## *Vehicle Maintenance*

---

### 704.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 1 Rechargeable flashlight
- 1 Automated External Defibrillator (AED)
- 6 Emergency road flares
- 1 box of battery powered LED flares
- 2 Sticks yellow crayon or chalk
- 1 Big Easy lockout tool
- 1 Slim Jim vehicle lockout tool
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit, CPR mask
- 1 Blanket
- 1 Blood-borne pathogen kit, Including protective gloves and a National Institute for Occupational Safety and Health (NIOSH) particulate respirator mask
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 High visibility vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Fire extinguisher
- Spare tire, jack and lug wrench

### 704.3.2 UNMARKED VEHICLES

Members driving unmarked department vehicles shall ensure that the minimum following equipment, at a minimum, is in the vehicle:

- 6 Emergency road flares
- 1 roll crime scene barricade tape
- 1 first-aid kit and CPR mask
- 1 blanket
- 1 bloodborne pathogen kit, including protective gloves and NIOSH particulate respirator mask
- 1 sharps container

## *Vehicle Maintenance*

---

- 1 hazardous waste disposal bag
- Hazardous Materials Emergency Response Book
- 1 Fire extinguisher
- 1 high-visibility vest
- Spare tire, jack and lug wrench
- 1 Evidence collection kit

### **704.4 VEHICLE REFUELING**

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles shall only be refueled at the authorized location.

### **704.5 WASHING OF VEHICLES**

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the department.

Patrol officers shall obtain clearance from the before going to the car wash. Only one patrol vehicle should be at the car wash at a time unless otherwise approved by a supervisor.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle provided for shredding this material.

### **704.6 NON-SWORN EMPLOYEE USE**

Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

### **704.7 POLICY**

The La Grange Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

### **704.8 GENERAL DUTIES**

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

# Vehicle Use

## 706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the Village of La Grange to provide assigned take-home vehicles.

## 706.2 POLICY

The La Grange Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

## 706.3 USE OF VEHICLES

### 706.3.1 SHIFT ASSIGNED VEHICLES

The Watch Commander shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

### 706.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Watch Commander. A notation will be made on the shift roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

### 706.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Use*

---

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 706.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

#### 706.3.5 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

#### 706.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Deputy Chief approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 706.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Use*

---

#### 706.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than Village personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

#### 706.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

#### 706.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

#### 706.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

#### 706.3.12 NON-SWORN MEMBER USE

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

#### 706.3.13 VEHICLE IDLING

The goal of the Department is to prevent unnecessary idling of police vehicles. Excessive idling of police vehicles causes undue engine depreciation, increased fuel consumption, environmental emissions and increased mechanical failures.

Police Department vehicles shall not idle unoccupied unless:

- a. There are extreme weather conditions including temperatures below 20 degrees F or above 85 degrees F.
- b. Vehicle power is needed for the use of emergency lights or other auxiliary equipment.
- c. Vehicle power is needed for the use of accessories due to passengers/prisoners held in the vehicle.
- d. Some other unique situation dictates the temporary idling of the vehicle.



## *Vehicle Use*

---

Police Department vehicles shall not idle for more than thirty consecutive minutes. Vehicle engines shall be turned off when practicable.

### **706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

#### **706.4.1 ON-DUTY USE**

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

#### **706.4.2 UNSCHEDULED TAKE-HOME USE**

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the La Grange Village limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### **706.4.3 ASSIGNED VEHICLES**

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the Village of La Grange is a prime consideration for assignment of a take-home vehicle. Members who reside outside the Village of La Grange may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Use*

---

Members are cautioned that under federal and local tax rules, personal use of a Village vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Deputy Chief gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
  - 1. In circumstances when a member has been placed on call by the Chief of Police or Deputy Chief s and there is a high probability that the member will be called back to duty.
  - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
  - 3. When the member has received permission from the Chief of Police or Deputy Chief s.
  - 4. When the vehicle is being used by the Chief of Police, Deputy Chief s or members who are in on-call administrative positions.
  - 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
  - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
  - 2. All weapons shall be secured while the vehicle is unattended.
  - 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

# La Grange Police Department

## La Grange PD Policy Manual

### *Vehicle Use*

---

- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
  - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
  - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

#### 706.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the La Grange Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### 706.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

### *Vehicle Use*

---

#### **706.5 UNMARKED VEHICLES**

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the division for that purpose. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded with the Watch Commander on the shift assignment roster.

#### **706.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Reporting Policy).

Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

#### **706.7 TOLL ROAD USAGE**

Law enforcement vehicles while performing emergency services or duties are not required to pay toll road charges (605 ILCS 10/19).

Members operating department vehicles for any reason other than in the discharge of their official duties shall pay the appropriate toll charge or utilize the appropriate toll way transponder.

Members may submit a request for reimbursement from the Village for any toll fees incurred in the course of official business.

#### **706.8 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

# Personal Protective Equipment

## 707.1 SECTION TITLE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

### 707.1.1 DEFINITIONS

Definitions related to this policy include:

**Personal protective equipment (PPE)** - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

**Respiratory PPE** - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

## 707.2 POLICY

The La Grange Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

## 707.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

## 707.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 29 CFR 1910.95, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.700.

## 707.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the

## *Personal Protective Equipment*

---

prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 29 CFR 1910.133, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.

### **707.6 HEAD AND BODY PROTECTION**

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

### **707.7 RESPIRATORY PROTECTION**

The Administration Deputy Chief is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

#### **707.7.1 RESPIRATORY PROTECTION USE**

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall

# La Grange Police Department

## La Grange PD Policy Manual

### *Personal Protective Equipment*

---

reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge or canister.

#### 707.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

#### 707.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.



## *Personal Protective Equipment*

---

- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.

### **707.7.4 SELF-CONTAINED BREATHING APPARATUS**

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

- (a) Entering the hot zone of a hazardous materials incident.
- (b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

### **707.7.5 RESPIRATOR FIT TESTING**

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

### **707.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE**

No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

## **707.8 RECORDS**

The Training Supervisor is responsible for maintaining records of all:



## *Personal Protective Equipment*

---

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020, 820 ILCS 219/25 and 56 Ill. Adm. Code 350.700.

### **707.9 TRAINING**

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; 820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

## **Chapter 8 - Support Services**

# the Communications Center

## 800.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Communications Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

## 800.2 POLICY

It is the policy of the La Grange Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between the Communications Center and department members in the field.

## 800.3 THE COMMUNICATIONS CENTER

The communications function is vital and central to all emergency service operations. The safety and security of the Communications Center, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for the Communications Center.

Access to the Communications Center shall be limited to the Communications Center members, the Watch Commander, command staff and department members with a specific business-related purpose.

## 800.4 RESPONSIBILITIES

### 800.4.1 DEPUTY CHIEF

The Chief of Police shall appoint and delegate certain responsibilities to a Deputy Chief. The Deputy Chief is directly responsible to the Operations Deputy Chief or the authorized designee.

The responsibilities of the Deputy Chief include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Communications Center in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
  - 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of the Communications Center information for release.
- (f) Maintaining the Communications Center database systems.
- (g) Maintaining and updating the Communications Center procedures manual.

# La Grange Police Department

## La Grange PD Policy Manual

### *the Communications Center*

---

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
  2. Ensuring compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
  - (i) Maintaining a current contact list of Village personnel to be notified in the event of a utility service emergency.

#### 800.4.2 ADDITIONAL PROCEDURES

The Deputy Chief should establish procedures for:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
- (d) Availability of current information for dispatchers (e.g., Watch Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Emergency Medical Dispatch (EMD) instructions.
- (g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
- (i) Protection of radio transmission lines, antennas and power sources for the Communications Center (e.g., security cameras, fences).
- (j) Handling misdirected, silent and hang-up calls.
- (k) Handling private security alarms, if applicable.
- (l) Radio interoperability issues.

#### 800.4.3 DISPATCHERS

Dispatchers report to the Deputy Chief. The responsibilities of the dispatcher include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
  1. Emergency 9-1-1 lines.
  2. Business telephone lines.

# La Grange Police Department

## La Grange PD Policy Manual

### *the Communications Center*

---

3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
  4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
  5. Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
  - (c) Inquiry and entry of information through the Communications Center, Department and other law enforcement database systems (e.g., ILETS, NCIC).
  - (d) Monitoring Department video surveillance systems.
  - (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
  - (f) Notifying the Watch Commander or field supervisor of emergency activity, including, but not limited to:
    1. Vehicle pursuits.
    2. Foot pursuits.
    3. Assignment of emergency response.

#### **800.5 CALL HANDLING**

This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known

# La Grange Police Department

## La Grange PD Policy Manual

### *the Communications Center*

---

and a language-appropriate authorized interpreter is available in the Communications Center, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

#### **800.5.1 EMERGENCY CALLS**

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Watch Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

#### **800.5.2 NON-EMERGENCY CALLS**

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

#### **800.6 RADIO COMMUNICATIONS**

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Deputy Chief shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

# La Grange Police Department

## La Grange PD Policy Manual

### *the Communications Center*

---

#### **800.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE**

La Grange Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

#### **800.6.2 RADIO IDENTIFICATION**

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

#### **800.7 DOCUMENTATION**

It shall be the responsibility of the Communications Center to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

#### **800.8 CONFIDENTIALITY**

Information that becomes available through the Communications Center may be confidential or sensitive in nature. All members of the Communications Center shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

# La Grange Police Department

## La Grange PD Policy Manual

### *the Communications Center*

---

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

#### **800.9 TRAINING AND CERTIFICATION**

Dispatchers providing EMD pre-arrival instructions shall be trained on the department-approved priority reference system and shall retrain annually (210 ILCS 50/3.70).

The Training Supervisor should ensure dispatchers complete the sexual assault and sexual abuse training curriculum established in 20 ILCS 2605/2605-53(b) and 83 Ill. Adm. Code 1325.415.



# Evidence Room

## 802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

## 802.2 DEFINITIONS

**Property** - Includes all items of evidence, items taken for safekeeping, lost or found property and abandoned property.

**Evidence**- Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

**Safekeeping** - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

**Lost or Found Property** - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

**Abandoned Property** - Includes property found by an employee or citizen that appears to be intentionally left or discarded by the owner.

### 802.2.1 PROPERTY CONTROL MANAGER

The Chief of Police shall delegate the responsibility for administering to a Property Control manager. The Property Control Manager will be selected from the rank of Lieutenant. The Property Control Manager shall have the responsibility of, but not be limited to:

- Management and maintenance of the BEAST software program.
- Ensure all officers are properly trained in property/evidence handling and control procedures.
- Oversee the acceptance, control and disposition of evidence, abandoned property and lost or found property recovered by the Department.

## 802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the Property Inventory Report. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for entering it into the BEAST.

## *Evidence Room*

---

The preprinted Property Inventory Report must be completed to document the release of property not entered and the owner shall sign the form acknowledging receipt of the item(s). The signed preprinted Property Inventory Report shall then be forwarded to the Property Control Manager.

### 802.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number in the upper right-hand corner of the bag, or in the appropriate space on packaging.
- (e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
- (f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.

### 802.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked in the same way as all other property but will be stored in the Property Room Vault.

### 802.3.3 EXPLOSIVES

Explosives that are known or suspected to be armed or live, other than fixed ammunition, should not be retained in the police facility. All fireworks, railroad flares, or fuses that are considered safe will be turned over to the Cook County Sheriff's Police Bomb Squad as soon as practical.

Officers who encounter an explosive device shall immediately notify the immediate supervisor and/or Watch Commander. The Bomb Squad will be called to handle situations involving explosive devices and all such devices will be released to them for disposal.

### 802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.

## *Evidence Room*

---

- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the property officer, or placed in the designated container for return to the Illinois Secretary of State. No formal property booking process is required.
- (c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property officer, or placed in the bicycle storage area until a property officer can log the property.
- (d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Watch Commander shall be contacted for cash in excess of \$1,000 for special handling procedures.

Village property, unless connected to a known criminal case, should be released directly to the appropriate Village department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

### **802.4 PACKAGING OF PROPERTY**

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics, dangerous drugs and drug paraphernalia.
- (b) Firearms (ensure they are unloaded and made temporarily inoperable by placing a zip-tie or other item through the barrel and breach). Firearms shall be booked separately from ammunition).
- (c) Property with more than one known owner.
- (d) Fireworks and explosives shall be photographed and turned over to the CCSP Bomb Squad as soon as practical.
- (e) Flammable liquids/gases shall be photographed and stored in the property cage or taken to the Fire Department.
- (f) Contraband.

#### **802.4.1 PACKAGING CONTAINER**

Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

#### **802.4.2 PACKAGING NARCOTICS**

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker, accompanied by a copy of the BEAST Property Inventory Report. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

# La Grange Police Department

## La Grange PD Policy Manual

### *Evidence Room*

---

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property decal shall be attached to the outside of the container.

#### **802.5 RECORDING OF PROPERTY**

The property officer receiving custody of evidence or property shall record his/her identification, the date and time the property was received and where the property will be stored in the BEAST.

A property number shall be obtained for each item or group of items. A property number consists of the case file number along with the exhibit number. This number shall be recorded on property decal.

Any changes in the location of property held by the La Grange Police Department shall be noted in the BEAST.

#### **802.6 PROPERTY CONTROL**

Each time the property officer receives property or releases property to another person, he/she shall enter this information in the BEAST. Officers desiring property for court shall contact the property officer at least one day prior to the court day.

##### **802.6.1 RESPONSIBILITY OF OTHER PERSONNEL**

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No property or evidence is to be released without first receiving written authorization from a supervisor or Investigator.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms by an Investigator. This request may be filled out any time after booking of the property or evidence.

##### **802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The transporting employee will check the evidence out of property, indicating the date and time on the property control card and the request for laboratory analysis.

The property officer releasing the evidence must complete the required information on the property control card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

The Evidence Room Supervisor will ensure that Illinois State Police Sexual Assault Evidence Kits are submitted to an approved laboratory in conformance with the rules set forth in 20 Illinois Administrative Code 1255.10 et seq.

# La Grange Police Department

## La Grange PD Policy Manual

### *Evidence Room*

---

#### 802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the BEAST, indicating the date, time and to whom released.

The property officer shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned or properly released to another authorized person or entity.

The return of the property should be recorded on the BEAST, indicating date, time, and the person who returned the property.

#### 802.6.4 AUTHORITY TO RELEASE PROPERTY

The Property Control Manager shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

#### 802.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon reasonable and satisfactory proof of ownership or right to possession. Release shall be granted upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the property form. The Department may require reimbursement for all reasonable expenses of such custody (765 ILCS 1030/2(a)).

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 6 months. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 6 months after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, the Chief of Police may donate property valued at less than \$100, and the donation is approved by the Department governing body, to a registered Illinois charitable organization. It may also be transferred to the government of which the law enforcement agency is a branch. If such property is not sold at auction or otherwise lawfully claimed, it may be offered or sold at a subsequent public auction without notice. The final disposition of all such property shall be fully documented in related reports (765 ILCS 1030/3).

Proceeds of the sale of the property at public auction, less reimbursement of the reasonable expenses of custody thereof, shall be deposited in the city/county treasury (765 ILCS 1030/5).

A property officer shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving

# La Grange Police Department

## La Grange PD Policy Manual

### *Evidence Room*

---

the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released the property card will remain with the Evidence Room. Upon release, the proper entry shall be documented in the Property Log.

#### 802.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an Interpleader in court to resolve the disputed claim (735 ILCS 5/2-409).

#### 802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The Investigation Division will be responsible for the storage, control, and destruction of all narcotics, dangerous drugs and drug paraphernalia coming into the custody of this department. This includes forwarding the property to the Drug Enforcement Administration, U.S. Department of Justice, or its successor agency, for disposition if required (720 ILCS 600/5(e)).

#### 802.6.8 RELEASE OF FIREARMS

Any firearm held for safekeeping shall be returned to the person from whom it was obtained or to the lawful owner upon presentation of a valid Illinois Firearm Owners Identification card (FOID) or concealed carry license, provided he/she is lawfully entitled to possess the firearm. Firearms seized as evidence shall only be returned when approved by the Investigation supervisor and the prosecutor's office or as otherwise ordered by the court. Seized firearms shall only be released to the lawful owner and only upon presentation of a valid FOID or concealed carry license, provided he/she is lawfully entitled to possess the firearm.

If the firearm or other weapon has not been retained as evidence, the Department is not required to retain the firearm any longer than 180 days after notice has been provided to the owner that it is available for return. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

#### 802.6.9 DOMESTIC VIOLENCE AND CONCEALED CARRY MATTERS

Any weapon seized in a domestic violence or concealed carry investigation shall be returned to the person from whom it was seized when it is no longer needed for evidentiary purposes, unless the court orders otherwise or the weapon was reported stolen. Weapons not returned shall be disposed of as provided in 720 ILCS 5/24-6 (750 ILCS 60/304(c)).

#### 802.6.10 RELEASE OF FIREARMS IN MENTAL HEALTH COMMITMENT MATTERS

The Department shall maintain possession of any firearm received from a mental hospital that admitted a patient pursuant to any of the provisions of the Mental Health and Developmental



## *Evidence Room*

---

Disabilities Code for a minimum of 90 days. After that time, the firearm may be disposed of pursuant to 720 ILCS 5/24-6(b).

### **802.6.11 OTHER MATTERS**

A weapon seized and confiscated pursuant to court order under 720 ILCS 5/24-6 shall be retained for at least 90 days. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

### **802.6.12 FIREARMS RESTRAINING ORDERS**

Any firearm seized pursuant to a firearms restraining order shall be returned to the person from whom it was seized upon the expiration of the period of safekeeping, unless the court orders otherwise. Firearms not returned shall be disposed of as provided in 430 ILCS 67/35 or 430 ILCS 67/40.

## **802.7 DISPOSITION OF PROPERTY**

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property officer shall request a disposition or status on all property which has been held in excess of 180 days, and for which no disposition has been received from a supervisor or Investigator.

### **802.7.1 EXCEPTIONAL DISPOSITIONS**

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Upon conviction, weapons used or possessed by an offender during the offense (720 ILCS 5/24-6)
- Weapons possessed by an individual admitted into a mental hospital (720 ILCS 5/24-6)
- Weapons declared by a court for safekeeping, not to exceed one year (725 ILCS 165/2)
- Confiscated property or evidence obtained for violation of the Wildlife Code (520 ILCS 5/1.25)
- Confiscated property or evidence obtained for violation of the Fish and Aquatic Life Code (515 ILCS 5/1-215)
- Gambling devices (720 ILCS 5/28-5)
- Vehicles, vessels, aircraft, or component parts (625 ILCS 5/4-107)
- Narcotics and drugs (720 ILCS 646/85; 720 ILCS 570/505; 720 ILCS 550/12; 210 ILCS 150/18)
- Drug paraphernalia (720 ILCS 600/5)
- Property seized for money laundering (720 ILCS 5/29B-1)

# La Grange Police Department

## La Grange PD Policy Manual

### *Evidence Room*

---

- Abandoned, lost, stolen, or unclaimed property (765 ILCS 1030/1; 765 ILCS 1030/2)
- Counterfeiting equipment
- Destructive devices

#### **802.7.2 UNCLAIMED MONEY**

Money found or seized under circumstances supporting a reasonable belief that such property was abandoned, lost or stolen or otherwise illegally possessed that remains in the Department's possession for over 6 months may be deposited in the treasury of the Village of La Grange. The Department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession, prior to the conversion of money to the Village (765 ILCS 1030/0.01 et seq.).

#### **802.7.3 DISPOSITION OF COURT SEIZED PROPERTY**

Evidence seized upon service of a search warrant or other court order shall be retained until final disposition of the investigation or upon further directions of the court.

#### **802.7.4 UNUSED MEDICATIONS**

Unused prescription medications of a deceased individual collected at the scene of a death investigation should be disposed of in compliance with 210 ILCS 150/17 or other state- or federally-approved drug disposal program (210 ILCS 150/18).

If an autopsy is performed as part of the death investigation, no medication shall be disposed of until after receipt of the toxicology report (210 ILCS 150/18(h)).

### **802.8 INSPECTIONS OF THE EVIDENCE ROOM**

- (a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- (c) An annual audit of evidence held by the department shall be conducted by a Deputy Chief (as appointed by the Chief of Police) not routinely or directly connected with evidence control.
- (d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual(s) not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

### **802.9 DISPOSITION OF BIOLOGICAL EVIDENCE**

The Evidence Room supervisor shall preserve, subject to a continuous chain of custody, any physical evidence in his/her possession or control that is reasonably likely to contain



# La Grange Police Department

## La Grange PD Policy Manual

### *Evidence Room*

---

forensic evidence, including biological material secured in relation to a trial, and with sufficient documentation to locate that evidence (725 ILCS 5/116-4(a)).

#### 802.9.1 RETENTION PERIODS

Biological evidence shall be retained for the following periods (725 ILCS 5/116-4):

- (a) Permanently if a death sentence is imposed
- (b) Until the completion of the sentence for a homicide offense as set forth in 720 ILCS 5/9
- (c) Until the completion of the sentence, including any period of supervised release, for any conviction for an offense set forth in:
  - 1. 720 ILCS 5/11-1.20 (Criminal Sexual Assault)
  - 2. 720 ILCS 5/11-1.30 (Aggravated Criminal Sexual Assault)
  - 3. 720 ILCS 5/11-1.40 (Predatory Criminal Sexual Assault of a Child)
  - 4. 720 ILCS 5/11-1.50 (Criminal Sexual Abuse)
  - 5. 720 ILCS 5/11-1.60 (Aggravated Criminal Sexual Abuse)
- (d) Seven years following any conviction for any felony for which the defendant's genetic profile may be taken and submitted for comparison in a forensic DNA database (725 ILCS 5/116-4(b)).
- (e) All other biological evidence shall be retained for the minimum period established by law, the minimum period established by the Evidence Room supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater.

#### 802.9.2 REQUEST FOR DESTRUCTION OF EVIDENCE PRIOR TO END OF RETENTION PERIOD

After a judgment of conviction is entered but prior to the end of the statutory retention period, the Department may petition the court to allow destruction of evidence when the evidence:

- (a) Has no significant value for forensic analysis and should be returned to its rightful owner.
- (b) Has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the Department and cannot practically be retained.
- (c) Is no longer needed because of the death of the defendant (does not apply if a sentence of death was imposed).
- (d) The court allows the defendant the opportunity to take reasonable measures to remove or preserve portions of the evidence for future testing (725 ILCS 5/116-4(c)).

The Department shall give notice of any such petition to the defendant or his/her estate and the defendant's attorney of record.

No evidence shall be disposed of until 30 days after the entry of a court order granting the petition and until the time period for any appeal has lapsed, or any appeal has concluded, whichever is longer.

### *Evidence Room*

---

#### 802.9.3 NOTIFICATION BEFORE DESTRUCTION

Absent any court order arising from the process set forth herein, the Evidence Room supervisor will ensure that no biological evidence is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant or the defendant's estate
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim (725 ILCS 203/30)
- (e) The Investigation Division supervisor

Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after the date specified in the notice unless a motion seeking an order to retain the sample is served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the case file as well and forwarded to the Investigation Division supervisor for appropriate disposition.

Even after the retention period, biological evidence related to a homicide may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

All records associated with the possession, control, storage and destruction of biological evidence shall be retained for as long as the evidence exists and may not be destroyed without the approval of the local records commission (725 ILCS 5/116-4(d-10)).

## Records Division Procedures

### 804.1 PURPOSE AND SCOPE

The Records Supervisor shall maintain the Department Records Section Procedures Manual on a current basis to reflect the procedures being followed within the Records Section. Policies and procedures that apply to all employees of this department are contained in this chapter.

#### 804.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within the Records Section by Records Section personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 09-00001 would be the first new case beginning January 1, 2009.

### 804.2 FILE ACCESS AND SECURITY

All reports including, but not limited to, initial, supplemental, follow-up, evidence, and all reports critical to a case shall be maintained in a secure area within the Records Section accessible only to authorized personnel. Access to report files after hours or when records personnel are otherwise not available may be obtained through the Watch Commander.

La Grange Police Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy and with a legitimate law enforcement or business purpose or as otherwise permissible by law.

#### 804.2.1 REQUESTING ORIGINAL REPORTS

Generally, original reports shall not be removed from the Records Section. Should an original report be needed for any reason the requesting employee shall first obtain authorization from the Records Supervisor. All original reports removed from the Records Section shall be recorded on the Report Check-Out Log which shall constitute the only authorized manner by which an original report may be removed from the Records Section. In such cases original reports shall only be removed after the Records Supervisor has ensured that an accurate and complete copy of the report has been made to take its place in the Records Section.

#### 804.2.2 COURT FILES

The Records Section shall be responsible for preparing files with all necessary documents for court appearances. In no case should original documents be sent to court unless specifically required by subpoena. If a subpoena is issued for an original document, a copy of the subpoena shall be placed in the appropriate Records Section file and the requirements of Policy Manual § 806.21 shall also be followed.

# La Grange Police Department

La Grange PD Policy Manual

## *Records Division Procedures*

---

### **804.3 REQUISITION OF SUPPLIES**

All personnel who are in need of any supplies under the control of the Records Division shall ask the Watch Commander who will either approve or deny the request. If the request is approved the Watch Commander will contact the Records Clerk Supervisor for the requested supplies.

