



FIREARMS DISCHARGE INCIDENTS INVOLVING SWORN MEMBERS



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INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive outlines Department investigative and reporting procedures in firearm discharge incidents.

II. SCOPE

Under normal circumstances, the provisions of this directive will not apply to the discharge of a firearm during:

- A. Department-sponsored firearms training or practice.
- B. firearms practice at a recognized range facility.
- C. Department authorized ballistic examination or testing.
- D. a licensed hunting activity.

III. FIREARMS DISCHARGE INCIDENT NOTIFICATIONS

In addition to other notifications outlined in this directive, for ANY firearms discharge incidents, including unintentional discharges and those involving the destruction of an animal:

- A. the station supervisor in the district of occurrence will ensure the Crime Prevention and Information Center (CPIC) is notified.
- B. CPIC will notify the Bureau of Internal Affairs (BIA) call-out supervisor of any firearms discharge incident notification.

IV. MANDATORY ALCOHOL AND DRUG TESTING

- A. Any sworn Department member involved in a firearms discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing, in compliance with this directive and any applicable collective bargaining agreement.

**NOTE:** This requirement does not apply to the circumstances delineated in Item II of this directive.

- B. The BIA call-out supervisor will:
  - 1. contact the On-Call Incident Commander (OCIC) or supervisor responsible for the investigation, as appropriate, and respond to the designated location to conduct the alcohol and drug testing.
  - 2. complete and submit a "Notice of Alcohol and Drug Testing Following a Firearms Discharge Incident" ([CPD-44.252](#)).
- C. The BIA call-out supervisor will ensure:
  - 1. the involved member submits to the alcohol breath test and will conduct the test according to Department policy.
  - 2. the alcohol breath test result is provided to the OCIC or supervisor responsible for the investigation, as appropriate.

3. the involved member submits to the drug test and ensure the urine specimen is:
  - a. collected in a manner that will preserve the dignity of the involved member and ensure the integrity of the sample.
  - b. collected in the presence of a supervisor of the same sex as the involved member.
  - c. retained by the BIA call-out supervisor who will assume the responsibility for ensuring that the urine specimen is properly secured in accordance with established bureau-level standard operation procedures, pending processing by a medical laboratory.
4. the alcohol and drug testing occurs as soon as practicable after the firearms discharge incident given the overall demands of the investigation.

**NOTE:** The member with overall command responsibility, (e.g., OCIC or supervisor responsible for the investigation), will ensure testing is initiated no later than six hours following the firearms discharge incident.

5. that copies of any associated reports, including the testing and results documentation, are forwarded to the Chief Administrator, Independent Police Review Authority (IPRA) once the testing is completed.
- D. If the involved member refuses to provide a breath test or urine specimen pursuant to this process, it is a violation of the Department Rules and Regulations, (e.g., disobedience of an order or directive whether written or oral), and will result in administrative charges against the member, which may include discipline up to and including separation.
- E. No discipline shall occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's Use of Force guidelines and the member discharged their weapon off-duty.

#### V. FIREARM DISCHARGE INCIDENTS OTHER THAN UNINTENTIONAL AND DESTRUCTION OF AN ANIMAL

- A. Members who unintentionally discharge a firearm or discharge a firearm in the destruction of an animal will follow the procedures described in Item X of this directive so long as there were no personal injuries via that firearm.
- B. In any other instance where a member has discharged a firearm, the member, if physically capable, will:
1. notify the Office of Emergency Management and Communications (OEMC) immediately and provide all relevant information.
  2. attend to all required emergency and security duties arising from the incident.
  3. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities.
  4. inform the station supervisor of the district of occurrence.
  5. remain on the scene, if not injured, and report to a field supervisor from the district of occurrence upon his or her arrival.
  6. ensure that his or her firearm remains holstered and secured until it is submitted to Forensic Services Division personnel.

**NOTE:** If the involved member is injured and needs to be relieved of his or her firearm prior to receiving medical treatment, the securing member will take possession of the firearm and duty belt and will ensure that the firearm remains holstered and secured.

7. if disarmed during the firearm discharge incident, preserve the firearm as evidence, as it will be processed in compliance with the Department directive entitled "**Crime Scene Processing.**"
8. complete a Tactical Response Report (TRR) ([CPD-11.377](#)) and any other reports at the location designated by the supervisor responsible for the investigation.

**NOTE:** When a member who has discharged a firearm is unable to complete the TRR for any reason, it will become the responsibility of a supervisor designated by the supervisor responsible for the investigation to prepare this report.

