

CHIEF'S PREFACE

Protecting a Legacy

The FPCC Police Department mission requires every officer to perform a dual role. Every officer is expected to be a steward of the land by preserving and protecting our natural habitat. Simultaneously, every officer is expected to fulfill their primary role as a police officer by providing protection to all FPCC staff, visitors, and safeguarding all FPCC properties.

I ask every officer to remain mindful that a priceless and fragile legacy has been left in our care. It is vitally important for each of us to recognize our police mission includes a special duty to preserve and protect our natural habitat. Every officer must recognize we owe this duty to the scores of people who dedicated themselves to this same duty over the last century and to all of the future generations who will inherit this natural legacy.

I ask every officer to accept our police mission as a personal and professional obligation. At the start of each workday, I ask every officer to realize our work makes it possible for millions of families, nature lovers and sports enthusiasts to visit the many large and open natural spaces which have been preserved for their pleasure, education, and recreation.

The meaningfulness of our work can only be understood when considered in these terms. Clearly, the dual roles which define our highly specialized police mission distinguish us from other police agencies. And each day that we dutifully strive to achieve our mission we can rightfully claim to have contributed to preserving the history of our region and protecting a priceless legacy left to all of us.

Forest Preserves of Cook County Police Department

Policy

LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Forest Preserves of Cook County Police Department

Policy

DEPARTMENT MISSION STATEMENT

With a commitment to personal and professional excellence, we will accept the special stewardship entrusted to each of us and serve with honor and distinction.

We will protect the natural splendor of Cook County forests and help preserve them for current and future generations.

We will welcome all visitors and treat them with the dignity and respect they are inherently due.

Each day, we will strive to make all FPCC properties safe and inviting havens to be enjoyed by all for recreation, pleasure and education.

Forest Preserves of Cook County Police Department

Policy

Table of Contents

CHIEF'S PREFACE.	1
LAW ENFORCEMENT CODE OF ETHICS.	2
DEPARTMENT MISSION STATEMENT.	3
Chapter 1 - Law Enforcement Role and Authority.	8
100 - Law Enforcement Authority.	9
101 - Chief of Police.	12
102 - Oath of Office.	14
103 - Policy Manual.	16
104 - Core Values and Core Responsibilities.	19
Chapter 2 - Organization and Administration.	23
200 - Organizational Structure and Responsibility.	24
201 - Departmental Directives.	26
202 - Emergency Operations Plan.	27
203 - Training.	28
204 - Electronic Mail.	32
205 - Administrative Communications.	34
206 - Retiree Concealed Firearms.	35
207 - First Deputy Chief.	38
208 - Deputy Chief of Administration.	39
209 - Commanders/Deputy Commanders.	40
210 - Patrol Sergeants.	41
Chapter 3 - General Operations.	43
300 - Use of Force.	44
301 - Use of Force Review Boards.	71
302 - Handcuffing and Restraints.	74
303 - Control Devices and Techniques.	78
304 - Conducted Energy Device (TASER).	80
305 - Officer-Involved Shootings and Deaths.	88
306 - Firearms.	97
307 - Vehicle Pursuits.	106
308 - Officer Response to Calls.	118
309 - Canine Unit (K-9).	121
310 - Domestic Violence.	134
311 - Workplace Violence.	140
312 - Search and Seizure.	143
313 - Temporary Custody of Juveniles.	145
314 - Adult Abuse.	153
316 - Child Abuse.	158
317 - Missing Persons.	164

Forest Preserves of Cook County Police Department

Policy

318 - Public Alerts.	171
319 - Victim and Witness Assistance.	175
320 - Hate Crimes.	179
321 - Standards of Conduct.	181
322 - Information Technology Use.	188
323 - Abandoned Newborn Infant Protection.	192
324 - Report Preparation.	194
325 - Media Relations.	197
326 - Subpoenas and Court Appearances.	199
329 - Outside Agency Assistance.	203
332 - Death Investigation.	206
338 - Service Animals.	209
339 - Use of Social Media.	212
340 - Off-Duty Law Enforcement Actions.	217
341 - Native American Graves Protection and Repatriation.	220
342 - Private Person's Arrest.	222
344 - Metal Detector Use.	223
346 - Pose Clear and Present Danger.	225
347 - Persons Subject to Involuntary or Voluntary Admission Non-Arrestees.	227
Chapter 4 - Patrol Operations.	230
400 - Patrol Function.	231
401 - Bias-Based Policing.	233
402 - Roll Call Training.	235
403 - Crime and Disaster Scene Integrity.	236
405 - Foreign Diplomatic and Consular Representatives.	238
409 - Aircraft Accidents.	242
411 - Crisis Intervention Incidents.	246
413 - Mobile Data Terminal Use.	250
417 - Immigration Violations.	254
419 - Field Training.	257
420 - Obtaining Air Support Assistance.	260
421 - Contacts and Temporary Detentions.	261
424 - Portable Audio/Video Recorders.	264
429 - Foot Pursuits.	272
432 - Homeless Persons.	277
433 - First Amendment Assemblies.	280
Chapter 5 - Traffic Operations.	286
503 - Vehicle Tow, Storage and Impound Hearings.	287
504 - Abandoned or Derelict Vehicle Violations.	288
507 - Disabled Vehicles.	290
Chapter 6 - Investigation Operations.	292
605 - Brady Material Disclosure.	293
Chapter 7 - Equipment.	297

Forest Preserves of Cook County Police Department

Policy

700 - Department Owned Property.	298
702 - Vehicle Maintenance.	300
703 - Vehicle Use.	302
Chapter 8 - Support Services.	305
802 - Property and Evidence.	306
805 - Animal Control.	315
806 - Protected Information.	318
Chapter 9 - Custody.	321
900 - Temporary Custody of Adults.	322
901 - Custodial Searches.	333
Chapter 10 - Personnel.	338
1010 - Personnel Complaints.	339
1011 - Seat Belts.	347
1012 - Body Armor.	349
1013 - Personnel Records.	352
1017 - Meal Periods, Breaks, Restricted Leave.	356
1018 - Lactation Break Policy.	357
1023 - Personal Appearance Standards.	358
1027 - Departmental Stars.	360
Chapter 11 - Procedures.	362
1100 - Portable Audio/Video Recorders Procedure.	363
1101 - Inventory - Asset Management.	375
Chapter 12 - Executive Protection Unit.	378
1200 - Executive Protection Unit.	379
1201 - Executive Protection Unit Dress Code.	383
1202 - Executive Protection Unit Required Equipment.	385
Attachments.	387
Use of Force Continuum.pdf.	388
cfs_1050-74-1_sab_moms_rights_brochure.pdf.	389
cfs_1050-74-1-p_sab_moms_rights_brochure_polish.pdf.	390
To-From Odum 2022.pdf.	391
IL preventing Elder abuse ea-act_book.pdf.	392
1050-74_sab_brochure_english_2010.pdf.	393
Offense Incident OI Report 2022.pdf.	394
Mobile_Data_Terminal_Use.pdf.	395
Supplementary Report 2022.pdf.	396
1050-74-s_sab_brochure_spanish_2010.pdf.	397
Understanding Elder Abuse.pdf.	398
ConfirmationofTransferofSexualAssaultReport.pdf.	399
cfs_1050-74-1-s_sab_moms_rights_brochure_spanish.pdf.	400
StorageandFutureTestingofSexualAssaultEvidence.pdf.	401

Forest Preserves of Cook County Police Department

Policy

VESSA_FS.pdf.	402
1050-74_sab_brochure_polish_2010.pdf.	403
Chicagos-Response-to-Domestic-Violence.pdf.	404
DOL VESSA 2021.pdf.	405
Crime Victimes_Services Brochure_1021.pdf.	406
Crime Scene Sign In Sheet 2022.pdf.	407
Law_Enforcement_Sexual_Assault_Response_Policy-ComprehensiveGuidelines.pdf.	408
Illinois Domestic Violence Act Referral Agencies in English and Spanish.pdf.	409
MandatoryNoticeofVictimsRighttoInformationRegardingSexualAssaultEvidenceTesting.pdf	410
Continuation Sheet OI 2022.pdf.	411
Death Investigation Worksheet 2022.pdf.	412
Vehicle-Equipment Incident Damage Report Mar 2022.pdf.	413
Older Adults and Elder Abuse factsheet-elder-abuse-508.pdf.	414
sab_2_sided_card_polish_2010.pdf.	415
Illinois Domestic Violence Act State Information in English.pdf.	416
sab_2_sided_card_spanish_2010.pdf.	417
illinois-victimsupdated-4815pdf.pdf.	418
MandatoryNoticeforSurvivorsofSexualAssault.pdf.	419
Motor Vehicle Incident MVI Report 2022.pdf.	420
il_dv_english.pdf.	421
IL_DV_Tearsheet_Spanish.pdf.	422
ISP 2-649 Clear and Present Danger.pdf.	423
domv_tearsheet0605pol.pdf.	424
save_abandoned_babies_no-shame_info_card_1up.pdf.	425
Short_Form_Notification.pdf.	426
DVBrochure.pdf.	427
Elder Care Locator-Connections-Eng.pdf.	428
Abandoned_Newborn_Infant_Protection (1).pdf.	429

Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Forest Preserves of Cook County Police Department to perform their functions based on established legal authority ([720 ILCS 5/2-13](#)).

100.1.1 LAW ENFORCEMENT AUTHORITY GRANTED BY THE STATE OF ILLINOIS

The State of Illinois, through the enactment of the Cook County Forest Preserve Act ([70 ILCS 810](#)), granted to the Cook County Forest Preserve District the statutory authority to organize a police force and to grant lawful authority to its members. The Cook County Forest Preserve Act ([70 ILCS 810/15](#)), as amended in 2015, authorizes the following:

The Board shall have the right and power to appoint and maintain a sufficient police force, the members of which may have and exercise police powers over the territory within such forest preserves for the preservation of peace, and the observance and enforcement of the ordinances and laws, such as conferred upon and exercised by the organized cities and villages; but such police force, when acting within the limits of any city or village, but outside the territory owned, leased, or licensed by the District and property over which the District has easement rights; shall act in aid of the regular police force of such city or village and shall then be subject to the direction of its chief of police, city or village marshals, or other head thereof.

100.1.2 LAW ENFORCEMENT AUTHORITY GRANTED BY THE DISTRICT BOARD OF COMMISSIONERS

The District Board of Commissioners, through a similar legislative enactment (i.e., Title 3- Police Regulations), authorized the Cook County Forest Preserve District to establish a Police Force. And, Section [3-1-2](#) of that ordinance defined the general duties of the regular Police Force and its members as follows:

When on duty, the members of the regular Police Force shall divide their time and attention to the enforcement of ordinances, rules and regulations of the Forest Preserve District and of the laws of the State of Illinois. It shall be their duty to develop good public relations, to direct and assist the public in the proper use and enjoyment of the forest preserves, to perform such other duties pertaining to the welfare of the public and the operation of the District as may be assigned to them by their superiors in command, and to maintain to the best of their ability, peace, order and quiet within the territory under the jurisdiction of the District Board of Commissioners.

100.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to limit its members to only the exercise of the authority granted to them by law. This Department does not tolerate abuse of law enforcement authority. This department and all of its members will neither exceed nor abuse the lawful authority which has been granted for this purpose.

Forest Preserves of Cook County Police Department

Policy

Policy

Law Enforcement Authority

100.3 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law ([720 ILCS 5/2-13](#)). State law [720 ILCS 5/2-13](#) defines "Peace officer" as (i) any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or (ii) any person who, by statute, is granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

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

- (a) There are reasonable grounds to believe that an arrest warrant exists.
 - 1. Notifications and waiver requests for the execution of warrants for those in need of emergency medical assistance and sexual assault victims shall be made in compliance with [725 ILCS 5/107-2](#).
 - 2. When the warrant charges a violation of the Illinois Vehicle Code in another county, the arresting officer shall take steps to have the arrestee delivered before a judicial officer within the jurisdiction of Cook County as soon as practicable ([625 ILCS 5/16-103](#)).
- (b) There are reasonable grounds to believe that the person is committing or has committed an offense.

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

The authority of officers outside the Forest Preserves of Cook County Police Department police district includes the ability to conduct temporary questioning or make an arrest ([725 ILCS 5/107-4](#)):

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

While outside the jurisdiction of the Forest Preserves of Cook County Police Department an officer shall make prompt notification to the local law enforcement agency of the county or municipality where any of the above occurs, and shall notify his/her immediate on-duty supervisor as soon as practicable ([725 ILCS 5/107-4](#)). This excludes Illinois Vehicle Code related stops and arrests.

Forest Preserves of Cook County Police Department

Policy

Policy

Law Enforcement Authority

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other adjoining states:

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

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

100.5 CONSTITUTIONAL REQUIREMENTS

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

Chief of Police

101.1 PURPOSE AND SCOPE

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

101.1.1 CHIEF OF POLICE REQUIREMENTS

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

101.2 DUTIES OF CHIEF OF POLICE

The Chief of Police shall be appointed by and report directly to the General Superintendent of the Forest Preserves District of Cook County (FPCC).