# Restoration of Firearm Serial Numbers

## 806.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines.

## 806.2 PROCEDURE

Any firearm coming into the possession of the La Grange Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

### 806.2.1 PRELIMINARY FIREARM EXAMINATION

- (a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.
- (b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.
- (c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.
- (d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.
- (e) If needed or required, take photographs of the firearm to record the condition and any other marking(s) that may be destroyed after subsequent handling.

### 806.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

## *Restoration of Firearm Serial Numbers*

---

### **806.2.3 OFFICER RESPONSIBILITY**

The property officer receiving a firearm when the serial numbers have been removed or obliterated may arrange for the firearm to be transported to a state or federal crime lab for restoration and identification. Proper chain of evidence shall be maintained and observed at all times.

### **806.2.4 DOCUMENTATION**

Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

### **806.2.5 FIREARM TRACE**

After the serial number has been restored (or partially restored) by the criminalistics laboratory, the property officer will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in West Virginia, [ETrace](#), which is an Internet based firearms tracing and analysis website offered by ATF, may also be used to trace firearms information.

### **806.3 OTHER CONSIDERATIONS**

Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to digitize and compare unique markings made by a firearm on bullets and cartridge casings recovered from crime scenes.

# Records Maintenance and Release

## 808.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

## 808.2 POLICY

The La Grange Police Department is committed to providing public access to records in a manner that is consistent with the Freedom of Information Act (5 ILCS 140/1 et seq.).

## 808.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records and Freedom of Information Officer who may be, but are not required to be, the same person. The responsibilities of the Custodian of Records include but are not limited to (5 ILCS 140/3.5; 5 ILCS 140/4; 5 ILCS 140/5; 5 ILCS 179/35):

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
  - 1. Identifying the minimum length of time the Department must keep records.
  - 2. Identifying the division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available.
  - 1. No fees shall be charged for the first 50 pages of copies as per 5 ILCS 140/6(b).
  - 2. Fees charged for copying public records shall be limited to the actual cost of duplication or publication.
  - 3. The cost of search, examination, review, and the redaction and separation of exempt from non-exempt information will not be assessed.
- (g) Ensuring the prominent display at the department's headquarters of information that conveys the department's mission, budget, office locations, number of employees, and an organizational chart that depicts the department structure and the relationship of the Department to Village government. This information also needs to be available on the Department or Village website.

# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

- (h) Ensuring information identifying the department's Freedom of Information Officer, the categories of available records and the process for requesting public records, including the address for submitting requests, will also be displayed.
- (i) Working with the Freedom of Information Officer to develop a list of documents or categories of records that the Department shall immediately disclose upon request.
- (j) Promptly remediating any deficiencies in the department's Freedom of Information Officer's public records management activities.
- (k) Expediently advising the Chief of Police of any denials of public records requests, issues associated with the processing of records requests and requests that may involve potentially sensitive or newsworthy matters.
- (l) Consulting with the Chief of Police in the event further information is needed regarding the appropriate response to a records request.
- (m) Submitting monthly reports to the Illinois State Police (ISP) regarding arrest-related deaths, firearm discharges by members, hate crimes, domestic crimes, index crimes, and school incidents pursuant to the Uniform Crime Reporting Act (50 ILCS 709/5-12).
- (n) Submitting a quarterly report to the ISP that includes incident-based information on any criminal homicide pursuant to 50 ILCS 709/5-15.
- (o) Establishing a procedure for an individual to access, review, and confirm the expungement of civil law citations issued to him/her for violations of 720 ILCS 550/4(a) or 720 ILCS 600/3.5(c) (20 ILCS 2630/5.2).
- (p) Establishing procedures for the protection of Social Security information pursuant to the Identity Protection Act and proper filing and posting of appropriate policy and procedures (5 ILCS 179/35).
  - 1. The procedures should include proper collection, handling, dissemination, and access restrictions of information that contains Social Security numbers.

#### **808.4 PROCESSING REQUESTS FOR PUBLIC RECORDS**

Any department member who receives a request for any record shall route the request to the Freedom of Information Officer or the authorized designee. All department records are presumed to be open to inspection or copying (5 ILCS 140/1.2).

##### **808.4.1 REQUESTS FOR RECORDS**

The processing of requests for any record is subject to the following:

- (a) The Department is not required to create records that do not exist or maintain records that it does not maintain (5 ILCS 140/1).
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (5 ILCS 140/7).
  - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/



# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

- (c) The Freedom of Information Officer shall:
  - 1. Document the date the request was received.
  - 2. Compute the date that the time to respond expires and note the information on the request.
  - 3. Maintain an electronic or hard copy of the request.
  - 4. Create a retention file for the request and promptly determine if the record is available or subject to any exemption.
- (d) The Freedom of Information Officer shall ensure that requests are processed within five business days after receipt, with up to an additional five days permitted for certain exceptions. When seeking additional time, written notice shall be provided to the requesting party (5 ILCS 140/3).
  - 1. These time frames may be extended for recurrent requesters (5 ILCS 140/3.2).
  - 2. Voluminous requests are to be addressed under 5 ILCS 140/3.6.
- (e) Requests for records to be used for commercial purposes shall be processed within 21 working days after receipt (5 ILCS 140/3.1).
- (f) If a record is requested in electronic format, the record shall be provided in electronic format, if reasonably feasible. If not reasonably feasible, the record shall be furnished in the format in which it is maintained. If furnishing an electronic copy, the Department may charge for the actual cost of the recording medium (5 ILCS 140/6(a)).

#### 808.4.2 DENIALS

The denial of a request for records is subject to the following:

- (a) Denial of a request by the Freedom of Information Officer shall be in writing and identify the specific exemptions being claimed under 5 ILCS 140/9. Failure to respond in a timely manner to a request under the Illinois Freedom of Information Act constitutes a denial (5 ILCS 140/3(d)). Because the Department bears the burden of proof in a denial, the Freedom of Information Officer shall consult with the Administration Deputy Chief prior to issuing a denial.
- (b) A detailed factual basis for any claimed exemption, and the names and titles of each person responsible for the denial, will be provided (5 ILCS 140/9). Each written denial shall also inform the requesting party of the right to appeal to the Public Access Counselor of the Illinois Attorney General (5 ILCS 140/9(a)).

#### 808.4.3 FEES

Fees shall be collected prior to the release of records. Fees may be waived by the Administration Deputy Chief if it is determined by the supervisor that the issuance of the record is in the public interest (5 ILCS 140/6).

# La Grange Police Department

La Grange PD Policy Manual

## *Records Maintenance and Release*

---

### 808.4.4 PUBLIC ACCESS COUNSELOR

Any requestor who believes that a violation of the Illinois Freedom of Information Act has occurred may file a request for review with the Public Access Counselor of the Illinois Attorney General (5 ILCS 140/9.5).

If the Public Access Counselor determines that an alleged violation is unfounded, no further action will be taken (5 ILCS 140/9.5). In all other cases, the Public Access Counselor will, within seven working days of receipt, forward a request to the Department accompanied by a specific list of documents for the Department to furnish to the Public Access Counselor. The department's Freedom of Information Officer will furnish the requested records or documents within seven working days of receipt, will fully cooperate with the Public Access Counselor and will advise the Administration Deputy Chief of all such communications (5 ILCS 140/9.5).

Any communication with the Department by the Public Access Counselor shall be promptly brought to the attention of the Chief of Police.

### 808.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph, Social Security and driver identification number, name, address, and telephone number, and medical or disability information that is contained in any driver's license record, motor vehicle record or any department record, including traffic crash reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Private information including but not limited to unique identifiers such as Social Security numbers, driver's license numbers, employee identification numbers, biometric identifiers, personal financial information, passwords or access codes, medical records, home or personal telephone numbers, home address, personal email addresses, or personal license plates (5 ILCS 140/7(1)(b); 5 ILCS 140/2(c-5)).
- (c) Confidential information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of an investigation (5 ILCS 140/7; 5 ILCS 140/2.15(b)).
  - 1. Analysis and conclusions of investigating officers (5 ILCS 140/7(1)(f)).
- (d) The identity of child victims of criminal sexual offenses (725 ILCS 190/3) and reports of elder abuse and neglect (320 ILCS 20/8).
- (e) Records regarding juveniles under 18 years of age (705 ILCS 405/1-7; 705 ILCS 405/5-905).
- (f) Department records that would obstruct an ongoing investigation or pending administrative enforcement proceeding (5 ILCS 140/7).

# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

- (g) Information contained in personnel and other public records that would constitute an unwarranted invasion of personal privacy, in which the individual's right to privacy outweighs any legitimate interest in obtaining the information.
  - (a) The disclosure of personal information that bears on the public duties of employees of this department shall not be considered an invasion of personal privacy (5 ILCS 140/7(1)(c)).
  - (b) The disclosure of employee performance evaluations is prohibited (820 ILCS 40/11).
- (h) Records that were created exclusively in anticipation of potential litigation, which would not be subject to discovery or which may be subject to an attorney-client privilege involving this department (5 ILCS 140/7(1)(m)). Any record relating to vulnerability assessments, security measures, and response policies or plans (5 ILCS 140/7(1)(v)).
- (i) Body-worn camera recordings as provided in the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5).
- (j) Certain records requested by a person committed to the Department of Corrections or a county jail (5 ILCS 140/7).
- (k) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act (5 ILCS 140/7.5).
- (l) Information including but not limited to evidence and records in the state-wide tracking system pursuant to the Sexual Assault Evidence Submission Act (5 ILCS 140/7.5).
- (m) Names and all identifying information relating to an employee, communications, notes, records, and reports arising out of a peer support counseling session under the First Responders Suicide Prevention Act (5 ILCS 140/7.5).

#### **808.6 ARREST RECORDS**

Arrest report information that identifies an individual, any charges, time and location of arrest, name of the investigating department, incarceration or bond information shall be furnished as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 140/2.15(a)).

Information concerning an arrest must be made available to the news media for inspection and copying absent specific exceptions. The information shall be made available as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 160/4a; 50 ILCS 205/3b).

If the request is made by a criminal defendant or an authorized representative (including attorneys), then the Illinois State's Attorney, Village Attorney, Illinois Attorney General, local prosecutor or the courts, as applicable, should be promptly notified.

Persons requesting conviction information should be directed to the ISP.

# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

#### **808.6.1 REQUESTS TO RETRACT OR DELETE ARREST RECORDS**

Requests from a Chief of Police, county Sheriff or State's Attorney to delete or retract arrest records of individuals mistakenly identified should be forwarded to the Custodian of Records for handling (5 ILCS 160/17; 50 ILCS 205/4).

#### **808.7 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the State Attorney, Village Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

#### **808.8 RELEASED RECORDS TO BE MARKED**

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

#### **808.9 EXPUNGEMENT AND SEALING**

Expungement and sealing orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or Freedom of Information Officer. The Custodian of Records or Freedom of Information Officer shall expunge such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction (705 ILCS 405/1-3). Once expunged, members shall respond to any inquiry as though the record did not exist (20 ILCS 2630/5.2).

##### **808.9.1 ARREST RECORDS**

When a request is made for arrest records of an individual whose records were retracted or deleted in the case of mistaken identity in accordance with 5 ILCS 160/17 and 50 ILCS 205/4, members should respond that no such records exist.

##### **808.9.2 AUTOMATIC EXPUNGEMENTS FOR CANNABIS OFFENSES**

The Custodian of Records should make all automatic expungements within the time frames set in 20 ILCS 2630/5.2.

The Custodian of Records should provide a certificate of disposition or certification of expungement upon inquiry by any individual whose record was expunged (20 ILCS 2630/5.2).

# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

#### **808.9.3 JUVENILE RECORDS**

On or before January 1 of each year, the Custodian of Records or Freedom of Information Officer shall expunge juvenile records as required by 705 ILCS 405/5-915.

If the Chief of Police or the authorized designee certifies in writing that certain information is necessary for a pending investigation involving the commission of a felony or with respect to an internal investigation of any law enforcement office, that information and information identifying the juvenile may be retained as provided in 705 ILCS 405/5-915. However, the remaining portion of any records not retained shall be expunged.

If juvenile records might be necessary for use in civil litigation against the department, the government entity that created, maintained, or used the records is not required to expunge the records until two years following the subject's arrest (705 ILCS 405/5-915). However, these records shall be considered expunged for all other purposes during this period and the offense that is the subject of the records shall be treated as if it never occurred, as required under 705 ILCS 405/5-923.

In the event a civil lawsuit is filed against the department, the government entity that created, maintained, or used the juvenile records may not expunge the records until two years after the conclusion of the lawsuit, including any appeal (705 ILCS 405/5-915).

Body-worn camera recordings of juveniles shall not be subject to automatic expungement except as otherwise provided in the Portable Audio/Video Recorders Policy.

Within 60 days after receipt of a court expungement order or date of automatic expungement, the Custodian of Records or the authorized designee shall send a written notice of expungement to the subject of the expungement (705 ILCS 405/5-915).

#### **808.10 TRAINING**

Prior to assuming the Freedom of Information Officer duties, but within 30 days after being so designated, the Freedom of Information Officer will undergo and successfully complete the electronic training curriculum as developed by the Public Access Counselor. The Freedom of Information Officer shall thereafter be recertified on an annual basis (5 ILCS 140/3.5).

All members who have access to Social Security numbers, from the time of collection to the time of destruction of the records, shall receive training on the protection of such information, pursuant to the Identity Protection Act (5 ILCS 179/35).

#### **808.11 SECURITY BREACHES**

Members who become aware that any La Grange Police Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

The Custodian of Records shall (815 ILCS 530/10):

- (a) Ensure notice of any breach of the security of personal information is given to the appropriate individuals/entities any time there is a reasonable belief that an

# La Grange Police Department

## La Grange PD Policy Manual

### *Records Maintenance and Release*

---

unauthorized person has acquired personal information, as defined in 815 ILCS 530/5, stored in any department information system.

- (b) Cooperate with the appropriate individuals/entities by providing the date or approximate date of the breach and identifying any steps taken or that will be taken relating to the breach.

# Protected Information

## 810.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the La Grange Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

### 810.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the La Grange Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

## 810.2 POLICY

Members of the La Grange Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

## 810.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to (20 Ill. Adm. Code 1240.90):

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Illinois Secretary of State records and the Illinois Law Enforcement Agencies Data Systems (LEADS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.



# La Grange Police Department

## La Grange PD Policy Manual

### *Protected Information*

---

- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

#### **810.4 ACCESS TO PROTECTED INFORMATION**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, La Grange Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (20 Ill. Adm. Code 1240.50).

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (20 ILCS 2630/7; 20 Ill. Adm. Code 1240.50).

##### **810.4.1 PENALTIES FOR NON-COMPLIANCE OR MISUSE OF RECORDS**

The Department of State Police may suspend all or any portion of LEADS service without prior notification as the result of an agency's non-compliance with laws, rules, regulations, or procedures. The Director of State Police may suspend all or part of LEADS service for agency for violations of LEADS laws, rules regulations, or procedures (20 Ill. Adm. Code 1240.110).

It is a Class A misdemeanor to furnish, buy, receive, or possess LEADS information without authorization by a court, statute, or case law (20 ILCS 2630/7).

#### **810.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a right to know and a need to know (20 Ill. Adm. Code 1240.50; 20 Ill. Adm. Code 1240.80).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.



## *Protected Information*

---

### **810.6 SECURITY OF PROTECTED INFORMATION**

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems (20 Ill. Adm. Code 1240.50).
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

#### **810.6.1 MEMBER RESPONSIBILITIES**

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it (20 Ill. Adm. Code 1240.80). This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal) (20 Ill. Adm. Code 1240.50).

#### **810.6.2 MAINTENANCE AND TECHNICAL SERVICES**

The personnel security requirement for a LEADS agency requires conformance with 20 Ill. Adm. Code 1240.50. Generally, no person may provide maintenance or technical services at or near LEADS equipment unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have his/her authority to provide maintenance or technical services at or near LEADS equipment denied if he/she is charged with a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction (20 Ill. Adm. Code 1240.50(3)).

#### **810.6.3 PROTECTION OF LEADS DATA**

LEADS data shall not be included on the violator's copy of any citation that is not delivered by hand to the violator. This specifically includes citation copies left on an unattended vehicle, a building or any other place where the violator is not present to receive the citation. LEADS data will continue to be included on other copies of the citation that are kept by the employee and/or the Department (18 USC § 2721 through 18 USC § 2725).

### **810.7 TRAINING**

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies

# La Grange Police Department

La Grange PD Policy Manual

## *Protected Information*

---

authorized access and use of protected information, as well as its proper handling and dissemination.

# Computers and Digital Evidence

## 812.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

## 812.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and whenever possible only those trained/authorized should physically handle the device. For those not authorized/trained, evidence collection on the devices should be limited to observation, photographing, and documenting. When others must seize a computer and accessories the following steps should be taken:

- (a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
  1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
  2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery.
- (e) Label each item with case number, evidence sheet number, and item number.
- (f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, officers should document the following in related reports:
  1. Where the computer was located and whether or not it was in operation.

## *Computers and Digital Evidence*

---

2. Who was using it at the time.
  3. Who claimed ownership.
  4. If it can be determined, how it was being used.
- (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture or they are capable of storing data.

### **812.2.1 BUSINESS OR NETWORKED COMPUTERS**

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

### **812.2.2 FORENSIC EXAMINATION OF COMPUTERS**

If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

- (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
- (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
- (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
- (d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

### **812.3 SEIZING DIGITAL STORAGE MEDIA**

Digital storage media including hard drives, floppy discs, CDs, DVDs, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Evidence Room to copy the contents to an appropriate form of storage media.

## *Computers and Digital Evidence*

---

- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

### **812.4 SEIZING PCDS**

Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

- (a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a Faraday bag, to prevent the device from sending or receiving information from its host network.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

### **812.5 DIGITAL EVIDENCE RECORDED BY OFFICERS**

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

#### **812.5.1 COLLECTION OF DIGITAL EVIDENCE**

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

#### **812.5.2 SUBMISSION OF DIGITAL MEDIA**

The following are required procedures for the submission of digital media used by cameras or other recorders:

- (a) The recording media (smart card, compact flash card or any other media) shall be brought to the Evidence Room as soon as possible for submission into evidence.

## *Computers and Digital Evidence*

---

- (b) Officers are not authorized to review or copy memory cards. Evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.
- (c) As soon as possible following the collection of evidence, the camera operator is to remove the memory card from their digital camera and place the card into a plastic carrier. The card and carrier are then to be placed into a zip-lock type baggie. The camera operator shall write their name and the related case number on the outside of the baggie before placing in the film drop box along with the evidence form.
- (d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for re-use. The storage media will be marked as the original.
- (e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

### 812.5.3 DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

- (a) Files should not be opened or reviewed prior to downloading and storage.
- (b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

### 812.5.4 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

# Animal Control

## 818.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

## 818.2 [ANIMAL CONTROL] RESPONSIBILITIES

Animal control services are generally the primary responsibility of [Animal Control] and include the following:

- (a) Animal-related matters during periods when [Animal Control] is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that [Animal Control] is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

## 818.3 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to the public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
- (f) This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
- (g) With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
- (h) If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

# La Grange Police Department

## La Grange PD Policy Manual

### *Animal Control*

---

#### **818.3.1 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

Officers shall obtain and forward to the Telecommunication Center as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem, etc. Officers will also notify the Telecommunications Center of any actions taken, citation(s) issued, related report numbers, etc.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, the field supervisor or the Watch Commander shall be contacted immediately.

#### **818.4 DECEASED ANIMALS**

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag, and properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

#### **818.5 INJURED ANIMALS**

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

##### **818.5.1 INJURED WILDLIFE**

- (a) Injured wildlife should be referred to one of several locations as applicable and depending upon available resources and type of animal:
  - 1. A local Rehabilitator, preserve or wildlife care center
  - 2. A shelter by the Anti-Cruelty Society, Illinois Society for the Prevention of Cruelty to Animals (SPCA), or the Illinois Department of Natural Resources
- (b) Injured wildlife may be briefly held and transported to wildlife Rehabilitators licensed by the State of Illinois. In addition, migratory birds may be taken only to Rehabilitators who are in possession of appropriate Federal permits issued by the United States Fish and Wildlife Service (USFWS).
- (c) The driver involved in a deer accident may take possession of the dead animal. If the driver does not want the deer, any Illinois resident may claim it (17 Ill. Adm. Code 750.10).

#### **818.6 POLICY**

It is the policy of the La Grange Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.



## *Animal Control*

---

### **818.7 ANIMAL CRUELTY COMPLAINTS**

Laws relating to the cruelty to animals should be enforced including but not limited to cruel treatment of animals, aggravated cruelty to animals, animal torture, animal fighting, and animals confined in vehicles (510 ILCS 70/3.01; 510 ILCS 70/3.02; 510 ILCS 70/3.03; 510 ILCS 70/4.01; 720 ILCS 5/48-1; 510 ILCS 70/7.1):

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Members may enter during normal business hours on a premise where the animal is housed or kept for the purpose of conducting an investigation except such entry shall not be made into a person's residence without a search warrant or court order (510 ILCS 70/10).
- (d) Members who lawfully seize an animal shall comply with impound and notice requirements (510 ILCS 70/3.04; 510 ILCS 70/4.02).

### **818.8 ANIMAL BITE REPORTS**

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

### **818.9 STRAY DOGS**

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

### **818.10 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

Members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

### **818.11 DESTRUCTION OF ANIMALS**

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

# Jeanne Clery Campus Security Act

## 820.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

## 820.2 POLICY

The La Grange Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any La Grange Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the La Grange Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the La Grange Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

## 820.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the La Grange Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
  - 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
  - 2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
  - 3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).

# La Grange Police Department

La Grange PD Policy Manual

## *Jeanne Clery Campus Security Act*

---

4. Notify the La Grange Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).
  5. Notify the La Grange Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
  - (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
  - (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including, but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
  - (f) Appoint a designee to make the appropriate notifications to staff at the institution regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

### **820.4 RECORDS COLLECTION AND RETENTION**

The Records Supervisor is responsible for maintaining La Grange Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
  1. Murder
  2. Sex offenses, forcible or non-forcible
  3. Robbery

# La Grange Police Department

La Grange PD Policy Manual

## *Jeanne Clery Campus Security Act*

---

4. Aggravated assault
  5. Burglary
  6. Motor vehicle theft
  7. Manslaughter
  8. Arson
  9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
  10. Dating violence, domestic violence and stalking.
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur in the following places (20 USC § 1092(f)(12); 34 CFR 668.46(c)(5)):
1. On campus.
  2. In or on a non-campus building or property.
  3. On public property.
  4. In dormitories or other on-campus, residential, student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the La Grange Police Department (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
- (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

### 820.4.1 CRIME LOG

The Records Supervisor is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

# La Grange Police Department

## La Grange PD Policy Manual

### *Jeanne Clery Campus Security Act*

---

- (a) The daily crime log will record all crimes reported to the La Grange Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.
- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
  - 1. Disclosure of the information is prohibited by law.
  - 2. Disclosure would jeopardize the confidentiality of the victim.
  - 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

#### **820.5 INFORMATION DISSEMINATION**

It is the responsibility of the Administration Deputy Chief to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e) and (g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to, the following:
  - 1. Crime statistics and the policies for preparing the crime statistics.
  - 2. Crime and emergency reporting procedures, including the responses to such reports.
  - 3. Policies concerning security of and access to campus facilities.

## *Jeanne Clery Campus Security Act*

---

4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including
  - (a) Procedures victims should follow.
  - (b) Procedures for protecting the confidentiality of victims and other necessary parties.
5. Enforcement policies related to alcohol and illegal drugs.
6. Locations where the campus community can obtain information about registered sex offenders.
7. Emergency response and evacuation procedures.
8. Missing student notification procedures.
9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

### **820.6 STATE REQUIREMENTS**

The Administration Deputy Chief shall ensure that the institution's administration is assisted in meeting the Illinois Campus Security Enhancement Act requirements, including the development of (110 ILCS 12/20):

- (a) A National Incident Management System-compliant, all hazards, emergency response plan and training exercises, in partnership with the institution's county or major municipal emergency management official.
- (b) An interdisciplinary and multijurisdictional campus violence prevention plan, including development and implementation of a campus violence prevention committee and a campus threat assessment team.

## Chapter 9 - Custody

# Temporary Custody of Adults

## 900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the La Grange Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults who are in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

### 900.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - The time period an adult is in custody at the La Grange Police Department prior to being released or transported to a housing or other type of facility.

## 900.2 POLICY

The La Grange Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

## 900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than 48 hours except when detention occurs at the beginning of a weekend or holiday (20 Ill. Adm. Code 720.30).

### 900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the La Grange Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.



# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).
  - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.
- (j) Any individual with a known history of a mental disorder or mental defect, or who shows evidence of such condition (20 Ill. Adm. Code 720.30).
  - 1. If the officer taking custody of an individual believes that he/she may have such a history or condition, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### 900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.60).

At least one female department member should be present when a female adult is in temporary custody and should be available for supervision during periods of personal hygiene such as using the toilet (20 Ill. Adm. Code 720.25). In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

## *Temporary Custody of Adults*

---

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

### **900.3.3 ENTRY RESTRICTIONS**

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Watch Commander.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

### **900.4 INITIATING TEMPORARY CUSTODY**

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the Village jail or the appropriate mental health facility.

The officer should promptly notify the Watch Commander of any conditions that may warrant immediate medical attention or other appropriate action. The Watch Commander shall determine whether the individual will be placed in a cell, immediately released or transported to jail or another facility.