9. contact the Professional Counseling Division via telephone within twenty-four hours of the incident to schedule a **mandatory** debriefing.
    - a. Upon arrival at the subsequently scheduled Professional Counseling Session, members will present the original (white) Traumatic Incident Stress Management Program Notification form to the Professional Counseling Division employee.
    - b. Members who are hospitalized as a result of their involvement in a firearm discharge incident will be contacted by a counselor pursuant to the Department directive entitled **Traumatic Incident Stress Management Program**.
  10. attend the firearms training overview as described in Item IX of this directive.
- C. In any instance where a member has discharged a firearm outside the City of Chicago, the member will:
1. notify the local police agency and this Department's Crime Prevention and Information Center (CPIC).
  2. ensure the submission of all reports connected with the incident, including a TRR and a To-From-Subject report, without unnecessary delay.
- D. Any member, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident or who has been fired upon will:
1. remain on the scene until released by those Department members conducting the investigation.
  2. provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements.
  3. report to the supervisor responsible for the investigation in the district of occurrence.
- E. Member's Statements and Interviews.
1. A member who is involved in a firearm discharge incident will provide an oral report to the supervisor responsible for the investigation without delay and outside the presence of any other individuals.
  2. When a member who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.
- NOTE:** Statements pursuant to an administrative investigation conducted by IPRA into the firearm discharge incident will conform to the guidelines outlined in the Department directive entitled "Department Member's Bill of Rights."
- F. OEMC will:
1. dispatch sufficient patrol units to the scene.

2. determine if a medical emergency exists and when appropriate:
    - a. notify the Chicago Fire Department to dispatch emergency medical service units to the scene.
    - b. inform the emergency room of the receiving hospital.
  3. assign a field supervisor from the district of occurrence to the scene. In the event that a member has been injured, OEMC will assign a supervisor to respond to the medical facility treating the injured member.
  4. immediately notify the following in the listed order of priority:
    - a. the station supervisor in the district of occurrence;
    - b. CPIC;
    - c. any other units or agencies as appropriate or as requested.
  5. not broadcast the name of a Department member who has been involved in a firearm discharge incident over the police radio.
- G. The assigned field supervisor will:
1. proceed immediately to the scene and assume command and oversight of the scene until relieved by the appropriate responding supervisor.
- NOTE:** Either the field sergeant or the relieving supervisor will remain on scene with sufficient information to fully brief the responding OCIC, if applicable.
2. ensure that medical attention is provided and that adequate manpower and equipment are available.
  3. establish an inner and outer perimeter at the scene of the incident.
    - a. The inner perimeter(s) is the area or areas at the scene of the incident where physical evidence is likely to be recovered.
    - b. The outer perimeter(s) is the area surrounding and encompassing the inner perimeter(s) where assigned personnel can be briefed and deployed.
  4. ensure that:
    - a. no sworn member of any rank handles, inspects, unloads, or otherwise tampers with the involved member's firearm prior to the arrival of Forensic Services Division personnel.
    - b. unless the member was disarmed, the firearm remains holstered and secured pending the arrival Forensic Services Division personnel.
    - c. in instances when the Department member was disarmed during the firearm discharge incident, the firearm is preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."
    - d. all fired projectiles have been accounted for without contaminating or interfering with the collection and maintenance of evidence.
    - e. witnesses and other persons (Department member or non-Department member) who may have relevant information are available for on scene interviews.
    - f. an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.
  5. confirm that the notifications listed in Item V-F-4 have been made.

6. if circumstances necessitate the relocation of the investigation from the site of the occurrence, contact the OCIC for authorization and notify CPIC.
7. ensure that Forensic Services Division personnel conduct the firearm inspection on-scene in his or her presence. If the supervisor responsible for the investigation determines that safety concerns or weather conditions preclude the on-scene inspection, the involved member will remain in the continual presence of a higher-ranking Department member until the inspection is conducted by Forensic Services Division personnel in the affected Bureau of Detectives area.
8. assign transportation for the involved member.
9. verify the submission of written reports from involved members in conformance with the provisions of this directive.
10. review all written reports generated by Bureau of Patrol personnel submitted during the preliminary investigation.
11. complete the supervisor's section of the Tactical Response Report.

**NOTE:** If the involved member is of the rank of sergeant or higher, the supervisor responsible for the investigation will complete the supervisor's section of the TRR.

12. in situations requiring an Officer's Battery Report, ensure the report is completed in accordance with the Department directive entitled "Officer's Battery Reporting Procedures."
13. remain on duty until dismissed by the supervisor responsible for the investigation.

H. CPIC will notify:

1. the district commander of the district of occurrence.
2. the commander of affected Bureau of Detectives area.
3. the area deputy chief, Bureau of Patrol.
4. any additional communications as consistent with CPIC procedures.

