



**OTHER WEAPON DISCHARGE INCIDENTS**



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| <b>INDEX CATEGORY:</b> | Preliminary Investigations        |                        |                 |

**I. PURPOSE**

This directive outlines Department investigative and reporting procedures in which a member has discharged a chemical agent or Taser.

**II. SCOPE**

Under normal circumstances, the provisions of this directive will not apply to the discharge of a chemical agent or Taser during a Department-authorized training program.

**III. DISCHARGE OF CHEMICAL AGENT**

A. A chemical agent includes the personal Oleoresin Capsicum (OC) devices carried by sworn members and Department-owned special weapons which dispense Capsaicin II Powder Agent (PepperBall) or larger volumes of chemical agents.

B. When a member discharges a chemical agent, the member will:

1. notify the Office of Emergency Management and Communications (OEMC), his or her supervisor, and the station supervisor in the district of occurrence.
2. complete a Tactical Response Report (TRR) ([CPD-11.377](#)), the appropriate case report, and/or other required reports.
3. submit all reports to his or her supervisor for review and approval.

C. When notified that a member under their command discharged a chemical agent, the assigned field supervisor will:

1. if appropriate, respond to the scene of the chemical agent discharge when the injury to a subject or member is of the severity to require immediate medical attention.
2. ensure the procedures outlined in the Department directive entitled "Incidents Requiring the Completion of a Tactical Response Report" are followed.
3. notify the Independent Police Review Authority when an OC device has been discharged.

D. The assigned investigating supervisor the rank of lieutenant or above from the district of occurrence will:

1. investigate the incident and document the investigation in the "Lieutenant or Above / OCIC Review" section of the Tactical Response Report (TRR). The supervisor will indicate that the findings of the investigation of the member's use of force revealed that the conduct conformed to Department policy and guidelines or that further investigation is required. If the supervisor determines that further investigation is required or that the member's conduct other than the use of force failed to conform to Department guidelines, the supervisor will initiate that investigation consistent with the Department directive entitled "**Complaint and Disciplinary Procedures.**"
2. 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."

3. receive the discharged personal OC device from the sworn member, provide a replacement device to the member, and notify the individual designated by the district commander that a replacement device has been issued. When needed, additional OC devices may be requested from the Taser Repair Center, located at the Education and Training Division, through normal requisition procedures.

**NOTE:** A copy of the TRR will be presented to the Taser Repair Center for replacement OC devices.

- E. Whenever possible, the ranking officer on the scene of an incident will notify the Chicago Fire Department prior to the anticipated use of a device that dispenses a chemical agent through use of pyrotechnics.
- F. If a member discharges a chemical agent outside the City of Chicago, the member will:
  1. notify:
    - a. the law enforcement agency having jurisdiction;
    - b. OEMC and the Crime Prevention and Information Center (CPIC); and
    - c. his or her immediate supervisor.
  2. complete a TRR and submit it to his or her immediate supervisor for review and approval.

#### IV. DISCHARGE OF A TASER

- A. A member who is about to discharge a Taser device will, when possible:
  1. inform all other Department members on the scene of the imminent deployment of the device.
  2. give verbal commands to the subject prior to, during, and after deployment of the Taser.
  3. for back shots, aim for the subject's back below the neck area; for frontal shots, aim for lower center mass.

**NOTE:** It is recommended that Department members deploy the Taser to the subject's back whenever possible.

4. after deployment of the initial Taser five-second cycle, members will:
  - a. give the subject an opportunity to comply with his or her demands.
  - b. assess the situation and if the subject is still not under control, consider the following:
    - (1) performing a drive stun,

**NOTE:** A drive stun is utilized when a Taser, with or without a cartridge attached, is held against the subject and energy is applied.

- (2) initiating additional five-second cycles,
- (3) reloading and redeploying another cartridge, or
- (4) using another use of force option.

**NOTE:** It is advisable to minimize the stress to the subject as much as possible. Multiple five-second cycles, cycles continuing longer than five seconds, and discharges by multiple Tasers will increase stress on the subject.

- B. A member who deploys or anticipates the deployment of a Taser will request that a supervisor respond to the scene.

**NOTE:** For all field deployments of a Taser, a supervisor assigned to the district of occurrence at least one rank higher than the deploying member will respond to the scene of the Taser deployment.

- C. The member who field-deployed the Taser will:

1. immediately, upon gaining control and restraining the subject:
  - a. notify OEMC of the deployment and request assignment of emergency medical personnel when:
    - (1) the Taser probes were discharged and penetrated a subject's skin.
    - (2) an electrical current from the Taser was applied to the subject's body.
    - (3) the subject appears to be in any sort of physical distress.
  - b. notify their supervisor, the station supervisor assigned to the district of occurrence, and [CPIC](#).
  - c. if emergency medical personnel determine that the subject requires treatment at a medical facility, follow procedures listed in the directive entitled:
    - (1) "**Field Arrest Procedures**" for secured transportation and processing of injured arrestees.
    - (2) "**Assisting Chicago Fire Department Paramedics**" for non-arrestees.

