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 actions of an officer (50 ILCS 727/1-10; 50 ILCS 727/1-30; 730 ILCS 210/3-1) while simultaneously tending to the physical and emotional well-being of the officer(s) involved as a result of these traumatic events. If a Crystal Lake Police Department employee is involved in a deadly force incident in another jurisdiction, the Crystal Lake Police Department will work closely with the investigating agency and will use this policy as a guideline. All other response to resistance events not reasonably considered a deadly force application are governed by the Crystal Lake Police Department's Response to Resistance Policy, except in cases that actually result in great bodily harm or death.

Wherever the male gender is used in this policy, it shall be construed to include both males and females equally.

All Appendixes mentioned in this policy are located at the end of this policy manual.

See attachment: OIS Appendix.pdf

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).

(a) Involved Officer – An employee of the Crystal Lake Police Department that has been involved in a deadly force incident. An involved officer may also be a witnessing or participating officer who was on scene but may not have discharged a firearm or applied force resulting in great bodily harm or death.

(b) Support Officer – An employee of the Crystal Lake Police Department selected to accompany the involved officer in the immediate aftermath of a traumatic event, such as an officer involved deadly force incident. The purpose of the support officer is to provide assistance, informational updates, security, and emotional support for the involved officer.

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(c) Lead Investigator – The designee of the Chief of Police assigned to conduct the criminal investigation of the suspect, and the suspect's criminal activities leading up to the use of deadly force in the incident.

(d) Outside Investigating Agency – A law enforcement agency requested by the Chief of Police to conduct an independent investigation of the use of deadly force by a Crystal Lake Police Department employee. Examples of outside investigating agencies include the Illinois State Police.

(e) Public Safety Statement – A limited set of predetermined questions asked by a supervisor and answered by an involved officer at the scene of a deadly force incident. The purpose of the Public Safety Statement is to provide basic information necessary to render immediate medical care, protect the public, locate witnesses and/or suspects, identify evidence, and to secure the crime scene. See Appendix A attached at the end of this policy manual.

(f) Northern Illinois Critical Incident Stress Management Team (NICISM) – A peer support group trained in debriefing public safety employees involved in traumatic incidents. The NICISM can be contacted at 800-225-2473.

(g) Force Science Institute – An institute located in Mankato, MN, dedicated to the study of human dynamics in high stress, rapidly unfolding force encounters. The Institute facilitates the application of Force Science concepts during investigations, training and the evaluation of officers' behavior during these encounters. The Force Science Institute can be contacted to determine if post-incident assistance or consultation is needed.

(h) Deadly Force - Force which is likely to cause death or great bodily harm, 720 ILCS 5/7-8 (a).

310.2 TYPES OF INVESTIGATIONS

Officer-involved deadly force incidents will likely involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. The Crystal Lake Police Department may relinquish its criminal investigation to an outside agency at the discretion of the Chief of Police or his designee.

(b) An independent investigation by an outside law enforcement agency to examine the use of deadly force by a Crystal Lake Police Department employee, typically conducted by the Illinois State Police.

(c) An investigation to determine the lawfulness of the involved officer(s) actions conducted by an outside agency, typically conducted by the McHenry County State's Attorney's Office.

(d) A civil investigation to determine potential liability conducted by the involved officer's agency.

(e) An administrative investigation conducted by the involved officer's agency to determine if there were any violations of Department policies, rules, and procedures, as well as to determine if a training need should be addressed.

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310.3 SCOPE OF INVESTIGATIONS

(a) Application of deadly force involving no injury to others - The Chief of Police, or his designee, shall determine the scope of the investigation.

(b) Application of deadly force involving great bodily harm or death – 310.4, Procedures, shall be followed in all deadly force incidents resulting in great bodily harm or death.

310.3.1 COMMUNICATION WITH FAMILY AND NEXT-OF-KIN

When a death has resulted from an officer's use of force or while in the custody of the Department or a department officer, notification to next-of-kin, family, or another emergency contact shall be made as soon as practicable. The information provided should include the facts surrounding the incident that are reasonably known to the member at that time and that are appropriate to provide under the circumstances given any pending investigations and in accordance with state and federal law (730 ILCS 210/3-5).

The Chief of Police shall designate an officer as the Family Liaison Officer to handle ongoing communication with the decedent's family or next-of-kin. Responsibilities of this position include but are not limited to communicating investigation developments, practical support, and, if requested, arranging for a chaplain or suitable staff member to address matters related to faith (730 ILCS 210/3-5).