The Chief of Police shall be assigned overall command for all sworn and civilian members of the Department and be responsible for upholding and enforcing all pertinent State of Illinois, Cook County, and Forest Preserves District laws and ordinances in order to serve and protect the citizens visiting the Forest Preserves District and to protect the District's property and natural resources. The duties assigned to the Chief of Police will include at a minimum, but not be limited to the following:

- Responsible for the preservation of law and order for the safety of all patrons of the Forest Preserves District and citizens entering FPCC sites and properties.
- Responsible for directing the activities of command and supervisory officers and their subordinates along with the support staff to function efficiently and effectively while performing daily operations
- Report on activities and major incidents and/or conferring with the Forest Preserves District General Superintendent so as to debrief him/her on major incidents and/or occurrences happening within the Police Department's jurisdiction and/or designated forest preserve areas. Making recommendations on various departmental activities, disciplinary results, promotions, and departmental budgetary items needed to the General Superintendent to be approved and presented to the County Board of Commissioners.
- Establishing working relationships with other police departments (e.g. city, village, county and state) for communication purposes in order to deal with providing assistance and solving crimes with all of the citizens living in the surrounding communities and with those visiting the various Forest Preserves District facilities and properties.
- Attending various community meetings and special events to communicate general information, provide safety tips and assure the public of their safety in and around the Forest Preserves of Cook County.
- Ensure proper coordination response during emergency events and all major incidents.

Forest Preserves of Cook County Police Department

Policy

Policy

Chief of Police

- Attending hearings and completing paperwork on disciplinary actions against officers who have been found to not be following the rules and regulations of the Department.
- Periodically monitoring radio calls to ensure officers are using their radio professionally and according to departmental procedures.
- Oversee field inspections of the Forest Preserves Police facilities and officers to ensure compliance with all department policy and procedural guidelines outlined in Forest Preserves District policy manual, general orders, rules and regulations.

Oath of Office

102.1 PURPOSE AND SCOPE

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

102.1.1 OATH OF OFFICE

Upon employment, all sworn employees shall be required to swear or affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer.

102.2 POLICY

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

102.3 OATH REQUIRED BY BOARD OF COUNTY COMMISSIONERS

In compliance with the ordinances enacted by the Board of Commissioners of the Forest Preserve District of Cook County, pursuant to Section [3-1-3](#) (Oath of Office), to wit:

All members of the Police Force shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation :

***"I do solemnly swear (or affirm, as the case may be)
that I will support the Constitution of the United States,
and the Constitution of the State of Illinois,
and that I will faithfully discharge the duties
of the office (insert here name of office, etc., etc.,)
according to the best of my ability."***

The Chief of Police shall cause a permanent record to be kept of said oath of office. The appointment of any person to any office in the Police Force, with the exception of Emergency Police, shall not be deemed complete unless that person has been awarded, within six (6) months of his or her initial full-time employment, a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Training Course as prescribed by the Illinois Law Enforcement Training Standards Board ("ILETSB"); or has been awarded a certificate attesting to his or her satisfactory completion of a training program of similar content and number of hours and which course has been found acceptable by ILETSB; or by reason of extensive prior law enforcement or county corrections experience the basic training requirement is determined by ILETSB to be illogical and unreasonable.

Forest Preserves of Cook County Police Department

Policy

Policy

Oath of Office

102.3.1 RECORD KEEPING

Every sworn member, before they are assigned to enter on the duties of their respective office, shall be furnished a one page document containing the above listed Oath of Office. The document shall also display the County Seal and contain three signature lines to record the signatures of the sworn officer who executed the form, witness, and the Chief of Police.

Every sworn officer shall fully execute the form and then read aloud the Oath of Office in the presence of the Chief of Police (or other suitable member of the senior command staff) and at least one other witness. After reading aloud the Oath of Office, the sworn officer will affix his/her signature on the form and then present it to the designated witness who will sign and date the form. The witness will then submit the executed and witnessed form to the Chief of Police for signature.

Immediately following the oath taking and completion of the Oath of Office form, a copy of the Law Enforcement Code of Ethics form shall be furnished to the sworn officer. The sworn officer will be required to read and sign the Law Enforcement Code of Ethics form and then present the completed Law Enforcement Code of Ethics form to the Chief of Police or authorized designee for his/her signature and entry of the date the document was signed.

Both executed forms shall be submitted to the Police Department Operations Manager and FPDCC Human Resources Department where both forms will be permanently retained in the officer's personnel file.

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Forest Preserves of Cook County Police Department is hereby established and shall be referred to as the Policy Manual or the Lexipol Policy Manual.

103.2 POLICY

The policy manual is a statement of the current policies and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing Police Department manuals, orders and regulations that are in conflict with this manual are rescinded.

103.2.1 DISCLAIMER

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

103.3 AUTHORITY

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

103.4 DEFINITIONS

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

Adult - Any person 18 years of age or older.

Authorized designee - a member assigned by a supervisor to perform a specific task.

CFR - Code of Federal Regulations.

County - The County of Forest Preserves of Cook County Police Department.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/FPCCPD - The Forest Preserves of Cook County Police Department.

Employee/personnel - Any person employed by the Department.

Forest Preserves of Cook County Police Department

Policy

Policy

Policy Manual

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

Juvenile - Any person under the age of 18 years.

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

Manual - The Forest Preserves of Cook County Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is employed or appointed by the Forest Preserves of Cook County Police Department, including:

- Full- and part-time employees.
- Sworn peace officers.
- Civilian employees.
- Volunteers / Interns

Officer - Those employees, regardless of rank, who are sworn employees of the Forest Preserves of Cook County Police Department.

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

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

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

Shall or will - Indicates a mandatory action.

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

Supervisor - A person in a position of authority (Rank of Sergeant or above) that may include responsibility for assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

USC - United States Code.

103.5 ISSUING THE POLICY MANUAL

The Policy Manual will be made available to all members on the department. No changes shall be made to the manual without authorization from the Chief of Police or authorized designee.

Each member shall acknowledge that they have been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek

Forest Preserves of Cook County Police Department

Policy

Policy

Policy Manual

clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

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

103.7 REVISIONS TO POLICIES

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

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

Each supervisor will ensure that members under their command are aware of any Policy Manual revision.

All employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions through the Chain of Command to the Chief of Police or authorized designee. All suggestions and recommendations shall be reviewed and considered by the Chief of Police or authorized designee.

Core Values and Core Responsibilities

104.1 CORE VALUES

Every Department member shall display an unwavering support for the Department's Mission and maintain a steadfast commitment to the policing philosophy embodied by the six core values, four responsibilities of the Department, and the ten shared principles adopted by the National Advancement of Colored People (NAACP) and the Illinois Association of Chiefs of Police (IACP) regarding the relationship between police departments and the communities and people they serve in Illinois.

104.1.1 THE DEPARTMENT'S SIX CORE VALUES

P Professional Pride

O Obligation

L Leadership

I Integrity

C Courage

E Enthusiasm

Professional Pride - At all times, we will honor our profession and remain constantly mindful that though our daily conduct, performance of our duties, and steadfast commitment to police service, we will indeed be honoring ourselves and our profession.

Obligation - We recognize as police officers that we accepted a personal obligation to honorably serve our community, our governing body, our department, and our profession.

Leadership - We believe every officer is a leader with the capacity to inspire others by always serving in an honorable and dignified manner.

Integrity - We will strive to maintain a police organization with little or no misconduct, free from any corruption and accountable and transparent to all county residents.

Courage - We will be steadfast in the performance of our duty and always ready to face adversity and strife in a resolute manner and with professional composure.

Enthusiasm - We will exhibit enthusiasm and energy in all endeavors and in such a manner as to distinguish ourselves and earn acclaim for our department.

104.2 CORE RESPONSIBILITIES

It is vitally important for Department members to recognize they have accepted a position of public trust, and by doing so, assumed a personal and professional obligation to honorably and equitably serve the community and all of its members. This written directive has been added to the department policy manual to help department members fully comprehend the nature and scope

Forest Preserves of Cook County Police Department

Policy

Policy

Core Values and Core Responsibilities

of the obligation they have assumed. This written directive briefly describes the department's four core responsibilities and to utilize them as a guide for daily decision making.

104.3 OUR FOUR CORE RESPONSIBILITIES

1. Responsibility to our department and all members of our workforce
2. Responsibility to our governing body/administration
3. Responsibility to the community we serve
4. Responsibility to our profession

104.3.1 RESPONSIBILITY TO THE WORKFORCE

The command staff of the Department will create an organizational climate which inspires and promotes leadership by providing career opportunities, developing talent and skill capacities at all ranks, and promoting the development of future generations of police leaders.

Command and supervisory members of the Department will be guided by the core values and four core functions of the Department. At all times, command and supervisor personnel will be expected to display ethical conducted expected of police officers and leaders.

Every officer will accept the personal responsibility for maintaining the integrity of the Department and strive each day to earn the public's respect. Every officer will be expected to lead his own career in a highly professional and ethical manner.

104.3.2 RESPONSIBILITY TO THE GOVERNING BODY

Department members shall not become involved in any political or social controversy except as neutral agents of the public.

Cooperation shall be extended to all officials and agencies interested in the promotion of public safety and justice. Department members shall not allow envy, jealousy, political gain, or any other motive to interfere with such cooperation.

The Chief of Police shall direct Department members to carry out the desires of the officials and agencies of Cook County as they may be legally expressed through legislative, judicial, or executive channels of government.

Honesty, truth, and justice will be placed above all other considerations. Political influence, friendship, enmity, or personal motives shall not be allowed to prevent Department members from the impartial performance of duty.

104.3.3 RESPONSIBILITY TO THE COMMUNITY WE SERVE

All Department members will recognize the cornerstone of successful policing and law enforcement requires building and maintaining community trust.

All Department members will build and maintain trust and accept this duty as a personal obligation and a continuing responsibility.

Forest Preserves of Cook County Police Department

Policy

Policy

Core Values and Core Responsibilities

All Department members will accept the long-standing principle - the police are the public and the public are the police - and recognize the lawful authority granted to police officers is derived from the community they serve.

All Department members will recognize the willing cooperation of the public in the observance of laws and ordinances is best won by earning and maintaining the respect and approval of the community we serve.

104.3.4 RESPONSIBILITY TO OUR PROFESSION

Every Department member will recognize they owe an obligation to the police profession and they will honor that obligation by serving with pride and dignity, and by doing so, distinguish themselves and their profession.

The Department will advance the policing profession by pursuing "every officer a leader" strategies, mentoring new leadership, raising professional standards, and helping to develop programs and initiatives that will improve the delivery of service. The Department will seek to work collaboratively with other police and law enforcement agencies to reduce crime and disorder, build safe communities, and promote justice for all.

Every Department member will remain steadfast to their sworn oath, be guided by the core values of the Department, and constantly strive to achieve the four core responsibilities of the Department.

104.4 NAACP AND ILACP TEN SHARED PRINCIPLES

1. We value the life of every person and consider life to be the highest value.
2. All persons should be treated with dignity and respect. This is another foundational value.
3. We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status.
4. We endorse the six pillars in the report of the President's Task Force on 21st Century Policing. The first pillar is to build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles.
5. We endorse the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality.
6. We endorse the values inherent in community policing, which includes community partnerships involving law enforcement, engagement of police officers with residents outside of interaction specific to enforcement of laws, and problem-solving that is collaborative, not one-sided.
7. We believe that developing strong ongoing relationships between law enforcement and communities of color at the leadership level and street level will be the keys to diminishing and eliminating racial tension.

Forest Preserves of Cook County Police Department

Policy

Policy

Core Values and Core Responsibilities

8. We believe that law enforcement and community leaders have a mutual responsibility to encourage all citizens to gain a better understanding and knowledge of the law to assist them in their interactions with law enforcement officers.
9. We support diversity in police departments and in the law enforcement profession. Law enforcement and communities have a mutual responsibility and should work together to make a concerted effort to recruit diverse police departments.
10. We believe de-escalation training should be required to ensure the safety of community members and officers. We endorse using de-escalation tactics to reduce the potential for confrontations that endanger law enforcement officers and community members; and the principle that human life should be taken only as a last resort.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

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

200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Forest Preserves of Cook County Police Department. There are two divisions in the Police Department as follows:

- Administration Division
- Operations Division

200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by a Deputy Chief, whose primary responsibility is to provide management direction and control for the Administration Division. The Administration Division consists of Records Management Section, Training, the Communications Center Desk, and all other administrative functions. See the Deputy Chief of Administration policy.

200.2.2 OPERATIONS DIVISION

The Operations Division is commanded by the First Deputy Chief whose primary responsibility is to provide management direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol, Investigation Unit, Chief's Detail, Internal Affairs, and all operational police functions. See the First Deputy Chief policy.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will delegate his/her authority to ensure the mission and operational goals of the Department are met. The First Deputy Chief will serve as the acting Chief of Police. Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) First Deputy Chief
- (b) Deputy Chief of Administration
- (c) Commander – Operations (North Area)
- (d) Commander – Operations (South Area)
- (e) Deputy Commander – North Area
- (f) Deputy Commander – South Area

Forest Preserves of Cook County Police Department

Policy

Policy

Organizational Structure and Responsibility

200.3.2 UNITY OF COMMAND

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

200.3.3 ORDERS

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

Departmental Directives

201.1 PURPOSE AND SCOPE

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

201.1.1 DEPARTMENTAL DIRECTIVES PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of the Chief of Police, Chief Attorney and General Superintendent. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of October 1, 2019.

Any Departmental Directives issued after publication of the manual shall be submitted for incorporation into the manual within 30 days of issuance and shall be numbered consecutively starting with the last two digits of the year. For example, 19-01 signifies the first Departmental Directive for the year 2019.

201.2 RESPONSIBILITIES

201.2.1 STAFF

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

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES

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

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

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

202.2 ACTIVATING THE EMERGENCY PLAN

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

202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Forest Preserves of Cook County Police Department are subject to immediate recall. Employees may also be subject to recall during an emergency or serious unforeseen situations as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 LOCATION OF MANUALS

Manuals are available in each reporting location office. All supervisors should familiarize themselves with the Emergency Operations Plan and what roles personnel will play when the plan is implemented.

202.4 BUILDING EVACUATION PLAN

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

202.5 UPDATING OF MANUALS

The Chief of Police or designee shall review and update, if necessary, the Emergency Operations Plan Manual in conjunction with the Cook County Department of Homeland Security and Emergency Management to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS).