**NOTE:** Subjects will be transported to a medical facility via a Chicago Fire Department vehicle.

2. complete a Tactical Response Report (TRR) ([CPD-11.377](#)), the appropriate case report, and/or other required reports.

- D. Responding supervisors will:

1. ensure that the scene of the Taser deployment is protected and processed in accordance with the Department directive entitled "**Crime Scene Protection and Processing.**"
  - a. If the Taser deployment occurred in a residence, an evidence technician will be requested to process the scene.
  - b. If the Taser deployment occurred in an area other than a residence, whether indoors or outdoors, the responding supervisor will determine if an evidence technician is required.
  - c. An evidence technician will be requested to photograph the locations where the probes penetrated the subject's skin and/or any other injuries incurred as a result of the TASER deployment.
2. take control of the Taser device and deliver it to the assigned investigating supervisor the rank of lieutenant or above from the district of occurrence.
3. request the On-Call Incident Commander (OCIC) or appropriate area deputy chief, Bureau of Patrol respond to all Taser deployments that result in serious injury or death. When the OCIC or appropriate area deputy chief, Bureau of Patrol responds to the scene of a Taser deployment, that member will be responsible for completing the "Lieutenant or Above / OCIC Review" section of the TRR.
4. ensure the Mobile Crime Lab and Bureau of Detectives personnel are requested when a death has occurred as a result of the Taser deployment.

5. notify IPRA and obtain a log number. During the hours when IPRA is not available, CPIC will be notified to obtain a log number.
  6. review the deploying member's TRR and, if appropriate, approve it.
- E. The assigned investigating supervisor the rank of lieutenant or above from the district of occurrence will:
1. prepare the "Lieutenant or Above / OCIC Review" section of the TRR for those cases which do not require the presence of the OCIC or an area deputy chief, Bureau of Patrol, consistent with the directive entitled "**Incidents Requiring the Completion of a Tactical Response Report.**"  
  
**NOTE:** The assigned investigating supervisor will not approve the involved member's TRR until the Taser device deployment data sheet has been received and reviewed.
  2. ensure that IPRA is notified and a log number is obtained.
  3. download the deployment data consistent with the equipment and software procedures and print a copy of the deployment information. In districts which do not have the necessary equipment to perform the download of deployment data, the assigned investigating supervisor will follow the alternate procedures outlined in Item IV-E-4 of this directive.
    - a. When printing a Taser deployment data sheet, only the date range containing the actual deployment information needs be printed. If the specific date range is not manually selected, all 2000 lines of possible deployment data will be printed.
    - b. The data sheet will be reviewed for time discrepancies. A full download of the device is required if a 254 or a 257 discharge is indicated or the clock is off by several hours, days, months, or years. For additional information, refer to the Department's eLearning website and search keywords "Taser Download."
  4. when unable to download the Taser deployment data (required equipment is inoperable or not installed), designate a Department member, preferably a supervisor, to report to an adjacent district with the involved Taser device for the purpose of downloading and printing the Taser deployment data sheet. The designated Department member will:
    - a. transport the involved Taser device as directed and ensure that the device is not tampered with during transport.
    - b. turn over the Taser device to the appropriate personnel and await the return of the device once the appropriate personnel download the Taser deployment data.
    - c. upon return of the Taser device and receipt of the deployment data, immediately transport the Taser device and data sheet to the assigned investigating supervisor.  
**NOTE:** If alternate locations are unable to download the Taser deployment data, the assigned investigating supervisor will ensure that 2<sup>nd</sup> watch personnel hand-carry the Taser device to the Taser Repair Center.
  5. ensure all evidence from the scene of the Taser deployment is inventoried consistent with the Department directive entitled "**Processing Property Under Department Control,**" including:
    - a. the discharged probes, which will be detached from the wires and inserted, pointed ends first, back into the cartridge.
    - b. the used cartridge(s), which will be wrapped with tape to secure the probes inside the cartridge.
    - c. a copy of the Taser deployment data sheet.

6. forward the Taser deployment data sheet, a copy of the TRR, and a copy of the original case report to IPRA.
7. ensure the expended cartridge is replaced from the district/unit supply. When needed, additional cartridges may be requested from the Taser Repair Center, located at the Education and Training Division, through normal requisition procedures.

**NOTE:** A copy of the TRR will be presented to the Taser Repair Center for replacement cartridges.

- F. In all cases in which a subject has been seriously injured or a death has occurred in conjunction with a Taser deployment, the OCIC or appropriate area deputy chief, Bureau of Patrol 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.
  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. 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."

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

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13-056 MWK/CMW