#### **900.4.1 SCREENING AND PLACEMENT**

The officer responsible for an individual in custody shall:

- (a) Advise the Watch Commander of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
  - 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
  - 2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
    - (a) Continuous, direct sight and sound supervision.

## *Temporary Custody of Adults*

---

- (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
- (c) Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
- (d) Ensure males and females are separated by sight and sound (20 Ill. Adm. Code 720.50).
- (e) Ensure restrained individuals are not placed in cells with unrestrained individuals.
- (f) Ensure no more than two individuals are placed in a cell together (20 Ill. Adm. Code 720.50).
- (g) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (h) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

### 900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Operations Deputy Chief will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
  - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
  - 1. If the country is on the mandatory notification list, then:
    - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
    - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
    - (c) Forward any communication from the individual to his/her consular officers without delay.
    - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.

## *Temporary Custody of Adults*

---

2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
  - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
  - (b) Forward any communication from the individual to his/her consular officers without delay.

### **900.5 SAFETY, HEALTH AND OTHER PROVISIONS**

#### **900.5.1 TEMPORARY CUSTODY LOGS**

Any time an individual is in temporary custody at the La Grange Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks including (20 Ill. Adm. Code 720.60):
  1. The time of check.
  2. The signature, initials, badge number or any other personal identifier of the responsible person.
  3. Any relevant remarks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the La Grange Police Department.

The Watch Commander should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Watch Commander should make periodic checks to ensure all log entries and safety and security checks are made on time.

#### **900.5.2 TEMPORARY CUSTODY REQUIREMENTS**

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
  1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins (20 Ill. Adm. Code 720.50).
- (d) There is reasonable access to a drinking fountain or water (20 Ill. Adm. Code 720.60).
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches.

#### 900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the La Grange Police Department. They should be released or transferred to another facility as appropriate.

#### 900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Watch Commander shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

#### 900.5.5 TELEPHONE CALLS

Every individual in temporary custody shall be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival (725 ILCS 5/103-3; 20 Ill. Adm. Code 720.20).

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense (20 Ill. Adm. Code 720.75).
  - 1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
  - 2. If the individual in custody is a custodial parent with responsibility for a minor child, the officer should assist the individual in the placement of the child with a relative or other responsible person designated by the individual in custody (725 ILCS 5/107-2).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
  - 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.
- (d) A notice stating telephone calls may be monitored or recorded shall be posted by each telephone from which persons in custody may place calls (20 Ill. Adm. Code 720.75).

#### 900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

#### 900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed (20 Ill. Adm. Code 720.70). They should be properly



# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

#### 900.5.8 ATTORNEYS

A person in custody shall be allowed to consult with a licensed attorney a reasonable number of times and for reasonable periods of time (20 Ill. Adm. Code 720.20(c)).

- (a) Attorneys who need to interview a person in custody should do so inside a secure interview room.
- (b) Both the attorney and person in custody should be searched for weapons prior to and after being admitted to the interview room.
- (c) Attorneys must produce a current Illinois Bar card as well as other matching appropriate identification.
- (d) Interviews between attorneys and their clients shall not be monitored or recorded.

#### 900.5.9 VISITORS

Consistent with safety and security, visitors should be allowed during normal working and evening hours.

Any open or contact visits must be closely supervised. The visitor and the person in custody shall be searched before and after the visit (20 Ill. Adm. Code 720.70).

A sign notifying visitors that they are subject to search must be conspicuously posted (20 Ill. Adm. Code 720.70).

#### 900.5.10 BEDDING

- (a) The officer supervising the person in custody should offer the person clean bedding, including one flame retardant mattress, pillow case, sheets, seasonally appropriate blankets and one mattress cover if the mattress cannot be sanitized after prior use (20 Ill. Adm. Code 720.60).
- (b) Used bedding will be laundered or otherwise sanitized prior to reissue. Mattresses or mattress covers that have been soiled with body fluids or waste shall be handled using standard universal precautions to reduce exposure to bloodborne pathogens and shall be appropriately laundered, sanitized or discarded (20 Ill. Adm. Code 720.60).

#### 900.5.11 HYGIENE

Individuals in custody shall be supplied with personal hygiene items as needed (20 Ill. Adm. Code 720.60).

Individuals confined beyond 48 hours shall be permitted to shower or bathe once every 48 hours. Clean towels shall be provided when showering or bathing (20 Ill. Adm. Code 720.60).

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

#### 900.5.12 FOOD SERVICE

Meals will be provided for persons held in excess of six hours as follows (20 Ill. Adm. Code 720.80):

- (a) Three meals per day shall be served in accordance with recognized breakfast, lunch and dinner periods.
- (b) Food must be of sufficient nutritional value and daily minimum calories.
- (c) At least one of the three meals shall be a balanced and complete hot meal if the individual is confined for longer than 24 hours.
- (d) A drink other than water shall be served with each meal.
- (e) Special diets shall be adhered to when prescribed by a physician, clinic or hospital designated by the Chief of Police.
- (f) A copy of the menu served shall be maintained for a period of three months.
- (g) Individuals shall be served in their cells. Eating utensils shall be removed from cells after each meal (20 Ill. Adm. Code 720.70).

#### 900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell (20 Ill. Adm. Code 720.60).

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the La Grange Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

##### 900.6.1 PROCEDURES WHEN RESTRAINTS ARE USED

The following provisions shall be followed when utilizing restraints other than the temporary use of restraints such as handcuffing or leg irons to control an individual during movement and transportation inside or outside the facility (20 Ill. Adm. Code 720.60):

- (a) Officers applying restraints shall make a written report including:
  - 1. The date and time restraints were applied.
  - 2. The purpose for which the restraints were applied.
  - 3. The type of restraint used.
  - 4. When the restraint was removed.
- (b) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort, or restrict blood flow or breathing (e.g., hog-tying).
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure.



## *Temporary Custody of Adults*

---

- (d) Members shall conduct direct face-to-face observation at least every 15 minutes to check the person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the officer doing the observation, along with a description of the person's behavior and any actions taken.
- (e) Restraints shall not be utilized any longer than is reasonably necessary. If the person in custody requires restraints for longer than two hours, the person should be transferred to a county or other designated facility.

### **900.6.2 PREGNANT ADULTS**

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

### **900.7 PERSONAL PROPERTY**

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return (20 Ill. Adm. Code 720.25). If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Watch Commander shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Watch Commander shall attempt to prove or disprove the claim.

### **900.8 HOLDING CELLS**

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary (20 Ill. Adm. Code 720.70). An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.
- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by department members shall occur no less than every 30 minutes (20 Ill. Adm. Code 720.60).
  - 1. Safety checks should be at varying times.
  - 2. All safety checks shall be logged.
  - 3. The safety check should involve questioning the individual as to his/her well-being.
  - 4. Individuals who are sleeping or apparently sleeping should be awakened.
  - 5. Requests or concerns of the individual should be logged.
- (f) Prior to any member entering an occupied cell, another qualified member shall be present (20 Ill. Adm. Code 720.70).
- (g) Cells shall be cleaned daily (20 Ill. Adm. Code 720.90).

#### **900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY**

The Operations Deputy Chief will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the La Grange Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Watch Commander, Chief of Police and Investigation Deputy Chief .
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the Village Attorney.
- (f) Notification of the Medical Examiner.
- (g) Evidence preservation.

#### **900.9.1 VISITORS**

Visitors of prisoners will be limited to immediate family and significant others. All prisoners will be asked if they wish to meet with the visitor prior to allowing the visitation. If the prisoner grants the visitation the following restriction will apply:

- (a) All visitors will identify themselves with a legal photo identification card such as a driver's license or state identification card.
- (b) All visitors will be logged in the Visitor's Log Book.
- (c) All visitors will be subject to search of their person and property.
  - 1. The purpose of the search is for weapons, dangerous devices and contraband.

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

2. Any visitor refusing to be searched will be denied access to the prisoner.
3. The search will be done with the portable metal detector.
4. All packages, purses and containers will not be allowed in the Temporary Holding Facility.
  - (a) These items may be secured temporarily in an evidence locker.
- (d) Visitors will be restricted to one at a time.
  - (a) Two visitors may be allowed at the discretion of the Watch Commander.
- (e) Visitation hours will be between 1915 and 2000 hours.
  - (a) Exceptions to these hours will be at the Watch Commander's discretion.
  - (b) Availability of personnel to escort the visitor will be a factor of consideration.
  - (c) Visitation may be denied if a security risk is involved.
- (f) Visitor(s) shall be supervised at all times by a minimum of one officer.
- (g) All Temporary Holding Facility doors will be secured before the prisoner is removed from the cell.
- (h) Visitor(s) and prisoners shall not be allowed any physical contact.
- (i) Prisoners will remain handcuffed to the bench while visitors sit on the opposite side of the table.
- (j) Visitor(s) and prisoners shall be supervised at all times.
- (k) No visitor shall be allowed in the cell block area.
- (l) Prisoner property may be taken by a visitor with the prisoner's permission. If property is taken by a visitor the proper notation will be made on the Prisoner Property Report and initialed by the prisoner along with the date and time.
- (m) Property may be left for the prisoner at the Watch Commander's discretion.
  - (a) All such property left for the prisoner is subject to search. The proper notation will be made on the Prisoner Property Report and initialed by the prisoner along with the date and time.
  - (b) No food or beverage may be given to the prisoner by the visitor(s).
- (n) The prisoner will be searched before being placed back into the cell after visitation.
- (o) An entry will be made in the Prisoner Custody Log listing the visitors' name(s), date, start time and end time of visitation.

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

#### **900.10 RELEASE AND/OR TRANSFER**

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the La Grange Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
  - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

##### **900.10.1 RELEASE OF PERSONS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS**

Arresting officers should make reasonable efforts to contact a responsible adult who is willing to assist a person being released from custody who is under the influence of alcohol or drugs (50 ILCS 705/10.17-5).

#### **900.11 ASSIGNED ADMINISTRATOR**

The Operations Deputy Chief will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security (20 Ill. Adm. Code 720.70)
- (b) Key control (20 Ill. Adm. Code 720.70; 20 Ill. Adm. Code 720.110)
- (c) Sanitation and maintenance (20 Ill. Adm. Code 720.90)
- (d) Emergency medical treatment (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (e) Escapes and attempted escapes (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

- (f) Evacuation plans
- (g) Fire- and life-safety (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.100; 20 Ill. Adm. Code 720.110)
- (h) Disaster plans (20 Ill. Adm. Code 720.110)
- (i) Building and safety code compliance
- (j) Riots (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (k) Hostage situations (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (l) Major disturbances including bomb threats (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (m) Battery on members or individuals in custody (20 Ill. Adm. Code 720.110)
- (n) Severe weather and natural disasters (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.110)
- (o) Civil disasters (20 Ill. Adm. Code 720.110)
- (p) Vermin and pest control (20 Ill. Adm. Code 720.90)
- (q) Contagious disease control (20 Ill. Adm. Code 720.110)

#### **900.11.1 OTHER RESPONSIBILITIES**

The Operations Deputy Chief will also ensure:

- (a) Notice of Rights posters are posted as required (20 Ill. Adm. Code 720.20).
- (b) A comprehensive written duty description for each position is maintained and that members are familiar with the written post description prior to assuming the post (20 Ill. Adm. Code 720.25).
- (c) The facility meets or exceeds the minimum physical standards as required in 20 Ill. Adm. Code 720.40; 20 Ill. Adm. Code 720.50 and 20 Ill. Adm. Code 720.160.
- (d) All fixtures, equipment, wiring and conduits are properly maintained (20 Ill. Adm. Code 720.70).
- (e) Rules governing the use of the telephone and visits are established consistent with this policy (20 Ill. Adm. Code 720.75).
- (f) Quarterly population reports and extraordinary or unusual occurrence reports are submitted to the Jail and Detention Standards Unit as required by 20 Ill. Adm. Code 720.130.

#### **900.12 RECORDS**

The Watch Commander shall ensure a record is maintained for each person in temporary custody with the following information (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.120):

- Name
- Aliases and nicknames
- Address

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Custody of Adults*

---

- Age and date of birth
- Person to notify in case of emergency, including address and telephone number
- Physical description, gender and characteristic marks
- Occupation
- Offense
- Date and time of admission and authority
- Name and title of officers presenting and receiving the person
- Previous arrest record and convictions
- Itemized record of individual's cash and other valuables, expenditures and receipts while in custody
- Disposition of case and authority
- Date of release or transfer
- Physicians' visits, examinations and treatment

#### **900.13 TRAINING**

Department members should be trained and familiar with this policy and any supplemental procedures. Written documentation of training should be maintained (20 Ill. Adm. Code 720.25).

All members responsible for the temporary custody of adults should receive training that includes, but is not limited to (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.100(a)(3); 20 Ill. Adm. Code 720.110):

- Security measures such as use of restraints, force and chemical agents.
- Handling special incidents such as assaults, disturbances, fires, natural disasters, evacuation procedures, escapes, communications and crime scene protection.
- Suicide prevention.
- Identification of signs and management of mentally impaired individuals.
- First aid and CPR.
- Security features of the La Grange Police Department facility used to temporarily hold adults in custody, including the location and use of fire extinguishers, emergency equipment and first aid supplies.
- Department supplemental procedures.
- Illinois Municipal Jail and Lockup Standards.

# Custodial Searches

## 902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the La Grange Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

### 902.1.1 DEFINITIONS

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

## 902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

## 902.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.



## *Custodial Searches*

---

### **902.4 SEARCHES AT POLICE FACILITIES**

Custody searches shall be conducted on all individuals in custody, upon entry to the La Grange Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

#### **902.4.1 PROPERTY**

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Evidence Room Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's La Grange Police Department identification number and information regarding how and when the property may be released.

#### **902.4.2 VERIFICATION OF MONEY**

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

### **902.5 STRIP SEARCHES**

No individual in temporary custody at any La Grange Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:



# La Grange Police Department

## La Grange PD Policy Manual

### *Custodial Searches*

---

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
  - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

Inmates who have not been arraigned and remanded by the court to the custody of this department and are being held for a traffic, regulatory or misdemeanor offense that does not involve weapons or a controlled substance, shall only be subject to a modified strip or strip search for weapons or controlled substances (725 ILCS 5/103-1).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

#### 902.5.1 STRIP SEARCH PROCEDURES

Strip searches at La Grange Police Department facilities shall be conducted as follows (28 CFR 115.115; 725 ILCS 5/103-1):

- (a) Written authorization from the Watch Commander shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
  - 1. The facts that led to the decision to perform a strip search.

# La Grange Police Department

## La Grange PD Policy Manual

### *Custodial Searches*

---

2. The reasons less intrusive methods of searching were not used or were insufficient.
  3. The written authorization for the search, obtained from the Watch Commander.
  4. The name of the individual who was searched.
  5. The name and sex of the members who conducted the search.
  6. The name, sex and role of any person present during the search.
  7. The time and date of the search.
  8. The place at which the search was conducted.
  9. A list of the items, if any, that were recovered.
  10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) A copy of the strip search report shall be provided to the individual subject to the search.

#### 902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Watch Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.

#### 902.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (725 ILCS 5/103-1):

## *Custodial Searches*

---

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) A physical body cavity search shall be conducted either by or under the supervision of a physician.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The Watch Commander's approval.
  - 4. A copy of the search warrant.
  - 5. The time, date and location of the search.
  - 6. The medical personnel present.
  - 7. The names, sex and roles of any department members present.
  - 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be provided to the individual who was searched or other authorized representative upon request.

### **902.7 TRAINING**

The Training Supervisor shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

# Prison Rape Elimination

## 904.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against prisoners in the La Grange Police Department Temporary Holding Facilities (28 CFR 115.111).

### 904.1.1 DEFINITIONS

Definitions related to this policy include:

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

**Sexual abuse** - Any of the following acts, if the prisoner does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the prisoner or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

## *Prison Rape Elimination*

---

- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a prisoner or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

**Sexual harassment** - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

**Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

### **904.2 POLICY**

The La Grange Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The La Grange Police Department will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

### **904.3 PREA COORDINATOR**

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the La Grange Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of La Grange Police Department prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of prisoners (28 CFR 115.151).

# La Grange Police Department

## La Grange PD Policy Manual

### *Prison Rape Elimination*

---

- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
  - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
  - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
  - 3. A process to document all referrals to other law enforcement agencies.
  - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
  - 5. In accordance with security needs, provisions to permit, to the extent available, prisoner access to victim advocacy services if the prisoner is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
  - 1. The agency shall not rely on other prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the department's website:
  - 1. Information on how to report sexual abuse and sexual harassment on behalf of a prisoner (28 CFR 115.154).

## *Prison Rape Elimination*

---

2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
  1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
  2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house prisoners overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

### **904.4 REPORTING SEXUAL ABUSE AND HARASSMENT**

Prisoners may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

#### **904.4.1 MEMBER RESPONSIBILITIES**

Department members shall accept reports from prisoners and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Watch Commander any knowledge, suspicion or information regarding:



## *Prison Rape Elimination*

---

- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against prisoners or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

### **904.4.2 WATCH COMMANDER RESPONSIBILITIES**

The Watch Commander shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Watch Commander shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the Watch Commander shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander shall document such notification (28 CFR 115.163).

If an alleged prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

### **904.5 INVESTIGATIONS**

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

#### **904.5.1 FIRST RESPONDERS**

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.



## *Prison Rape Elimination*

---

- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

### 904.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a prisoner or a member of the La Grange Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a prisoner sexually abused another prisoner in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

### 904.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

### 904.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

## *Prison Rape Elimination*

---

Prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

### **904.5.5 CONCLUSIONS AND FINDINGS**

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the Village Manager. The Chief of Police or Village Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with prisoners by a contractor or volunteer.

### **904.6 RETALIATION PROHIBITED**

All prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Watch Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Watch Commander or the authorized designee shall identify a staff member to monitor the conduct and treatment of prisoners or members who have reported sexual abuse and of prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of prisoners, such monitoring shall also include periodic status checks.

### **904.7 REVIEWS AND AUDITS**

## *Prison Rape Elimination*

---

### 904.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

### 904.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the department's progress in addressing sexual abuse.

## *Prison Rape Elimination*

---

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from La Grange Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

### **904.8 RECORDS**

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

### **904.9 TRAINING**

All employees, volunteers and contractors who may have contact with prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Supervisor shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and prisoners' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which prisoners are most vulnerable.
- The right of prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.

## *Prison Rape Elimination*

---

- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Supervisor shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

## Chapter 10 - Personnel

---

## Recruitment and Selection

### 1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the La Grange Police Department and that are promulgated and maintained by the Personnel Department.

### 1000.2 APPLICANT QUALIFICATIONS

Candidates for job openings will be selected based on merit, ability, competence and experience.

### 1000.3 POLICY

In accordance with applicable federal, state, and local law, the La Grange Police Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### 1000.4 RECRUITMENT

The Administration Deputy Chief should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administration Deputy Chief shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

# La Grange Police Department

## La Grange PD Policy Manual

### *Recruitment and Selection*

---

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

#### **1000.5 SELECTION PROCESS**

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects.

The examination of applicants shall be public, competitive, and open to all citizens of the United States, with specified limitations as to residency, age, health, habits, and moral character (55 ILCS 5/3-8010; 65 ILCS 5/10-2.1-6; 65 ILCS 5/10-1-7).

Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
  - 1. Except that candidates shall not be screened, requested, or required to disclose wage or salary history as a condition of employment. (820 ILCS 112/10).
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

##### **1000.5.1 VETERAN PREFERENCE**

The Department will provide veteran preference points as required (65 ILCS 5/10-1-16; 65 ILCS 5/10-2.1-8; 65 ILCS 5/10-2.1-9; 55 ILCS 5/3-8010).

#### **1000.6 BACKGROUND INVESTIGATION**

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of



# La Grange Police Department

## La Grange PD Policy Manual

### *Recruitment and Selection*

---

the candidate's unsuitability to perform duties relevant to the operation of the La Grange Police Department (50 ILCS 705/10.2).

#### 1000.6.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

#### 1000.6.2 REVIEW OF PERSONAL ONLINE ACCOUNTS

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Deputy Chief shall not request, require or coerce candidates to provide usernames, passwords, account information or access to password-protected personal online accounts (820 ILCS 55/10).

Candidates may be required to share specific content that has been reported to the Department, without requesting or requiring candidates to provide access to their personal online accounts, as set forth in 820 ILCS 55/10.

The Administration Deputy Chief should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from personal online accounts to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administration Deputy Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

#### 1000.6.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

#### 1000.6.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

### **1000.7 DISQUALIFICATION GUIDELINES**

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

## *Recruitment and Selection*

---

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

### **1000.8 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Personnel Department should maintain validated standards for all positions.

#### **1000.8.1 STANDARDS FOR OFFICERS\_DEPUTIES**

Candidates shall meet the minimum standards established by Illinois law, including those provided in 55 ILCS 5/3-8010, 65 ILCS 5/10-1-5, 65 ILCS 5/10-2.1-5, and the Illinois Police Training Act (50 ILCS 705/8.1).

Candidates shall not have been convicted of, or entered a plea of guilty to, any felony or any misdemeanor specified in 50 ILCS 705/6.1(a).

### **1000.9 JOB DESCRIPTION**

The Administration Deputy Chief should ensure that a current job description is maintained for each position in the Department.

### **1000.10 PROBATIONARY PERIODS**

The Administration Deputy Chief should coordinate with the La Grange Personnel Department to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.

# La Grange Police Department

## La Grange PD Policy Manual

### *Recruitment and Selection*

---

- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

# Evaluation of Employees

## 1002.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

## 1002.2 POLICY

The La Grange Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

## 1002.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

## *Evaluation of Employees*

---

### 1002.3.1 OTHER OFFICER EVALUATIONS

Part-time and auxiliary officer evaluations are covered in the Reserve Officers Policy.

### 1002.4 FULL TIME PROBATIONARY PERSONNEL

Non-sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time non-sworn personnel during the probationary period.

Sworn personnel are on probation for 18 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the Field Training Program. Probationary officers are evaluated monthly during the remainder of their probationary period.

Sworn Officers who have not completed their probationary period shall not be eligible to engage in off-duty/secondary employment.

### 1002.5 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

**Regular** - Annual Employee Performance Evaluations shall be completed yearly by the employee's immediate supervisor. Employee Performance Evaluations shall evaluate each employee from September 1st of the previous year to August 31st of the current year. Annual Performance Evaluations shall be completed and submitted to the Chief of Police by October 1st of each year.

**Transfer** - If an employee is transferred from one assignment to another during an evaluation period and less than six months have transpired since the transfer at the time the evaluation is due, then the evaluation shall be completed by the current supervisor with input from the previous supervisor.

**Special** - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

#### 1002.5.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a number after each category that best describes the employee's performance. For police officers that are governed by a labor agreement a letter will be placed after each category that best describes the employee's performance. The definition of each rating category is as follows:

**4 or A** - Represents actual performance that is better than expected for the position. It is exceptional performance or definitely superior.

## *Evaluation of Employees*

---

**3 or B** - Represents performance of a competent employee. It means satisfactory performance that meets the standards required of the position.

**2 or C** - Is a level of performance less than that expected of a competent employee and less than standards required of the position.

**1 or D** - Represents performance that is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated.

A rater must support the rating given to an employee by using specific examples of the employee's strengths or weaknesses. Space for written comments is provided at the end of each category.

### **1002.6 EVALUATION INTERVIEW**

When the supervisor has completed the preliminary evaluation it shall be forwarded to the Chief of Police for review. After the Chief of Police has approved the evaluation the supervisor will schedule a review with the employee. The review will be private with only supervisors having input in the evaluation present along with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable objections to any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for the upcoming evaluation period should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.

#### **1002.6.1 DISCRIMINATORY HARASSMENT FORM**

At the time of each employee's annual evaluation, the reviewing supervisor shall require the employee to read the Village Department harassment and discrimination policies. Following such policy review, the supervisor shall provide the employee a form to be completed and returned by the employee certifying the following:

- (a) That the employee understands the harassment and discrimination policies.
- (b) Whether any questions the employee has have been sufficiently addressed.
- (c) That the employee knows how and where to report harassment policy violations.
- (d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy which has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee's completed answers shall be attached to the evaluation. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall insure that appropriate follow up action is taken.

### **1002.7 EVALUATION REVIEW**

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Lieutenant). The Lieutenant shall review the evaluation

# La Grange Police Department

## La Grange PD Policy Manual

### *Evaluation of Employees*

---

for fairness, impartiality, uniformity, and consistency and place any comments needed on the evaluation. The evaluation will be returned to the supervisor for the appropriate signature. The employee will sign the evaluation last and place any comments in the section provided. The Lieutenant shall evaluate the supervisor on the quality of ratings given.

#### **1002.8 EVALUATION DISTRIBUTION**

The original performance evaluation shall be maintained in the employee's personnel file at the Village Hall for the tenure of the employee's employment. A copy will be given to the employee.