Training

203.1 PURPOSE AND SCOPE

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

203.2 PHILOSOPHY

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

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

203.3 OBJECTIVES

The objectives of the training program are to:

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

203.4 TRAINING PLAN

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

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Deputy Chief of Administration or authorized designee shall review the entire training plan on an annual basis with the Chief of Police and the designated training coordinator.

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

Forest Preserves of Cook County Police Department

Policy

Policy

Training

203.4.1 STATE-MANDATED TRAINING

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

- (a) The basic training requirement may be waived if the employee is eligible for certification by meeting training and certification standards within the parameters, extensions, and exceptions set by ILETSB (50 ILCS 705/8.1).
- (b) State-mandated training requirements every year include (50 ILCS 705/7):
 - 1. Legal updates.
 - 2. Emergency medical response training and certification.
 - 3. Crisis intervention training.
 - 4. Officer wellness and mental health.
- (c) State-mandated training requirements every three years include (50 ILCS 705/7; 50 ILCS 705/10.6; 725 ILCS 203/20):
 - 1. Constitutional and proper use of law enforcement authority.
 - 2. Procedural justice.
 - 3. Civil rights.
 - 4. Human rights.
 - 5. Mandatory child abuse reporting.
 - 6. Cultural competency.
 - 7. Training on sexual assault and sexual abuse response and report writing (see the Sexual Assault Investigations Policy).
 - 8. ILETSB-approved use of force training, including policies and laws related to stops and searches, officer safety techniques, de-escalation, and high-risk traffic stops.
- (d) State-mandated training requirements every five years include:
 - 1. Domestic violence (725 ILCS 5/112A-27; 750 ILCS 60/301.1).

203.4.2 PROBATIONARY TRAINING

Probationary officers are required to satisfactorily complete minimum training mandated by the ILETSB in order to be eligible for permanent employment (50 ILCS 705/7).

203.5 TRAINING NEEDS ASSESSMENT

The Deputy Chief of Administration or designee will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by command staff. Upon approval by the command staff, the needs assessment will form the basis for the training plan for the fiscal year.

Forest Preserves of Cook County Police Department

Policy

Policy

Training

203.6 TRAINING COMMITTEE

The Deputy Chief of Administration shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee shall convene at least once per quarter to review the identified incidents. The chairperson of the training committee will be appointed by the Deputy Chief of Administration. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Deputy Chief of Administration. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Deputy Chief of Administration will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

203.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor, in coordination with the Deputy Chief of Administration or authorized designee. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation
 - 5. Emergency situations
 - 6. Other exceptions as approved by the supervisor or Deputy Chief of Administration.
- (b) When an employee is unable to attend mandatory training due to reasonable unforeseeable circumstances, that employee shall:
 - 1. Notify FPCCPD Headquarters as soon as possible but no later than one hour prior to the start of training.

Forest Preserves of Cook County Police Department

Policy

Policy

Training

2. Document his/her absence in a memorandum to his/her supervisor. This information should be forwarded to the Deputy Chief of Administration or authorized designee.
3. Make arrangements through his/her supervisor and the Deputy Chief of Administration to attend the required training on an alternate date.

203.8 DAILY TRAINING BULLETINS

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

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

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

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

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., [Illinois Freedom of Information Act](#)). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department. All Department members are expected to fully comply with all provisions outlined in FPCC policy directive 30.40.00 entitled "[Electronic Communications and Technology Use Policy](#)".

204.1.1 POLICY

The District shall provide all Department members with a departmental email account so that members may use their email account to receive and send messages over the District network. Department members will limit use of the District network and only use their departmental email account to either address or respond to matters directly related to their official duties and/or matters directly pertaining to FPCC business operations/interests.

All Department members will check their departmental email account each work day at the start of their shift. Members assigned to field patrol duties will use their MDT (Mobile Dat Terminal Use) to check their email account. Members will promptly review and respond to email messages directed to their attention.

Members will be expected to complete any duties or tasks assigned to them via their departmental email account. Department members **will not** be allowed to seek refuge in the excuse they were unaware of a job-related duty or assignment because it was communicated to them via the District email network.

204.2 EMAIL RIGHT OF PRIVACY

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

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Electronic Mail

204.3 PROHIBITED USE OF EMAIL

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

Email messages addressed to the entire department are only to be used for official business and must be approved by a supervisor. Personal advertisements are not acceptable.

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

204.4 EMAIL RECORD MANAGEMENT

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

Administrative Communications

205.1 PURPOSE AND SCOPE

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

205.2 MEMORANDUMS

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

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of a command staff member. Members will not use Department letterhead for personal or private correspondence.

205.4 SURVEYS

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

Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

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

206.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

206.3 LEOSA

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

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

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

206.3.2 AUTHORIZATION

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Retiree Concealed Firearms

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

206.4 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD PERMITS

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

206.5 FORMER OFFICERS RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the First Deputy Chief of Police of their arrest or conviction in any jurisdiction, or that they are the subject of a court order, in accordance with the Reporting of Employee Convictions Policy. The First Deputy Chief of Police will then make the appropriate notifications Chief of Police.

206.5.1 RESPONSIBILITIES UNDER LEOSA

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

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

206.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or

Forest Preserves of Cook County Police Department

Policy

Policy

Retiree Concealed Firearms

revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

206.7 FIREARM QUALIFICATIONS

All former officers from this department will qualify annually at an IROCC designated range, using IROCC approved range officers. All costs associated with this qualification are the responsibility of the former officer. Range locations are available on the IROCC website.

First Deputy Chief

207.1 FUNCTIONAL RESPONSIBILITIES

The First Deputy Chief will report directly to, and work under the general direction of, the Chief of Police. The First Deputy Chief shall be considered to be second in command and responsible for the Chief's job duties in his/her absence. This position upholds and enforces all State, County and Forest Preserves of Cook County (FPCC) laws and ordinances in order to service and protect citizens visiting the Forest Preserves District and to protect its property and natural resources.

The primary responsibility of the First Deputy Chief is to oversee all patrol operations which shall include all police, safety and security services routinely provided by sworn personnel assigned to the Patrol Division, the internal affairs administrative process and any other task as assigned by the Chief of Police.

The First Deputy Chief will have direct command authority over Patrol Area Commanders and be responsible for providing command guidance and instruction through the chain of command to all members of the Patrol Division.

The First Deputy Chief shall be responsible for duties of an administrative nature directly related to services provided by the Patrol Division. In addition, the First Deputy Chief shall coordinate with the Deputy Chief of Administration to ensure needed administrative support services are provided to the Patrol Division.

Deputy Chief of Administration

208.1 FUNCTIONAL RESPONSIBILITIES

The Deputy Chief of Administration will report directly to, and work under the general direction of, the Chief of Police. This position upholds and enforces all State, County and Forest Preserves of Cook County (FPCC) laws and ordinances in order to service and protect citizens visiting the Forest Preserves District and to protect its property and natural resources.

The Deputy Chief of Administration is responsible for coordinating and directing Department activities which specifically relate to personnel administration, training and development, budget and fiscal control, information technology and camera systems, data collection, records management, and fleet management. Additionally, the Deputy Chief of Administration shall be responsible for conducting policy and planning research, systems analysis and program development, preparing grant applications, and providing administrative support to the Patrol Division and any other task assigned by the Chief of Police.

The Deputy Chief of Administration shall ensure that the FPDCC Human Resources Department is provided a copy of all Personnel Records maintained by the FPCCPD.

Commanders/Deputy Commanders

209.1 FUNCTIONAL RESPONSIBILITIES - COMMANDERS

The Commander will report directly to, and work under the general direction of, the First Deputy Chief. This position upholds and enforces all State, County and Forest Preserves of Cook County (FPCC) laws and ordinances in order to service and protect citizens visiting the Forest Preserves District and to protect its property and natural resources.

Commanders shall be delegated the necessary command level authority to perform high level managerial and administrative functions. Commanders may assign responsibility for completion of managerial or administrative tasks which they have been assigned, however, the Commander shall remain accountable for completion of those tasks. They shall provide guidance and direction, through subordinate supervisors, to the sworn and non-sworn personnel under their command.

Commanders shall perform any other duties assigned by the Chief of Police.

209.2 FUNCTIONAL RESPONSIBILITIES - DEPUTY COMMANDERS

Deputy Commanders report directly to and work under the general direction of a Commander. This position upholds and enforces all State, County and Forest Preserves of Cook County (FPCC) laws and ordinances in order to service and protect citizens visiting the Forest Preserves District and to protect its property and natural resources.

The three Deputy Commanders will each be assigned to a watch (first, second, third) to ensure a command presence on all watches. Deputy Commanders shall be delegated the necessary command level authority to perform managerial and administrative functions. Deputy Commanders may assign responsibility for completion of managerial or administrative tasks which they have been assigned, however the Deputy Commander shall remain accountable for completion of those tasks

Generally, Deputy Commanders will be responsible for the day-to-day operations of their assigned watch. They shall provide guidance and direction through subordinate supervisors, to the sworn and non-sworn personnel under their command.

Deputy Commanders shall perform any other duties assigned by the Chief of Police.

Patrol Sergeants

210.1 FUNCTIONAL RESPONSIBILITIES

The Sergeant will report directly to, and work under the general direction of, a Deputy Commander. This position upholds and enforces all State, County and Forest Preserves of Cook County (FPCC) laws and ordinances in order to service and protect citizens visiting the Forest Preserves District and to protect its property and natural resources.

All sworn members attaining the rank of sergeant will exercise the level of supervisory authority and responsibility for the stated functions and duties of their assignment. Sergeants will keep their commanding officers informed of conditions and activities in their area of assignment. They shall provide guidance and direction to the sworn and non-sworn personnel under their supervision.

210.2 PATROL SERGEANT - GENERAL DUTIES

All sworn members attaining the rank of sergeant will exercise the level of command authority and responsibility for the stated functions and duties of their assignments. Sergeants will keep their commanding officers informed, through the appropriate chain of command, of all conditions in their area of assignment.

Sergeants assigned to field activities will perform any duties assigned to them by department directives or as directed by a superior officer or their commanding officer. Duties shall include, but not be limited to the following:

- Ensure those under their command or supervision are responsible and diligent in the performance of their duties.
- Familiarize themselves with all aspects pertaining to the duties of the performance of their subordinates, instructing them in the proper discharge of their duties and providing any necessary assistance.
- Exercise effective leadership over those under their command, in a professional manner.
- Evaluate subordinates' performance and activities on a day-to day basis.
- Conduct roll calls which shall include but not be limited to ensuring that all personnel report on time, are fit for duty and properly uniformed; ensure beat assignments are properly staffed; ensure an adequate number of patrol officers are assigned to provide police coverage at scheduled events; and ensure equipment needed during the shift is available and in proper working condition.
- Prepare a daily Supervisor's Activity Log.
- Respond expeditiously to all in-progress felony calls, emergencies, disasters or other major incidents which occur in their area of responsibility and supervising the initial investigation.
- Ensure the proper completion of all tasks, reports, and notifications; and the submission of all necessary materials in a timely manner.

Forest Preserves of Cook County Police Department

Policy

Policy

Patrol Sergeants

- Ensure officers respond to radio assignments, engage in preventative patrol, and engage in alternative methods of patrol (foot, bicycle, ATV, boat, and snowmobile).
- Any other duty assigned by Command Staff or required by the Forest Preserves District of Cook County Rules and Policies.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This directive sets forth Department policy regarding sworn members' use of force.

300.2 POLICY

- (a) **Sanctity of Human Life** - The Department's highest priority is the sanctity of human life. In all aspects of their conduct, Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved.
- (b) **Public Cooperation** - A strong partnership with the public is essential for effective law enforcement. Inappropriate or excessive uses of force damage that partnership and diminish the public trust that is a cornerstone of policing in a free society.
- (c) **Core Principle** - The Forest Preserves of Cook County Department seeks to gain the voluntary compliance of subjects, when consistent with personal safety, and the ten shared principles (See Policy 104, Core Values) to eliminate the need to use force or reduce the force that is needed.
- (d) **Assessing Uses of Force** - The Forest Preserves of Cook County Police Department recognizes that Department members are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. These decisions must therefore be judged based on the totality of the circumstances known by the member at the time and from the perspective of a reasonable Department member on the scene, in the same or similar circumstances, and not with the benefit of 20/20 hindsight. Nothing in this policy requires members to take actions, or fail to take actions, that unreasonably endanger themselves or others.

300.3 USE OF FORCE - WHEN AUTHORIZED

- (a) **Definition of Force** - Force is defined as any physical contact by a Department member, either directly or through the use of equipment, to compel a subject's compliance.
- (b) **Use of Force: Objectively Reasonable, Necessary, and Proportional** - Department members may only use force that is objectively reasonable, necessary, and proportional in order to ensure the safety of a member or third person, stop an attack, make an arrest, control a subject, or prevent escape.
 - 1. **Objectively reasonable** - The main issue in evaluating every use of force is whether the amount of force used by the officer was objectively reasonable in light of the totality of the circumstances faced by the officer on the scene. Reasonableness is not capable of precise definition or mechanical application. Factors to be considered by the officer include but are not limited to:
 - (a) Whether the subject is posing an imminent threat to the officer or others.
 - (b) The risk of harm, level of threat or resistance presented by the subject.
 - (c) The subject's proximity or access to weapons.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

2. **Necessary** - Department members will use only the amount of force required under the circumstances to serve a lawful purpose.
3. **Proportional** - Department members will use only the force that is proportional to the threat, actions, and level of resistance offered by a subject. This may include using greater force or a different type of force than that used by the subject. The greater the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be necessary to overcome it. When or if the subject offers less resistance, the member will decrease the amount or type of force accordingly.
4. **De-escalation** - Members will use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety. Examples of de-escalation techniques include but are not limited to:
 - (a) Exercising persuasion and advice, and providing a warning prior to the use of force.
 - (b) Determining whether the member may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a subject.
 - (c) Requesting additional personnel to respond or make use of specialized units or equipment including Crisis-Intervention-Team Trained Officers ("CITO").
5. **Prohibitions**
 - (a) The use of excessive force, unwarranted physical force, or unprofessional conduct by a Department member is prohibited and will not be tolerated.
 - (b) Department members are prohibited from using force based on bias against a person's race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic as outlined in the Department directive entitled "Prohibition Regarding Racial Profiling and Other Bias Based Policing."
 - (c) Force used as punishment or retaliation is prohibited.
 - (d) Force used in response to a person's lawful exercise of First Amendment rights is prohibited (e.g., protected speech, lawful demonstrations, and filming police activity) is prohibited.