310.4 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 CLPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Special Investigations Authority and will be considered a confidential officer personnel file.

Interviews of employees 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.

    (a) 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) A request should be made to impound any search warrant issued to obtain a blood sample for alcohol/drug screening for an officer-involved shooting or death.

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(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.

(a) 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.

(b) 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).

(c) The officer shall not be subject to professional or personal abuse, including offensive language (50 ILCS 725/3.6).

(d) If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview and shall inform the CLPD 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.

(e) 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.

(f) The officer shall be informed in writing of the nature of the investigation, the interviewers, and all persons who will be present on behalf of the CLPD (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).

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(g) The Special Investigations Authority shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.

(h) Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be reviewed in accordance with the Response to Resistance Administrative Review Policy-302, which will restrict its findings as to whether there was compliance with the Response to Resistance Policy.

(i) 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).

310.4.1 INVESTIGATION OF DEADLY FORCE INCIDENTS-INVOLVED OFFICER(S) RESPONSIBILITIES

(a) Notify the Southeast Emergency Communication dispatch center of the incident. Include officer identification, location, and suspect information.

(b) Assess the scene for injuries to officers and others. Render first aid when it is safe to do so.

(c) Request additional police units and EMS response. Inform responding units of the safest approach to the scene.

(d) Direct the actions of responding units until relieved by the supervisor or another responding officer.

(e) If able, secure the scene and suspect with the assistance of responding units.

(f) Protect evidence at the scene.

(g) Provide a public safety statement to the on scene supervisor.

310.4.2 INVESTIGATION OF DEADLY FORCE INCIDENTS-RESPONDING OFFICER(S) RESPONSIBILITIES

(a) Additional responding officers will be responsible for stabilizing the scene, ensuring the safety of those on scene, and preserving evidence.

(b) Assess the scene upon arrival. Broadcast the status of the scene and relevant updates when safe to do so.

(c) Inform additional responding units of the safest approach to the scene.

(d) Activate EMS if not already done.

(e) Secure the suspect(s) when tactically safe to do so.

(f) Conduct an initial medical assessment of the officer(s), suspect(s), and any other victims. Initiate first aid, if applicable, and provide updates to EMS.

(g) Identify and separate all independent witnesses.

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(h) Remain with the involved officer(s) until a support officer arrives.

(i) If a supervisor is not yet on scene, the senior officer on scene shall assume the role of Incident Commander until relieved by a supervisor. If no supervisor is available, the senior officer shall assume all of the responsibilities of the supervisor, in accordance with 310.4.3, Supervisor Responsibilities.

310.4.3 INVESTIGATION OF DEADLY FORCE INCIDENTS-SUPERVISOR RESPONSIBILITIES

1. Respond to the scene and assume the role of Incident Commander until relieved. Begin scene stabilization. If more than one scene is identified or known, respond to the primary scene (the scene reasonably considered of the most significance and in need of a supervisor's command and control).

2. Assess the scene upon arrival. Broadcast the status of the scene and relevant updates when safe to do so.

3.Identify and separate the involved officer(s). Assess their condition. If possible, obtain a separate Public Safety Statement from each involved officer, utilizing the Crystal Lake Police Department's Public Safety Statement form.

A. Unless the supervisor determines clarification of an officer's response is necessary, the supervisor will not ask the officer additional questions.

B. Involved officers should be advised to refrain from discussing the incident with anyone except:

I. Supervisor requesting a Public Safety Statement

II. Officer's attorney, counselor, clergy, or immediate family

4. Determine if any additional personnel and/or resources are needed. Inform additional responding units of the safest approach to the scene.

5. Coordinate the search and apprehension of any suspects at-large.

6. Coordinate first aid and EMS response.

7. Secure the scene. Establish an inner and outer perimeter. Establish a Crime Scene Log.

8. Coordinate notification to the Commander of Patrol, the Commander of Investigations, the Deputy Chief of Police, and the Chief of Police. This can be accomplished with a single notification to their direct supervisor, or any Unit Commander if their direct supervisor is not available.

9. Relieve the involved officer(s) of on scene duties when reasonable and safe to do so. Remove the involved officer(s) from the scene as soon as possible.

10. Assign a support officer to accompany the involved officer(s) at all times.

A. A separate support officer should be assigned to each involved officer, if more than one officer was involved.

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11. Coordinate the transport of the involved officer(s) to the hospital for a medical evaluation regardless if an injury is reported or not, in an effort to safeguard any unknown physical, mental, or emotional needs.