## Special Assignments and Promotions

### 1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the La Grange Police Department.

### 1004.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the La Grange Personnel Department.

### 1004.3 POLICY

The La Grange Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

### 1004.4 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Crisis Response Unit member
- (b) Detective
- (c) Motorcycle officer
- (d) Bicycle Patrol officer
- (e) Canine handler
- (f) Accident investigator
- (g) Field Training Officer
- (h) Community Relations/Training Officer
- (i) School Resource and/or Drug Abuse Resistance Education (D.A.R.E.) officer
- (j) Court Officer

#### 1004.4.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Three years of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by the Illinois Law Enforcement Training and Standards Board (ILETSB) or law
- (d) Exceptional skills, experience, or abilities related to the special assignment



## *Special Assignments and Promotions*

---

### 1004.4.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance
- (b) Maintains a physical condition that aids in his/her performance
- (c) Expresses an interest in the assignment
- (d) Demonstrates the following traits:
  - 1. Emotional stability and maturity
  - 2. Stress tolerance
  - 3. Sound judgment and decision-making
  - 4. Personal integrity and ethical conduct
  - 5. Leadership skills
  - 6. Initiative
  - 7. Adaptability and flexibility
  - 8. Ability to conform to department goals and objectives in a positive manner

### 1004.4.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
  - 1. The supervisor recommendations will be submitted to the Deputy Chief for whom the candidate will work.
- (b) Deputy Chief interview - The Deputy Chief will schedule interviews with each candidate.
  - 1. Based on supervisor recommendations and those of the Deputy Chief after the interview, the Deputy Chief will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

# Grievance Procedure

## 1006.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

### 1006.1.1 GRIEVANCE DEFINED

A grievance is a complaint, dispute or request regarding the administration and/or interpretation of the terms or conditions of employment or the interpretation of any of the following documents by the person(s) affected:

- A collective bargaining agreement. If the employee's collective bargaining agreement contains a grievance provision, those grievance procedures will be followed (5 ILCS 315/8)
- This Policy Manual or any written Department procedure
- Village rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in Policy Manual § 328, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in Policy Manual §1020.

## 1006.2 PROCEDURE

If an employee believes that he/she has a grievance as defined above, then that employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Deputy Chief of the affected division or bureau.
- (c) If a successful resolution is not found with the Deputy Chief, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, then the employee shall proceed as follows:

# La Grange Police Department

La Grange PD Policy Manual

## *Grievance Procedure*

---

1. Submit in writing a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor and include the following information:
  - (a) The basis for the grievance (i.e., what are the facts of the case?).
  - (b) Allegation of the specific wrongful act and the harm done.
  - (c) What you would like to accomplish from this grievance.
- (e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
- (f) The Chief of Police will receive the grievance in writing. The Chief of Police and the Village Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the Village Manager is considered final.

### **1006.3 EMPLOYEE REPRESENTATION**

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

In matters concerning the employee's collective bargaining agreement, the exclusive representative will be notified to attend any conference or settlement even if not requested by the employee (5 ILCS 315/6(b)).

### **1006.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administration for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the Village Manager's office to monitor the grievance process. A third copy will be maintained in the personnel file of the individual grievant (820 ILCS 40/1 et seq. and 820 ILCS 40/4)

# Anti-Retaliation

## 1007.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

## 1007.2 POLICY

The La Grange Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

## 1007.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

## *Anti-Retaliation*

---

### **1007.4 COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the Village Assistant Village Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

### **1007.5 SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

## *Anti-Retaliation*

---

### **1007.6 COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

### **1007.7 WHISTLE-BLOWING**

The Illinois Whistleblower Act protects an employee who, with reasonable cause to believe the information communicated discloses a violation of a law, rule, or regulation (740 ILCS 174/1 et seq.):

- (a) Provides information to a government or law enforcement agency, in a judicial or administrative hearing, or testifies before a legislative body.
- (b) Refuses to participate in an activity that would result in a violation of a law, rule, or regulation.
- (c) Engages in any other act or omission if the employee is disclosing or attempting to disclose public corruption or wrongdoing.

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Deputy Chief for investigation pursuant to the Personnel Complaints Policy.

### **1007.8 RECORDS RETENTION AND RELEASE**

The Records Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

### **1007.9 TRAINING**

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

# Reporting of Employee Convictions

## 1009.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

## 1009.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Illinois and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; 720 ILCS 5/24-1.1).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

Officers are prohibited from carrying a firearm if they are currently the subject of a domestic violence protection order (750 ILCS 60/214).

## 1009.3 OTHER CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Illinois (50 ILCS 705/6.1). Any person who has been convicted of a felony is prohibited from possessing a firearm (720 ILCS 5/24-1.1. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty plea or nolo contendere plea.

Convictions of certain state or federal violations, including other provisions, such as probation or conditions of bail may place restrictions on an employee's ability to fully perform the duties of the job or restrict possessing firearms (720 ILCS 550/10; 725 ILCS 5/110-10).

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

## 1009.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

# La Grange Police Department

## La Grange PD Policy Manual

### *Reporting of Employee Convictions*

---

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.



## Drug- and Alcohol-Free Workplace

### 1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

### 1011.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

### 1011.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

#### 1011.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

### 1011.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

## *Drug- and Alcohol-Free Workplace*

---

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

### **1011.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Personnel Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

### **1011.6 WORK RESTRICTIONS**

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

### **1011.7 REQUESTING SCREENING TESTS**

A supervisor may request an employee to submit to a screening test under the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

#### **1011.7.1 SUPERVISOR RESPONSIBILITY**

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.

## *Drug- and Alcohol-Free Workplace*

---

- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

### **1011.7.2 SCREENING TEST REFUSAL**

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates any provisions of this policy.

### **1011.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

### **1011.9 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

## Sick Leave

### 1013.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the Village personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) or the Illinois Employee Sick Leave Act (820 ILCS 191/1 et seq.).

### 1013.2 POLICY

It is the policy of the La Grange Police Department to provide eligible employees with a sick leave benefit.

### 1013.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

#### 1013.3.1 NOTIFICATION

All members should notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

### 1013.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return

## *Sick Leave*

---

to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

### **1013.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Personnel Department as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
  - 1. Negatively affected the member's performance or ability to complete assigned duties.
  - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

# Uniformed Services Employment and Reemployment Rights Act Policy

## 1014.1 PURPOSE AND SCOPE

To provide a summary of the Uniformed Services Employment and Reemployment Rights Act (USERRA), and is intended to incorporate all the minimum requirements of the law. For definitive information see the text of the statute itself. See 38 U.S.C. 4302(a). USERRA does not supersede any existing Village policy, collective bargaining agreement, or state law that provides greater or additional rights to those who leave civilian employment for service in the uniformed services.

## 1014.2 DEFINITIONS

Service in the Uniformed Services: means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty, and a period for which a person is absent from a position of employment for the purpose of performing Military funeral honors duty as authorized by section 12503 of title 10, or section 115 of title 32

## 1014.3 POLICY

The Village of La Grange shall grant an unpaid military leave of absence to any employee who requests such leave in order to perform service in the uniformed services. It is the policy of the LaGrange Police Department to comply with USERRA and all other state, federal, and local laws. The uniformed services are the Army, Navy, Marine Corps, Air Force, Coast Guard, and the commissioned corps of the Public Health Service. This includes the Reserve components of these services and the Army National Guard, Air National Guard and to persons who serve as Intermittent Disaster Response Appointees (IDRAs).

### 1014.3.1 ELIGIBILITY CRITERIA

An employee who leaves employment of the LaGrange Police Department for service in the uniformed services will be entitled to reemployment, provided he or she meets the USERRA eligibility criteria:

- The employee (or an appropriate officer of the uniformed service) must have given the LaGrange Police Department prior oral or written notice of the impending service.
- The employee's cumulative period or periods of service, relating to of the LaGrange Police Department, shall not have exceeded five years.
- The employee must have completed the period of service without having received a punitive or other than honorable discharge or having been dismissed or dropped from the rolls of the uniformed service.

# La Grange Police Department

## La Grange PD Policy Manual

### *Uniformed Services Employment and Reemployment Rights Act Policy*

---

- The employee must have made a timely application for reemployment or have been timely in reporting back to work.

#### 1014.3.2 PRIOR NOTICE

Written prior notice to the Chief of Police is preferred, although verbal notice is sufficient under the statute. The LaGrange Police Department prefers that employees provide as much advance notice as possible, but recognizes that circumstances arise where employees do not receive notice from the service until the last minute. No specific amount of advance notice is required, but the notice must be given before leaving the police assignment. Prior notice is not required in those rare cases where precluded by military necessity or otherwise impossible or unreasonable. The Notice of Personnel Change Form should be completed prior to mobilization.

#### 1014.3.3 FIVE YEAR LIMIT

The five-year limit is measured from the date of commencement of the individual's employment relationship with the LaGrange Police Department. Uniformed service performed before the individual's hire date is irrelevant for purposes of the individual's USERRA rights for the LaGrange Police Department. Reserve and National Guard training and involuntary call-ups do not count toward the individual's five-year limit. Some voluntary service is also excluded in computing the five-year limit.

#### 1014.3.4 RELEASE FROM SERVICE UNDER HONORABLE CONDITIONS

An individual does not have reemployment rights with the LaGrange Police Department if he or she has received a punitive (by court martial) or other-than-honorable discharge or if he or she has been "dropped from the rolls" of the uniformed service.

#### 1014.3.5 TIMELY APPLICATION FOR REEMPLOYMENT

**Period of 1-30 Days of Service:** After a period of less than 31 days of service, the employee is required to report for work at the start of the first full regularly scheduled work period on the first day after the completion of the period of service, the time reasonably required for safe transportation from the place of service to the individual's residence, and a period of eight hours (for rest). If reporting that next day is impossible or unreasonable because of factors beyond the individual's control (like an accident on the return trip), the individual is required to report for work as soon as reasonably possible thereafter.

**Period of 31 or More Days of Service:** If the period of service is greater than 30 days but less than 181 days, the individual is required to submit an application for reemployment within 14 days. If the period of service is 181 days or more, the individual must submit an application for reemployment within 90 days. No particular form is required for the application for reemployment, and the LaGrange Police Department will not try to deny reemployment based on quibbling with the wording. If the individual communicates with us, within the 14 days or 90 days, and tells us that he or she is available to return to work after service, we will offer reemployment to the individual.

**Tardiness:** If the individual misses the relevant deadline by a day or two, he or she is entitled to reemployment, but he or she is subject to our usual policy regarding explanations or sanctions for



# La Grange Police Department

La Grange PD Policy Manual

## *Uniformed Services Employment and Reemployment Rights Act Policy*

---

absence from scheduled work. For example, assume that the employee is returning from a period of 179 days of service and has 14 days to submit the application for reemployment. The employee submits the application on day 15. She has the right to reemployment, but she may be subject to disciplinary action for one day of unexcused absence.

### **1014.4 ENTITLEMENTS**

A list of entitlements is attached.

#### **1014.4.1 AFTER RETURN FROM SERVICE**

##### **PROMPT REINSTATEMENT**

- After a period of less than 31 days of service, the employee is required to report for work on the next workday, as explained above. The employee will be considered to be back on the payroll as of the time he or she reports for work. After a period of 31 days or more of service, the employee is required to submit an application for reemployment.

##### **ACCUMULATION OF LONGEVITY FOR SENIORITY PURPOSES**

- A person who returns to employment with the LaGrange Police Department after service in the uniformed services, and who meets the eligibility criteria under USERRA, is entitled to continuous company longevity for the entire period of the military-related absence.

##### **ACCUMULATION OF LONGEVITY FOR PENSION PURPOSES**

- The returning veteran who meets the USERRA eligibility criteria will be given the opportunity to make up missed employee contributions to the defined contribution plan. Such make-up contributions must be made within the period that begins on the date of reemployment and extends for three times the period of service, but not more than five years. All such make-up payments shall be made on a pre-tax basis.
- Employer and employee contributions to the defined contribution plan account will be based on what she would have earned from of the LaGrange Police Department during the military-related absence. What she earned from the military is irrelevant. The determination will be based on the pre-service rate of compensation, plus any pay raises or promotions that are based on seniority or cost-of-living that the employee would have received during the military-related absence.

##### **STATUS**

- If the employee's period of service was less than 91 days, he or she is entitled, upon reemployment, to the exact job that he or she would have attained if he or she had been continuously employed. In most cases, that will be the same as the pre-service job.
- If the period of service was 91 days or more, the LaGrange Police Department has the option to reemploy the returning veteran either in the position that he/she would have attained or, alternatively, in another position of like seniority, status, and rate of



# La Grange Police Department

La Grange PD Policy Manual

## *Uniformed Services Employment and Reemployment Rights Act Policy*

---

pay. Offering the returning veteran reemployment in a position that is not of like status is not a sufficient compliance with USERRA.

- If we offer the returning veteran reemployment in an alternative position, it must be a position for which the employee is qualified. Putting an employee in a position for which he or she is not qualified is a recipe for failure and would not be a sufficient compliance with USERRA.

### **TRAINING OR RETRAINING**

- If an employee returns to work after a long period of military service, he or she may find that many things have changed in the interim. There may have been technological developments and changes in ways of doing business. The returning veteran is entitled to the training or retraining that he or she would have received if continuously employed.

### **PROTECTION AGAINST DISCHARGE, EXCEPT FOR CAUSE**

- The returning veteran who meets the USERRA eligibility criteria may not be discharged, except for cause, within one year after reemployment, if the veteran's period of service was 181 days or more. If the period of service was 31-180 days, the period of special protection is 180 days. If the employee is discharged during the special protection period, the LaGrange Police Department has the burden of proof, to show that the employee was discharged for cause.
- This special protection provision applies even if the employee was in an at-will or probationary status before leaving for service. The special protection provision is intended to protect the veteran from a bad faith or pro forma reinstatement. Please do not try to discharge a returning veteran during the special protection period without first checking with the personnel office.

### **ENTITLEMENTS OF RETURNING DISABLED VETERANS**

- Some of our employees who have been called to serve will return with temporary or permanent physical limitations, resulting from service-connected injuries or illnesses. In such a situation, we are required to make reasonable accommodations in equipment, scheduling, etc. in order to enable the employee to perform the duties of his or her escalated reinstatement position (the position that he or she would have attained if continuously employed). Of course, some disabilities cannot be accommodated. If the employee cannot be reinstated in the escalated reinstatement position, he or she is entitled to reinstatement in some other position, the duties of which he or she can perform despite the limitations. The employee is entitled to the position that comes as close as possible (in terms of seniority, status, and pay) to the position to which he or she would be entitled but for the disability.

#### **1014.4.2 ENTITLEMENTS DURING SERVICE**

#### **FURLOUGH OR LEAVE OF ABSENCE**

# La Grange Police Department

La Grange PD Policy Manual

## *Uniformed Services Employment and Reemployment Rights Act Policy*

---

- An employee who is away from work performing service in the uniformed services is entitled to non-seniority benefits, during the military-related absence, if and to the extent that the LaGrange Police Department (or applicable labor contract) offers such benefits to employees on some other form of leave, like jury leave, educational leave, or maternity/paternity leave.

### **HEALTH INSURANCE COVERAGE DURING SERVICE**

- An employee who notifies us that he or she will be away from work performing service is entitled to elect continued health insurance coverage, through the Village of LaGrange, during the military-related absence from work.

### **PROTECTION AGAINST DISCRIMINATION**

- Section 4311(a) of USERRA provides as follows:
  - A person who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service shall not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment by an employer on the basis of that membership, application for membership, performance of service, application for service, or obligation.
- It would be unlawful to deny an individual initial employment, or to deny an existing employee any benefit, or to fire an employee, because of the person's membership in a uniformed service, obligation to perform future service, etc. It is our policy to obey this law. The LaGrange Police Department will not consider military status or service when making hiring, promotion, or firing decisions.

# Communicable Diseases

## 1015.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

### 1015.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the La Grange Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

## 1015.2 POLICY

The La Grange Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

## 1015.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
  - 1. Reporting known and suspected cases of reportable communicable diseases to the local health authority (77 Ill. Adm. Code 690.200).

# La Grange Police Department

## La Grange PD Policy Manual

### *Communicable Diseases*

---

2. Acting as, or appointing a person as the designated officer to receive reports from the local health authority. The designated officer will be trained to carry out the duties described in 77 Ill. Adm. Code 690.200 regarding the procedures for follow-up after occupational exposures to specific diseases.
3. The mandates of the Illinois Occupational Safety and Health Act (820 ILCS 219/1 et seq.).
4. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
5. Responding to exposure notifications from hospitals to which members have transported a patient (210 ILCS 85/6.08).
6. Exposure control mandates in 29 CFR 1910.1030 (820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

The ECO should also act as the liaison with the Illinois Department of Labor (IDOL) and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

#### **1015.4 EXPOSURE PREVENTION AND MITIGATION**

##### **1015.4.1 GENERAL PRECAUTIONS**

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area of department vehicles, as applicable.
  - (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
  - (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
  - (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
  - (e) Using an appropriate barrier device when providing CPR.
  - (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
  - (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

# La Grange Police Department

## La Grange PD Policy Manual

### *Communicable Diseases*

---

- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

#### 1015.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; 820 ILCS 219/25).

### 1015.5 POST EXPOSURE

#### 1015.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

#### 1015.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Name of the member exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

# La Grange Police Department

## La Grange PD Policy Manual

### *Communicable Diseases*

---

#### 1015.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 1015.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; 820 ILCS 219/25).

#### 1015.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Contacting the Department of Public Health or local health authority and providing information regarding the circumstances of the exposure to determine if the appropriate authority will request consent from the person to submit to testing (77 Ill. Adm. Code 690.1380).
- (c) In cases of possible exposure to infectious diseases, including HIV, by having a health care provider or health facility test the source of the exposure pursuant to 410 ILCS 305/7 and/or 410 ILCS 312/10.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the Village Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

#### 1015.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law) (29 CFR 1910.1030; 820 ILCS 219/25).

## *Communicable Diseases*

---

Test results from persons who may have been the source of an exposure are to be kept confidential as well.

### **1015.7 TRAINING**

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

---

## Smoking and Tobacco Use

### 1017.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in La Grange Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1017.2 POLICY

The La Grange Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

### 1017.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the La Grange Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside Village facilities and vehicles.

### 1017.4 ADDITIONAL PROHIBITIONS

No employee shall smoke, even if out of public view in any public place, child/adult day care center, health care facility or within 15 feet of any entrance or any other location described under the Smoke Free Illinois Act (410 ILCS 82/15).



# Personnel Complaints

## 1019.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the La Grange Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

## 1019.2 POLICY

The La Grange Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report alleged misconduct without concern for reprisal or retaliation.

## 1019.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or of federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

### 1019.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Watch Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints should be investigated by a supervisor of rank greater than the accused member or referred to the Deputy Chief, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Deputy Chief, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

## *Personnel Complaints*

---

### 1019.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct by another department member shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

### 1019.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

#### 1019.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Village facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

#### 1019.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

### 1019.5 DOCUMENTATION

Formal complaints of alleged misconduct shall be documented in writing by a sworn affidavit by the person making the complaint (50 ILCS 725/3.8(b)).

Should the sworn affidavit be found to contain knowingly false material information, the matter shall be brought to the attention of the appropriate State's Attorney for determination of prosecution (50 ILCS 725/3.8(b)).

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint.

## *Personnel Complaints*

---

On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

### **1019.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated as follows.

#### **1019.6.1 SUPERVISOR RESPONSIBILITIES**

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action, or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  - 1. The original complaint form will be directed to the Watch Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
  - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Deputy Chief or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
  - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
  - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Watch Commander.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Personnel Department and the Watch Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Watch Commander, who will determine whether to contact the complainant or assign the complaint for investigation.

# La Grange Police Department

## La Grange PD Policy Manual

### Personnel Complaints

---

- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
  - 1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
  - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1019.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Deputy Chief, the following applies to members covered by the Uniform Peace Officers' Disciplinary Act:

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated (50 ILCS 725/3.3).
- (b) Unless waived by the member, interviews of an accused member shall be at the La Grange Police Department or other reasonable and appropriate place (50 ILCS 725/3.1).
- (c) The accused member shall be informed in writing of the name, rank, and unit or command of the officer in charge of the investigation, the interviewers and all persons who will be present on behalf of the Department during any interview. The accused member shall inform the Department of any person who will be present on his/her behalf during any interview (50 ILCS 725/3.4).
- (d) No more than two interviewers should ask questions of an accused member.
- (e) Prior to any interview, a member should be informed in writing of the nature of the investigation (50 ILCS 725/3.2).
- (f) All interviews should be for a reasonable period and the member's personal needs should be accommodated (50 ILCS 725/3.5).
- (g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers (50 ILCS 725/3.6).
- (h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so (50 ILCS 725/3.6).
  - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement and after the investigator has consulted with the prosecuting agency. Administrative investigators should consider the impact that compelling a statement from the member may

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Complaints*

---

have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
  - (i) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview (50 ILCS 725/3.7).
  - (j) No member shall be interviewed without first being advised in writing that admissions made in the course of the interview may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge. In addition, no member shall be interviewed without first being advised in writing that he/she has the right to counsel of his/her choosing, and that counsel may be present to advise him/her at any stage of any interview (50 ILCS 725/3.8).
  - (k) All members subjected to interviews that could result in discipline have the right to have representation by counsel of the member's choosing and may request counsel at any time before or during an interview. When a request for counsel is made, the interview shall not proceed until a reasonable time and opportunity are provided to the member to obtain counsel. If a collective bargaining agreement requires the presence of a representative of the collective bargaining unit during investigations, the representative shall be present during the interview, unless this requirement is waived by the member being interviewed (50 ILCS 725/3.9). However, in order to maintain the integrity of each employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
  - (l) All members shall provide complete and truthful responses to questions posed during interviews.
  - (m) No member may be compelled to submit to a polygraph test, or any other test questioning by means of any chemical substance, except with the member's express written consent. Refusal to submit to such tests shall not result in any disciplinary action nor shall such refusal be made part of his/her record (50 ILCS 725/3.11).
  - (n) These provisions do not apply to any member charged with violating any provisions of the Criminal Code of 2012, or any other federal, state or local criminal law (50 ILCS 725/5).
  - (o) These provisions apply only to the extent that there is no collective bargaining agreement currently in effect dealing with the subject matter of these provisions (50 ILCS 725/6).

#### 1019.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

## *Personnel Complaints*

---

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

### 1019.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

### 1019.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

### 1019.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.



## *Personnel Complaints*

---

### **1019.7 ADMINISTRATIVE SEARCHES**

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

### **1019.8 ADMINISTRATIVE LEAVE**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

### **1019.9 CRIMINAL INVESTIGATION**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The La Grange Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

No disciplinary action should be taken until an independent administrative investigation is conducted.

### **1019.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Complaints*

---

#### 1019.10.1 DEPUTY CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Deputy Chief of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Deputy Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Deputy Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Deputy Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

#### 1019.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Deputy Chief for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
  - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
  - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### 1019.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.



## *Personnel Complaints*

---

### **1019.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

### **1019.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

### **1019.13 POST-DISCIPLINE APPEAL RIGHTS**

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal pursuant to the personnel rules and applicable guidelines; pursuant to the collective bargaining agreement; if non-home rule, the procedures outlined in 65 ILCS 5/10-2.1-1; if civil service, the procedures outlined in 65 ILCS 5/10-1-1.

### **1019.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS**

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

## *Personnel Complaints*

---

### **1019.15 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

### **1019.16 MANDATORY NOTIFICATION TO THE ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD**

The Chief of Police or the authorized designee shall notify the ILETSB of any final determination of discipline in the following circumstances (50 ILCS 705/6.2):

- (a) The officer is discharged or dismissed as a result of the violation.
- (b) The officer resigns during the course of an investigation and after being served notice that he/she is under investigation that is based on the commission of a Class 2 or greater felony.

The notification shall occur within 30 days of a final decision and exhaustion of any appeal, or resignation, and shall provide information regarding the nature of the violation.

# BEHAVIOR OBSERVATION

## 1020.1 PURPOSE AND SCOPE

The La Grange Police Department is committed to ensuring the safety and health of its employees, thus all Departments have established departmental/operational guidelines and other safe work practices to assist personnel. Personnel are expected to be familiar with all department procedures as well as utilize appropriate equipment and Personal Protective Equipment (PPE) as necessary. In order to ensure that each practice is followed by personnel regularly, behavior observations will be conducted in each department/division as outlined within this policy.

## 1020.2 OBJECTIVE

Behavior Observation is a systematic method of reviewing the behavior present within a workplace. Observations should occur continually, and become a permanent part of the La Grange Police Department's risk management program. We will review and analyze our observation findings in order to better understand our personnel's behaviors so that we may provide the best feedback to promote safe performance. This will allow us to better coach personnel on how to best perform everyday tasks to reduce the adverse impact of at risk behaviors on employees, department assets, and for the members of the general public.

## 1020.3 POLICY

It is the policy of the La Grange Police Department to conduct Behavior Observations systematically using the attached checklist. At minimum, each Department/Division will be required to conduct at least one Behavior Observation on a Monthly basis, but it is desirable to have each supervisor conduct at least one observation on a different employee each month.

However, supervisors should give positive and/or corrective feedback informally whenever the opportunity arises. Departments/Divisions are encouraged to establish more stringent requirements, but shall not decrease frequency to less than a monthly basis.

## 1020.4 USE OF OBSERVATION CHECKLIST

The safe work practices Behavior Observation Checklist incorporated into this policy was developed to assist supervisors when observing employees. The checklist will prompt them to look for those particular identified behaviors that if reinforced positively, should minimize potential for employee injury/illness, damage to our property or that of others and injury/illness to other individuals.