300.4 USE OF FORCE: NECESSARY TO PREVENT DEATH OR GREAT BODILY HARM

The following additional policies apply to the use of deadly force:

- (a) **Definition of Deadly Force.** Deadly force is force by any means that is likely to cause death or great bodily harm. It includes but is not limited to:
 1. Firing of a firearm in the direction of the person to be arrested.
 2. Firing of a firearm at a vehicle in which the person to be arrested is riding.
 3. Intentional striking of a subject's head with an impact weapon.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

4. Application of a chokehold, defined as applying direct pressure to a person's trachea (windpipe) or airway (front of the neck) with the intention of reducing the intake of air.
 - (a) **NOTE:** Use of a chokehold is prohibited unless sworn member is faced with a situation in which the use of deadly force is justified under applicable law (see Forest Preserve District of Cook County Municipal Code 3-1-7).
- (b) Definition of Imminent Threat. A threat is imminent when it is objectively reasonable to believe that:
 1. The subject's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and
 2. The subject has the means or instruments to cause death or great bodily harm; and
 3. The subject has the opportunity and ability to cause death or great bodily harm.
- (c) Last Resort. The use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person. Consistent with this requirement, a sworn Department member may use deadly force only when such force is necessary to prevent:
 1. Death or great bodily harm from an imminent threat posed to the sworn member or to another person.
 2. An arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay.
- (d) **Fleeing Persons.** Deadly force may not be used on a fleeing person unless the subject poses an imminent threat, as defined above.
- (e) Sworn members will, whenever possible, identify themselves as police officers prior to using deadly force, unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.
- (f) A sworn member is justified in using deadly force to stop a dangerous animal only when the animal reasonably appears to pose an imminent threat to the safety of the sworn member, another person, or another animal and no reasonably effective alternatives appear to exist.
- (g) Prohibitions on the use of firearms. The use of firearms in the following ways is prohibited:
 1. Firing warning shots.
 2. Firing at subjects whose actions are only a threat to themselves (e.g., attempted suicide).
 3. Firing solely in defense or protection of property.
 4. Firing into crowds. However, this prohibition does not preclude the use of deadly force directed at a specific person who is near or among other people, but the use of deadly force in such circumstances is only permitted in the limited

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

circumstances when such force is reasonably necessary to prevent death or great bodily harm to the sworn member or to another person, and no reasonable alternative exists. In such circumstances, the use of deadly force is permissible only if the member has identified the appropriate target prior to discharging the firearm and has taken reasonable precautions to ensure that people other than the target will not be struck.

5. Firing into buildings or through doors, windows, or other openings when the person lawfully fired at is not clearly visible, unless directed at a specific location and such force is reasonably necessary to prevent death or great bodily harm to the sworn member or to another person. In such circumstances, the use of deadly force is permissible only if the member has identified the appropriate target prior to discharging the firearm and has taken reasonable precautions to ensure that people other than the target will not be struck.
 6. Firing at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person, unless such force is reasonably necessary to prevent death or great bodily harm to the sworn member or to another person.
- **NOTE:** When a vehicle is the only force used against a member, the member will not place themselves in the path of the moving vehicle and will make every effort to move out of the path of the vehicle.

300.5 MEDICAL ATTENTION

- (a) Once the scene is safe and as soon as practicable, whenever an individual is injured, complains of injury, or requests medical attention, Department members:
 1. Will immediately request appropriate medical aid for the injured person.
 2. May provide appropriate medical care consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid and/or arranging for transportation to an emergency medical facility.
- (b) Members will treat injured persons, whether another officer, a member of the public, or a subject, with dignity and respect.

300.6 DUTY TO INTERVENE AND REPORT

- (a) **Ensure Compliance** - All Department members are obligated to ensure compliance by themselves and other members with Department regulations, policies, and the law.
- (b) **Intervention, Notifying Superiors, Supervisory Intervention** - A Department member who directly observes a use of force that is excessive or otherwise in violation of this policy shall act to intervene on the subject's behalf and will contact a supervisor as soon as practicable. Such action will include, but is not limited to, verbally and physically intervening to try to stop the violation. If the member is a supervisor, he or she shall issue a direct order to stop the violation and may also employ physical intervention if necessary.
- (c) **Written Reporting Obligation** - Department members who have knowledge of the use of force against a subject in violation of this policy shall submit an individual written

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

memo to a supervisor before reporting off duty on the day the member becomes aware of the misconduct. Failure to submit a written memo prior to reporting off duty on the day the member becomes aware of the misconduct will result in disciplinary action.

- (d) **Retaliation Prohibited** - The Department prohibits any form of retaliation against a Department member for:
1. Reporting a use of force that is allegedly in violation of this directive, or
 2. Cooperating with any internal investigation of the complaint.
 - **NOTE:** Sworn Members should report any retaliation in violation of this policy to a supervisor, command staff member, Human Resources, Director of Compliance, Special Assistant to the General Superintendent for Labor Matters or the Office of the Inspector General.
- (e) **Accuracy and Candor** - Department members will be responsible at all times:
1. For truthfully and completely describing the facts and circumstances concerning any incident involving the use of force by Department members.
 2. For articulating the specific facts to explain the member's own decision to employ a particular use of force.

300.7 USE OF FORCE TRAINING

- (a) At a minimum, Department members will receive bi-annual training on the laws and Department policies regulating the use of force, including, but not limited to, de-escalation, force options, and appropriate supervision and accountability.
- (b) Prior to being approved to carry a Department-authorized weapon or use a weapon for employing a use of force, Department members will be trained on the proper techniques and use of the weapon.
- (c) Additionally, Department members will:
1. Successfully qualify with their firearms annually.
 2. If Taser certified, successfully participate in the annual Taser recertification program.
 3. Receive refresher training on impact weapons and OC Devices biennially.

300.8 USE OF FORCE MODEL

See attached: [Use of Force Continuum](#)

300.9 FORCE OPTIONS

300.9.1 PURPOSE

This policy:

- (a) Outlines the various force options and the circumstances in which they are authorized when sworn members are met with resistance or threats.
- (b) Describes Force Mitigation and its role in the Department's response to all incidents.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

300.9.2 POLICY

- (a) Sanctity of Human Life. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to use force will be made in accordance with the "300-Use of Force Policy."
- (b) De-Escalation. Department members will use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety.
- (c) When Force is Authorized. Department members' use of force must be objectively reasonable, necessary under the circumstances, and proportional to the threat, actions, and level of resistance offered by a subject.
- (d) The Department expects members to develop and display the skills and abilities that allow them to regularly resolve confrontations without resorting to force, or by using only the amount of force required under the circumstances.
- (e) Sworn members will, whenever possible, identify themselves as police officers prior to taking any police action, unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.
- (f) Members will continually assess situations and determine:
 - 1. if any use of force is necessary;
 - 2. the authorized force option based on the totality of the circumstances;
 - 3. if the seriousness of the situation requires an immediate response or whether the member can employ other force options or the Force Mitigation Principles (see section 300.9.4;); and
 - 4. if the level of force employed should be modified based upon the subject's actions or other changes in the circumstances. The level of force shall be de-escalated immediately as resistance decreases, provided that the member remains in control and as safety permits.
- (g) Members will modify their force in relation to the amount of continued resistance offered by the subject.
 - 1. As the subject offers less resistance, the member will immediately lower the amount or type of force used.
 - 2. As the subject increases resistance, the member may increase the amount or type of force used.
- (h) If the Department member is responding to an incident involving persons in need of mental health treatment, the member will act in accordance with the "411-Crisis Intervention Incidents Policy."

300.9.3 DEFINITIONS

Zone of Safety - The distance to be maintained between the subject and the responding member(s). This distance should be greater than the effective range of the weapon (other than

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

a firearm) and it may vary with each situation (e.g. type of weapon possessed, condition of the subject, surrounding area).

300.9.4 PRINCIPLES OF FORCE MITIGATION

During all use of force incidents, when it is safe and feasible to do so, Department members will use the principles of Force Mitigation to ensure effective police-public encounters. The concepts of Force Mitigation include:

(a) **Continual Communication**

1. Members will attempt to use verbal control techniques to avoid or minimize confrontations prior to, during, and after the use of physical force.
2. When it is safe and feasible, members will exercise persuasion, advice, instruction, and warning prior to the use of physical force.
3. Members should attempt to establish and maintain verbal communication in all police-public encounters and to continually evaluate the effectiveness of that communication. Members will:
 - (a) when practicable, establish and maintain one-on-one communication where only one member speaks at a time.
 - (b) vary the level of assertiveness of their communication depending on the type of police-public encounter and whether a serious crime has been committed or life or property is at risk.
4. When encountering noncompliance to lawful verbal direction, members are not required to immediately use force. When it is safe and feasible to do so, members will consider:
 - (a) adjusting their verbal communication
 - (b) if feasible, allowing a different member to initiate verbal communications.
 - **NOTE:** Members should refrain from giving simultaneous directions to avoid any potential conflicts.
 - (c) Requesting additional personnel to respond.

(b) **Tactical Positioning**

1. When it is safe and reasonable to do so, members should make advantageous use of positioning, distance, and cover by isolating and containing a subject and continuously evaluating the member's positioning, subject's actions, and available force options.
2. Members should attempt to establish a zone of safety for the security of the responding members and the public. The zone of safety is where:
 - (a) the incident scene has been secured;
 - (b) the scene can be continually monitored or adjusted to maintain safety;
 - (c) the subject does not pose a continuing threat to Department members or the public;

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (d) the subject can be continually monitored; and
- (e) the subject can be contained throughout the incident.

300.9.5 LEVEL OF FORCE

- (a) **Cooperative Subject:** a person who is compliant without the need for physical force. The following force options are authorized when dealing with a cooperative subject:
 - 1. Police Presence
 - (a) Police presence is established through identification of authority and proximity to the subject. Mere police presence may result in compliant behavior by the subject.
 - (b) Police presence alone is the only force option authorized for use with subjects who are fully cooperative.
 - 2. Verbal Response
 - (a) Verbal response consists of persuasion, advice, instruction, and warning in the form of verbal statements or commands that may result in compliant behavior.
 - (b) Whenever it is safe and feasible, members will attempt to de-escalate confrontations by utilizing verbal control techniques prior to, during, and after the use of physical force.
- (b) **Resister:** a person who is uncooperative. Resisters are further subdivided into two categories (1) passive resister; and (2) active resister.
 - 1. **Passive Resister:** a person who fails to comply (non-movement) with verbal or other direction. In addition to the force options listed in Item IV-A for Cooperative Subjects, the following force options are authorized when dealing with a passive resister:
 - (a) Holding Techniques
 - (a) Holding techniques include a firm grip on arm, wristlocks, and come-along holds (i.e., escort holds that are not elevated to compliance techniques), as well as any combination of the above.
 - (b) Compliance Techniques
 - (a) Compliance techniques are designed to amplify nonimpact pressure and increase the potential for controlling a subject.
 - 1. The goal of applying joint manipulation and pressure point techniques to pressure sensitive areas of the body is to elicit compliance and establish control.
 - 2. No member shall use compliance techniques on a Passive Resister without prior approval from an on-duty supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- **NOTE:** Members shall not use a compliance technique that restricts blood flow to carotid arteries, causing the subject to lose oxygen to the brain.

(c) **Control Instruments**

- (a) Control instruments are designed to amplify nonimpact pressure in order to increase the potential for controlling a subject. These instruments are placed mainly on the sensors of the skin covering bone. Control instruments are tools (e.g., baton) applied to joints and pressure sensitive areas of the body with non-impact pressure.