A.The supervisor shall request that the involved officer(s) be transported to a different hospital than the suspect, if applicable.

B. If there is more than one involved officer, they shall be transported separately.

C. If transported by squad car, the officer should be transported in the front seat.

12. Coordinate the transport of the suspect(s) to the hospital for medical treatment, if necessary.

A. The supervisor shall request that the suspect(s) be transported to a different hospital than the involved officer(s) whenever practical.

B. Assign at least one officer to stay with the suspect.

C. The assigned officer(s) shall not interview the suspect(s), but shall note any voluntary, spontaneous statements made in the officer's presence.

D. The assigned officer(s) shall identify and secure evidence, including the suspect's clothing, until relieved by an investigator or Evidence Technician.

E. Any property or evidence collected must be documented on a property inventory form.

13.Identify and secure evidence. Unless otherwise directed, the Crystal Lake Police Department shall not process the scene for evidence unless the evidence would be lost or destroyed if not immediately preserved or processed. Evidence collection and processing shall be conducted in cooperation with the outside investigating agency.

14.Identify and secure all sources of squad car and/or body mic audio and video recording of the incident.

15. Secure any weapon(s) and ammunition used by the officer involved in the response to resistance. Items collected may include the officer's duty firearm, duty rig, any secondary weapons, extra magazines and ammunition, uniform, and vest.

A. Photograph the involved officer(s) in full uniform and duty gear prior to securing any property.

B. Equipment shall be recovered from the involved officer(s) out of public view when practical.

C. If a duty firearm is secured as evidence, a replacement shall be furnished to the involved officer(s) as soon as possible, as determined by the Chief of Police.

D. Any other duty-related equipment retained as evidence shall be replaced or returned by the Department, if appropriate, as determined by the Chief of Police.

E. Any property or evidence collected must be documented on a property inventory form.

16. Identify and separate witnesses.

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A. First responders should refrain from conducting witness interviews. Once identified, interviews shall be conducted at the direction of theCommander of Investigations, in cooperation, if applicable, with the outside investigating agency.

B. Consideration should be given to transporting witnesses voluntarily to the Police Department to await interview.

C. If a witness must leave, officers should obtain detailed contact information and inform the witness that they will be contacted at a later time for an interview.

17. In the event of the death of anyone involved, initiate contact with the Coroner's Office.

310.4.4 INVESTIGATION OF DEADLY FORCE-INCIDENTS INVOLVING A SUPERVISOR

In the event the involved officer is the supervisor, the senior officer on scene will immediately assume the role of Incident Commander and will perform all of the duties described 310.4.3, Supervisor Responsibilities, until such time that the senior officer is relieved by an officer of the rank of sergeant or above.

310.4.5 INVESTIGATION OF DEADLY FORCE INCIDENTS-SUPPORT OFFICER RESPONSIBILITIES

1. A police officer not involved in the incident shall be assigned to accompany the involved officer at all times, to provide assistance, informational updates, security, and emotional support.

2. Wherever possible, the support officer will be chosen by the involved officer. If the chosen support officer responds off duty, he will be compensated. An alternative support officer will be assigned by a supervisor to accompany the involved officer in the interim.

3. Accompany the involved officer to the hospital, and elsewhere as needed.

4. Protect the involved officer and his belongings while receiving medical treatment.

5. Serve as point of contact to provide support and informational updates to the officer's family.

6. Provide updates to investigators and command personnel regarding the involved officer's well-being.

7. Provide other assistance as deemed necessary.

8. The support officer shall refrain from discussing the incident with the involved officer.

9.The support officer shall maintain their role and responsibilities until relieved by the Chief of Police or his designee.

310.4.6 INVESTIGATION OF DEADLY FORCE INCIDENTS- COMMANDER OF INVESTIGATIONS RESPONSIBILITIES

1. The Commander of Investigations or his designee shall be notified and respond to the scene of all response to resistance incidents resulting in great bodily harm or death, or as otherwise directed by the Chief of Police or his designee.

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2. Coordinate the criminal investigation of the suspect(s). Request the assistance of an outside agency as needed and approved by the Chief of Police or his designee.

3. Request the assistance of an outside investigating agency, such as the Illinois State Police, to conduct an independent investigation of the use of deadly force, as directed by the Chief of Police or his designee.