I. The station supervisor will:

1. notify the Professional Counseling Service via telephone, providing them with the name, star number, and unit of assignment of the involved member and the date the member was instructed to contact the Professional Counseling Service for a mandatory appointment.
2. obtain a Universal (U) Number from the Independent Police Review Authority in all cases in which:
  - a. a Department member has injured or killed a person by use of a firearm.
  - b. a Department member has suffered a self-inflicted gunshot wound.
3. if an individual has been injured or killed by a firearm discharged by a Department member, inform the States Attorney's Office, in accordance with the Department directive entitled "**Felony Review by Cook County State's Attorney.**"
4. if a Department member has been injured or killed by gunfire, follow the procedures in "Notification of Death or Serious Injury to a Member: Duty Related."

## VI. INVESTIGATING COMMAND PERSONNEL RESPONSIBILITIES

- A. Investigating command personnel will be assigned according to the Department directive entitled "**On-Call Incident Commander.**"

**NOTE:** No member below the rank of captain will direct an investigation into an incident involving the discharge of a firearm by a Department member. However, the on-scene supervisor is responsible for maintaining command and oversight of the scene until relieved by the appropriate responding supervisor.

- B. The OCIC or supervisor responsible for the investigation, will:

1. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.
2. ensure that all tasks delineated for lesser-ranking personnel have been or are being performed.
3. designate a field supervisor responsible for directing the preliminary investigation whenever the incident has occurred in more than one district.
4. personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines.

**NOTE:** The occurrence of less serious transgressions may be addressed by the procedures described in the Department directive entitled "**Summary Punishment.**"

5. fulfill the obligations outlined in the Department directive entitled "**Traumatic Incident Stress Management Program,**" including:
    - a. determining whether an incident should be classified as a traumatic incident in situations other than those specifically defined as a traumatic incident.
    - b. completing a Traumatic Incident Stress Management Program Notification form (CPD-62.480) and providing the affected member with the original (white) and the officer's copy (yellow copy) of the Traumatic Incident Stress Management Program Notification Form.
    - c. ensuring the affected member calls the Professional Counseling Service within twenty-four hours of the incident.
  6. prior to the end of his or her tour of duty, complete the review process for the submitted Tactical Response Reports following the procedures outlined in the Department directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"
  7. prior to the termination of the tour of duty, review the Major Incident Notification Report and ensure its completion
- C. For all weapon discharge incidents described in this directive, when the involved member is the same rank or higher than the supervisor responsible for the investigation, the Chief, Bureau of Patrol will assume the investigating command personnel responsibilities.

## VII. BUREAU OF DETECTIVES COMMAND RESPONSIBILITIES

- A. In all cases in which a member has been injured or killed by gunfire or has injured or killed a person by use of a firearm, the Bureau of Detectives area commander will designate a Bureau of Detectives supervisor to serve as the police shooting coordinator for that incident.

- B. The police shooting coordinator will:

1. personally respond to the scene of the investigation.

2. ensure the preservation of evidence and identification of witnesses.
3. assume responsibility for the follow-up investigation under the direction of the Bureau of Detectives area commander.

#### VIII. POST-FIREARM DISCHARGE FIREARM PROCESSING PROCEDURES

- A. No member of any rank will handle, inspect, unload, or otherwise tamper with the involved member's firearm prior to the arrival of Forensic Services Division personnel. Unless the member was disarmed, the firearm will remain holstered and secured pending the arrival of the supervisor responsible for the investigation and Forensic Services Division personnel.
- B. Forensic Services Division personnel will:
  1. conduct the firearm inspection in the presence of the supervisor designated in section V-G-7 of this directive.
  2. identify the firearm discharged by the Department member by its make, model, serial number, and other identifiers.
  3. examine the firearm discharged by the Department member to determine the type of cartridges used.
  4. examine the surrounding area to identify the number and location of cartridge casings.
  5. inventory all firearms discharged by the Department member in accordance with established inventory procedures in cases in which:
    - a. an individual has been injured or killed.
    - b. identifiable property damage occurs.
    - c. potential property damage may have occurred. In potential property damage cases, the supervisor responsible for the investigation may authorize the responsible member to retain his or her firearm for subsequent personal transport to the Forensic Services Division within ninety-six hours of the incident. The authorization will be noted in the "Comments" field of the eTrack inventory application or in the "Description of Property" section of the Property Inventory formset, as appropriate.
- C. If the Department member was disarmed during the firearm discharge incident, the firearm will be preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."