(d) **Oleoresin Capsicum (OC) Spray Agent Deployment**

- (a) Oleoresin capsicum is a highly inflammatory agent that occurs naturally in cayenne peppers. The use of OC spray is intended to increase control by disorienting the subject and interfering with the subject's ability to resist arrest.
1. Oleoresin capsicum is only authorized to use against the two types of passive resisters described below and only after the required authorization is received. No other use of oleoresin capsicum is authorized against passive resisters.
 - (a) Occupant(s) of a motor vehicle who is passively resisting arrest and only after obtaining authorization from an on-scene supervisor of the rank of sergeant or above.
 - (b) Noncompliant groups, crowds, or an individual taking part in a group or crowd (e.g., demonstrations, celebrations), only after obtaining authorization from the Chief of Police or his or her designee.
 - (b) For further guidance on the use of OC spray, members will refer to the "303-Control Devices and Techniques Policy."
2. **Active Resister:** a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest.
- (a) This type of resistance includes but is not limited to evasive movement of the arm, flailing arms, and full flight by running.
 - (b) A subject who is attempting to avoid apprehension and who fails to comply with a sworn member's orders to reveal themselves is considered an Active Resister.
 - (c) In addition to the force options authorized for Cooperative Subjects and Passive Resisters, the following force options are authorized when dealing with an active resister:
 1. Stunning

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (a) Stunning is diffused pressure striking the subject to increase control by disorienting the subject and interfering with his or her ability to resist.
- 2. Oleoresin Capsicum (OC) Spray
 - (a) Oleoresin capsicum is an authorized force option against active resisters. If the active resisters are part of a group or crowd, OC is authorized only after obtaining approval from the Chief of Police or his or her designee.
- 3. Taser
 - (a) The Taser is a device used to control and subdue a subject through the application of electrical impulses that override the central nervous system and cause uncontrollable muscle contraction.
 - 1. Only Department-issued Tasers may be used and only after the member has received Department-authorized training in their safe handling and deployment.
 - 2. Using the Taser to drive stun an active resister is prohibited.
 - 3. For further guidance and restrictions on the use of a Taser, members will refer to the Department policy entitled "304-Conducted Energy Device."
- (c) **Assailant:** a subject who is using or imminently threatening the use of force against another person. Assailants are further subdivided into two categories.
 - 1. The subject's actions are aggressively offensive with or without weapons and may cause physical injury.
 - (a) This type of assailant is one who places a member in fear of a battery and includes advancing on the member in a threatening manner or closing the distance between the assailant and the member, thereby reducing the member's reaction time.
 - (b) Included in this category of assailant may be a subject who is armed with a deadly weapon and the subject fails to disarm, thereby increasing the likelihood the subject's actions likely to cause physical injury.
 - (c) In addition to the force options authorized for Cooperative Subjects and Resisters, the following force options are authorized when dealing with this type of assailant:
 - 1. Direct Mechanical
 - (a) Direct mechanical techniques are forceful, concentrated striking movements such as punching and kicking, or focused pressure strikes and pressures. These techniques can be

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

combined with take-downs or pins against the ground or other objects.

2. Impact Weapons

- (a) Impact weapons are designed to establish control by means of applying mechanical impact to a subject in order to disable elements of his or her musculoskeletal structure. Members shall avoid the use of flashlights, radios, firearms, or any item not specifically designed as an impact weapon, unless reasonably necessary and no other practicable options are available.

- 2. The subject's actions will likely cause death or serious physical injury to the Department members or to another person. In addition to the force options authorized for Cooperative Subjects, Resisters, and Assailants, firearms and other deadly force responses are authorized when dealing with this type of assailant.

- (a) For further guidance on when the use of deadly force is authorized, members will refer to "300-Use of Force Policy."

- (b) For further guidance on the use of firearms, members will refer to "305-Officer Involved Shootings and Deaths Policy."

- (c) Chokeholds are only justified as a use of deadly force.

- 1. A chokehold is defined as applying direct pressure to a person's trachea (windpipe) or airway (the front of the neck) with the intention of reducing the intake of air.
 - 2. Holding and control techniques involving contact with the neck, but which are not intended to reduce the intake of air, are not defined as chokeholds.
 - 3. Under no circumstances will a member use a chokehold, or any lesser contact with the neck area, to prevent the destruction of evidence by ingestion.

300.9.6 POST-USE OF FORCE POSITIONING AND MONITORING

After gaining control of a subject, members shall:

- (a) not sit, kneel, or stand on a subject's chest, which may reduce the subject's ability to breathe.
- (b) position the subject in a manner to allow free breathing. Whenever feasible, the subject will not be forced to lie on his or her stomach.
- (c) monitor a subject until transported to a secure location.
- (d) request and offer medical aid to any injured Department member, bystander, or subjects consistent with the procedures outlined in the "300-Use of Force Policy."

300.10 INCIDENTS REQUIRING THE COMPLETION OF A USE OF FORCE REPORT

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

300.10.1 PURPOSE

This policy outlines the reporting, reviewing, and investigatory responsibilities of Department members for reportable Use of Force incidents.

300.10.2 POLICY

Accuracy - Department members are responsible, at all times, for truthfully and completely describing the facts and circumstances concerning any incident involving the use of force by Department members. Department members will report and thoroughly document each reportable use of force incident outlined in Section 300.10.03 of this policy.

Accountability - Department members will be responsible for articulating the specific facts to explain the member's own decision to employ a particular use of force and the reasonableness, necessity, and proportionality of the force used.

300.10.3 INCIDENTS REQUIRING THE COMPLETION OF A USE OF FORCE REPORT

- (a) A Use of Force Report ("UFR") is required to be completed for the following reportable use of force incidents involving a sworn member in the performance of his or her duties:

1. All use of force incidents involving:

- (a) a subject who is injured or alleges injury resulting from the member's use of a force option.
- (b) the active resistance of a subject.

1. **EXCEPTION:** A Use of Force Report is **NOT** required when:

- (a) the subject's only action of resisting is fleeing; and
- (b) the member's actions did not extend beyond verbal commands and/or control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury.
- (c) an act of obstructing a police officer when the obstructing is a physical act directed at the Department member.
- (d) a subject whose actions are aggressively offensive, with or without weapons, or who is using or threatening the imminent use of force against the member that will likely cause physical injury.
- (e) an assault, threat of physical attack, or physical attack against a Department member, including a murder, aggravated battery, battery, aggravated assault, or assault, regardless of whether or not the member has sustained a physical injury.

- **NOTE:** The Federal Bureau of Investigation and the State of Illinois Uniform Crime Reporting Systems require data from the Department when the offense of murder, aggravated battery, battery, aggravated assault, or assault is committed against a police officer or a detention aide in the performance of their duties. This documentation will be completed using the Use of Force Report.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (b) A Use of Force Report ("UFR") is required to be completed for the following reportable use of force incidents involving a sworn member in the performance of his or her duties:
 - 1. All incidents involving a Department member's:
 - (a) Discharge of a firearm, OC spray or other weapons.
 - (b) Use of canines as a force option.
 - (c) Use of strikes with an impact weapon, kicks, knee strikes, elbow strikes, closed hand strikes or punches, takedowns, and other direct mechanical actions or techniques.
 - (d) The use of escort holds, pressure compliance techniques, and firm grips which do not result in an injury or allegation of injury.
 - (e) Control holds, wristlocks, and armbars utilized in conjunction with handcuffing and searching techniques which result in injury or allegation of injury.
 - (f) That force necessary to overcome passive resistance due to physical disability or intoxication which does not result in injury or allegation of injury.
 - (g) Use of Taser as a force option.

300.10.4 PROCEDURES

- (a) **Immediate Notifications**
 - 1. Each sworn member in the performance of his or her duties who is involved in a reportable use of force incident, as described in section 300.10.3 of this policy will immediately notify the on-duty supervisor that he or she has been involved in a reportable use of force incident.
- (b) **Completing the Use of Force Report (UFR)**
 - 1. Each sworn member in the performance of his or her duties who is involved in a reportable use of force incident, as described in section 300.10.3 of this policy, shall:
 - (a) complete a Use of Force Report documenting the information as requested on the report.
 - 1. If more than one member is involved in a reportable use of force incident, each sworn member, who uses force, shall complete a separate UFR. Therefore, there may be multiple reports completed for a single incident.
 - (b) If an object is perceived by the member as a weapon that could cause great bodily harm or death and is not actually a weapon or the object recovered is different than the perceived weapon:
 - 1. indicate the subject's actions and indicate the actual weapon or object on the UFR, and

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

2. if the item was different than perceived, indicate in the "Narrative" field what the weapon or object was perceived to be.
 - **EXAMPLE:** If a member uses force against an assailant holding an object that the involved member perceives to be a handgun, but upon recovery, the object was determined to be a BB gun, the member will indicate "Other - BB gun" as the "Weapon Description" and "Handgun" in the "Narrative" field.
- (c) The involved member will be required to complete the "Narrative" portion of the UFR, describing with specificity, the use of force incident, the subject's actions, and the involved member's response, including force mitigation efforts and specific types and amount of force used.
2. review the UFR for completeness and accuracy.
3. submit the completed UFR to the on-duty supervisor for review and approval before the end of the involved member's tour of duty. Failure to submit a completed UFR before the end of the involved member's tour of duty will result in disciplinary action.
4. notify their immediate supervisor that the UFR has been submitted and is available for review.
5. submit other required reports as applicable.

300.10.5 SUPERVISOR RESPONSIBILITIES

- (a) **Supervisor** - A supervisor who has been notified of a reportable use of force incident as described in section 300.10.3 of this policy will:
 1. respond to the scene when the involved member has discharged any weapon, or an injury has occurred to a subject, bystander, or any member.
 2. ensure immediate notifications in section 305.5.4 and policy 305 are completed.
 3. ensure that known available witnesses are identified and interviewed and that the required information is recorded on the Use of Force Report (UFR), except for deadly force and officer-involved death incidents. For deadly force and officer-involved death incidents, the reviewing supervisor will:
 - (a) notify the State Police Public Integrity Task Force ("PITF").
 - (b) not interview the identified witnesses or obtain written statements.
 - (c) document only the witness demographic information pursuant to the direction of the PITF.
 - (d) identify the witnesses for the assigned investigative personnel who will be responsible for conducting the interviews or obtaining statements.
 4. request the assignment of an evidence technician to take photographs of subjects and Department members who have been involved in a use of force incident and are injured, allege injury, or when otherwise deemed appropriate by the supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

5. ensure that other evidence is handled and processed pursuant to the direction of the Public Integrity Task Force.
- (b) **Investigatory Responsibility** - For reportable use of force incidents, the supervisor will be responsible for the investigation of the incident and completion and approval of all UFR from the same incident involving:
 1. the discharge of a firearm or impact munitions by a Department member, excluding discharges to destroy an animal;
 2. a member's use of force, by whatever means, that results in serious injury or death of any individual; and
 3. any lesser use of force by a Department member when that use of force stems from the same incident in which another member used force described in Items section 300.3.
- (c) **Supervisor** - The assigned supervisor described in section 300.10.5 (a) will:
 1. conduct an investigation into the use of force incident by:
 - (a) attempting to interview the subject of any use of force and record the subject's statement regarding the use of force after the completion of the Public Integrity Task Force investigation, when applicable.
 1. When interviewing a juvenile arrestee, the reviewing supervisor will follow restrictions outlined in the Department's "313-Temporary Custody of Juveniles Policy."
 2. documenting other investigatory information, including but not limited to:
 - (a) a review of all available reports;
 - (b) a review of all Department-recorded video (e.g., In Car Video System, lockup facility cameras, body worn cameras), if available.
 - (c) documentation of any allegations of excessive force.
 - (b) The supervisor will:
 1. review the portion of the UFR completed by the involved member. If the UFR is incomplete or insufficient, return the UFR to the appropriate member.
 2. document any requests for additional investigation in the "Supervisor's Use of Force" report
 3. conduct a final assessment to determine whether the member's use of force response was in compliance with Department policy and directives.
 - (a) **NOTE:** The supervisor will not make a determination for deadly force or officer-involved death incidents.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (a) if appropriate, make recommendations for action by the involved member (e.g., individualized training, performance coaching, review of Department directives).
- (b) if appropriate, sign and approve the UFR.

300.10.6 USE OF FORCE INCIDENT REVIEW

Consistent with the Department's "301-Use of Force Force Review Boards Unit Policy," all approved Use of Force Reports (UFR) and Supervisor's Use of Force reports (SUFR) forms will be forwarded to the Use of Force Review Board for a review. The Use of Force Review Board will review each approved UFR and SUFR and will be responsible for making a determination of compliance with Department policy and recommending any required subsequent actions, except for deadly force, officer-involved deaths incidents, and incidents already being investigated by Public Integrity Task Force or through the complaint and disciplinary process.

300.11 OLEORESIN CAPSICUM (OC) DEVICE USE INCIDENTS

300.11.1 PURPOSE

This policy outlines discharges of Oleoresin Capsicum (OC) devices as a force option.

300.11.2 POLICY

- (a) **Sanctity of Human Life** - All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize OC devices will be made in accordance with the "300 - Use of Force Policy."
- (b) **De-Escalation** - Members will use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety.
- (c) **When Use is Authorized** - Department members' use of OC devices must be objectively reasonable, necessary under the circumstances, and proportional to the threat, actions, and level of resistance offered by a subject. Department members are authorized to use OC devices or other chemical agents for the following subjects:
 - 1. OC spray is an authorized force options against an **assailant**, whose actions use or threaten the use of force against a Department member or another person.
 - 2. OC spray is an authorized force option against **active resisters**. If active resisters are part of a group or crowd, OC spray is authorized only after obtaining approval from the Chief of Police or authorized designee.
 - 3. OC spray is an authorized force option against **passive resisters** only under the following conditions:
 - (a) Occupants of a motor vehicle who is passively resisting arrest and only after obtaining authorization from an on-scene supervisor with the rank of sergeant or above.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (b) Noncompliant groups, crowds, or an individual taking part in a group or crowd and only after obtaining authorization from the Chief of Police or authorized designee.
- (d) **Prohibitions** - For the safety of everyone involved, the following additional restrictions apply:
 - 1. **Persons Vulnerable to Injury** - OC devices will not be used on a subject who is potentially at a greater risk of serious injury from their use, unless the subject is defined as **an assailant** and other force options are not readily available or would otherwise be ineffective. People who are potentially at greater risk of serious injury from an OC device use include, but are not limited to, children, pregnant women, and the elderly.
 - 2. **Enclosed Areas** - OC devices will not be used in enclosed areas unless the subject is defined as an assailant and other force options are not readily available or would otherwise be ineffective.
- (e) **Justify Separate Uses of Force** - An initial application of an OC device and each subsequent application must be individually justified and documented on the Use of Force Report (URF) as a separate use of force.
- (f) Department members will refer to the Department's "303-Control Devices and Techniques Policy" for specific procedures on device protocols including training, maintenance, and accountability.