The checklist is organized by specific elements that are similar to all tasks performed throughout the Department. The Department may amend this checklist, but it should be kept simple, easy to use, and understandable by all personnel within the Department. Emphasis should be placed on a minimum number of behaviors until all are consistently found to be adhered to by all personnel. Positive reinforcement and feedback are the desired methodologies used to achieve the goal of minimizing at risk behaviors. Behavior observation data will be used in development of future training programs and annual strategic plans.

## *BEHAVIOR OBSERVATION*

---

### **1020.5 RESPONSIBILITIES**

#### **1020.5.1 DEPARTMENT SAFETY COMMITTEE CHAIR**

1. Ensure that Behavior Observation program is implemented.
2. Ensure that each supervisor completes at least one (1) observation per month.
3. Ensure that monthly reports are processed and forwarded to Departmental and Village Safety Committee Chair.
4. Discuss summary findings/results at next Departmental Staff Meeting as scheduled.

#### **1020.5.2 SUPERVISORS**

1. Conduct at least one (1) observation per month on a different employee each month throughout calendar year.
2. Explain purpose of observation process and how results are utilized.
3. Discuss results of observation with relevant employee(s) in a positive manner (corrective actions for continued at risk behaviors should be conducted privately).
4. Submit completed observation forms to Department Safety Committee Chair within 72 hours of completion.
5. Review cumulative data on at risk behaviors in order to develop an appropriate corrective action plan on at least a quarterly basis.
6. Recommend potential changes to observation form/tool based on cumulative findings to the Department Head and/or Safety Committee Chair.

#### **1020.5.3 EMPLOYEES**

1. Perform tasks according to department procedures and applicable recognized practices.
2. Participate in observation program as scheduled.
3. Discuss observation findings with supervisor and provide positive recommendations in order to prevent future at risk behaviors.

### **1020.6 CONCLUSION**

Behavior Observations are an essential tool of any sound risk management program. This program will assist the La Grange Police Department in preventing further losses, but most of all, ensure that all personnel are aware of our expectations in performing their assigned tasks efficiently and safely.

We hope that this program will assist in promoting desired behaviors and identifying at risk behaviors for both management and employees to develop corrective action plans to prevent an incident from occurring. Commitment to this program is mandatory and participation at all levels is expected in order for a safe and healthy workplace to be maintained for the benefit of all.

# La Grange Police Department

## La Grange PD Policy Manual

### *BEHAVIOR OBSERVATION*

---

## Seat Belts

### 1021.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

#### 1021.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 and 625 ILCS 25/4.

### 1021.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

### 1021.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

### 1021.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

# La Grange Police Department

## La Grange PD Policy Manual

### *Seat Belts*

---

#### **1021.5 POLICY**

It is the policy of the La Grange Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle crash.

#### **1021.6 TRANSPORTING CHILDREN**

Child passengers shall be transported using an approved child restraint system in compliance with 625 ILCS 25/4.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

#### **1021.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

#### **1021.8 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

# Body Armor

## 1023.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

### 1023.1.1 DEFINITION

**Body Armor** - is an article of protective clothing that works as a form of armor to minimize possible injury from projectiles fired from handguns, shotguns, rifles, and in some cases even shrapnel from explosives such as hand grenades. Body Armor will not protect an officer from injury or even death in all instances. Protection varies depending of the type of weapon and projectile.

## 1023.2 POLICY

It is the policy of the La Grange Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

## 1023.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the La Grange Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice (50 ILCS 712/10).

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to this schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

### 1023.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.



## *Body Armor*

---

### 1023.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

### 1023.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

### 1023.3.4 WARRANTY PERIODS

All body armor shall be replaced before or at the expiration of the warranty at the Department's expense (50 ILCS 712/10).

## **1023.4 USE**

All officers engaged in uniformed patrol are required to wear body armor unless exempted by this policy. Body armor will be worn during field training. Personnel who are involved in high-risk tactical duties are required to wear protective body armor regardless of exemptions that may be in effect. Examples of high-risk situations include, but are not limited to; planned warrant executions, drug raids, etc. A law enforcement officer may be exempt from wearing body armor as follows:

- When an agency-approved physician determines an officer has a medical condition that would preclude use of body armor, or
- When the officer is involved in undercover or plainclothes work that his/her supervisor determines would be compromised by use of body armor, or
- When the officer is assigned to perform an administrative function; or
- When the Chief of Police determines an exemption is appropriate.

Officers will wear only agency-approved body armor.

## *Body Armor*

---

### **1023.5 RANGEMASTER RESPONSIBILITIES**

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

### **1023.6 CARE, MAINTENANCE AND INSPECTION**

Each law enforcement officer is responsible for the proper storage and daily inspection of their body armor for signs of damage and general cleanliness.

As dirt and perspiration may erode ballistic panels, each officer will be responsible for cleaning their body armor in accordance with the manufacturer's instructions.

Employees are responsible for reporting any damage or wear to the ballistic panels or cover to their Shift Supervisor.

Supervisors will be responsible for ensuring that body armor is worn and maintained as required by this policy, including a periodic documented inspection of their employee's body armor.

All body armor will be properly stored and periodically checked for signs of damage and aging.

### **1023.7 FUNDING**

The Rangemaster should coordinate with other La Grange officials as appropriate to ensure grant funding is sought as appropriate (50 ILCS 712/10). The Rangemaster should also ensure that Department procedures are not in conflict with the terms of any applicable grant.

## Personnel Records

### 1025.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

### 1025.2 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
  - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
  - 2. Any member response shall be attached to and retained with the original adverse comment (820 ILCS 40/6).
  - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

### 1025.3 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files twice in a calendar year or as otherwise provided in a collective bargaining agreement. The Department will grant the inspection within seven working days (820 ILCS 40/2).

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Records*

---

Any member seeking the removal or correction of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department may remove or correct any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record as long as the contested item is a part of the file (820 ILCS 40/6).

Members may obtain a copy of the information or part of the information contained in their file (820 ILCS 40/3).

A member who is involved in a current grievance against the Department may designate in writing a representative of the member's union or collective bargaining unit or other representative to inspect the member's personnel record which may have a bearing on the resolution of the grievance (820 ILCS 40/5).

Members may be restricted from accessing files containing any of the following information (820 ILCS 40/10):

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

#### **1025.4 RETENTION AND PURGING**

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

# La Grange Police Department

## La Grange PD Policy Manual

### Personnel Records

---

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

#### 1025.4.1 SPECIFIC RETENTION REQUIREMENTS

Unless provided otherwise in this policy, the following records shall be maintained (56 Ill. Adm. Code 320.140):

- (a) Member payroll records, including name, address, occupation, wages, records of wages and other forms of compensation, dates of hire, promotion and dates of pay increases shall be maintained for a minimum of five years.
- (b) Personnel records, including qualifications for hire, records of promotion, transfer, discipline, certifications, evaluations, written job offers and any available explanations of member compensation shall be maintained for a minimum of five years.

#### 1025.5 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Illinois (5 ILCS 140/7).

#### 1025.6 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

#### 1025.7 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Deputy Chief in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Deputy Chief supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained

## *Personnel Records*

---

- (b) Unfounded
- (c) Exonerated

### **1025.8 TRAINING FILE**

An individual training file shall be maintained by the Training Supervisor for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Supervisor or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Supervisor or supervisor shall ensure that copies of such training records are placed in the member's training file.

### **1025.9 MEDICAL FILE**

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

### **1025.10 SECURITY**

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Village Manager, Village Attorney or other attorneys or representatives of the Village in connection with official business.

# La Grange Police Department

## La Grange PD Policy Manual

### *Personnel Records*

---

#### 1025.10.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records, FOIA Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

#### 1025.10.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

## Vacation Selection for Patrol Shift Personnel

### 1027.1 PURPOSE AND SCOPE

Employees of the police department are provided with a vacation leave which begins at the commencement of employment. Vacations shall be scheduled to meet the operating requirements of the police department and may be adjusted to accommodate seasonal operations, revisions within the organization, work assignments, and the preference of employees.

### 1027.2 SELECTING VACATION

Selections for vacations by police officers will be made immediately after the annual shift selections have been completed. Selections will be made using the Annual Vacation Selection Form, at the end of this policy. The number of hours earned and available to each employee is detailed in the Village of La Grange Personnel Manual under Section 6.5 Vacation Leave.

### 1027.3 POLICY

Vacation selections will be made at the shift level, and in three (3) picks, in the following sequence: Watch Commander; Sergeants; and then patrol officers by seniority.

- (a) Do not include the Chief of Police or Deputy Chief of Police as part of manpower.
  - 1. Investigators may be considered as part of manpower needs in the event of extreme shift shortages, as determined by the Chief of Police.
- (b) Only three (3) consecutive weeks can be selected during the period defined as “prime time,” Memorial Day to Labor Day.
- (c) A week constitutes time off between two Regular Day-Off (RDO) periods.
- (d) When selecting vacation dates, please include days off at the beginning/end.
- (e) Minimum standards must be met for each day employees are taking off.
- (f) All holidays during a scheduled vacation will be carried as Holiday Off.
- (g) A master Annual Vacation Selection Form will be used for each shift.
- (h) Employees should make their selection within five (5) calendar days and advise the next officer that it is their turn to select.
- (i) Each employee will have the opportunity to make three (3) selections on their respective shift.
- (j) Employees who do not make their selection within five (5) calendar days will be passed up and the selection will then go to the next person on the shift selection form.
- (k) After each employee has made three (3) selections any additional picks will be considered on a first come, first served basis.

The Chief of Police or Deputy Chief of Police must approve any deviations from these guidelines.



# La Grange Police Department

## La Grange PD Policy Manual

### *Vacation Selection for Patrol Shift Personnel*

---

#### **1027.4 MEMBER RESPONSIBILITY**

- (a) It is the responsibility of the employee to assure he/she has, or will have the allotted vacation time on the books.
- (b) Even if the vacation time was pre-approved, employees are not allowed to take vacation time if they do not have sufficient earned vacation time available.
- (c) It is the responsibility of the employee to make certain their vacation pick was approved and scheduled.

#### **1027.5 SUPERVISOR RESPONSIBILITY**

- (a) The Chief of Police or Deputy Chief of Police shall distribute the Annual Vacation Selection Form immediately after the patrol shift picks have been completed.
- (b) The Watch Commander shall oversee the vacation selection process on their respective shift.

See attachment: [Vacation Pick Form - 2014.pdf](#)

# Commendations and Awards

## 1029.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the La Grange Police Department and individuals from the community.

## 1029.2 POLICY

It is the policy of the La Grange Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

### 1029.2.1 AWARDS REQUEST/NOMINATION FORM

See attachment: [Awards Request.jpg](#)

## 1029.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

### 1029.3.1 MERITORIOUS OR COMMENDABLE ACTS BY DEPARTMENT MEMBERS

A meritorious or commendable act by a member of this department may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond the typical duties of a member of this department.

### 1029.3.2 DOCUMENTATION OF MERITORIOUS ACTS BY CITIZENS

Meritorious acts performed by citizens and observed by members of this department should be documented using the same process for members, with areas for inapplicable information left blank. Adequate information to identify the persons performing the meritorious act should be included on the form.

Any documentation in any form from the public identifying meritorious conduct of a citizen should be accepted by any department member forwarded to the receiving member's Deputy Chief . Attempts to obtain detailed information regarding the incident and the person performing the meritorious act, as well as the person submitting the document, should be made by the member. Additional details should be documented as appropriate.

## 1029.4 AWARDS

# La Grange Police Department

## La Grange PD Policy Manual

### *Commendations and Awards*

---

#### 1029.4.1 WRITTEN COMMENDATION

Issued by the Chief of Police based upon the Chief's knowledge of an occurrence, or upon the recommendation of another member of the department, typically the Watch Commander during the shift in which the performance occurred.

- Letter of Commendation
- Letter of Appreciation

#### 1029.4.2 CITATION BARS AND AWARDS

Awarded to a department member through a certificate signed by the Chief of Police and issuance of a citation bar. This honor is based on the Chief's knowledge of an occurrence, or upon recommendation of another member of the department, typically the Watch Commander during the shift in which the performance occurred. The citation bar is to be worn according to the specification of the uniform policy.

- **Chief's Award of Valor** An award for an outstanding act of individual heroism in the line of duty or a highly unusual accomplishment under adverse conditions, at imminent personal hazard of life, and with full knowledge of the risk involved.
- **Gallantry Star** An award for an act of distinguished bravery in the arrest of a person who is a major threat to the welfare of the village, community and/or the officer or for a serious injury received in the line of duty, inflicted intentionally by an adversary.
- **Life Saving** An award for an act in the line of duty that, through disregard of personal safety or prompt and alert action, results in saving or prolonging a life.
- **Meritorious Service** An award for creditable accomplishment, bringing public or professional acclaim to himself or herself, to the department, or the police profession, as a result of showing initiative devotion to duty or service to the public.
- **Good Conduct** An award for five years of service without an instance of suspension or written reprimand for any matter generated for personnel records.
- **Unit Citation** An award for a group or team of employees who in concert have performed an exceptionally valuable act in the line of duty, including an investigation, tactical operation or other endeavor leading to a major arrest, a significant arrest, a key accomplishment in the area of crime prevention or community service.
- **Education Achievement** An award for obtaining a bachelor's degree in any college program.
  - Receives a white star for obtaining a Master's Degree
  - Receives a gold star for obtaining a Doctorate or Juris Doctorate
- **Special Event** An award for a national or historic event or a professional accomplishment, which is worn in remembrance of the event or accomplishment.

An illustration of the various citation bars is as follows.

# La Grange Police Department

La Grange PD Policy Manual

## *Commendations and Awards*

---

[See attachment: Awards and Commendations.jpg](#)

### 1029.4.3 APPURTENANCE

Small additions to the citation bars recognizing multiple awards and placed upon the citation bar as follows:

- Gold Shield with numeric value indicating total number of like awards received.

## Fitness for Duty

### 1031.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

### 1031.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

### 1031.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Watch Commander or employee's available Deputy Chief, a determination should be made whether or not the employee should be temporarily relieved from their duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

### 1031.4 NON-WORK-RELATED CONDITIONS

Any employee suffering from a non-work-related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

## *Fitness for Duty*

---

### **1031.5 WORK-RELATED CONDITIONS**

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Watch Commander or unit supervisor and concurrence of a Deputy Chief, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

### **1031.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS**

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Personnel Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform his or her job duties. If the employee places his or her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding.
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order or any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.
- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

### **1031.7 LIMITATION ON HOURS WORKED**

Absent emergency operations or exigent circumstances members should not work more than:

# La Grange Police Department

## La Grange PD Policy Manual

### *Fitness for Duty*

---

- 16 hours in one day (24 hour) period or
- 30 hours in any two-day (48 hour) period or
- 84 hours in any seven-day (168 hour) period

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other on or off-duty work assignments including, but not limited to, work authorized by the department under the Outside Employment Policy.

#### **1031.8 PHYSICAL FITNESS PROGRAM**

In order to maintain efficiency in the Police Department, to protect the public and to reduce insurance costs and risks the Village shall establish mandatory physical fitness requirements for all police officers.

##### **1031.8.1 PHYSICAL FITNESS STANDARDS**

The Department shall adopt the State of Illinois Physical Fitness Training Standards also known as the P.O.W.E.R. Test (Peace Officer Wellness Evaluation Report) as the approved physical fitness standards in which all officers will be tested.

Officers are required to make a good-faith effort to meet these standards. A score of 90% shall be considered a passing score.

Officers shall be required to meet these standards on an annual basis.

Officers failing to meet these standards are subject to disciplinary action as spelled out in the collective bargaining agreement.

#### **1031.9 REVOCATION OR SEIZURE OF FIREARM OWNER'S IDENTIFICATION CARD**

Possession of a Firearm Owner's Identification Card (FOID) is not a condition of continued employment if the officer's FOID is revoked or seized, because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to him/herself or others as determined by a physician, clinical psychologist, or qualified examiner (50 ILCS 725/7.2).

##### **1031.9.1 DOCUMENTATION**

If a determination is made that an officer poses a clear and present danger to him/herself or others, such determination shall be documented in the officer's medical file (50 ILCS 725/7.2).

#### **1031.10 AVAILABILITY OF MENTAL HEALTH SPECIALISTS**

The Department shall make mental health resources, including counselors and therapists, available to members (55 ILCS 5/3-6012.2; 65 ILCS 5/11-1-14).

## Meal Periods, Breaks, Restricted Leave

### 1033.1 PURPOSE AND SCOPE

This policy regarding meals and breaks is superseded by the affected employee's collective bargaining agreement. If not covered in the employee's collective bargaining agreement, this policy shall conform to and be guided by the policy governing all Village employees that has been established by the Village Manager (820 ILCS 140/3).

#### 1033.1.1 MEAL PERIODS

Sworn officers and Telecommunicators shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

All employees will receive an appropriate meal period not more than five hours from the start of the work period absent emergency situations or upon approval of the Watch Commander (820 ILCS 140/3). No meal period shall be permitted within the first or last hour of the work period.

Uniformed patrol shall request clearance from Telecommunication Center prior to taking a meal period. Uniformed officers shall take their breaks within the Village limits unless on assignment outside of the Village or approved by the Watch Commander.

The time spent for the meal period shall not exceed 30 minutes.

Meal periods and break periods shall not be combined to make the period longer.

Meal periods shall not be added to any time off such as compensatory time.

#### 1033.1.2 BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks in their assigned areas, subject to call and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of the Communications Center. Exceptions require supervisor approval.

The time spent for the break period shall not exceed the authorized time allowed.

Break periods shall not be added to any time off such as compensatory time.

### 1033.2 RESTRICTED LEAVE

Employees upon request may use up to one hour of paid leave or more if authorized by the collective bargaining agreement to donate blood every 56 days (820 ILCS 149/10).

Employees with the approval of a supervisor are entitled to take up to two hours of paid leave to vote (10 ILCS 5/17-15).



## Lactation Break Policy

### 1034.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for reasonable accommodations for members desiring to express breast milk for the member's infant child as outlined in the Nursing Mothers in the Workplace Act (820 ILCS 260/10; 29 USC § 207).

### 1034.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child up to one year after the child's birth (820 ILCS 260/10; 29 USC § 207).

### 1034.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

Members desiring to take a lactation break shall notify the Communications Center or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would unduly disrupt department operations (820 ILCS 260/10; 775 ILCS 5/2-102).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### 1034.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall (820 ILCS 260/15). The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Members occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

# La Grange Police Department

La Grange PD Policy Manual

## *Lactation Break Policy*

---

### **1034.5 STORAGE OF EXPRESSED MILK**

Any member storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the member ends her shift.

## Payroll Records

### 1035.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

#### 1035.1.1 REQUEST FOR LEAVE / STATEMENT OF LEAVE FORM

All employees shall submit a Request for Leave / Statement of Leave form to their Lieutenant for approval when taking an leave of absence under the following situations:

- Vacation
- Sick Leave
- Death in Family
- Floating Holiday
- Other (Workman's Compensation, Military Leave)

Failure to submit a Request for Leave / Statement of Leave form may result in an unexcused absence and loss of wages.

All Request for Leave / Statement of Leave forms shall be attached to the employees Time Sheet for approval.

See attachment: [Request for Leave.jpg](#)

### 1035.2 RECORD KEEPING

All original Time Sheets shall be submitted to the Village Finance Department for determination of proper wages and benefits.

The Administrative Assistance will maintain a copy of every employees' Time Sheet for the current year and the previous calendar year.

### 1035.3 POLICY

The La Grange Police Department maintains timely and accurate payroll records.

### 1035.4 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

### 1035.5 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll

# La Grange Police Department

La Grange PD Policy Manual

## *Payroll Records*

---

records shall be completed and submitted to Administration as established by the Village payroll procedures.

### **1035.6 RECORDS**

The Administration Deputy Chief shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

## Overtime Compensation Requests

### 1037.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages or by the allowance of accrual of compensatory time off as provided in the personnel manual or as agreed and in effect through any applicable collective bargaining agreement.

#### 1037.1.1 DEPARTMENT POLICY

Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments.

The individual employee may request compensatory time in lieu of receiving overtime payment, however, the employee may not exceed 80 hours of compensatory time. Employees covered by the collective bargaining agreement may not exceed 123.75 hours of compensatory time.

### 1037.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and forwarding to the Administration Division.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

#### 1037.2.1 EMPLOYEES RESPONSIBILITY

Employees shall complete their time sheet as soon as practical after working overtime. All overtime worked shall be entered on the employee's time sheet prior to submission for approval by their supervisor.

#### 1037.2.2 WATCH COMMANDERS RESPONSIBILITY

The supervisor who approved the overtime earned shall verify that the overtime was worked by initialing the entry on the time sheet.

In order to qualify for either, the employee must complete their time sheet in the correct manner indicating overtime worked or compensatory earned or used and have the time sheet approved by the Watch Commander.

Watch Commanders, after approving payment, will then forward the form to the Administrative Assistant for review and recording of compensatory time earned or used.

# La Grange Police Department

## La Grange PD Policy Manual

### *Overtime Compensation Requests*

---

#### 1037.2.3 ADMINISTRATIVE ASSISTANT RESPONSIBILITY

The Administrative Assistant will review the time sheet for accuracy of compensatory time earned or used and make a copy for the file. The original will be forwarded to the Finance Department for payment.

#### 1037.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the collective bargaining agreement provides that a minimum number of hours will be paid, (e.g., two hours for Court, four hours for outside overtime). In these cases the supervisor will ensure that the actual time worked and the minimum overtime payment is recorded.

##### 1037.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
1 to 15 minutes	.25
16 to 30 minutes	.50
31 to 45 minutes	.75
46 to 60 minutes	1 hour

##### 1037.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the Watch Commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

## Off Duty/Secondary Employment

### 1039.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for departmental employees engaging in off duty/secondary employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any engaging in off duty/secondary employment. Officers who have not completed their probationary period, or who are on medical or other leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in off-duty employment. Approval of engaging in off duty/secondary employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

#### 1039.1.1 DEFINITIONS

**Off duty/Secondary Employment** - Where any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of off duty/secondary employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

**Off Duty Detail** - Any member of this department who performs duties or services on behalf of this department to an outside organization, company, or individual. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

### 1039.2 OBTAINING APPROVAL

No member of this department may engage in any off duty/secondary employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for off duty/secondary employment or engaging in off duty/secondary employment prohibited by this policy may lead to disciplinary action.

To obtain approval for off duty/secondary employment, the employee must complete an Off Duty/Secondary Employment Request which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration, along with any applicable comments or review of work history provided by the submitting supervisor or any other supervisor having information which should be legitimately considered as factors for approval or rejection.

If approved, the employee will be provided with a copy of an approved request. Unless otherwise indicated in writing on the approved request, a request will be valid through the end of the calendar year in which the request is approved, except in cases where the request is revoked as allowed for elsewhere in this policy, prior to the end of the calendar year. Any employee seeking to renew a request shall submit a new Off Duty/Secondary Employment Request in a timely manner.

# La Grange Police Department

## La Grange PD Policy Manual

### *Off Duty/Secondary Employment*

---

Any employee seeking approval of off duty/secondary employment, whose request has been denied, shall be provided with a written reason for the denial of the request at the time of the denial.

#### 1039.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

See attachment: [Off Duty Employment Request.jpg](#)

#### 1039.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) When an employee's performance at this department is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.
- (b) When included as a term or condition of sustained discipline.
- (c) When an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

#### 1039.2.3 REVOCATION/SUSPENSION OF OFF DUTY/SECONDARY EMPLOYMENT REQUEST

Any off duty/secondary employment request may be revoked or suspended under the following circumstances:

- (a) When an employee's performance at this department is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any off duty/secondary employment request(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the off duty/secondary employment request.
- (b) When included as a term or condition of sustained discipline.
- (c) When an employee's conduct or off duty/secondary employment conflicts with the provisions of department policy, the request may be suspended or revoked.
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved off duty/secondary employment request(s) may be rescinded until the employee has returned to a full duty status.



## *Off Duty/Secondary Employment*

---

### **1039.3 PROHIBITED OUTSIDE EMPLOYMENT**

The Department expressly reserves the right to deny any Off Duty/Secondary Employment Request submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of or reliance upon the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient.

#### **1039.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT**

In order to avoid a potential conflict of interest, no member of this department may engage in any outside employment as a private investigator or other similar security position.

Any private organization, entity or individual seeking outside security or traffic control services from members of this department must submit receive permission from the Chief of Police or his/her designee in advance of the desired service.

- (a) The applicant will be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (b) Should such a request be approved, participating employees shall be subject to the following conditions: The officer(s) shall wear the departmental uniform/identification.
  - 1. The officer(s) shall be subject to the rules and regulations of this department and direction of Department supervisors.
  - 2. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
  - 3. Compensation for such approved outside security or traffic direction services shall be pursuant to normal overtime procedures, collective bargaining agreement, or Village ordinance.
  - 4. Outside security services shall not be subject to the collective bargaining process.

## *Off Duty/Secondary Employment*

---

- (c) Officers participating in outside security and traffic control employment shall complete an Off-Duty Detail Assignment form and submit to the Administrative Sergeant. A copy of the form is attached.

### **1039.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE**

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

### **1039.3.3 SPECIAL RESTRICTIONS**

Except for emergency situations or with prior authorization from the Deputy Chief , undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

### **1039.4 DEPARTMENT RESOURCES**

Employees are prohibited from utilizing other departmental employees, and any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

### **1039.5 TERMINATION OF OUTSIDE EMPLOYMENT**

If an employee terminates his/her off duty/secondary employment during the period of a valid request, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued off duty/secondary employment must thereafter be processed and approved through normal procedures set forth in this policy.