4. Assign investigators to conduct the criminal investigation of the suspect(s), and, if applicable, assist any outside investigating agency as needed.

5. Provide notification, and serve as liaison, to the outside investigating agency, the McHenry County State's Attorney, and the McHenry County Coroner

6. Coordinate the retention, collection, and approval of incident reports, memoranda, and field notes, if applicable, pursuant to 725 ILCS, 5/114-13.

7. Direct the preservation of all radio communications and mobile data related to the incident.

8. Request consultation with the Force Science Institute if necessary, as directed by the Chief of Police.

310.4.7 INVESTIGATION OF DEADLY FORCE INCIDENTS- COMMANDER(S) OF PATROL

(a) The Commander(s) of Patrol shall be notified and respond to the scene of all response to resistance incidents resulting in great bodily harm or death, or as otherwise directed by Chief of Police or his designee.

(b) Respond to the scene and assume the role of Incident Commander until relieved.

(c) Evaluate the security of the inner and outer perimeter.

(d) Establish a Command Post and staging areas (media, ILEAS, NIPAS, etc.).

(e) Request a mobile command vehicle if deemed necessary.

(f) Evaluate staffing needs to determine whether additional officers and/or mutual aid assistance is needed.

(g) Evaluate equipment needs and coordinate acquisition of resources.

(h) Assist on-scene supervisor with coordination of duties.

(i) Conduct the Administrative Review of the response to resistance.

310.4.8 INVESTIGATION OF DEADLY FORCE INCIDENTS - DEPUTY CHIEF AND CHIEF OF POLICE RESPONSIBILITIES

1. The Deputy Chiefs and Chief of Police, or designee(s), shall be notified and respond to all response to resistance incidents resulting in great bodily harm or death.

2. Obtain briefings from command personnel or supervisory staff sufficient to assess the incident and status of the investigation.

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3. Determine if an outside agency will be requested to conduct the independent investigation of the use of deadly force. Prepare and submit a letter requesting assistance from the outside investigating agency. See Appendix D attached to end of this policy manual.

4. Consult with the Commander(s) of Operations to evaluate staffing needs.

5. Evaluate equipment needs and authorize acquisition of resources.

6. Assign the Public Information Officer to coordinate the media staging area and release of information to the public.

7. Provide notification to the City Manager and City Attorney. Staff the Emergency Operations Center, if activated.

8. Coordinate the response of outside legal counsel.

9. With the consent of the involved officer(s), coordinate notification to the officer's family. If the involved officer is injured or killed, notification shall be conducted in person. The Department, when possible, shall assist with the transportation of a spouse or immediate family member to the hospital.

310.4.9 INVESTIGATION OF DEADLY FORCE INCIDENTS-PUBLIC INFORMATION OFFICER

1. The Crystal Lake Police Department's Public Information Officer or designee shall be notified and respond to all response to resistance incidents resulting in great bodily harm or death, at the direction of the Chief of Police or designee.

2. Respond to the Incident Command Post or Emergency Operations Center to obtain an informational briefing.

3. Serve as liaison to all assisting agencies' public information offices.

4. Serve as liaison to all media outlets.

5. Coordinate the release of information.

6. Department personnel shall not discuss the facts of the case nor the condition of the involved officer(s) or suspect(s) with members of the public or media without authorization of the Chief of Police

310.4.10 INVESTIGATION OF DEADLY FORCE INCIDENTS-INVOLVED OFFICER-PRE-STATEMENT PROCEDURES

1. Obtaining a complete statement from an officer involved in a use of deadlyforce incident is essential to determining whether the officer respondedappropriately to a threat. The Crystal Lake Police Department recognizes scientific studies conducted, which identify physiological responses in the body during a traumatic event lead to immediate recall issues. The Department also recognizes the effects of trauma on event recall, and the benefits ofsleep to improving memory of a traumatic event. Officers involved in a deadly force incident or other high stress event may experience the following symptoms:

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- A sense of slow motion, caused by accelerated thought process
- A sense of detachment, including auditory exclusion
- Tunnel vision
- A skewed sense of time and space relation
- Nausea or vomiting
- Involuntary bodily functions
- Speech impairment
- Uncontrollable crying
- Shock
- Guilt
- Anger
- Disbelief

2. The Department's goal is to minimize the negative effects of the above reactions

3. The involved officer(s) shall be allowed a minimum of 48 hours or two sleep cycles prior to being interviewed. Officers may be interviewed sooner if the officer's legal counsel determines the officer could provide a complete statement.