300.11.3 CONDITIONS ON THE USE OF OC DEVICES

- (a) **Authorized Manner of Use** - A member who is discharging an OC device will, when possible, give verbal commands and warnings prior to, during, and after discharge, including informing other Department members on the scene of the discharge.
- (b) **Request Supervisor** - As soon as practicable, a member who has used or anticipates using an OC device will request that a supervisor respond to the scene.

300.11.4 POST-DISCHARGE RESPONSIBILITIES

- (a) **Effect Mitigation** - To assist in mitigating the effects of the discharge, Department members will:
 - 1. if possible, relocate the individual(s) to an area of uncontaminated air and face the individual(s) into the wind.
 - 2. provide an opportunity for the subject(s) to eliminate the effects of the agent by flushing the affected areas with cool water. This should take place as soon as feasible, to the extent that the subject can be controlled without possible injury to himself or others.
 - (a) Subjects wearing contact lenses should remove them, if possible, before flushing the eyes with water.
 - (b) Under normal circumstances all symptoms of exposure to OC should disappear within 60 minutes.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (c) Clothing that becomes contaminated with OC can be laundered in the usual manner without fear of contaminating other laundry.
 - (d) Special equipment or a special washing process is not required to decontaminate an enclosed area. The opening of doors and windows will normally result in the removal of OC from the environment within 60 minutes.
- 3. advise the subject to refrain from rubbing the affected area(s) or using creams, ointments, commercial eye washes, or bandages.
- 4. if it is practicable, avoid transporting an individual who is wet with OC. Transporting a subject when dry will minimize the possibility of the member or vehicle becoming contaminated.
- (b) **Discharging Member** - Immediately upon gaining control and restraining the subject, discharging member will:
 - 1. notify his or her supervisor.
 - 2. request the appropriate medical aid, including contacting emergency medical services (EMS).
 - 3. complete a Use of Force Report (UFR) for the discharge consistent with the procedures outlined in the Department's "300.10.3 - Incidents Requiring the Completion of a Use of Force Report Policy."
 - 4. complete the appropriate case report and other required reports and submit the reports to their immediate supervisor for review and approval.
- (c) **Responding Supervisor** - When notified that a member under his or her command discharged an OC Spray Device, the assigned supervisor shall will:
 - 1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked responding supervisor.
 - 2. review the deploying member's UFR and complete Supervisor's Use of Force Report consistent with the procedures outlined in the "300.10.3 - Incidents Requiring the Completion of a Use of Force Report Policy."
- (d) **Investigating Supervisor** - The supervisor will:
 - 1. Investigate the incident and document the investigation on the Supervisor's Use of Force Report (SUFR).
 - 2. Receive the discharged OC device and completed "OC Spray Device Replacement" To/From memo, and, provide a replacement device to the member.

300.12 CANINE USE INCIDENTS

300.12.1 PURPOSE

This policy outlines the use of department canines as a force option. This section 300.12.3 is only applicable to the canine known as ROCKO, and shall only be in effect until his retirement.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

Upon the retirement of ROCKO, this section shall become null and void and Sworn Members shall consider this Policy, 300.12.3 rescinded.

300.12.2 POLICY

- (a) **Sanctity of Human Life** - All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a department canine as a force option will be made in accordance with the "300-Use of Force Policy."
- (b) **De-Escalation** - Department members will use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent to officer safety.
- (c) **Canine Use - When Authorized** - Department members' use of a department canine as a force option must be objectively reasonable, necessary under the circumstances, and proportional to the threat, actions, and level of resistance offered by a subject. Consistent with "300.12.3 - Conditions on the use of Canine as a Force Option," department members are authorized to use a department canine as a force option for the following subjects:
 - 1. Active Resisters.
 - (a) The use of a canine to physically apprehend an active resister is limited to:
 - 1. a subject who is alleged to have committed either a violent felony or a violent misdemeanor.
 - 2. a subject who is reasonably believed to be armed.
 - 3. a search for a felony subject conducted in areas or buildings that contain hidden locations.
 - **NOTE:** A canine may be used in this situation to locate a subject who is attempting to avoid apprehension and who fails to comply with a sworn member's orders to reveal themselves.
 - 2. Assaultants.
 - (a) A canine is an authorized force option against a subject who fits the definition of an assailant. In the case of an incident involving a canine, an assailant will also include a person who is an imminent threat to the canine.
- (d) **Prohibitions** - canines will not be used as a force option for the following:
 - 1. crowd control situations, unless authorized by the Chief of Police or authorized designee approves the use of canine teams in response to a crowd that cannot be contained by other police methods and the crowd is likely to cause personal injury or property damage.
 - (a) **NOTE:** Department members will refer to the Department directive policy entitled "309-Canines" for specific procedures on crowd-control deployments.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

2. subjects who are at a greater risk of serious injury or death from canine, unless the actions of the subject suggest that lesser force options will be unsuccessful. People who are potentially at a greater risk of serious injury or death from canine use include, but are not limited to, children, pregnant women, and the elderly.
 - **NOTE:** If the Department member is responding to an incident involving persons in need of mental health treatment, the member will act in accordance with the "411- Crisis Intervention Incidents Policy."
- (e) Department-owned canines are trained in the "find and bark" method of finding persons. This method of training requires the canine to bark or otherwise alert its handler upon discovering a person and to remain in the immediate area of the person until relieved by the handler.
- (f) Department members will refer to the "309- Canines Policy" for specific procedures on:
 1. requesting a department canine team.
 2. the required training and certification for department canines and handlers.
 3. when a department canine inflicts an injury to a subject.

300.12.3 CONDITIONS ON THE USE OF CANINE AS A FORCE OPTION

- (a) **Canine Deployment** - Any deployed canine, when circumstances permit, will be:
 1. kept in visual and auditory range of the canine handler at all times, except for brief periods which make this requirement impracticable (e.g., the canine turns a corner, enters a room, is walking through tall vegetation, or is among tall objects.)
 2. called off immediately once the subject is under control.
- (b) **Reporting** - A Use of Force Report (UFR) and Offense/ Incident (O/I) report is required when a canine physically apprehends a subject by making physical contact, including grasping the subject or the subject's clothing. The assigned canine handler will:
 1. be responsible for the completion of the UFR and O/I report to document the canine physical apprehension.
 2. document on the UFR and O/I report the duration of the total time the canine was deployed.
- (c) **Supervisory Response** - Prior to the deployment of a canine the canine handler will notify the on-duty supervisor and a representative from the outside agency, if applicable. The determination of the appropriateness of the canine deployment will rest with the canine handler.
 - **NOTE:** If a dispute regarding the deployment of a canine occurs between the canine handler and the on-duty Area Sergeant or the on-scene supervisor, the final determination of the canine deployment will rest with the canine coordinator.
- (d) **Warnings** - Prior to the use of the canine, the handler will announce his or her police authority and provide verbal warnings stating that the canine will be released if the subject does not comply with the handler's orders. When it is safe and feasible to do so, the canine handler will provide multiple warnings.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

1. Any verbal warning will be given in a loud and clear manner, capable of being heard by the subject, any witnesses, or other parties within the targeted area.
2. The member issuing the warning will allow a reasonable amount of time for Department members and other uninvolved members of the public to respond and vacate the area.
3. For building searches, a verbal warning will be given again upon entering subsequent floors or areas or if the size of the area is too great for a single warning.
4. For open field or block searches, a verbal warning will be given again upon the canine being repositioned into an area which was not in audible range of the initial or other subsequent warnings.
5. Verbal warnings may only be omitted in situations where exigent circumstances place the handler or others in imminent danger.
6. The fact that the warnings were given or omitted will be documented in the appropriate case report.

300.12.4 APPREHENSION BY CANINE

- (a) In those circumstances when a canine finds a subject, the canine handler will:
 1. only command the canine to physically apprehend or make contact with the subject when the handler is in visual and auditory range of the canine and the subject.
- (b) Department canines are trained and permitted to physically apprehend a subject only on the command of the handler, to apprehend a subject that flees, or when the canine or the handler is threatened with attack by the subject.
- (c) Once the handler determines that the incident is over and the control of the subject has been obtained, the handler must immediately order the canine to release the subject. In making the determination whether to order the canine to release the subject, the handler must carefully consider what is reasonably necessary based on the totality of the circumstances to control the subject and protect themselves and others from injury.
- (d) When a Department canine inflicts injury to a subject, the canine handler will immediately request appropriate medical aid for the injured person
 - **NOTE:** For further guidance on medical attention for injuries caused by a department canine, department members will refer to the entitled "300-Use of Force Policy" and "309-Canine Policy."

300.13 CONDUCTED ENERGY DEVICE (TASERS) USE INCIDENTS

300.13.1 PURPOSE

This policy outlines the policy governing the discharge of Department Taser devices.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

300.13.2 DEFINITIONS

- (a) **Reasonable Articulate Suspicion (“RAS”)** - Reasonable Articulate Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulate Suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn based on the sworn member's training and experience. Reasonable Articulate Suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion. Reasonable Articulate Suspicion should be founded on specific and objective facts or observations about how a suspect behaves, what the subject is seen or heard doing, and the circumstances or situation in regard to the suspect that is either witnessed or known by the officer. Accordingly, Reasonable Articulate Suspicion must be described with reference to facts or observations about a particular suspect's actions or the particular circumstances that an officer encounters. The physical characteristics of a suspect are never, by themselves, sufficient. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the suspect.
1. For Investigatory Stops, a sworn member must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense.
 2. For a Protective Pat Down, a sworn member must possess specific and articulable facts, combined with rational inferences from these facts, that the suspect is armed and dangerous or reasonably suspects that the person presents a danger of attack to the sworn member or others in the area.
 - **NOTE:** An Investigatory Stop and a Protective Pat Down are two distinct actions— both require independent, Reasonable Articulate Suspicion (i.e., to stop a person there must be reasonable suspicion of criminal activity, and to stop a person and perform a Protective Pat Down of the person, there must be reasonable suspicion of criminal activity and reasonable suspicion that the person is armed and dangerous or presents a danger of attack).
- (b) **Probable Cause** - Probable cause exists where the police have knowledge of facts that would lead a person to believe that a crime has occurred and that the subject has committed it. This differs from Reasonable Articulate Suspicion in that the facts supporting RAS do not need to meet probable cause requirements, but they must justify more than a mere hunch. The facts should not be viewed with analytical hindsight but instead should be considered from the perspective of a reasonable officer at the time that situation confronted him or her.

300.13.3 POLICY

- (a) **Sanctity of Human Life-** All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a Taser will be made in accordance with the "300-Use of Force Policy."

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

- (b) **De-Escalation** - Members will use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary, in accordance the "300.01- Force Options Policy."
- (c) **When Use is Authorized** - Department members' use of a Taser must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a subject, under the totality of the circumstances.
- (d) Consistent with the "300.9- Force Options Policy," Department members are authorized to use a Taser only for the purpose of gaining control of and restraining the following subjects:
 - 1. **Active Resisters.**
 - (a) The use of a Taser as a force option against an active resister is limited to when there is an objectively reasonable belief at the time of **ANY** of the following:
 - 1. a subject that is armed.
 - 2. a subject that is violent or exhibiting violent or aggressive behavior.
 - 3. a subject that has committed a felony.
 - 4. a subject that has committed a misdemeanor offense that is not property- related, a quality of life offense, or a petty municipal code or traffic offense.
 - 2. **Assailants.**
 - (a) In determining the appropriate use of a Taser, Department members will balance the risks and benefits of a Taser discharge based on several factors, including, but not limited to the:
 - 1. threat presented by the subject to the officer or the public.
 - 2. threat presented by the subject to himself or herself.
 - 3. availability of other force options.
 - 4. likely outcome of the Taser use.
 - 5. risk of injury.
 - 6. subject's apparent age, size, physical and mental condition, disability, and impairment.
 - 7. the seriousness of the offense and whether Taser discharge is immediately necessary.
- (e) **Restrictions** - Although Tasers are considered less-lethal weapons, they can cause serious injury or death. For the safety of everyone involved, the following additional restrictions apply:

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

1. **Use in Schools** - Tasers will not be used in a school or on students, unless the Department member assess the reasonableness and necessity of the Taser use based on the totality of the circumstances, including the subject's apparent age, size, and the threat presented, and determines that Taser discharge is immediately necessary.
 2. **Explosion Hazards** - Tasers will not be used in any environment that contains potentially flammable, volatile, or explosive material.
 3. **Removing Barbs** - Members will not remove Taser barbs embedded in the subject's flesh.
 4. Only trained medical personnel may remove Taser probes from a subject's flesh.
 5. **Multiple Tasers on One Subject** - Members will not use multiple Tasers against the same subject, unless a member already attempted to use a Taser against the subject but the probes did not make contact with the subject.
 6. **No Drive Stuns** - Drive stunning is prohibited, unless the subject is defined as an assailant and other force options are not readily available or would otherwise be ineffective.
 7. **Persons Vulnerable to Injury from Tasers** - Tasers will not be used on a subject who is at a greater risk of serious injury or death from taser use, unless the subject is defined as an assailant and other force options are not readily available or would otherwise be ineffective. People who are at a greater risk of serious injury or death from Taser use include, but are not limited to, children, pregnant women, and the elderly.
 8. **Fleeing Persons** - Tasers will not be used on a subject whose ONLY action is flight alone, without any other basis for establishing reasonable articulable suspicion or probable cause.
- (f) **Increased Discharge Risk** - Although Tasers are considered less-lethal weapons, Taser discharges under certain circumstances may increase the risk of serious injury or death. When practicable, Department members should avoid the use of a Taser on subjects who:
1. are elevated above the ground or are in an unstable position (e.g., tree, roof, ladder, ledge, balcony, porch, bridge, or stair);
 2. could fall and suffer an impact injury to the head or other area;
 3. could fall on a sharp object or surface (e.g., holding a knife, falling on glass);
 4. may be less able to catch or protect themselves in a fall (e.g., restrained, handcuffed, incapacitated, or immobilized);
 5. are running away, or are otherwise in motion opposite the sworn member.
 6. are operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, or train); or

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

7. are located in water, mud, or marsh environment if the ability to move is restricted.
- (g) **Justify Separate Uses of Force** - An initial Taser application and each subsequent application of Taser energy (either re-energizing a discharged cartridge with the ARC switch or discharging a second cartridge) must be individually justified and documented on the Use of Force Report (UFR) as a separate use of force.
- (h) Department members will refer to the Department directive titled "303-Control Devices and Techniques" for specific procedures on Taser device protocols including training, maintenance, assignment, manner of carry, and accountability.
- (i) **REMINDER:** Taser Devices will be carried in a Department-approved manner on the sworn member's support (non-firearm) side.