#### IX. POST-FIREARM DISCHARGE FIREARMS TRAINING OVERVIEW

- A. All Department members who have discharged a firearm as described in this directive will attend a firearms training overview scheduled by the Education and Training Division. Held monthly, the eight-hour training overview will be tailored to the situation and may include, but is not limited to, the topics of the use of deadly force, alternative force response options, tactics for aggressive patrol, and ethics.
- B. Attendance at this training overview is mandatory and is not dependent upon the determination by any investigative body responsible for a review of the firearm discharge incident. No connotation as to the appropriateness of the member's actions will attach to a member attending the training overview.
- C. The training overview will be considered a tour of duty. Participants will wear the field uniform of the day.
- D. Notification Procedure
  1. The Deputy Chief, Education and Training Division will notify unit commanding officers of the existence of members under their command who are required to attend a scheduled firearms training overview.
  2. Upon receipt of the list of members who are required to attend a scheduled firearms training overview, the unit commanding officer will determine which of the listed members are

scheduled for a regular work day on the designated training date. Members will attend the training overview only when it is on their regularly-scheduled work day.

- a. The unit commanding officer will supply these members with the name and telephone number of the contact person at the Education and Training Division.
- b. The unit commanding officer will inform these members that they are required to attend the scheduled training.
- c. Members who have been scheduled to attend a firearms training overview but are unable to do so due to unknown circumstances at the time of the scheduling (i.e., medical roll, court date) will notify their unit commanding officer and the designated contact person at the Education and Training Division as soon as these circumstances are known.
- d. The unit commanding officer will inform the Education and Training Division of members who are on the medical roll or scheduled for a regular day off on the date of the training. Those members will be rescheduled for the next session of the training overview.

**X. UNINTENTIONAL FIREARM DISCHARGE INCIDENTS AND THE DISCHARGE OF A FIREARM TO DESTROY AN ANIMAL**

- A. An unintentional firearm discharge is defined as the unintended or accidental firing of a firearm in circumstances which did not occur during a training exercise and do not involve injury via the firearm.
- B. When a member unintentionally discharges a firearm or discharges a firearm to destroy an animal, the member will:

1. notify OEMC, their immediate supervisor, and the station supervisor in the district of occurrence.
2. complete a TRR, a case report, and any other appropriate report.
  - a. Destruction of an animal by a Department member, where no other case report applies, will be documented under I-UCR 5061, "Non-Criminal, Destruction of Animal by Police."
  - b. An unintentional firearm discharge by a Department member, where no other case report applies, will be documented under I-UCR 5060, "Non-Criminal, Unintentional Discharge of a Firearm by Police."
  - c. If there is other property damage or personal injury, members will consult the Incident Reporting Guide for appropriate classification.
  - d. If a TRR is completed to document an unintentional firearm discharge, members will follow the procedures described in the Department directive entitled "**Complaint and Disciplinary Procedures.**"
3. submit all reports to his or her immediate supervisor for review and approval.
4. comply with all applicable provisions of the Department directive entitled "**Incidents Involving Animals.**"

**EXCEPTION:** If the incident occurred outside the City of Chicago, then the procedures in item V-C of this directive will be followed.

- C. The OEMC will:
  1. assign a supervisor from the district of occurrence to the scene of the incident.
  2. notify CPIC.



D. The assigned field supervisor in the district of occurrence will:

1. determine if there is any related personal injury or property damage other than the destruction of the animal and, if necessary, ensure that any required report is completed.
2. remain on scene and maintain command and oversight of the investigation until relieved by the appropriate responding supervisor.
3. ensure CPIC has been notified.
4. complete the supervisor's section of the Tactical Response Report.

**NOTE:** If the involved member is of the rank of sergeant or higher, the supervisor responsible for the investigation will complete the supervisor's section of the TRR.

E. Investigating command personnel will be assigned according to the Department directive entitled "**On-Call Incident Commander.**"

**NOTE:** No member below the rank of captain will direct an investigation into an incident involving the discharge of a firearm by a Department member. However, the on-scene supervisor is responsible for maintaining command and oversight of the scene until relieved by the appropriate responding supervisor.

F. The command personnel responsible for the investigation will:

1. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.
2. ensure that all tasks delineated for subordinate personnel are performed.

**NOTE:** The supervisor responsible for the investigation may waive firearm inventory and ballistic examination and may authorize the member to retain his or her firearm in instances in which there is no likelihood of death or injury to a person or identifiable property damage other than the destruction of the animal.

3. personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines.
4. prepare the "Lieutenant or above / OCIC Review" section of the TRR and review, approve, and process the TRR in accordance with the procedures outlined in the Department directive entitled "Incidents Requiring the Completion of a Tactical Response Report."
5. for an unintentional discharge incident:
  - a. check the selection that indicates that further investigation is required in the "Lieutenant or above/OCIC Finding" section of the TRR.
  - b. obtain a log number and ensure that an initiation report is completed.

(Items indicated by *italics/double underline* were added or revised.)

Garry F. McCarthy  
Superintendent of Police

13-056 MWK/CMW