

ILLINOIS STATE POLICE DIRECTIVE

OPS-002, WEAPONS DISCHARGE/DEADLY FORCE INVESTIGATIONS

RESCINDS: OPS-002, 2018-018, revised 11-20-2018.	REVISED: 03-15-2023 2023-147
RELATED DOCUMENTS: OPS-042, OPS-046, OPS-053, ORD-001, PER-001, PER-003, PER-038	RELATED CALEA STANDARDS (6th Edition): 4.1.5, 4.2.1, 4.2.2, 4.2.4, 4.2.2.2

I. POLICY

- I.A. The Illinois State Police (ISP or Department) will investigate each occurrence of the use of deadly force and all weapons discharge incidents in which Department weapons or Department employees and/or indemnified persons are involved.
- I.B. All ISP personnel will offer their fullest cooperation and assistance in pursuing these investigations.
- I.C. All ISP resources will be made available to assigned investigative personnel upon request.

II. DEFINITIONS

- II.A. Deadly Force – force likely to cause death or great bodily harm, including all intentional and unintentional weapons discharges and the firing of warning shots.

NOTE: The use of warning shots is prohibited by the ISP.

- II.B. Initial Inquiry – an oral report describing the incident in detail and the performance of prescribed duties to the Shift Commander or such other employee as designated by the Shift Commander.
- II.C. Involved Officer – the ISP employee or other indemnified sworn officer who uses deadly force, discharges or causes the discharge of a firearm. For this directive, an Involved Officer would also include any ISP employee, or other indemnified sworn officer, who is injured or involved in a deadly force incident but does not discharge their weapon.
- II.D. Law Enforcement Walk Through – upon request of the Involved Officer, when feasible during the initial inquiry, a process which allows an Involved Officer to refresh their recollection of events that occurred before, during and after a use of deadly force incident. The officer will be escorted at all times by a Supervisor and be permitted to take notes during this walk through.
- II.E. Supervisor – an officer in the chain-of-command of the Involved Officer holding the hard rank of Master Sergeant or above and at a minimum one hard rank above the Involved Officer. This does not include the Division of Internal Investigation (DII) Supervisor referenced in Section III.D.4. of this directive.
- II.F. Video Media – any audiovisual recording authorized and maintained by a law enforcement agency.
- II.G. Weapons Discharge – any discharge of a firearm (ISP weapon or other) by an ISP employee or a sworn officer from another agency working under the direction of and indemnified by the Department (e.g. Metropolitan Enforcement Groups (MEG) unit and multi-jurisdictional task forces).

For the purposes of this directive, weapons discharge **will not** include:

- II.G.1. ISP firearms training, practice, and qualifications
- II.G.2. Firearms practice either on or off duty, at a safe and legal range in accordance with state, county, and local laws and ordinances, including any weapons discharge made accidentally or negligently during practice
- II.G.3. ISP authorized ballistic examination and testing

II.G.4. Deadly force to destroy an injured animal. In such cases, a Computer Aided Dispatch (CAD) entry will be made to document the firearm discharge; however, a field report is not required.

II.G.5. Licensed hunting activity

III. PROCEDURES

III.A. Involved Officer

III.A.1. An Involved Officer, whether on or off duty, who uses deadly force, or whose weapon has been discharged, will immediately notify the Shift Commander in the ISP Troop of occurrence by the fastest means available and render as much information as possible.

III.A.2. The Involved Officer will, if physically capable:

III.A.2.a. Care for any injured persons

III.A.2.b. Request the necessary assistance

III.A.2.c. Secure the scene

III.A.2.d. Preserve and protect all evidence including all weapons

III.A.2.e. Separate and identify any available witnesses

III.A.2.f. Complete an Initial Inquiry

III.A.2.g. While at the scene, the Involved Officer will not discuss the incident beyond what is necessary to secure the scene, ensure officer safety, and broadcast pertinent details prior to arrival of the first assigned supervisory officer

III.A.3. If the Involved Officer is unable to perform these duties, the first responding ISP officer arriving on the scene will assume the responsibilities outlined in paragraphs III.A.1. and III.A.2 of this directive.

III.A.4. If safe and reasonable, the Involved Officer will be afforded the opportunity to perform a law enforcement walk through of the scene.

III.A.5. The Involved Officer must document the incident in the appropriate report management system, absent any physical and/or mental injuries/limitations which occurred as a result of the shooting as follows:

III.A.5.a. Ensure that at least one sleep cycle and/or 24 hours has passed prior to submitting the report.