4. The involved officer(s) should refrain from discussing the incident with anyone, except:

A. Supervisor requesting a Public Safety Statement

B. Officer's attorney, counselor, clergy, or immediate family

5. The officer(s) involved in the use of deadly force shall not draft any reports. Oral statements of the officer(s) involved and all witnesses shall be documented in the investigating agency report. Any written statements of the suspect(s) or other witnesses shall be attached to the report.

6. In cooperation with the outside investigating agency, the Department may facilitate a pre-interview walk-through of the scene for the involved employee and their legal counsel. The purpose of the walk-through is to facilitate memory of the event. Depending on the location of the event, a search warrant or valid consent may be necessary prior to conducting the walk-through.

7. In cooperation with the outside investigating agency, the Department may facilitate a pre-interview review of relevant video footage from the incident for the employee and their legal counsel. The purpose of the video review is to facilitate memory of the event.

8. An officer witnessing the application of deadly force, or participating in the event, may be directed to follow these procedures by the on scene supervisor, as determined by the level of their involvement.

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310.4.11 INVESTIGATION OF DEADLY FORCE INCIDENTS-CRIMINAL INVESTIGATION OF THE SUSPECT(S)

(a) Criminal Investigation – Because an officer reacts with deadly force, the reasonable conclusion is the officer or another person is the victim of a crime involving the infliction or threatened infliction of great bodily harm or death. As a result, an investigation of the suspect's criminal activity will commence to document the crime and determine criminal charges to be leveled against the suspect(s), if necessary.

(b) The criminal investigation of the suspect(s) and of the criminal activity leading up to the use of deadly force shall be conducted by the Crystal Lake Police Department, in cooperation with the McHenry County State's Attorney's office and the outside investigating agency, or as otherwise directed by the Chief of Police or designee.

(c) Unless otherwise directed, the Crystal Lake Police Department shall secure the crime scene, but will not process the scene for evidence unless the evidence would be lost or destroyed if not immediately preserved or processed. Evidence processing shall be conducted in cooperation with the outside investigating agency.

310.4.12 INVESTIGATION OF DEADLY FORCE INCIDENTS-INDEPENDENT INVESTIGATION OF THE USE OF DEADLY FORCE

1. In the event of a deadly force incident resulting in great bodily harm or death, the Chief of Police, or designee, may request the assistance of an outside investigating agency. When practical, the Department will request the assistance of the Illinois State Police via their District 2 communications center in Elgin. In the event an officer's response to resistance results in the death of any individual, the investigation must be conducted by an independent law enforcement agency.

A. At minimum, two (2) independent investigators will conduct the investigation.

B. At least one (1) of the independent investigators must be certified by the Illinois Law Enforcement Training and Standards Board (ILETSB) as a Lead Homicide Investigator or possess other approved training.

2. If an outside agency assumes responsibility for the independent investigation of the use of deadly force, the Crystal Lake Police Department and its Investigations Unit will work in cooperation with the outside investigating agency. The Crystal Lake Police Department shall retain responsibility for the criminal investigation of the suspect(s), as described in section 310.4.11.

3. The Commander of Investigations shall serve as liaison to the outside investigating agency.

4. No actions shall be taken by any employee of the Department to interfere with the investigation conducted by an outside agency.

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310.4.13 INVESTIGATION OF DEADLY FORCE INCIDENTS-ADMINISTRATIVE REVIEW

(a) The Commander(s) of Patrol, or as assigned by the Chief of Police or his designee, shall initiate and conduct the administrative review of a deadly force incident to determine if the actions of the involved officer(s) conformed to Crystal Lake Police Department policies, procedures, rules, and regulations.

(b) The administrative review of a deadly force incident shall not impede the criminal investigation of the suspect(s) or any outside agency's independent investigation of the use of deadly force.The Crystal Lake Police Department will conduct its administrative review in cooperation with the outside investigating agency.

(c) The Chief of Police may direct any involved officer(s) to provide a statement during an administrative review of a deadly force incident.

(d) The administrative review may not require the taking of statements, based upon the results of the outside agency's response to resistance investigation.

(e) The administrative review shall include:

  (a) Review statements of all officers and witnesses. Follow-up interviews may be conducted as necesssary to clarify information not determined by the criminal investigators.

  (b) Review of the criminal investigation of the suspect(s) conducted by the Crystal Lake Police Department.