### **1039.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY**

Department members engaged in off duty/secondary employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such off duty/secondary employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the off duty/secondary employment along with any related doctor's orders, and make a recommendation to the Chief of Police whether such off duty/secondary employment should continue.

In the event the Chief of Police determines that the off duty/secondary employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's request will be forwarded to the involved employee, and a copy attached to the original work permit.

# La Grange Police Department

## La Grange PD Policy Manual

### *Off Duty/Secondary Employment*

---

Criteria for revoking the off duty/secondary employment request include, but are not limited to, the following:

- (a) The off duty/secondary employment is medically detrimental to the total recovery of the disabled member, as indicated by the Village's professional medical advisors.
- (b) The off duty/secondary employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the La Grange Police Department, a request (in writing) may be made to the Chief of Police to restore the request.

# Occupational Disease and Work-Related Injury Reporting

## 1041.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

### 1041.1.1 DEFINITIONS

Definitions related to this policy include:

**Occupational disease or work-related injury or illness** - Any accidental injury or disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment (820 ILCS 310/1(d)).

## 1041.2 POLICY

The La Grange Police Department will address occupational diseases, applicable mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (820 ILCS 310/1 et seq.).

### 1041.2.1 INJURIES REQUIRING MEDICAL CARE

All work related injuries and work related illnesses requiring medical care must be reported to the Risk Management Office and/or Chief of Police, or other designated person and a claim form shall be provided to the injured employee within 24 hours from the time the injury was discovered, excluding weekends and holidays.

### 1041.2.2 ACCIDENT DEFINED

**Accident** - is defined as any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur (e.g., exposure where no immediate injury is apparent).

### 1041.2.3 EMPLOYEE'S RESPONSIBILITY

Any employee sustaining any work-related injury or illness, as well as any employee who is involved in any accident while on duty shall report such injury, illness or accident as soon as practical to his/her supervisor.

Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

Any employee sustaining a work-related injury or illness that requires relief from duty is required to be examined and/or treated by a doctor.

Any employee sustaining a work-related injury or illness that requires relief from duty is also required to comply with departmental policies and directives relating to the duty to periodically call in during absences, as well as the duty to notify the Department of any change in condition or anticipated duration of the absence.

# La Grange Police Department

## La Grange PD Policy Manual

### *Occupational Disease and Work-Related Injury Reporting*

---

When appropriate, an employee being treated for an on-duty injury should inform the attending physician that a modified duty assignment may be available at the Department. Limited-service duty may be available for the employees whose injuries prevent resumption of regular duties.

An injured employee or employee who has suffered a work-related illness shall report as soon as practical to his/her immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions if they are known. In addition, such employees are required to promptly submit all medical releases, whether partial or full releases, to their supervisor.

#### 1041.2.4 SUPERVISOR'S RESPONSIBILITY

A supervisor learning of any work-related injury, illness or accident shall promptly prepare the appropriate forms as outlined under Policy Manual § 1042.2. Updated copies of forms with instructions for completion provided by Risk Management and/or Chief of Police, or other designated person are kept in the Watch Commander's office. If appropriate or required by Risk Management and/or Chief of Police, or other designated person, an investigation (including the identification of witnesses, interviews, scene documentation, and photographs) should be considered.

For work-related accidents, injuries or illness not requiring professional medical care, a Supervisor's Investigative Report, a Non-Worker's Compensation Accident Report and a Safety Committee Accident/Injury Report shall be completed.

When an accident, injury, or illness is reported initially on the Supervisor's Investigative Report and the employee subsequently requires professional medical care, the State of Illinois Employer's First Report of Injury form (Form IC 45) shall then be completed.

Every injured employee must be provided with an Illinois Workers' Compensation Commission Application For Benefits form (IC 1) within 24 hours, regardless of the nature of illness or injury.

Copies of all reports documenting the accident or injury shall be forwarded to the Watch Commander for review who will then forward a copy to the Chief of Police and the Village's IRMA Coordinator.

#### 1041.2.5 LIEUTENANT RESPONSIBILITY

The Deputy Chief receiving a report of a work-related accident or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police.

#### 1041.2.6 CHIEF OF POLICE RESPONSIBILITY

The Chief of Police shall review and forward copies of the report to the Personnel Department. Any copies of the report and any related documents retained by the Department shall be filed in the employee's confidential medical file and not in the employee's personnel file (see Policy Manual §1026).

## *Occupational Disease and Work-Related Injury Reporting*

---

### **1041.3 SETTLEMENT OFFERS**

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

#### **1041.3.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL**

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the Village to determine whether the offered settlement will affect any claim the Village may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the Village's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

### **1041.4 OTHER DISEASE OR INJURY**

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Deputy Chief through the chain of command and a copy sent to the Administration Deputy Chief .

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

# Personal Appearance Standards

## 1043.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

## 1043.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

### 1043.2.1 HAIR

Hairstyles of all members shall be neat in appearance. Hair will not be styled or sculpted in any radical fashion.

Colors of hair shall be limited to colors that are natural to the human species and conservative artificial variations of natural hair colors.

Hair will be free of any form of ornamentation.

For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail. Hair pins will not be conspicuous when a uniform hat is worn. The use of straight pins, pointed or otherwise is prohibited.

### 1043.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

### 1043.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

### 1043.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his/her designee.

## *Personal Appearance Standards*

---

### **1043.2.5 FINGERNAILS**

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

Fingernail colors shall not be flashy or conspicuous.

### **1043.2.6 JEWELRY AND ACCESSORIES**

No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Earrings shall not be worn by uniformed officers, Investigators or special assignment personnel without permission of the Chief of Police or his/her designee. A single stud pierced earring worn in the lobe of each ear is permissible for female civilian employees.

Only one ring may be worn on each hand of the employee while on-duty.

### **1043.3 TATTOOS**

While on duty or representing the Department in any official capacity, every reasonable effort should be made to conceal tattoos or other body art. At no time while on duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible (examples of offensive tattoos would include, but not be limited to those which depict racial, sexual, discriminatory, gang related, or obscene language).

### **1043.4 BODY PIERCING**

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or bifurcation.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth.
- (d) Branding or scarification.



# Uniform Regulations

## 1045.1 PURPOSE AND SCOPE

The uniform policy of the La Grange Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Section 700 - Department Owned and Personal Property

Section 1024 - Body Armor

Section 1030 - Employee Commendations

Section 1044 - Grooming Standards

Section 1052 - Departmental Badges

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

## 1045.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) All uniform personnel shall maintain their uniforms and equipment in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) All officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to promptly perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (e) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (f) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.
- (g) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.
- (h) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.

# La Grange Police Department

La Grange PD Policy Manual

## *Uniform Regulations*

---

- (i) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or his/her designee.
  - 1. Wrist watch.
  - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
  - 3. Medical alert bracelet.

### **1045.2.1 DEPARTMENT ISSUED IDENTIFICATION**

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Deputy Chief .

### **1045.3 UNIFORM CLASSES**

#### **1045.3.1 CLASS A UNIFORM**

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes:

- (a) Air Force style cap (round) with badge.
- (b) Single breasted navy blue blazer (supervisors).
- (c) Long sleeve polyester/wool blend military style shirt.
  - 1. White (supervisors)
  - 2. Navy blue (Officers)
- (d) Black tie (Clip on or regular) with tie clasp.
- (e) Navy Blue polyester/wool blend pants with quarter front pockets.
- (f) Black oxford shoes (polished or Poromeric).
- (g) White cotton gloves (worn only for ceremonial proceedings)
- (h) Pin on badges, name plate, rank insignia and awards.

#### **1045.3.2 CLASS B UNIFORM**

All officers will possess and maintain a serviceable Class B uniform at all times.

# La Grange Police Department

## La Grange PD Policy Manual

### *Uniform Regulations*

---

The Class B uniform will consist of the following items:

- (a) Head Wear: embroidered department baseball style cap
- (b) Shirt: navy blue long sleeve or short sleeve polyester/cotton blend military style shirt
  - 1. Shirt may be worn with the collar open.
  - 2. No tie is required.
  - 3. A white, navy blue or black crew neck t-shirt must be worn under the shirt.
  - 4. All shirt buttons must remain buttoned except for the last button at the neck.
- (c) Trousers: navy blue polyester/cotton blend cargo style pants.
- (d) Shoes: black polished oxfords, boots or athletic shoes may be worn.
  - 1. Boots with pointed toes are not permitted.
  - 2. No logos of a contrasting color are permitted.
- (e) Embroidered or sewn on badges, name plate, rank insignia and awards are acceptable.

#### 1045.3.3 INCLEMENT WEATHER GEAR

The following items are approved for wearing during rain, cold or hot weather conditions.

- (a) Raincoat/Rain cap
  - 1. Color: black/lime reversible
  - 2. Length: hip length or longer
  - 3. Rain cap must also be clear
  - 4. Matching rain pants are permissible
- (b) Jacket
  - 1. Navy blue "Three Seasons style" jacket with liner
  - 2. Navy blue or black "Chicago PD" style jacket
- (c) Turtleneck/Dickies
  - 1. Black or navy blue
  - 2. May be embroidered with "LGPD" or "DARE" in color of appropriate rank
- (d) Sweater
  - 1. "V" neck type sweater with shoulder epaulets
- (e) Gloves
  - 1. Black in color

# La Grange Police Department

La Grange PD Policy Manual

## *Uniform Regulations*

---

2. Sap type gloves are prohibited
- (f) Scarf
  1. Black or navy in color
- (g) Hat
  1. Embroidered department watch cap
  2. Black or navy blue watch cap
    - (a) Plain
    - (b) "LGPD" embroidered
  3. "Trooper" style fur hat with leather or vinyl top
- (h) Cargo style shorts may be worn during hot weather

### 1045.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine, NIPAS, Truck Enforcement, Bicycle Patrol, Segway Patrol and other specialized assignments.

### 1045.4 INSIGNIA AND PATCHES

- Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first initial and last name or just the name. The nameplate shall be brushed silver for patrol officers and squad leaders. The nameplate shall be brushed gold for the rank of sergeant and above. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.

# La Grange Police Department

## La Grange PD Policy Manual

### *Uniform Regulations*

---

- Assignment Insignias - Assignment insignias, (squad leader, FTO, DARE, NIPAS, etc.) may be worn as designated by the Chief of Police.
- Flag Pin - A U.S. flag pin may be worn, centered above the nameplate.
- Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
- Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform.
  - **Squad Leader:** shall wear silver two striped chevrons on the collar. The chevrons shall be centered in the tip on the collar. The point of the chevron shall be pointed at the top of the collar. A silver band shall be worn on the "5 Star" hat when worn.
  - **Sergeant:** shall wear gold three striped chevrons on the collar. The chevrons shall be centered in the tip on the collar. The point of the chevron shall be pointed at the top of the collar. In addition sergeants shall wear gold three striped chevrons with a black background on each sleeve of the uniform shirt and outer garment centered below the shoulder patch. A gold rope braid shall be worn on the "5 Star" hat when worn.
  - **Deputy Chief:** shall wear two gold colored stars on the collar, parallel and centered between the top and bottom edges of the collar and 1/2" away from the front edge of the collar. Two gold colored stars shall be worn centered front to back and toward the shoulder patch on the epaulets of all outer garments. A gold band shall be worn on the "5 Star" hat when worn.
  - **Chief of Police:** shall wear three gold colored stars on the collar, parallel and centered between the top and bottom edges of the collar and 1/2" away from the front edge of the collar. Three gold colored stars shall be worn centered front to back and toward the shoulder patch on the epaulets of all outer garments. A gold band and two oak leaf clusters on the bill shall be worn on the "5 Star" hat when worn.
- Awards / Citations shall be worn centered and parallel to the top edge of the right breast pocket approximately 1/2" above the name tag. Awards shall be worn in horizontal rows, with no row having more than three awards. The highest award shall be worn to the right most top position.
- The Chief of Police may authorize exceptions.

#### 1045.4.1 MOURNING BADGE

Uniformed employees shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

# La Grange Police Department

La Grange PD Policy Manual

## *Uniform Regulations*

---

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

### **1045.5 CIVILIAN ATTIRE**

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.
- (c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear slacks, shirts, blouses, or suits which are moderate in style.
- (d) The following items shall not be worn on duty:
  - 1. T-shirt alone.
  - 2. Open toed sandals or thongs.
  - 3. Swimsuit, tube tops, or halter-tops.
  - 4. Spandex type pants or see-through clothing.
  - 5. Distasteful printed slogans, buttons or pins.
- (e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the La Grange Police Department or the morale of the employees.

### **1045.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS**

Unless specifically authorized by the Chief of Police, La Grange Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed,

# La Grange Police Department

## La Grange PD Policy Manual

### *Uniform Regulations*

---

the image of another employee, or identify himself/herself as an employee of the La Grange Police Department to do any of the following:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

#### **1045.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT**

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
  - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
  - 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (Policy Manual § 700).

#### **1045.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES**

La Grange Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

La Grange Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

## Police Cadets

### 1047.1 PURPOSE AND SCOPE

Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

### 1047.2 REQUIREMENTS

Membership in the LaGrange Police Department Cadet Program is open to all young adults male or female who meet the following requirements:

- (a) Age 14 through age 20.
- (b) Parental approval.
- (c) Be of good health.
- (d) Be of good moral character with no arrest or conviction records to serious offenses.
- (e) Maintain a minimum grade point average of 2.0 ("C" grade) for all courses taken.

These requirements must be maintained at all times during membership in the program.

### 1047.3 PROGRAM COORDINATOR

The Training Supervisor or his/her appointee will serve as the Program Coordinator. The coordinator will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout the Department. He/she will also monitor the training provided for all cadets and review all decisions affecting job assignments, status for compensation, school attendance and performance evaluations.

#### 1047.3.1 PROGRAM ADVISORS

The Program Coordinator may select individual officers to serve as advisors for the Cadet Program. These officers will serve as mentors for each cadet. Cadets will bring special requests, concerns, and suggestions to their program advisor for advice or direction before contacting the Program Coordinator. One advisor may be designated as the Coordinator's assistant to lead scheduled meetings and training sessions involving the cadets. Multiple cadets may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the Program Coordinator.

### 1047.4 ORIENTATION AND TRAINING

Newly hired cadets will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted in compliance with the Cadet Training Manual. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully in the police officer selection process, as well as the academy training. All



# La Grange Police Department

## La Grange PD Policy Manual

### *Police Cadets*

---

training will focus on improving job performance, as well as preparation to become police officers. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

#### **1047.5 CADET UNIFORMS**

Each cadet will be provided two uniforms meeting the specifications described in the Uniform Manual for non-sworn employees.

#### **1047.6 ROTATION OF ASSIGNMENTS**

Rotating job assignments should occur on a regular basis to enhance the career development for each cadet. Department needs and concerns will take precedence over individual considerations with the final decision resting with the Training Bureau Manager.

In general, senior cadets will be assigned to positions requiring more technical skill or responsibility, as well as serving to train cadets for new assignments or those newly hired.

#### **1047.7 RIDE-ALONG PROCEDURES**

All cadets are authorized to participate in the Ride-Along Program on their own time and as approved by their immediate supervisor and the appropriate Watch Commander. Applicable waivers must be signed in advance of the ride-along. Cadets shall wear their uniform while participating on a ride-along.

#### **1047.8 PERFORMANCE EVALUATIONS**

Performance evaluations for all cadets shall be completed monthly during their first year on probation. Upon successful completion of probation, cadets and senior cadets will be evaluated on a yearly basis to assess their current job performance and their potential as police officers.

# Nepotism and Conflicting Relationships

## 1049.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices to include recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security, while maintaining positive morale by avoiding actual or perceived favoritism, discrimination, or other actual or potential conflicts of interest by or between members of this department.

Violations of this policy may constitute official misconduct by a public officer or employee if he/she, while in his/her official capacity (720 ILCS 5/33-3):

- (a) Intentionally or recklessly fails to perform any mandatory duty as required by law.
- (b) Knowingly performs an act which he/she knows he/she is forbidden by law to perform.
- (c) With intent to obtain a personal advantage for himself/herself or another, he/she performs an act in excess of his/her lawful authority.
- (d) Solicits or knowingly accepts for the performance of any act a fee or reward which he/she knows is not authorized by law.

### 1049.1.1 DEFINITIONS

**Business relationship** - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture, or other transaction where the Department employee's annual interest, compensation, investment, or obligation is greater than \$250.

**Conflict of interest** - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction, or decisions are or may be influenced by the employee's personal or business relationship.

**Nepotism** - The practice of showing favoritism to relatives over others in appointment, employment, promotion, or advancement by any public official in a position to influence these personnel decisions.

**Personal relationship** - Includes marriage, cohabitation, dating, or any other intimate relationship beyond mere friendship.

**Public official** - A supervisor, officer or employee in who is vested with the authority by law, rule or regulation or to whom authority has been delegated.

**Relative** - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling, grandchild, or grandparent.

**Subordinate** - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

## *Nepotism and Conflicting Relationships*

---

**Supervisor** - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation, and/or performance of a subordinate employee.

### **1049.2 RESTRICTED DUTIES AND ASSIGNMENTS**

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts the following reasonable restrictions shall apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
  - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to reassign matters pertaining to the involved employee to an uninvolved supervisor.
  - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department however, reserves the right to transfer or reassign any employee to another position within the same classification to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative, or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee has satisfactorily completed his/her probationary period.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know are under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender, or who engages in serious violations of state or federal laws.

# La Grange Police Department

## La Grange PD Policy Manual

### *Nepotism and Conflicting Relationships*

---

#### 1049.2.1 EMPLOYEE'S RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create an actual or perceived conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninformed, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninformed, immediate supervisor. In the event that no uninformed supervisor is immediately available, the employee shall promptly notify dispatch to have another uninformed employee either relieve the involved employee or minimally remain present to witness the action.

#### 1049.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

## Department Badges

### 1051.1 PURPOSE AND SCOPE

The La Grange Police Department badge and uniform patch as well as the likeness of these items and the name of the La Grange Police Department are property of the Department and their use shall be restricted as set forth in this policy.

### 1051.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

#### 1051.2.1 FLAT BADGE

Badges and departmental identification cards issued to sworn personnel shall be clearly marked to reflect the position of rank or assignment of the employee (e.g. Sergeant, investigator, etc.)

The following badges shall be issued to sworn personnel.

- **Patrol Officer and Squad Leader:** silver finish six-pointed star with black lettering, plain state seal and raised brass number.
- **Investigator:** gold finish tear drop shield with black lettering and full color state seal.
- **Sergeant, Lieutenant and Chief of Police:** gold finish five-pointed star with black lettering and full-color state seal.

Sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

Sworn personnel may carry their departmental identification card and badge off duty. If sworn personnel carry their badge off duty their department issued identification card should also be carried for verification.

#### 1051.2.2 NON-SWORN PERSONNEL

Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

- (a) An officer may sell, exchange, or transfer the flat badge he/she purchased to another officer within the La Grange Police Department with the written approval of the Chief of Police.
- (b) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Policy Manual 700.

## *Department Badges*

---

- (c) An honorably retired officer may keep his/her flat badge upon retirement.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

### **1051.2.3 RETIREE UNIFORM BADGE**

Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Telecommunicator).

The following badges shall be issued to non-sworn personnel.

- Telecommunicator & Clerks: gold finished tear drop shield with plain state seal.
- Parking Enforcement Officer: silver finished tear drop shield with plain state seal.

Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

Non-sworn personnel shall not display any department badge or represent him/her, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

### **1051.3 UNAUTHORIZED USE**

Upon honorable retirement employees with approval from the Chief of Police or his/her designee may keep his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

### **1051.4 PERMITTED USE BY EMPLOYEE GROUPS**

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

### **1051.5 PERMITTED USE BY EMPLOYEE GROUPS**

The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

# La Grange Police Department

## La Grange PD Policy Manual

### *Department Badges*

---

- (a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the La Grange Police Department. The following modifications shall be included:
  - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
  - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

# Temporary Modified-Duty Assignments

## 1053.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, Village rules, and current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

## 1053.2 POLICY

Subject to operational considerations, the La Grange Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

## 1053.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA), Victims' Economic Security and Safety Act, or the Illinois Human Rights Act (820 ILCS 180/5; 775 ILCS 5/1-101 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the La Grange Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

## 1053.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.



# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Modified-Duty Assignments*

---

Employees seeking a temporary modified-duty assignment should submit a written request to their Deputy Chief s or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Deputy Chief will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Personnel Department or the Village Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Watch Commander or Deputy Chief , with notice to the Chief of Police.

#### **1053.5 ACCOUNTABILITY**

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Deputy Chief .

##### **1053.5.1 EMPLOYEE RESPONSIBILITIES**

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Deputy Chief that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

## *Temporary Modified-Duty Assignments*

---

### **1053.5.2 SUPERVISOR RESPONSIBILITIES**

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Deputy Chief of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Deputy Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

### **1053.6 MEDICAL EXAMINATIONS**

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

### **1053.7 PREGNANCY**

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

#### **1053.7.1 NOTIFICATION**

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the Village's personnel rules and regulations regarding family and medical care leave.

### **1053.8 PROBATIONARY EMPLOYEES**

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

### **1053.9 MAINTENANCE OF CERTIFICATION AND TRAINING**

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees

# La Grange Police Department

## La Grange PD Policy Manual

### *Temporary Modified-Duty Assignments*

---

who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

## Personal Lockers

### 1054.1 PURPOSE AND SCOPE

The purpose of this policy shall be to establish specific guidelines for use of personal lockers.

### 1054.2 ASSIGNMENT OF LOCKER

Every employee shall be assigned a locker to store uniforms, equipment and personal hygiene items needed for duty.

Male employee lockers are located in the Men's Locker Room and are numbered 1 to 42.

Female employee lockers are located in the Women's Locker Room and are numbered 43 to 57.

Auxiliary Officers and Cadets lockers are located in their respective rooms.

### 1054.3 ASSIGNMENT OF LOCK

Every employee will be issued a combination lock to secure their assigned locker.

Only the employee assigned to the locker will be given the combination numbers to the lock.

The department shall maintain a list of all locks and combination numbers issued to employees. Only the Chief of Police and the Operations Lieutenant will have access to the combination numbers and a key to open the lock.

No personal locks may be substituted for department issued locks.

### 1054.4 PROHIBITED ACTIVITIES

The following acts are prohibited by this policy and subject to disciplinary action:

- (a) Employees shall not exchange locks or lockers without first obtaining permission from the Chief of Police.
- (b) The following items **SHALL NOT BE KEPT IN A LOCKER:**
  - 1. Evidence
  - 2. Contraband
  - 3. Alcohol
  - 4. Illegal Controlled Substances or Marijuana
  - 5. Explosives
  - 6. Toxic or Caustic Material
  - 7. Hazardous Material
  - 8. Accelerants/Flammable Liquids
  - 9. Any and all items determined by the Chief of Police

## *Personal Lockers*

---

- (c) Nothing may be affixed to the outside surface of the locker.
- (d) Posting inappropriate memorabilia inside a locker.
- (e) Damaging a lock, locker or locker surface.

### **1054.5 ALLOWED ACTIVITIES**

In addition to uniforms, equipment and personal hygiene items, employees are allowed to keep the following items inside their locker:

- Firearms, providing they are made "safe"
- Ammunition
- Weapon cleaning supplies
- Manuals
- Files
- Personal memorabilia of a tasteful nature.
- Food items as long as they are removed at the end of the duty day.

### **1054.6 INSPECTION**

All locks and lockers are property of the Department and are subject to inspection by the Chief of Police or Operations Lieutenant and/or Watch Commander with approval of the Chief of Police at any time.

# Building Security Access Codes

## 1056.1 PURPOSE AND SCOPE

The purpose of this policy shall be to establish specific guidelines for access into the Police Department building.

## 1056.2 DEFINITIONS

**Access Code:** A four digit code assigned to a Police Department employee to gain entry into the Police Department building.

**Scramble Pad:** An electronic access control reader that uses a PIN (Personal Identification Number) to unlock a door.

**Visitor:** Any person not employed by the Village of La Grange.

## 1056.3 POLICY

It shall be the policy of the Department that all exterior doors to the building must be closed and locked at all times. All access to the building will be gained by the use of an assigned access code.

Keys to access the building will not be issued to employees. Any key(s) issued to an employee will be done with approval from the Chief of Police. A key to access the building will be placed on all squad car key rings to be used to enter the building in case of a Scramble Pad malfunction or power outage.

## 1056.4 ISSUANCE OF ACCESS CODES

All employees of the Police Department will be assigned an access code by the Operations Lieutenant. No one other than the Chief of Police and the Operations Lieutenant shall have knowledge of this code.

An employee's access code will be deleted from the system upon cessation of employment.

## 1056.5 LOCATION OF SCRAMBLE PADS

Scramble Pads are located at the east and west rear doors, lobby door by the Records / Parking Window, Fire Department access door and the Evidence Storage Room. All Scramble Pads can be over ridden with a door key. The rear east door, lobby door and Bond Room door can be over ridden by an electronic release from the Telecommunications Center.

## 1056.6 VISITORS

All visitors must sign in at either the Telecommunications Center or Parking Division and be issued a Visitor's Pass. The Visitor Pass must be worn and visible at all times. All visitors must be escorted by a Police Department employee at all times.