III.A.5.b. Submit report within 72 hours of incident. The Department may extend this deadline upon request of the Involved Officer through their chain-of-command to the Deputy Director, or their designee, of the Division to which the Involved Officer is assigned. Requests for extension of the 72-hour time period will only be granted if exigent circumstances exist. Such exigent circumstances could include, but are not limited to, injury to the officer or other incapacitating conditions.

III.A.5.c. Prior to submitting the report, the officer will be allowed to view all law enforcement video media of the deadly force incident provided:

III.A.5.c.1) The officer has read and signed the ISP Video Review Advisory form, ISP 9-081.

III.A.5.c.2) The officer will document the video media review in the report, and

III.A.5.c.3) The officer recognizes the video media review is meant solely to supplement the officer's independent recollection of the event. The video media review is allowed to ensure accuracy in preparing the report of the incident. The video media review is not a substitute for report writing but is simply a resource to assist in the preparation of the report and,

III.A.5.c.4) Any and all notes taken by the Involved Officer during the law enforcement walk through and the video media review will be retained as part of the investigative file.

- III.A.6. The Involved Officer upon reinstatement will be assigned to administrative support duties until prosecutorial declination is confirmed or the Director expressly approves and exception in writing. During this time, the Involved Officer will wear appropriate civilian attire, drive an unmarked vehicle, and will not display a firearm or police indicia. Generally, the Involved Officer will observe and report any criminal or other enforceable activity and will not take any police action except when necessary to protect the Officer or another from the threat of bodily harm or death.
- III.B. The Shift Commander in the Troop of occurrence, upon being made aware of an officer's involvement in a deadly force or weapons discharge situation, will:
 - III.B.1. Assign a command officer to respond to the scene and assume supervisory responsibilities. Such response includes:
 - III.B.1.a. Summoning emergency medical services when needed.
 - III.B.1.b. Ensuring all weapons used are rendered safe and secure.
 - III.B.1.c. Securing and protecting the incident scene by establishing an entry log of those entering and exiting the scene and allowing access **ONLY** to those directly involved in rendering medical aid or conducting the deadly force investigation
 - III.B.1.d. Identifying, locating, and separating witnesses.
 - III.B.1.e. Completing an initial inquiry with the Involved Officer to gather all necessary information to conduct the on-scene investigation and completing a written memorandum documenting the initial inquiry.
 - III.B.1.f. Securing all ISP video media involved in the incident. Duplication of video media will only be conducted under the authority of the investigating unit (i.e. DII or Zone assigned) or as required by law. Under no circumstances will the Involved Officer be given a copy for the purposes outlined in III.A.4. of this directive.
 - III.B.1.g. When necessary, make immediate arrangements for a replacement firearm to be issued to the Involved Officer.
 - III.B.1.h. In accordance with ISP Directives PER-064, "Critical Incident Stress Management," and PER-001, "Peer Support Program," ensuring necessary arrangements are made for all Involved Officers.
 - III.B.1.i. Ensuring all reports describing the deadly force incident are completed in the appropriate ISP report management system by any officer(s) otherwise involved, except as provided in III.A.4. of this directive, within 72 hours but no sooner than 24 hours of the incident with copies forwarded to the DII and through the appropriate Assistant Deputy Director to the Use of Force Incident Review Committee, ISP Academy.
 - III.B.1.j. Preparing a Universal Addendum Form, ISP 5-264, to the Involved Officer's report summarizing the command officer's activity. A copy of this report will be forwarded to the DII.
 - III.B.2. Confirm prompt notifications have been made to the Troop Commander, the DII Area Commander or duty agent, the Springfield Communications Center, the Crime Scene Investigator, the Zone Commander, the local law enforcement agency having jurisdiction where the incident occurred and ensure compliance with paragraphs III.C.1. or III.C.2. (as applicable) and III.D of this directive.
 - III.B.3. Immediately proceed (or send a designee) to the scene of the incident.
- III.C. Assisting officer
 - III.C.1. In the event the Involved Officer is not injured in the incident, the Shift Commander will designate an assisting officer (a Peer Support Advisor, if available) for the purpose of:
 - III.C.1.a. Providing support to the Involved Officer and assist with family related issues
 - III.C.1.b. Forwarding any request for assistance to the Office of Human Resources (OHR), Office of the Director
 - III.C.1.c. Offering any other assistance as deemed necessary. For additional guidance, see ISP Directives PER-001, "Peer Support Program," and PER-064, "Critical Incident Stress Management."