300.13.4 CONDITIONS ON THE DISCHARGE OF A TASER

- (a) **Taser Discharge** - A Taser discharge is:
 1. any probe discharged, including accidental discharges;
 2. any initiation of the ARC switch to re-energize the subject; or
 3. the use of the device by physical contact to drive stun a subject.
- (b) **Authorized Manner of Use** - When it is safe and feasible to do so, a member who is discharging a Taser device will:
 1. give verbal commands and warnings prior to, during, and after the discharge of the Taser, including informing other Department members on the scene of the discharge of the Taser.
 2. allow a subject a reasonable amount of time to comply with a warning prior to using or continuing the use of a Taser, unless doing so would compromise the safety of a Department member or another person.
 3. Department members will target the subject's lower center mass and will avoid targeting the subject's head, neck, groin, or anterior pelvis.
 4. discharge probes when the member is within 18 feet of the subject (and ideally when the member is within 7 to 15 feet of the subject).
 5. use only one five-second energy cycle (the default length of an energy cycle when the Taser trigger is pressed and released) and reassess the situation, including whether the subject has the ability and has been given a reasonable opportunity to comply, before any additional cycles are given or cartridges are discharged.
 6. if the subject is incapacitated, immediately attempt to restrain the subject while he or she is incapacitated.
 7. if the subject has been exposed to three, five-second energy cycles (or has been exposed to a cumulative 15 total seconds of energy) and the member has not gained control of the subject, switch to other force options unless the member

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

can reasonably justify that continued Taser use was necessary to ensure the safety of the member or another person.

- **NOTE:** Prolonged Taser exposure under certain circumstances may increase the risk of serious injury or death.

- (c) **Request Supervisor** - As soon as practical, a member who has used or anticipates using a Taser will request that a supervisor respond to the scene.

300.13.5 POST-DISCHARGE RESPONSIBILITIES

- (a) **Discharging Member** - Immediately upon gaining control and restraining the subject, the discharging member will:
1. as soon as it is safe and feasible to do so, place the subject in a position that does not impair respiration.
 2. avoid placing additional stress on the subject (for instance, avoid kneeling on the subject).
 3. notify the Cook County Dispatch of the Taser discharge
 4. request the appropriate medical aid, including contacting emergency medical services (EMS), if:
 - (a) the subject was exposed to electricity;
 - (b) probes penetrated the subject's skin; or
 - (c) the subject appears to be in any physical distress or complains of injury.
 5. complete a Use of Force Report (UFR) for all Taser discharges consistent with the procedures outlined in the Department policy entitled "300.10.3-Incidents Requiring the Completion of a Use of Force Report."
 6. complete the appropriate case report and other required reports and submit the reports to their immediate supervisor for review and approval.
- (b) **COOK COUNTY DISPATCH** will immediately notify the involved member(s) on-duty supervisor.
- (c) **On-Duty Supervisor** - When notified that a member under his or her command discharged a Taser, the assigned on-duty supervisor will:
1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranked supervisor.
 2. ensure the scene is protected and processed in accordance with the Department policy entitled "403-Crime and Disaster Scene Integrity."
 3. determine whether to request an evidence technician to process the scene.
 4. take control of the Taser device and deliver it to the closest area evidence locker, pending further review of the incident.
 5. request on-duty deputy commander to respond to all Taser discharges that result in potential life- threatening injury or death.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force

6. if a death has occurred as a result of a Taser discharge, ensure the Public Integrity Task Force is requested.
7. review the discharging member's UFR and complete the appropriate section of the UFR consistent with the procedures outlined in the Department policy entitled "300.10.3- Incidents Requiring the Completion of a Use of Force Report."
 - **NOTE:** The reviewing supervisor will attach a copy of the Taser discharge data sheet to the UFR.
- (d) **Investigating Designee** - The Chief of Police will assign an investigating designee with the rank of deputy commander or higher, who will:
 1. download the discharge data from the Taser and print a copy of the discharge information.
 2. ensure all evidence from the scene of the Taser discharge is inventoried, 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; and
 - (c) a copy of the Taser discharge data sheet.
 - **NOTE:** The investigating supervisor will ensure all the attachments are included in the UFR, including the Taser discharge data.

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy introduces the **Force Review Panel** and Use of **Force Review Unit**.

301.2 GENERAL INFORMATION

- (a) The Force Review Panel is responsible for reviewing:
 - 1. Incidents involving the discharge of a firearm by a Department member (except for accidental discharge and animal destruction with no injuries), whether or not a person has been injured or shot as a result of the firearm discharge.
 - 2. Law-enforcement-related deaths that do not result in the completion of a UFR.
 - 3. UFR investigations involving an exempt member.
 - 4. Other deadly force incidents.
 - 5. TASER Device deployment; and
 - 6. Other incidents as determined by the Chief of Police.
- (b) The Force Review Panel consists of the following members:
 - 1. Deputy Chief of Administration
 - 2. Deputy General Superintendent
 - 3. Director of Compliance
 - 4. FPDCC employee (non- law enforcement)
 - 5. Commander
 - 6. Sergeant not involved in the use of force incident.
 - 7. Police Officer not involved in the use of force incident.
 - 8. Deputy Commander not involved in the use of force incident.
 - 9. Certified Instructor of weapon used.
 - 10. Non-FPDCC employee
 - **NOTE:** The Commander will serve as secretary to the panel.
- (c) The Deputy Chief of Administration shall:
 - 1. Serve as chairperson. If the position is vacant, the Chief of Police shall assign a department member to serve as chairperson until the vacancy is filled.
 - 2. Determine when it is necessary for the panel to meet.
- (d) The Commander/Deputy Commander assigned to Internal Affairs will present the file(s) to the Panel.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force Review Boards

301.3 FORCE REVIEW PANEL RESPONSIBILITIES AND PROCEDURES

- (a) The Force Review Panel will review incidents consistent with section 301.2(A) of this policy and:
 - 1. Evaluate if each incident was tactically sound.
 - 2. If applicable, identify specific modifications to existing policy, procedures, training, tactics, or equipment that could result in minimizing the:
 - (a) Occurrences of deadly force incidents.
 - (b) Inherent risks involved in deadly force incidents.
 - (c) Improper deployment/use of TASER device.
 - 3. Recommend discipline for conduct under review.
- (b) The Chairperson of the Force Review Panel will, within 5 business days after the panel has concluded, ensure a Force Review Panel Report is completed and forwarded to Chief of Police.
- (c) The Chief of Police will:
 - 1. Review the report and determine if the recommendations should be approved, modified, or disapproved; and
 - 2. Sign the report and ensure it is returned it to the Force Review Panel Chairperson.
- (d) The Deputy Chief of Administration will:
 - 1. Implement the recommendations of all approved Force Review Panel Reports; and
 - 2. Ensure all reports are maintained consistent with existing records-retention requirements.

301.4 USE OF FORCE REVIEW UNIT

- (a) The Force Review Unit:
 - 1. Is commanded by a Commander who reports directly to the First Deputy Chief of Police.
 - 2. Functions in an after-action-review capacity for:
 - (a) All incidents involving the use of force that results in the completion of a Use of Force Report (UFR), excluding the use of deadly force officer-involved-death incidents, or Taser device deployment/use; and
 - (b) Other incidents as determined by the Chief of Police.
- (b) The Force Review Panel consists of the following members:
 - 1. Commander
 - 2. Deputy Commander not directly involved in the incident
 - 3. Sergeant not directly involved in the incident

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Force Review Boards

4. Police Officer not directly involved in the incident
5. Certified instructor of weapon (if used)
6. FPDCC employee (non-law enforcement)

301.5 FORCE REVIEW UNIT RESPONSIBILITIES AND PROCEDURES

The Force Review Unit will:

- (a) Review incidents consistent with 301.4(a)2 of this policy, and
- (b) Ensure both police officers and supervisors complied with proper reporting procedures.
 1. Evaluate whether or not each reviewed incident:
 2. Was tactically sound.
 3. Complied with policy and procedure.
 4. If a policy violation requiring discipline is observed, the Commanding Officer of the Force Review Unit, will ensure procedures are followed consistent with the CBA and Forest Preserves of Cook County Policies and Procedures.
 5. If an IAD Log Number has already been obtained regarding an incident under review, the Force Review Unit will not make a determination concerning the specific conduct related to the Log Number.
- (c) Recommend additional training or policy review for the involved members, if applicable.
- (d) Identify specific modifications to existing policy, procedures, training, tactics, or equipment that could result in minimizing the:
 1. Occurrences of use of force incidents.
 2. Inherent risks involved in use of force incidents.
- (e) Identify and address emerging concerns or trends relative to use of force incidents.

301.6 REPORTING

On a quarterly basis, the Commanding Officer of the Force Review Unit will prepare a written report of the Unit's actions as outlined in items 1-4 of this section to the First Deputy Chief of Police.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

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

302.2 POLICY

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

302.3 USE OF RESTRAINTS

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

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

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

302.3.1 RESTRAINT OF DETAINEES

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

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons or waist chains.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances to prevent escape or injury.

Forest Preserves of Cook County Police Department

Policy

Policy

Handcuffing and Restraints

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 12 years of age should not be restrained unless they have been suspected of a dangerous felony or when the juvenile is actively resisting apprehension, attempting to escape whereby endangering themselves or may injure him/herself or injure the officer or others.

302.3.4 NOTIFICATIONS

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

302.4 APPLICATION OF HANDCUFFS OR FLEX CUFFS

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

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

In most situations handcuffs should be applied with the hands behind the person's back. Sworn Members shall, double-lock handcuffs to prevent tightening, which may cause undue discomfort or injury to the hands or wrists. Failure to use double locked handcuffing should be documented in the Offense/Incident (OI) report.

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

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

302.5 APPLICATION OF SPIT HOODS

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

Spit hoods may be placed upon persons in custody only when the officer must protect himself/herself or others, from a person who is attempting to bite or spit. They are only used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers as soon as practicable, shall notify a supervisor that the use of a spit hood is necessary. After receiving such notification, the supervisor shall immediately respond to the scene so as to ensure, along with the officer, that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally.

Forest Preserves of Cook County Police Department

Policy

Policy

Handcuffing and Restraints

Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

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

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

302.6 APPLICATION OF LEG RESTRAINT DEVICES

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

In determining whether to use the leg restraint, officers as soon as practicable shall contact a supervisor whom will then consider:

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

302.6.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) As soon as practicable, officers shall notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device. The supervisor shall then immediately travel to the scene.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

Forest Preserves of Cook County Police Department

Policy

Policy

Handcuffing and Restraints

- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.7 REQUIRED DOCUMENTATION

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

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

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

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

302.8 TRAINING

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

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

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

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

303.2 POLICY

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

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

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

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

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

303.4 RESPONSIBILITIES

303.4.1 USER RESPONSIBILITIES

All normal maintenance or replacement shall remain the responsibility of personnel using the various devices.

303.5 BATON GUIDELINES

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

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

303.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in

Forest Preserves of Cook County Police Department

Policy

Policy

Control Devices and Techniques

violent behavior. Oleoresin capsicum spray shall not, under any circumstances, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.6.1 OLEORESIN CAPSICUM SPRAY

Uniformed personnel carrying oleoresin capsicum spray shall carry the device in its holder. Plainclothes and non-field personnel may carry oleoresin capsicum spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.6.2 TREATMENT FOR OLEORESIN CAPISCUM SPRAY EXPOSURE

Officers shall request Emergency Medical Services (EMS) to respond immediately for persons who have been sprayed with or otherwise affected by the use of oleoresin capsicum.

303.7 POST-APPLICATION NOTICE

Whenever oleoresin capsicum has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Information regarding the method of notice and the individuals notified should be included in the offense/incident report.

303.8 TRAINING FOR CONTROL DEVICES

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

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

303.9 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related offense/incident ("O/I") and UFR and reported pursuant to the 300- Use of Force Policy.

Conducted Energy Device (TASER)

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER® devices.

304.2 POLICY

The TASER device is intended to control a violent or potentially violent individual who poses a clear and articulable danger to an officer or others, while minimizing the risk of serious injury. If the individual does not pose a such a danger in that manner, the situation shall be defused by other means. The appropriate use of such a device should result in fewer serious injuries to sworn members and suspects.

304.3 ISSUANCE AND CARRYING TASER DEVICES

Only sworn members who have successfully completed department approved training may be issued and carry a TASER device. A sworn member assigned a TASER device should carry it during the tour of duty, with the exception of non-field assignments (e.g., non-field training, attending in-service, court appearances). A sworn member who is issued a TASER device shall also be issued a body-worn camera. A body-worn camera shall be worn whenever a TASER is carried and the camera must be activated in order to use the TASER.

TASER devices are issued for use during a sworn member's current assignment. Sworn members shall retrieve a Taser device at the beginning of their tour of duty from their designated reporting area or location of assignment.

Sworn members shall only use the TASER device and cartridges that have been issued by the Department. A sworn member who has been issued a TASER device shall wear the device in an approved holster.