---

# Employee Speech, Expression and Social Networking

## 1057.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

### 1057.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file sharing sites.

## 1057.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the La Grange Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

## 1057.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the La Grange Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates.

# La Grange Police Department

## La Grange PD Policy Manual

### *Employee Speech, Expression and Social Networking*

---

Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

#### **1057.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the La Grange Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the La Grange Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the La Grange Police Department or its employees. Examples may include:
  1. Statements that indicate disregard for the law or the state or U.S. Constitution.
  2. Expression that demonstrates support for criminal activity.
  3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a web site that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the La Grange Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department



# La Grange Police Department

## La Grange PD Policy Manual

### *Employee Speech, Expression and Social Networking*

---

for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the La Grange Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.
- (h) Accessing web sites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
  - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
  - 2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

#### 1057.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the La Grange Police Department or identify themselves in any way that could be reasonably perceived as representing the La Grange Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any web site.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the La Grange Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized

## *Employee Speech, Expression and Social Networking*

---

bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502)).

### **1057.5 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

#### **1057.5.1 PERSONAL ONLINE ACCOUNTS**

The Department shall not request, require or coerce any applicant or employee to divulge any username, password or related account information in order to gain access to the applicant or employee's personal online account, nor shall the Department demand access in any manner to an applicant or employee's account or profile on a personal online account (820 ILCS 55/10).

Members may be required to share specific content that has been reported to the Department, without requesting or requiring members to provide access to their personal online account, as set forth in 820 ILCS 55/10.

### **1057.6 CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

### **1057.7 TRAINING**

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

# Illness and Injury Prevention

## 1058.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the La Grange Police Department, in accordance with the requirements of 820 ILCS 219/20 and 56 Ill. Adm. Code 350.20.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Villagewide safety efforts.

## 1058.2 POLICY

The La Grange Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

## 1058.3 ILLNESS AND INJURY PREVENTION PLAN

The Administration Deputy Chief is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
  - 1. Meet regularly.
  - 2. Prepare a written record of safety and health committee meetings.
  - 3. Review the results of periodic scheduled inspections.
  - 4. Review investigations of accidents and exposures.
  - 5. Make suggestions to command staff for the prevention of future incidents.
  - 6. Review investigations of alleged hazardous conditions.
  - 7. Submit recommendations to assist in the evaluation of member safety suggestions.
  - 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

## *Illness and Injury Prevention*

---

- (f) Establishing a process to ensure illnesses and injuries are reported as required under 56 Ill. Adm. Code 350.250 et seq. Notification is required within eight hours after the death of any employee, and within 24 hours of an in-patient hospitalization of one or more employees, or an amputation or loss of an eye (29 CFR 1904.39; 56 Ill. Adm. Code 350.410).

### **1058.4 ADMINISTRATION DEPUTY CHIEF RESPONSIBILITIES**

The responsibilities of the Administration Deputy Chief include, but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
  - 1. New member orientation that includes a discussion of safety and health policies and procedures.
  - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:
  - 1. Informing members of the illness and injury prevention guidelines.
  - 2. Recognizing members who perform safe work practices.
  - 3. Ensuring that the member evaluation process includes member safety performance.
  - 4. Ensuring department compliance to meet standards regarding the following (820 ILCS 219/25; 56 Ill. Adm. Code 350.700):
    - (a) Communicable diseases (29 CFR 1910.1030)
    - (b) Personal protective equipment (PPE) (29 CFR 1910.132 et seq.)
    - (c) Respiratory protection (29 CFR 1910.134)
    - (d) Emergency Action Plan (29 CFR 1910.38)
    - (e) Notices furnished and required by the Illinois Department of Labor's Safety, Inspection and Education Division (56 Ill. Adm. Code 350.30)
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.

## *Illness and Injury Prevention*

---

- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

### **1058.5 SUPERVISOR RESPONSIBILITIES**

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Administration Deputy Chief .
- (e) Notifying the Administration Deputy Chief when:
  - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
  - 2. New, previously unidentified hazards are recognized.
  - 3. Occupational illnesses and injuries occur.
  - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
  - 5. Workplace conditions warrant an inspection.

### **1058.6 HAZARDS**

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on a hazards and correction record form. This form should be forwarded to the Administration Deputy Chief via the chain of command.

## *Illness and Injury Prevention*

---

The Administration Deputy Chief will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

### **1058.7 INSPECTIONS**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Administration Deputy Chief shall ensure that the appropriate documentation is completed for each inspection.

#### **1058.7.1 EQUIPMENT**

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

#### **1058.7.2 CONSULTATION PROGRAM INSPECTIONS**

The Administration Deputy Chief should consider the services of the Illinois On-Site Safety and Health Consultation Program for compliance assistance (56 Ill. Adm. Code 350.600).

### **1058.8 INVESTIGATIONS**

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

## *Illness and Injury Prevention*

---

### **1058.9 TRAINING**

The Administration Deputy Chief should work with the Training Supervisor to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

#### **1058.9.1 TRAINING TOPICS**

The Training Supervisor shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

### **1058.10 RECORDS**

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.



# Line-of-Duty Deaths

## 1059.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the La Grange Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

### 1059.1.1 DEFINITIONS

Definitions related to this policy include:

**Line-of-duty death** - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a non-sworn member during the course of performing their assigned duties.

**Survivors** - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

## 1059.2 POLICY

It is the policy of the La Grange Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

## 1059.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Watch Commander and the Communications Center.
  - 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Chief Of Police or Deputy Chief section of this policy).
- (b) The Watch Commander should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Watch Commander or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.



## *Line-of-Duty Deaths*

---

- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

### **1059.4 NOTIFYING SURVIVORS**

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Watch Commander or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.

# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other La Grange Police Department members may be apprised that survivor notifications are complete.

#### **1059.4.1 OUT-OF-AREA NOTIFICATIONS**

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

#### **1059.5 NOTIFYING DEPARTMENT MEMBERS**

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

## *Line-of-Duty Deaths*

---

### **1059.6 LIAISONS AND COORDINATORS**

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

#### **1059.6.1 DEPARTMENT LIAISON**

The Department Liaison should be a Deputy Chief or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.

# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

#### 1059.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
  - 1. The survivors and others whose presence is requested by the survivors.
  - 2. Department members and friends of the deceased member.
  - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or La Grange Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
  - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
  - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

#### 1059.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

The Survivor Support Liaison should be selected by the deceased member's Deputy Chief. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
  1. Items should not be delivered to the survivors until they are ready to receive the items.
  2. Items not retained as evidence should be delivered in a clean, unmarked box.
  3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
  4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
  1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Chief Of Police or Deputy Chief (Chief of Police) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Chief Of Police or Deputy Chief section of this policy).

# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

#### 1059.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
  - 1. Members involved in the incident.
  - 2. Members who witnessed the incident.
  - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

#### 1059.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
  - 1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
  - 2. Bagpipers/bugler
  - 3. Uniform for burial
  - 4. Flag presentation
  - 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

#### 1059.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many La Grange Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.



# La Grange Police Department

## La Grange PD Policy Manual

### *Line-of-Duty Deaths*

---

#### 1059.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
  - 1. Public Safety Officers' Benefits (PSOB) Programs.
  - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
  - 3. Social Security Administration.
  - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
  - 1. Line of Duty Compensation Act (820 ILCS 315/1 et seq.)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
  - 1. Private foundation survivor benefits programs.
  - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
  - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

#### 1059.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:



## *Line-of-Duty Deaths*

---

1. Paying survivors' travel costs if authorized.
  2. Transportation costs for the deceased.
  3. Funeral and memorial costs.
  4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

### **1059.7 CHIEF OF POLICE OR DEPUTY CHIEF**

In the event of a line-of-duty death, the department's Chief of Police should be the department's contact point for the media. As such, the Chief of Police should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the Chief of Police.
- (c) Prepare necessary press releases.
  1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
  1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the Chief of Police should request that the media withhold the information from release until proper notification can be made to survivors. The Chief of Police should ensure that media are notified when survivor notifications have been made.

## *Line-of-Duty Deaths*

---

### **1059.8 DEPARTMENT CHAPLAIN**

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain are in the Chaplains Policy.

### **1059.9 INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

### **1059.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL**

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

### **1059.11 NON-LINE-OF-DUTY DEATH**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

## Attachments

## Awards Request.jpg



# AWARDS REQUEST/NOMINATION FORM

Any employee may submit this completed form to recommend another employee for an award.

Employee:	Star:	Incident # :
Supervisor:	Star:	Date:
Type of Incident:		

[illegible]**AWARD REQUESTED:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> <b>Award of Valor</b>         | <input type="checkbox"/> <b>Gallantry Star</b>         | <input type="checkbox"/> <b>Life Saving</b>             |
| <input type="checkbox"/> <b>Meritorious Service</b>    | <input type="checkbox"/> <b>Good Conduct</b>           | <input type="checkbox"/> <b>Educational Achievement</b> |
| <input type="checkbox"/> <b>Unit Citation</b>          | <input type="checkbox"/> <b>Special Event</b>          | <input type="checkbox"/> <b>Other</b>                   |
| <input type="checkbox"/> <b>Letter of Commendation</b> | <input type="checkbox"/> <b>Letter of Appreciation</b> |   |

Submitted by:	Rank:	Star:	Date:
---------------	-------	-------	-------

Supervisor's Recommendation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Chief's Comments: \_\_\_\_\_

\_\_\_\_\_

**Request is:**

☐ **APPROVED**☐ **DENIED**

Chief's Signature:	Date:
--------------------	-------

**lineup\_refusal\_2014.pdf**

## Publication2.gif

## APPENDIX A

### Radiation Alarms

< 25 µR/hr – No Alarm	< 2mR/hr		
<ul style="list-style-type: none"> <li>• Verify that your PRD is not in 'Search' mode.</li> <li>• Not life threatening.</li> <li>• Natural environmental factors and differences in background may be the cause of low radiation levels.</li> <li>• Brief investigation may be warranted if time and circumstances allow.</li> </ul>	<ul style="list-style-type: none"> <li>• Low level exposure rate alarm.</li> <li>• Not life threatening. Potential radiation source in the vicinity.</li> <li>• Brief investigation may be warranted.</li> </ul> <p><b>Step One – Determine Source</b> Alarm cannot be the sole cause to effectuate a detention or search. Alarm is part of the <u>totality of circumstances</u>. Officer must be able to articulate reasonable facts, circumstances, and conclusions that support a seizure or detention. If warranted, determine the location of the radioactive material and proceed to Step Two.</p> <p><b>Step Two – Investigation</b> Visually inspect and interview all personnel associated with the radioactive material. If possible, establish a single subject focus (i.e. separate the driver/passengers from the vehicle) Question individuals about possible sources for the radiation alarm. If source is determined to be innocent, allow any detainees to go immediately. If source is undetermined or illegal, proceed to Step Three.</p> <p><b>Step Three – Reach Back</b> Contact the next tier in the PRND response protocol (i.e., Group B which is the LaGrange Fire Department).</p>	<ul style="list-style-type: none"> <li>• High level alarm.</li> <li>• Investigation</li> </ul> <p><b>Step One -</b> Determine radiation source Step Two.</p> <p><b>Step Two -</b> Visually inspect personnel &amp; radioactive establish a (i.e. separate passengers Question in sible source alarm. If source be innocent any detainees If source is gal, proceed</p> <p><b>Step Three</b> If not direct cal infrastru lifesaving a area by set 2mR/hr. Contact the PRND (i.e., Group</p>	



## Chase Bank - Main Map.jpeg

The first part of the paper discusses the importance of understanding the cultural context of the research. It highlights the need for researchers to be sensitive to the values and beliefs of the communities they are studying. This is particularly important in the field of education, where cultural differences can significantly impact learning outcomes.

The second part of the paper focuses on the methodology used in the study. It describes the qualitative approach adopted, which involves in-depth interviews and focus group discussions. The researchers aimed to explore the experiences and perceptions of the participants, rather than testing a specific hypothesis.

The third part of the paper presents the findings of the study. It discusses the themes that emerged from the data, such as the role of family in education and the influence of community norms. The researchers found that there were significant differences in the way that different cultural groups viewed education and learning.

The fourth part of the paper discusses the implications of the findings for practice. It suggests that educators and policymakers should take into account the cultural context of their students and communities when designing educational programs. This could involve providing additional support for students from disadvantaged backgrounds or incorporating culturally relevant content into the curriculum.

The final part of the paper concludes the study and offers some thoughts for future research. It suggests that further exploration of the cultural context of education is needed, particularly in the area of teacher education and professional development.

## Off Duty Employment Request.jpg

LA GRANGE POLICE DEPARTMENT

## OFF DUTY/SECONDARY EMPLOYMENT REQUEST

Before engaging in off-duty employment, employees must complete this form (a separate form for each employer) and submit it to his supervisor. No one may engage in off-duty employment without the express permission of the Chief of Police.

Employee's Name \_\_\_\_\_ Star \_\_\_\_\_ Present Assignment \_\_\_\_\_

Prospective Employer \_\_\_\_\_ Supervisor \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone# \_\_\_\_\_ Anticipated Starting Date \_\_\_\_\_

Description of Job \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Number of Days per week \_\_\_\_\_ Number of Hours per week \_\_\_\_\_

☐ NEW REQUEST    -- OR --    ☐ ANNUAL REQUEST

**NOTE:** The purpose of your off-duty employment must not be to utilize your police skills and/or expertise, and cannot include any occupation that does. Certain occupations may not be approved, i.e., private investigations and/or surveillance activities, since they present temptation to utilize police resources. By signing this request form, you represent and affirm that no such use will take place.

- A. I fully understand that I will not be granted injury leave with pay if I become injured while on this off-duty employment. I must advise my prospective employer of this policy and his/her responsibility if I receive an incapacitating injury.
- B. I am aware that if my off-duty employment is situated outside of the corporate limits of the Village of La Grange, I will not represent myself as a police officer during the performance of my duties. Furthermore, I understand that any liability created through my off-duty, secondary employment, while engaged in such duties or functions, will be my responsibility, and that I will fully indemnify the Department for all costs associated with any legal action stemming from such off-duty, secondary employment. In addition, I accept the condition that I am not to use any municipal equipment, resources, facilities, or the services of our records section in connection with my prospective off-duty employment.

I acknowledge that I have received and read the provisions of the off-duty employment policy of the La Grange Police Department and that I fully understand and agree to all of the provisions of the off-duty employment policy of the La Grange Police Department.

Submitting Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Administrative Sergeant's Acknowledgement \_\_\_\_\_ Date \_\_\_\_\_

Police Chief's Signature \_\_\_\_\_ Date \_\_\_\_\_

Request is:            ☐ APPROVED            ☐ DENIED

## Parking Mediation Form.jpg

## LA GRANGE POLICE DEPARTMENT

**Parking Ticket Mediation Form**

**Directions:** If you wish to have your parking ticket reviewed, you may complete this form and submit it to a clerk. A police supervisor will review it and you will be notified of the decision via U.S. Mail. *No cases will be mediated after a delinquent notice has been mailed.* Please print legibly.

Your Name:		Phone #:	
Address:		City/State/Zip:	
Ticket #:	Date/Time Issued:	Officer:	
Violation:		Location:	
<b>Vehicle Information</b>			
Color:	Year:	Make:	Model:
License Plate:	State:	Year:	
Describe the special circumstances you feel justify dismissal of your ticket:			

Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

***Do Not Write Below This Line – Police Department Use Only***

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

<b>Supervisor's Comments:</b>

**DISPOSITION:**

- ☐ Ticket Dismissed (no fine, no Court appearance) because:
- ☐ It was improperly issued
  - ☐ It was properly issued, but there are mitigating circumstances
- ☐ Ticket **will not be** dismissed. The fine is payable until the assignment of a Court date.
- ☐ The due date has been extended to: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

## **Certification of Understanding.jpg**





## LA GRANGE POLICE DEPARTMENT COMPUTER USE POLICY



### CERTIFICATION OF UNDERSTANDING

I certify that I have read, understand, and agree to the terms set forth in this document. I understand that all electronic communication systems and all information sent by, received from or stored in these systems are the property of the Police Department. I have no expectation of privacy in connection with the use of this equipment or with the transmission, receipt, or storage of information in this equipment. I acknowledge and consent to the Police Department monitoring my use of this equipment at any time. I understand that inappropriate use of the Local Area Network and Internet during work hours is not permitted and may be amount to a theft of time. I understand that violation of the Police Department Computer procedure is grounds for disciplinary action up to, and including, dismissal. I further certify that I have received a copy of this document for future reference.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

This document will be placed in the employee's personnel file.



## Ride Along Release.jpg



# LA GRANGE POLICE DEPARTMENT

## RIDE-ALONG PROGRAM

### Release from Liability

I, \_\_\_\_\_ release the Village of La Grange, the Chief of Police of La Grange and any member of the La Grange Police Department from any and all liability claims should I sustain any type of injury while riding with the La Grange Police Department on \_\_\_\_\_.

This release shall include injuries received while riding in a Village of La Grange Police Department squad car or while being present during any normal or unusual police action. Even though I realize police work is dangerous in nature, I personally accept full responsibility for my voluntary participation as an observer and for any consequences I may suffer as a result of this decision.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Watch Commander: \_\_\_\_\_ Date: \_\_\_\_\_

## Use of Force.jpg

# LA GRANGE POLICE DEPARTMENT

# USE OF FORCE REPORT



Date \_\_\_\_\_ Time \_\_\_\_\_ Incident # \_\_\_\_\_ Location \_\_\_\_\_

Type of incident: Weapon \_\_\_\_\_ Make and caliber \_\_\_\_\_ Serial # \_\_\_\_\_

Physical Force: Baton \_\_\_\_\_ Hands \_\_\_\_\_ Other \_\_\_\_\_ Officer \_\_\_\_\_

Incident was in line of duty \_\_\_\_\_ Accidental \_\_\_\_\_ other \_\_\_\_\_

Nature of injury \_\_\_\_\_

Injured person: \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Was injured person under arrest? \_\_\_\_\_ Officer \_\_\_\_\_ Citizen \_\_\_\_\_ Witness \_\_\_\_\_ Other \_\_\_\_\_

Was hospitalization required? \_\_\_\_\_ Emergency Room Treatment \_\_\_\_\_ Hospital \_\_\_\_\_

Witnesses (name, address, phone) \_\_\_\_\_

Property Damage (describe) \_\_\_\_\_

Narrative: \_\_\_\_\_

Officer: \_\_\_\_\_ Date \_\_\_\_\_

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

## **1st National Bank of La Grange Map.jpeg**



## **Vacation Pick Form - 2014.pdf**





## **LGPD Behavior Observation Checklist.pdf**

## Chase Bank - Drive-up Map.jpeg









## Bank of America Map.jpeg

100

\_\_\_\_\_

## **Awards and Commendations.jpg**

	
Chief's Award of Valor	Gallantry Star
	
Life Saving Award	Meritorious Service
	
Chief's Award of Merit (pre 2003)	Unit Citation
	
Good Conduct	Educational Achievement
	
Other Approved Award	Special Event

## Harris Bank Map.jpeg





## Village Hall Map.jpeg



**lineup\_advisement\_nonindependent\_2014.pdf**

**lineup\_advisement\_independent\_2014.pdf**

## **MB Financial Bank Map.jpeg**



## Request for Leave.jpg



**VILLAGE OF LA GRANGE**  
**Request for Leave / Statement of Leave**

Employee Name:	Available Leave Time:	
Dates Requested / Taken: (circle one)	Hours / Days Requested / Taken: (circle one ea.)	
Code # / Type of Leave: 1 ( ) Vacation 2 ( ) Sick Leave 3 ( ) Death in Family 6 ( ) Personal Necessity (Fire Dept.)**	8 ( ) Safety Time 9 ( ) Conference / Training ** 11 ( ) Compensatory Time 12 ( ) Trading Time (Fire Dept.) 13 ( ) FLSA day (Fire Dept.) 14 ( ) Floating Holiday 17 ( ) Other**	
** Please explain:		
Employee Signature:	Date Filed:	
APPROVED / DENIED (circle one) Supervisor Signature:	Date:	
APPROVED / DENIED (circle one) Department Head Signature:	Date:	

White copy to Personnel - Yellow copy to Department Head - Pink copy to Employee

## National City Bank Map.jpeg



## Pursuit Driving Report.jpg



# LA GRANGE POLICE DEPARTMENT

1. Report to be completed by primary unit officer 2. More than one condition per category can be cited.

## 1. Officer Information

Yrs of Service \_\_\_\_\_  
Age \_\_\_\_\_  
Sex \_\_\_\_\_  
Full Time \_\_\_\_\_  
Part Time \_\_\_\_\_

## 2. Initiating Event

Minor traffic law violation \_\_\_\_\_  
Suspected DUI \_\_\_\_\_  
Reckless driving \_\_\_\_\_  
Suspected stolen vehicle \_\_\_\_\_  
Outstanding Misdemeanor Warrant \_\_\_\_\_  
Felony Property Crime Warrant \_\_\_\_\_  
Felony Violent Crime Warrant \_\_\_\_\_  
Suspected criminal activity \_\_\_\_\_  
Wanted by another agency \_\_\_\_\_  
Felony Crime \_\_\_\_\_  
Misdemeanor crime \_\_\_\_\_  
Firearm Use by Offender in Crime or Escape \_\_\_\_\_  
Other (explain) \_\_\_\_\_

## 3. Supervisor Notification

By Officer \_\_\_\_\_  
By Dispatcher \_\_\_\_\_  
Other \_\_\_\_\_

## 4. Duration of Pursuit in Minutes

Minutes \_\_\_\_\_

## 5. Contraband Found

Yes \_\_\_\_\_  
No \_\_\_\_\_

## 6. Weather Conditions

Rain \_\_\_\_\_  
Snow \_\_\_\_\_  
Sleet/Hail \_\_\_\_\_  
Fog/Smog/Haze \_\_\_\_\_  
Other (describe) \_\_\_\_\_

## 7. Locale

Urban \_\_\_\_\_  
Residential/Suburban \_\_\_\_\_  
Rural \_\_\_\_\_

## 8. Road Type

Two-lane \_\_\_\_\_  
Four-lane \_\_\_\_\_  
Expressway/Interstate \_\_\_\_\_  
Toll Road \_\_\_\_\_  
Unpaved, any width \_\_\_\_\_

## 9. Your Pursuit Vehicle was:

Marked \_\_\_\_\_  
Semi-Marked \_\_\_\_\_  
Unmarked \_\_\_\_\_  
Other \_\_\_\_\_

## 10. Number of Police Units Involved

Your agency \_\_\_\_\_  
Other agency \_\_\_\_\_  
Air support \_\_\_\_\_

## 11. Other Agencies Involved

Number of other agencies \_\_\_\_\_

## 12. Distance of Pursuit

Under 1/2 mile \_\_\_\_\_  
1/2 - 1 mile \_\_\_\_\_  
1 - 2 miles \_\_\_\_\_  
2 - 3 miles \_\_\_\_\_  
3 - 4 miles \_\_\_\_\_  
4 - 5 miles \_\_\_\_\_  
Other (enter miles) \_\_\_\_\_

## 13. Suspect Vehicle Type

Car \_\_\_\_\_  
Truck \_\_\_\_\_  
Van \_\_\_\_\_  
Motorcycle \_\_\_\_\_  
Other (describe) \_\_\_\_\_

## 14. Number of Passengers in Suspect Vehicle

Enter Number \_\_\_\_\_

## 15. Fleeing on Foot (if Attempted)

Driver Apprehended \_\_\_\_\_  
Number of Passenger(s) Apprehended \_\_\_\_\_

## 16. Highest Speed of Suspect(s) Vehicle

Highest Speed \_\_\_\_\_

## 17. Highest Speed of your Police Unit

Highest Speed \_\_\_\_\_

## 18. Crash Information

None \_\_\_\_\_  
Property Damage \_\_\_\_\_  
Private \_\_\_\_\_  
Public \_\_\_\_\_  
Type: \_\_\_\_\_

## Vehicle Damage:

Suspect(s) Number \_\_\_\_\_  
Citizen(s) Number \_\_\_\_\_  
Your/Departmental number \_\_\_\_\_  
Personal Injury \_\_\_\_\_  
You \_\_\_\_\_  
Suspect \_\_\_\_\_  
Citizen(s) Number \_\_\_\_\_  
Passenger(s) Number \_\_\_\_\_  
Fatality \_\_\_\_\_  
Subject \_\_\_\_\_  
Citizen \_\_\_\_\_  
Passenger(s) \_\_\_\_\_  
10505SR Crash Report Number \_\_\_\_\_

## 19. Reason for Pursuit Termination

Suspect Surrendered/stopped \_\_\_\_\_  
Suspect fled on foot \_\_\_\_\_  
Suspect vehicle disabled \_\_\_\_\_  
Your vehicle disabled \_\_\_\_\_  
You voluntarily terminated pursuit \_\_\_\_\_  
Crash involving suspect vehicle and citizen \_\_\_\_\_  
Crash involving suspect vehicle and police vehicle \_\_\_\_\_  
Crash involving suspect vehicle only \_\_\_\_\_  
Crash involving police vehicle only \_\_\_\_\_  
Forcible stop technique (see #22) \_\_\_\_\_  
Terminated by supervisor \_\_\_\_\_  
Lost sight of vehicle \_\_\_\_\_  
Other (explain) \_\_\_\_\_