- III.C.1.d. Removing the Involved Officer from the scene as soon as practical after the scene has been secured with the permission of the on-scene supervisor

NOTE: The assisting officer's role is one of support and the officer should not solicit information regarding the incident from the Involved Officer. The assisting officer shall not be a Supervisor and shall not be present during the law enforcement walk through, video media review, or report writing.

- III.C.2. In the event the Involved Officer is injured in the incident, the assisting officer will accompany the injured officer to the hospital for the purpose of:

- III.C.2.a. Protecting the Involved Officer and the Involved Officer's personal belongings
- III.C.2.b. Collecting and preserving evidence
- III.C.2.c. Communicating with investigators, command, the Medical Response System Coordinator (see ISP Directive PER-038, "The Medical Review Board and Medical Duty), and others as necessary
- III.C.2.d. Forwarding any request for assistance to the OHR
- III.C.2.e. Providing support to family members arriving at the hospital
- III.C.2.f. Offering any other assistance as deemed necessary. For additional guidance, see ISP Directives PER-001, "Peer Support Program," and PER-064, "Critical Incident Stress Management"

- III.D. Investigative Responsibilities. If the Involved Officer's actions result in a death, injury to a person, or property damage, regardless of injuries to the Involved Officer, the criminal and/or administrative investigation will be conducted in accordance with ISP Directive OPS-089, "Officer Involved Death Investigations."

- III.D.1. Should an officer become involved in an on-duty incident where deadly force was used, the officer shall:

- III.D.1.a. Submit to drug and alcohol testing.
- III.D.1.b. The drug and alcohol testing must be completed as soon as practicable after the deadly force incident but no later than the end of the Involved Officer's shift.

- III.D.2. The Shift Commander will follow procedures set forth in paragraph III.B of this directive.

- III.D.3. The Troop/Zone/Unit Commander will:

- III.D.3.a. Assign a supervisor to be present and review video media with the Involved Officer as prescribed in III.A.4 of this directive.
- III.D.3.b. Review, oversee, and ensure all notifications and applicable procedures outlined in this policy have been followed.
- III.D.3.c. Assign the Involved Officer only to administrative support duties until prosecutorial declination is confirmed. The Commander shall deliver to the Involved Officer a letter that identifies the restricted scope and conditions of the assignment in accordance with this and other related ISP Directives, including, but not limited to, ORD-001, "Firearms" (V.B.2.h.3), and PER-004, "Dress and Grooming."
- III.D.3.d. Coordinate with the DII regarding the release of media information through the statewide Public Information Office.
- III.D.3.e. Forward copies of all deadly force encounters involving the use of firearms through the appropriate Assistant Deputy Director to the Use of Force Incident Review Committee.
- III.D.3.f. Forward a copy of the Field Report to the Quartermaster Section, Division of the Academy and Training (DAT), whenever a ballistic vest was involved in the deadly force incident
- III.D.3.g. When applicable, conduct a critical incident debriefing

- III.D.4. The DII Supervisor will:

- III.D.4.a. Ensure all appropriate DII personnel have been notified and immediately respond to the scene of the deadly force incident
 - III.D.4.b. Take charge of the crime scene and investigation upon arrival
 - III.D.4.c. Upon arrival, confer with the Troop supervising officer
 - III.D.4.d. Coordinate with troop personnel to ensure notification of the local state's attorney's office and medical examiner's or coroner's office when applicable
 - III.D.4.e. Collect and compile all written documentation
 - III.D.4.f. Ensure all video media is collected, compiled and inventoried.
- III.D.5. The Division of Forensic Services (DFS) will provide:
- III.D.5.a. Crime scene services
 - III.D.5.b. Evidence identification, collection, and examination
 - III.D.5.c. Any other necessary laboratory services or analyses
- III.E. Annual analysis
- III.E.1. The Use of Force Incident Review Committee will conduct an annual analysis each calendar-year of use of force/weapons discharge reports (see paragraph III.B.1.i. of this directive) to determine if there are patterns or trends that indicate training needs, equipment upgrades, and/or policy modifications.
 - III.E.2. The analysis will be provided to the Academy Commander by March 1.
 - III.E.3. A copy of the annual analysis will be provided to the Director and Deputy Directors by March 31.

| Indicates new or revised items.

-End of Directive-