  (c) Review of the independent investigation of the use of deadly force conducted by the outside investigating agency.

  (d) An examination of all available reports and evidence to document:

    I. The position of the officer at the time of the incident.

    II. How many shots were fired, if applicable

    III. The location of any remaining rounds in the firearm

    IV. The working condition of the firearm(s) or other weapon involved.

  (e) Check the make, model, serial number of the weapon to determine if it was properly registered with the Department.

  (f) Determine if the ammunition used was within Department guidelines.

  (g) Documentation of any relevant facts necessary to determine if the use of deadly force was justified.

  (h) The administrative review shall include a written statement concluding if the use of deadly force was within departmental guidelines and justified under state law.

  (i) The findings shall be submitted to the Chief of Police, and upon approval, forwarded to the Deadly Force Review Committee.

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310.4.14 INVESTIGATION OF DEADLY FORCE INCIDENTS-DEADLY FORCE REVIEW COMMITTEE

The Deadly Force Review Committee shall convene when assigned by the Chief of Police or his designee to review the circumstances of the use of deadly force.

1.The Deadly Force Review Committee will be appointed by the Chief of Police, and may consist of the following:

(a) Deputy Chief - Chairperson

(b) Training Coordinator

(c) Other personnel as determined by the Chief of Police.

The Deadly Force Review Committee will evaluate all aspects of the incident and the investigation of the use of deadly force. The committee shall review all available reports and evidence, including investigative, internal, and external reports.

2.The Deadly Force Review Committee shall develop findings and make recommendations to the Chief of Police, and may include;

a. Changes in Department policies and procedures

b. Training improvements

3.The activities of the Deadly Force Review Committee, when appropriate, shall be guided by the advice, counsel, and input of the City Attorney, outside legal counsel, the McHenry County State's Attorney's Office, and the outside investigating agency.

310.5 REVIEW OF AUDIO/VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV) or other video or audio recordings, but not body-worn camera footage, prior to providing a recorded statement or completing reports (see the Portable Audio/Video Recorders Policy) (50 ILCS 706/10-20).

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

310.6 ADMINISTRATIVE LEAVE

1. Administrative leave resulting from a response to resistance incident shall be in accordance with Crystal Lake Police Department Policy Fitness for Duty- Work Related Conditions and/or the governing Collective Bargaining Agreement.

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310.7 DRUG AND ALCOHOL TESTING

In accordance with 50 ILCS 727/1-25 an “officer-involved shooting” means any instance when a law enforcement officer discharges his or her firearm, causing injury or death to a person or persons, during the performance of his or her official duties or in the line of duty.

1.Each law enforcement officer who is involved in an officer-involved shooting must submit to drug and alcohol testing; and

2.The drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting but no later than the end of the involved officer's shift or tour of duty.

310.8 DEBRIEFING

Following an officer involved deadly force incident, the Crystal Lake Police Department should conduct a critical incident stress debriefing and a tactical debriefing.

310.8.1 CRITICAL INCIDENT STRESS DEBRIEFING

A critical incident stress debriefing should occur as soon as practical following an officer involved deadly force incident. The Deputy Chief, or their designee, is responsible for organizing the debriefing. Stress debriefing services offered by the City’s Employee Assistance Program and NICISM should be considered. 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 employees of the Department directly involved in the incident, which can include support personnel (e.g. dispatchers). 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 employees of the Department, including supervisory and Special Investigations Authority personnel.

310.8.2 TACTICAL DEBRIEFING

A tactical debriefing, coordinated by the Patrol Commander, 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 employees have provided recorded or formal statements to criminal and/or administrative investigators.

310.9 MEDIA RELATIONS

No involved Crystal Lake officer shall make any comment to the media unless he is authorized by the Chief of Police or their designee. No employee of this Department shall release the name of any involved officers or suspects without the express authorization of the Chief of Police or his designee. Department employees receiving inquiries regarding officer involved deadly force

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incidents 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.

310.10 REPORTING

The Patrol Unit Commander 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).

The Records Supervisor shall submit a written report to the Illinois Criminal Justice Information Authority whenever there is an officer-involved death of an individual in custody or that may have been caused by an officer's use of force as required by the Reporting of Deaths in Custody Act (730 ILCS 210/3-5). There shall be a good faith effort to include all known relevant facts and circumstances in the report, and the report shall be submitted within 30 days on the required standardized form (730 ILCS 210/3-5).

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