## 20. Crashes during pursuit not resulting in pursuit termination:

Number of crashes involving suspect vehicle and police vehicle \_\_\_\_\_  
Number of crashes involving suspect vehicle and citizen \_\_\_\_\_  
Number of crashes involving suspect vehicle and a moving citizen's vehicle \_\_\_\_\_  
Number of crashes involving suspect vehicle and a parked citizen's vehicle \_\_\_\_\_  
Number of crashes involving suspect vehicle and fixed property \_\_\_\_\_  
Number of crashes involving police vehicle and a moving citizen's vehicle \_\_\_\_\_  
Number of crashes involving police vehicle and a parked citizen's vehicle \_\_\_\_\_  
Number of crashes involving police vehicle and fixed property \_\_\_\_\_

## 21. Stop Technique (if used)

Stationary roadblock \_\_\_\_\_  
Rolling roadblock (boxing in) \_\_\_\_\_  
Ramming \_\_\_\_\_  
Heading Off \_\_\_\_\_  
Other (describe) \_\_\_\_\_

## 22. Suspect Arrest Information

Driver: \_\_\_\_\_  
D.O.B. \_\_\_\_\_ Sex \_\_\_\_\_  
Valid Driver's License \_\_\_\_\_  
Yes \_\_\_\_\_ No \_\_\_\_\_  
License at time of incident \_\_\_\_\_  
State Number \_\_\_\_\_  
Passenger(s): (1) (2) (3) (4) \_\_\_\_\_  
D.O.B. \_\_\_\_\_  
Race \_\_\_\_\_  
Sex \_\_\_\_\_

## 23. Event Violations

Initiating Event(s) \_\_\_\_\_  
Event Violation(s) \_\_\_\_\_  
Charges (cite to Criminal Code) \_\_\_\_\_

## 24. Was Follow-up Conducted Where Driver is not apprehended?

Yes \_\_\_\_\_  
No \_\_\_\_\_

Incident # \_\_\_\_\_

Date of Report \_\_\_\_\_

Signature of Officer \_\_\_\_\_

Star

Watch Commander/Supervisor \_\_\_\_\_

Star



# PURSUIT DRIVING REPORT

# La Grange PD Policy Manual

La Grange PD Policy Manual

## INDEX / TOPICS

### A

#### ADMINISTRATIVE INVESTIGATIONS

OIS. . . . .	74
Recorded media files. . . . .	338
Vehicle damage. . . . .	503

#### ADMINISTRATIVE LEAVE

Firearms. . . . .	80
-------------------	----

#### ADULT ABUSE

Investigations. . . . .	444
-------------------------	-----

#### AIRCRAFT . . . . .

Accidents. . . . .	307
--------------------	-----

#### AIRCRAFT

Ambulance. . . . .	383
--------------------	-----

#### ALCOHOL

Firearms. . . . .	83
Intoxicants. . . . .	174
Vehicle use. . . . .	499

#### ALCOHOL . . . . .

ALCOHOL USE . . . . .	604
-----------------------	-----

#### ALPR . . . . .

ALPR . . . . .	399
----------------	-----

#### AMMUNITION . . . . .

AMMUNITION . . . . .	81
----------------------	----

#### ANIMAL CONTROL . . . . .

ANIMAL CONTROL . . . . .	546
--------------------------	-----

#### ANIMALS

Dangerous. . . . .	84
Euthanize. . . . .	85
Injured. . . . .	85
Line-of-duty deaths. . . . .	709

#### APPOINTMENTS

Communication supervisor. . . . .	510
Line-of-duty death liaisons and coordinators	702
Operations director . . . . .	477, 481
TSA instructor. . . . .	85
UAS Coordinator. . . . .	467

#### ARRESTS

Child and dependent adult safety. . . . .	236
Consular notifications. . . . .	558
First amendment assemblies. . . . .	397
Log. . . . .	185
Seat belts. . . . .	633

#### ASSET FORFEITURE . . . . .

ASSET FORFEITURE . . . . .	447
----------------------------	-----

#### ASSET SEIZURE . . . . .

ASSET SEIZURE . . . . .	448
-------------------------	-----

#### AUDIO/VIDEO RECORDING

Body-worn cameras. . . . .	334
Custodial interrogation. . . . .	444
Holding cells. . . . .	564
OIS. . . . .	75

#### AUDITS

Informant files. . . . .	455
Informant funds. . . . .	458

#### AURCRAFT

Flying while armed. . . . .	85
-----------------------------	----

#### AUTHORITY

Civil commitments. . . . .	287
Command. . . . .	24
Ethics. . . . .	170
MEMBERS. . . . .	25

#### AUTOMATED LICENSE PLATE READER

AUTOMATED LICENSE PLATE READER	399
--------------------------------	-----

#### AUTOMATIC VEHICLE LOCATION . . . . .

AUTOMATIC VEHICLE LOCATION . . . . .	498
--------------------------------------	-----

#### AUXILIARY

Coordinator. . . . .	197
Training. . . . .	198

#### AUXILIARY OFFICERS

Firearms Requirements. . . . .	199
--------------------------------	-----

#### AUXILIARY OFFICERS/DEPUTIES . . . . .

AUXILIARY OFFICERS/DEPUTIES . . . . .	195
---------------------------------------	-----

#### AUXILIARY RESTRAINTS . . . . .

AUXILIARY RESTRAINTS . . . . .	60
--------------------------------	----

#### AVL . . . . .

AVL . . . . .	498
---------------	-----

### B

#### BACKGROUNDS . . . . .

BACKGROUNDS . . . . .	587
-----------------------	-----

#### BADGE

Mourning Badge. . . . .	672
-------------------------	-----

#### BADGES, PATCHES AND IDENTIFICATION

While armed. . . . .	80
----------------------	----

#### BARRICADED SUSPECTS . . . . .

BARRICADED SUSPECTS . . . . .	277
-------------------------------	-----

#### BATON . . . . .

BATON . . . . .	64
-----------------	----

#### BIAS-BASED POLICING . . . . .

BIAS-BASED POLICING . . . . .	256
-------------------------------	-----

#### BIOLOGICAL SAMPLES

Hazards . . . . .	309, 698
-------------------	----------

#### BODY ARMOR

Suspects. . . . .	79
-------------------	----

#### BODY ARMOR . . . . .

BODY ARMOR . . . . .	635
----------------------	-----

#### BOMBS . . . . .

BOMBS . . . . .	282
-----------------	-----

Aircraft accidents. . . . .	309
-----------------------------	-----

MDT/MDC. . . . .	333
------------------	-----

Portable Audio/video recorders. . . . .	337
---	-----

### C

#### CASH

Audit. . . . .	458
Custody. . . . .	564
Informants. . . . .	456

#### CHAPLAINS

Line-of-duty deaths. . . . .	709
------------------------------	-----

#### CHILD ABUSE

Definitions. . . . .	145
----------------------	-----

#### CHILD AND DEPENDENT ADULT SAFETY

CHILD AND DEPENDENT ADULT SAFETY	236
----------------------------------	-----

#### CHILDREN

Child safety. . . . .	236
Firearms. . . . .	83
Mental health. . . . .	288
Safety. . . . .	561

#### CITATIONS



# La Grange Police Department

## La Grange PD Policy Manual

Evaluation criteria. . . . .	402	CUSTODIAL INTERROGATIONS . . . . .	444
Traffic. . . . .	403		
<b>CIVIL</b>		<b>D</b>	
Liability Response. . . . .	76	DAMAGE BY VILLAGE PERSONNEL . . . . .	182
Subpoenas. . . . .	187	DEADLY FORCE REVIEW . . . . .	55
CIVIL COMMITMENTS . . . . .	287	DEATH	
CIVIL DISPUTES . . . . .	390	Custody - adults. . . . .	565
COMMAND STAFF		Native american graves (NAGPRA). . . . .	251
Protocol. . . . .	24	DEATH INVESTIGATION . . . . .	208
COMMENDATIONS AND AWARDS . . . . .	645	DEATH NOTIFICATION . . . . .	209
COMMUNICABLE DISEASES		DEBRIEFING	
Custody. . . . .	555	OIS. . . . .	76
Illness and injury prevention. . . . .	694	Tactical. . . . .	76
COMMUNICATIONS CENTER		Warrant service. . . . .	479
Mandatory sharing. . . . .	202	DECONFLICTION . . . . .	483
COMMUNICATIONS WITH HEARING		DEFINITIONS OF TERMS IN MANUAL . . . . .	20
IMPAIRED OR DISABLED . . . . .	220	DEPARTMENT OWNED PROPERTY . . . . .	488
COMPUTERS		DEPARTMENT PROPERTY	
Digital evidence. . . . .	445	Loss Or Damage. . . . .	489
CONDUCT		DEPENDENT ADULTS	
OIS. . . . .	69	Safety . . . . .	236, 561
Standards of conduct. . . . .	173	DISABLED	
CONFIDENTIALITY		Motorist. . . . .	436
Communicable disease information. . . . .	617	DISCIPLINE . . . . .	170
Communications center. . . . .	514	DISCLAIMER OF POLICIES . . . . .	20
Custodial telephone calls. . . . .	561	DISCRIMINATION	
Informants. . . . .	453	Conduct. . . . .	171
Radio broadcasts. . . . .	332	DISCRIMINATORY HARASSMENT	
Surreptitious recording. . . . .	336	Definitions. . . . .	140
CONTACTS AND TEMPORARY DETENTIONS		DISPUTED CLAIMS . . . . .	521
Bias-based policing. . . . .	256	DOMESTIC VIOLENCE	
Warrant service. . . . .	479	Definition Of Terms. . . . .	115
CONTROL DEVICES		DRIVING	
Decontamination. . . . .	615	MDT/MDC. . . . .	331
First amendment assemblies. . . . .	396	Personal communication devices. . . . .	493
CONTROL DEVICES . . . . .	63	DRIVING TACTICS . . . . .	93
CONTROL DEVICES . . . . .	63	DRUG USE . . . . .	604
CORRESPONDENCE . . . . .	33		
COURT APPEARANCES . . . . .	187	<b>E</b>	
COURT ORDERS		ELECTRICAL LINES . . . . .	303
Child custody. . . . .	237	ELECTRONIC CIGARETTES . . . . .	619
Civil disputes. . . . .	391	ELECTRONIC MAIL . . . . .	31
Juvenile informants. . . . .	453	Personal communication devices. . . . .	490
Subpoenas. . . . .	187	ELECTRONIC SURVEILLANCE ALERTS . . . . .	117
Surreptitious recording. . . . .	336	EMERGENCY MANAGEMENT PLAN . . . . .	27
CRIME SCENE AND DISASTER INTEGRITY		EMERGENCY UTILITY . . . . .	303
. . . . .	260	EMPLOYEE CONVICTIONS . . . . .	602
CRIMINAL INTELLIGENCE SYSTEM . . . . .	319	EPINEPHRINE	
CRIMINAL OFFENDER INFORMATION . . . . .	538	Administration. . . . .	386
CRIMINAL ORGANIZATIONS . . . . .	319		
CRIMINAL STREET GANGS . . . . .	319		
CRISIS INTERVENTION INCIDENTS . . . . .	374		

# La Grange Police Department

## La Grange PD Policy Manual

ETHICS . . . . .	170
EVALUATION . . . . .	591
EVIDENCE	
Bombs. . . . .	286
Digital. . . . .	445
NAGPRA. . . . .	251
Public Safety Video Surveillance. . . . .	234
Seizing recordings. . . . .	380
EXPLOSIONS . . . . .	285
EXPOSURE CONTROL . . . . .	614
Reviews. . . . .	694
EXPOSURE(S) . . . . .	269

## F

FIELD TRAINING OFFICER . . . . .	311
FIREARM CONCEALED CARRY . . . . .	371
FIREARM SERIAL NUMBERS . . . . .	528
FIREARMS	
Civil commitments. . . . .	289
Destruction of animals. . . . .	548
Retiree carry. . . . .	43
Vehicle use. . . . .	500
FIREARMS	
Mental Health. . . . .	521
FIRST AMENDMENT ASSEMBLIES . . . . .	393
FITNESS FOR DUTY . . . . .	648
FORCE . . . . .	55
FOREIGN	
Nationals. . . . .	558
FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES . . . . .	292
FORMS	
Firearms training. . . . .	85
Unintentional discharge. . . . .	64

## G

GANGS	
Employee affiliation. . . . .	171
GANGS . . . . .	319
GRIEVANCE PROCEDURE . . . . .	597
GROOMING STANDARDS . . . . .	666

## H

HANDCUFFING . . . . .	59
HANDCUFFING AND RESTRAINTS	
Custody. . . . .	563
HAZARDOUS MATERIAL . . . . .	269

HAZARDOUS MATERIAL (HAZMAT) RESPONSE	
Aircraft accidents. . . . .	309
Precautions. . . . .	615
HAZARDS . . . . .	696
HEARING IMPAIRED . . . . .	220
HELICOPTER ASSISTANCE . . . . .	314
HIGH-VISIBILITY VESTS . . . . .	403
HOSTAGES . . . . .	277

## I

IDENTITY THEFT . . . . .	211
ILLNESS AND INJURY PREVENTION . . . . .	694
IMMUNIZATIONS . . . . .	616
IMPAIRED DRIVING . . . . .	420
INFORMANTS . . . . .	453
INFORMATION TECHNOLOGY USE . . . . .	176
INITIATE A PURSUIT . . . . .	89
INSPECTIONS	
Firearms. . . . .	83
Holding cells. . . . .	564
Illness and injury prevention . . . . .	694, 697
Personal communication devices. . . . .	490
Personal protective equipment. . . . .	697
Vehicles . . . . .	497, 697
INTERIM DIRECTIVE . . . . .	26
INVESTIGATION AND PROSECUTION . . . . .	443

## J

JURISDICTION	
Aircraft accidents. . . . .	309
Consular notification. . . . .	558
OIS. . . . .	68
Registered offenders. . . . .	203

## K

KEYS	
Vehicle. . . . .	498
KINETIC PROJECTILES . . . . .	65

## L

LAW ENFORCEMENT AUTHORITY . . . . .	10
LEG IRONS . . . . .	60
LEG RESTRAINT . . . . .	58
LICENSE PLATE RECOGNITION . . . . .	399
LIMITED ENGLISH PROFICIENCY	
Communications center. . . . .	512



# La Grange Police Department

## La Grange PD Policy Manual

LIMITED ENGLISH PROFICIENCY . . .	212
LINE-OF-DUTY DEATHS . . . . .	699

## M

MANUALS . . . . .	27
MDT/MDC	
Use. . . . .	498
Vehicles. . . . .	498
MEAL PERIODS, BREAKS, RESTRICTED	
LEAVE . . . . .	651
MEDIA	
Aircraft accidents. . . . .	309
First amendment assemblies. . . . .	397
Line-of-duty deaths. . . . .	708
OIS. . . . .	76
Operations plans. . . . .	485
Warrant service. . . . .	480
MEDIA RELATIONS . . . . .	184
MEDIA REQUEST . . . . .	184
MEDICAL	
Aircraft accidents. . . . .	308
Illness and injury prevention. . . . .	694
Leave Act (FMLA). . . . .	607
Opioid overdoses. . . . .	385
Releases. . . . .	383
Screening - custody adults. . . . .	560
Treatment for communicable disease	
exposure. . . . .	617
MEDICAL CANNABIS CARDHOLDERS . . . . .	420
MEMORANDUMS . . . . .	33
MOBILE AUDIO VIDEO . . . . .	324
Evidence. . . . .	327
Review. . . . .	326
Video Media Storage. . . . .	327
MOBILE AUDIO/VIDEO (MAV)	
OIS. . . . .	75
MOBILE DIGITAL TERMINAL USE . . . . .	331
MODIFIED-DUTY ASSIGNMENTS . . . . .	683
MUTUAL AID . . . . .	201
First amendment assemblies. . . . .	396
Warrant service. . . . .	479

## N

NATIVE AMERICAN GRAVES (NAGPRA)	251
NONSWORN	
Investigation and prosecution. . . . .	443
Vehicles. . . . .	499
NOTICE TO APPEAR OR SUMMONS RELEASES	
. . . . .	291

NOTIFICATION	
Consular. . . . .	558
NOTIFICATIONS	
Civil commitments. . . . .	289
Complainant - discriminatory harassment. . . . .	144
Custody suicide attempt, death or serious	
injury. . . . .	565
Discriminatory harassment. . . . .	144
Impaired driving . . . . .	422, 423
Line-of-duty deaths. . . . .	700
NAGPRA. . . . .	251
NOTIFICATIONS, SICK LEAVE . . . . .	607
NUMERICAL FILING . . . . .	526

## O

OATH OF OFFICE . . . . .	13
OC SPRAY	
Animals. . . . .	84
OC SPRAY . . . . .	64
OCCUPATIONAL DISEASE AND WORK-	
RELATED INJURY REPORTING . . . . .	663
OFFICER SAFETY	
Communications center . . . . .	512, 514
Crime scene and disaster integrity. . . . .	260
Firearm confiscation. . . . .	71
Informants. . . . .	455
LEOSA. . . . .	43
Occupational hazards. . . . .	696
Portable audio/video recorders. . . . .	335
Seat belts. . . . .	633
Warrant service. . . . .	477
OPERATIONS PLANNING AND	
DECONFLICTION . . . . .	481
ORGANIZATIONAL STRUCTURE AND	
RESPONSIBILITY . . . . .	24
OUTSIDE AGENCY ASSISTANCE . . . . .	201
OUTSIDE EMPLOYMENT	
Obtaining Approval. . . . .	658
Prohibited Outside Employment. . . . .	660
Security Employment. . . . .	660
OVERTIME	
Court. . . . .	188
OVERTIME PAYMENT . . . . .	656

## P

PARKING . . . . .	499
PART-TIME OFFICERS/DEPUTIES	
Coordinator. . . . .	192
Training. . . . .	192

# La Grange Police Department

## La Grange PD Policy Manual

PART-TIME OFFICERS/DEPUTIES . . .	189
PATROL FUNCTION . . . . .	254
PEPPER PROJECTILES . . . . .	64
PEPPER SPRAY . . . . .	64
PERFORMANCE EVALUATIONS	
Sick leave. . . . .	608
PERSONAL APPEARANCE . . . . .	666
PERSONAL COMMUNICATION DEVICES	490
PERSONAL PROPERTY . . . . .	488
Loss Or Damage. . . . .	489
PERSONAL PROTECTIVE EQUIPMENT .	504
PERSONNEL COMPLAINTS	
Bias-based policing. . . . .	257
Portable audio/video review. . . . .	338
PHOTOGRAPHS	
Aircraft accidents. . . . .	307
First amendment assemblies. . . . .	394
POLICE CADETS . . . . .	675
Program Advisors. . . . .	675
POLICY MANUAL . . . . .	20
PORTABLE AUDIO/VIDEO RECORDERS .	334
PREGNANCY	
Custody . . . . .	555, 564
PRIVACY EXPECTATIONS	
Audio/video recordings. . . . .	334
MDT/MDC. . . . .	331
Personal communication devices. . . . .	490
Technology use. . . . .	176
Unmanned aerial system. . . . .	467
Vehicles. . . . .	497
PRIVATE PERSON'S ARREST . . . . .	250
PROBATIONARY EMPLOYEES	
Personnel complaints. . . . .	628
PROPERTY PROCEDURES . . . . .	516
Disputed Claims. . . . .	521
Narcotics And Dangerous Drugs. . . . .	517
Packaging Of Property. . . . .	518
Property Handling. . . . .	516
Property Release. . . . .	520
PROTECTED INFORMATION	
Communications center. . . . .	514
PROTECTED INFORMATION . . . . .	538
PUBLIC RECORDING OF LAW ENFORCEMENT	
ACTIVITY . . . . .	379
PUBLIC SAFETY VIDEO SURVEILLANCE	232
PURSUIT INTERVENTION . . . . .	98
PURSUIT POLICY . . . . .	88
PURSUIT UNITS . . . . .	91

## R

RAMMING . . . . .	99
-------------------	----

RECORDS BUREAU	
Administrative hearings. . . . .	425
Impaired driving. . . . .	425
Suspicious activity reports. . . . .	389
RECORDS DIVISION . . . . .	526
RECORDS RELEASE	
Audio/video recordings. . . . .	340
Media. . . . .	185
Public safety video surveillance. . . . .	234
RECORDS RETENTION	
Body-worn camera recordings. . . . .	339
Illness and injury prevention. . . . .	698
Oath of office. . . . .	13
Personal protective equipment training. .	507
RECRUITMENT AND SELECTION . . .	586
REGISTRANTS . . . . .	203
RELIGION	
Accommodations in custody. . . . .	561
NAGPRA. . . . .	251
REPORT CORRECTIONS . . . . .	183
REPORT PREPARATION . . . . .	180
REPORTING CONVICTION . . . . .	602
REPORTING CONVICTIONS	
Domestic Violence . . . . .	602, 602
RESPONSE TO CALLS . . . . .	103
REVIEWS	
Bias-based policing - annual. . . . .	258
Crisis intervention incidents. . . . .	378
Exposures. . . . .	694
Illness and injury prevention. . . . .	694
Portable audio/video. . . . .	338
Public records on social media. . . . .	249
Registrant compliance - annual. . . . .	204
UAS. . . . .	467
RIDE-ALONG	
Eligibility. . . . .	266
RISK ASSESSMENT . . . . .	481
ROADBLOCKS . . . . .	99
ROLL CALL TRAINING . . . . .	259

## S

SAFETY	
Occupational. . . . .	694
Shotguns. . . . .	78
SAFETY	
Canine. . . . .	498
Communications center. . . . .	510
Firearms. . . . .	82
First responder. . . . .	260
Inspections (occupational). . . . .	697
Personal communication devices. . . . .	490

# La Grange Police Department

## La Grange PD Policy Manual

Personal protective equipment. . . . .	504
<b>SAFETY EQUIPMENT</b>	
High-visibility vests. . . . .	403
Seat belts. . . . .	633
<b>SEARCH &amp; SEIZURE</b> . . . . .	124
<b>SEARCH WARRANTS</b> . . . . .	477
<b>SEARCHES</b>	
Crime scene. . . . .	261
Dead bodies. . . . .	208
Police vehicle inspections. . . . .	497
<b>SEAT BELTS</b> . . . . .	633
<b>SECURITY EMPLOYMENT</b> . . . . .	660
<b>SICK LEAVE</b> . . . . .	607
<b>SMOKING AND TOBACCO USE</b> . . . . .	619
<b>SOCIAL MEDIA</b> . . . . .	247
<b>SPIKE STRIPS</b> . . . . .	99
<b>STAFFING LEVELS</b> . . . . .	35
<b>STANDARDS OF CONDUCT</b> . . . . .	168
<b>SUBPOENAS</b> . . . . .	187
<b>SUSPICIOUS ACTIVITY REPORTING</b> . . . . .	388
<b>SWORD SYSTEM</b> . . . . .	320

## T

<b>TAKE HOME VEHICLES</b> . . . . .	500
<b>TATTOOS</b> . . . . .	667
<b>TEAR GAS</b> . . . . .	64
<b>TECHNOLOGY USE</b> . . . . .	176
<b>TEMPORARY CUSTODY OF ADULTS</b> . . . . .	555
<b>TRAFFIC</b>	
Citations. . . . .	403
<b>TRAFFIC CRASH REPORTING</b> . . . . .	405
<b>TRAFFIC FUNCTION</b> . . . . .	402
<b>TRAFFIC SIGNAL</b> . . . . .	303
<b>TRAINING</b>	
Child and dependent adult safety. . . . .	239
Civil commitments. . . . .	290
Communicable disease. . . . .	618
Crisis intervention incidents. . . . .	378
Custody. . . . .	569
Epinephrine administration. . . . .	386
Fair and objective policing. . . . .	258
Firearms. . . . .	83
First amendment assemblies. . . . .	398
Hazardous materials. . . . .	698
Impaired driving. . . . .	425
Occupational safety. . . . .	698
Operation planning and deconfliction. . . . .	486
Personal communication devices. . . . .	492
Personal protective equipment. . . . .	508
Public safety video surveillance. . . . .	234
Shared equipment and supplies. . . . .	202

Social media. . . . .	249
UAS. . . . .	468
Warrant service. . . . .	480
<b>TRAINING</b>	
Criminal Organizations. . . . .	322
<b>TRANSPORT BELTS</b> . . . . .	60

## U

<b>UNIFORM REGULATIONS</b> . . . . .	668
<b>UNIFORMS</b>	
Courtroom attire. . . . .	188
<b>UNLAWFUL ASSEMBLY</b> . . . . .	396
<b>UNMANNED AERIAL SYSTEM</b> . . . . .	467
<b>USE OF FORCE</b>	
First amendment assemblies. . . . .	396
<b>USE OF SOCIAL MEDIA</b> . . . . .	247
<b>UTILITY SERVICE</b> . . . . .	303

## V

<b>VEHICLE MAINTENANCE</b> . . . . .	494
<b>VEHICLE TOWING</b> . . . . .	413
<b>VEHICLES</b> . . . . .	497
<b>VIDEO RECORDING SEE: AUDIO/VIDEO</b>	
<b>RECORDING</b> . . . . .	232
<b>VIDEO RECORDINGS</b>	
First amendment assemblies. . . . .	394

## W

<b>WARNINGS</b>	
Shoots. . . . .	85
Traffic. . . . .	403
<b>WATCH COMMANDERS</b> . . . . .	323
<b>WATER LINES</b> . . . . .	303
<b>WORKPLACE VIOLENCE</b> . . . . .	121