A sworn member carrying a TASER device should perform a spark test, a test of the body-worn camera signal activation on the unit and check the cartridge expiration date prior to every shift. Expired cartridges should be replaced prior to putting the TASER device in service.

Only Forest Preserves of Cook County Police Department issued holsters are authorized for use. A sworn member shall carry the device in a support hand-side holster (the side opposite the duty firearm). The Chief of Police or the authorized designee shall determine the appropriate holster configuration, including extra cartridge placement.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty firearm and any other device. Additionally, all TASER device purchases made by this department shall be of a model that is yellow in color.
- (b) Whenever practicable, sworn members should carry two or more cartridges on their person when carrying a TASER device. When a sworn member needs to obtain a replacement cartridge or battery, the sworn member shall obtain it from the on-duty supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

- (c) Sworn members shall be responsible for ensuring that their issued TASER devices are properly maintained and in good working order.
- (d) Sworn members should not hold both a firearm and a TASER device at the same time. The only exception shall be at the time of transition between the firearm and TASER device.

A Taser holster adaptor is required should the sworn member carry the Taser device on the body armor vest carrier. The Taser device and the extra cartridges shall be properly and securely affixed to the vest carrier using the Molle webbing.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc, or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

304.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE TASER DEVICE

Use of the TASER device must at all times be reasonable and in accordance with the Use of Force Policy. Use of the TASER device shall be calculated pursuant to policy. The TASER device may be used in any the following circumstances, when the circumstances perceived by the sworn member at the time indicate that such application is reasonable necessary to control an actively resistant person:

- (a) The subject is violent (e.g., biting, hitting, kicking, any other force intended to injure another person or destroy property) or is physically resisting and presenting the potential to harm sworn members, him/herself or others.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present an imminent safety risk to sworn members, him/herself or others.
- (c) The subject is already in the custody of the Forest Preserves of Cook County Police Department and is actively resisting in an attempt to escape.

The use of TASERS is not permitted for passive resistors or to prevent flight from a pursuing sworn member without other known exigent circumstances or factors. TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The TASER device may be restricted in certain facilities and areas. In addition, the use of the TASER device on the following individuals is prohibited unless the totality of the circumstances are of such that other available options would be ineffective or would present a greater danger to the sworn member, the subject, or others, and the member reasonable believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles (under the age of 18).
- (c) Individuals who are handcuffed or otherwise restrained.
- (d) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.
- (e) Individuals whose position or activity may result in collateral injury (e.g., falls from height, falls into a body of water, operating vehicles).

304.5.3 DRIVE-STUN MODE

A TASER device in the drive-stun mode (i.e., direct contact firmly against the subject's body/clothing without probes) relies primarily on pain compliance.

Use of a TASER device in the drive-stun mode may be used in two instances:

- (a) To supplement the probe-mode to complete the circuit.
- (b) Solely in the drive-stun mode (probes not deployed).
 - 1. Such application shall only be used, when engaging with an assailant to effect an arrest or detain a subject who is combative, due to a believed mental health, substance abuse or alcohol abuse issues.
 - 2. A member using the Taser solely in the drive-stun mode, must reasonably believe, that no other option is available (including the probe-mode application) to safely and humanely arrest or detain, an actively resisting or combative subject.

If application of the drive-stun is not immediately effective, the member should evaluate the location of the drive-stun, consider deploying a probe cycle (or an additional probe cycle) or consider alternative force options.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

304.5.4 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the sworn member to limit the application of the TASER device probes to a precise target area, sworn member should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin, until the subject is examined by paramedics or other medical personnel.

304.5.5 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer is of such certainty based on the continued act of active physical resistance by the individual, that the need to subdue the individual, by way of multiple applications, is the only manner left at the members disposal to protect the member or others from death or great bodily harm, with the full knowledge that increased risk (e.g. death, trauma) may be imposed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

304.5.6 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify the on-duty supervisor of all TASER device discharges. Officers should collect the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.7 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.5.8 BODY-WORN CAMERAS

The assigned sworn member's body-worn camera will become activated any time the TASER device is armed. The safety should be in the safe position unless the sworn member intends to

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

use the device. The body-worn cameras of any sworn members in the immediate area will also become activated, regardless of whose TASER device has been armed.

304.5.9 OFF-DUTY CONSIDERATIONS

Sworn members are not authorized to carry department TASER devices while off-duty.

Sworn members who possess a take home vehicle shall ensure that Taser devices are secured while in their homes, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Sworn members shall document all TASER device discharges in the related Offense Incident Report and the Use of Force Report. Notification shall be made to the on-duty supervisor in compliance with the Use of Force Policy. Unintentional discharges (either arcing the device or a cartridge deployment), shall also be documented in the Offense Incident Report and the Use of Force Report form. The Use of Force Report does not need to be completed if a member activates a TASER, however, there is no subsequent deployment.

As soon as practicable following any TASER use that requires a report, the data from the Taser device should be downloaded onto the designated computer terminal and a TASER Data Sheet shall be generated. As applicable, the TASER Data Sheet will be included with the Offense Incident Report.

304.6.1 USE OF FORCE REPORT

Items that shall be included in the TASER device Activation/Deployment Report are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (d) The range at which the TASER device was used.
- (e) The type of mode used (probe or drive-stun).
- (f) Location of any probe impact.
- (g) Location of contact in drive-stun mode.
- (h) Description of where missed probes went.
- (i) Whether medical care was provided to the subject.
- (j) Whether the subject sustained any injuries.
- (k) Whether any officers sustained any injuries.

The Chief of Police or the authorized designee should periodically analyze the report forms to identify trends, including deterrence and effectiveness.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

The Chief of Police or the authorized designee should conduct audits of data downloads and reconcile TASER device Data Sheets with recorded activations.

304.6.2 OFFENSE INCIDENT REPORTS

The sworn member should include the following in the offense/incident report:

- (a) Identification of all personnel firing TASER devices
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Sworn members shall notify medical personnel at the time of assessment that the subject has been struck by a TASER device.

Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

304.8 SUPERVISOR RESPONSIBILITIES

Supervisors shall respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor shall respond to all incidents where the TASER device was activated. Additionally, the supervisor shall be responsible for the following:

- Ensure all persons who have been exposed to an activation of a TASER device are monitored regularly while in custody.
- Ensure all available witnesses were interviewed.
- Ensure all required procedures outlined in the Use of Force Policy have been completed.
- Notify the on-call command staff member and apprise them of the incident.

A supervisor shall review each incident where a person has been exposed to and or received a deployment activation of the TASER device. The device's onboard memory should be downloaded by placing the battery pack into a TASER docking station and saved in reference to the corresponding Offense Incident Report.

304.8.1 DEPUTY CHIEF OF ADMINISTRATION RESPONSIBILITIES

The Deputy Chief of Administration or authorized designee shall notify the Use of Force Review Board and forward all reports involved in the incident. The Deputy Chief of Administration or authorized designee shall ensure that

- (a) Ensure investigative findings are recorded in a To/From memorandum and forwarded through the chain of command to the Chief of Police or the authorized designee.
- (b) All required reports and forms have been reviewed and submitted.

304.8.2 USE OF FORCE REVIEW BOARD RESPONSIBILITIES

The Use of Force Review Board shall maintain statistics and make recommendations to identify TASER device deployment usage, patterns, trends, and any deployment concerns in addition to the responsibilities outlined in the Use of Force Review Board policy.

304.9 TRAINING

Members who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any members who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for members who have been issued TASER devices shall be annually. A reassessment of a member's knowledge and/or practical skill may be required at any time if deemed appropriate by the Chief of Police or the authorized designee. All training and proficiency for TASER devices will be documented in the sworn member's training file.

Command staff, supervisors, and investigators shall receive TASER device training as appropriate for the investigations they conduct and review.

Forest Preserves of Cook County Police Department

Policy

Policy

Conducted Energy Device (TASER)

The Chief of Police or the authorized designee is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to members and should not be mandatory for certification.

The Chief of Police or the authorized designee shall ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy
- (c) Performing weak-hand draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

304.10 MAINTENANCE AND STORAGE

- The TASER device contains sensitive electronic components. Care should be taken to avoid dropping TASER devices.
- No changes, alterations, modifications or substitutions shall be made to the TASER devices. Repairs shall only be made by authorized TASER device repair facilities.
- The assigned sworn member is responsible for charging the TASER battery pack to ensure firmware updates remain current.
- Only authorized department members shall make arrangements with repair facilities to repair any TASER devices that are unsafe or not functioning properly.
- TASER devices shall be returned to the reporting area or location of assignment, from which it was retrieved, at the end of each tour of duty.
 - TASER devices shall be properly secured in the designated storage locker.

Exception: Sworn members who possess a take home vehicle shall ensure that Taser devices are secured while in their homes, in a manner that will keep the device inaccessible to others.

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer (50 ILCS 727/1-10; 50 ILCS 727/1-30; 730 ILCS 210/3-1).

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

305.1.1 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).

305.2 POLICY

The policy of the Forest Preserves of Cook County Police Department (FPCCPD) is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

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

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

305.4 CONTROL OF INVESTIGATIONS

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

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Forest Preserves of Cook

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

County Police Department would control the investigation if the suspect's crime occurred in the Forest Preserves of Cook County.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

305.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

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

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

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

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

An officer-involved death of an individual in custody that may have been caused by the officer's use of force shall be investigated pursuant to the Reporting of Deaths in Custody Act (730 ILCS 210/3-5).

305.5 INVESTIGATION PROCESS

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

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

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

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

305.5.2 SUPERVISOR RESPONSIBILITIES

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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

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

305.5.3 ON-CALL COMMAND STAFF RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the on-call Commander shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or authorized designee.

All outside inquiries about the incident shall be directed to the Forest Preserves of Cook County Director of Communications.

305.5.4 NOTIFICATIONS

A phone call shall be made to the following persons as soon as practicable:

- Chief of Police
- First Deputy Chief

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

- Public Integrity Task Force
- Deputy Chief of Administration
- Outside Agency Investigators (if appropriate)
- The General Superintendent
- Deputy General Superintendent
- Chief Attorney
- Forest Preserves of Cook County Communications Director
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

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

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

305.5.6 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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

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).

305.6 CRIMINAL INVESTIGATION

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

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

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

305.6.1 OFFICER-INVOLVED DEATH INVESTIGATIONS

The on scene supervisor or commander shall notify the Illinois State Police, Public Integrity Task force at 847-294-4400 to investigate all officer-involved deaths involving members of the FPCCPD as required by the Police and Community Relations Improvement Act (50 ILCS 727/1-1 et seq.).

305.7 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 FPCCPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Deputy Chief of Administration or authorized designee.

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

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

305.8 CIVIL LIABILITY RESPONSE

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

305.9 DEBRIEFING

Following an officer-involved shooting or death, the Forest Preserves of Cook County Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING

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

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

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

305.9.2 TACTICAL DEBRIEFING

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

305.10 MEDIA RELATIONS

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

No involved FPCCPD officer shall make any comment to the media unless he/she is authorized by the Director of Communications and Chief of Police.

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

305.11 REPORTING

The Chief of Police or authorized designee, will ensure that 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 Chief of Police or authorized designee 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

Forest Preserves of Cook County Police Department

Policy

Policy

Officer-Involved Shootings and Deaths

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).

Firearms

306.1 PURPOSE AND SCOPE

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

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

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

306.1.1 DEFINITIONS

Authorized Firearm - A firearm approved for use by the Department.

Primary Handgun - The authorized firearm designated by the officer as their duty weapon for either uniform or plain clothes service.

Secondary Handgun – An authorized firearm, other than the primary handgun, carried in a concealed manner on-duty and secured, at minimum in a Level 2 holster.

Off-Duty Handgun - An authorized firearm carried in an off-duty capacity.

Manufacturer's Specifications – Any repair or modification of any firearm must meet manufacturer specifications for that particular weapon. Any modifications or repair that cause the warranty of the firearm to be voided is prohibited.

Range Officer – Any officer designated, trained and authorized by the department to conduct qualification and training.

Range Commander – A member of the Command Staff level personnel who oversees the firearms program.

Qualification - The proficiency testing required of sworn members to determine their competency to carry authorized firearms.

306.2 POLICY

Sworn members of the Forest Preserves of Cook County Police Department will provide their own firearms to address the risks posed to the public and department members by violent and/or armed persons. The Sworn Member will ensure firearms are appropriate and in good working order and the Department will ensure that required inspection, training, and qualification is provided for all Primary, Secondary, and Off-Duty handguns

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Sworn Members shall only use firearms that are approved by the Department. Firearms shall not be carried by civilian members while on-duty or while in any County-owned vehicle. No Primary or Secondary firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

No Off-Duty firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

The authorized calibers for a primary handgun are 9mm,.40,.45. Only semi-automatic handguns are allowed to be carried as a primary firearm. A.38 caliber or.357 handgun (revolver) may also be carried as a primary firearm, however only with the written authorization of the Chief of Police.

Only officers previously qualified with a "1911 style" semi-automatic handgun as a primary duty weapon as of the date this policy is issued will be allowed to carry such a weapon.

The authorized calibers for a Secondary handgun are: 9mm,.40,.45,.380,.38 and.357.

- (a) One semi-automatic handgun or one revolver handgun, may only be carried as a Secondary firearm.

The authorized calibers for an Off-Duty handgun are: 9mm,.45,.40,.25,.22, 380,.38, and.357.

306.3.2 AUTHORITY DUTY FIREARMS

Authorized duty firearms are subject to the following restrictions:

- (a) The Sworn Members shall ensure that the firearm is in good working order.
- (b) The firearm shall be inspected by a Range Officer prior to being carried and thereafter annually during qualifications.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Operations Manager via the chain of command, who will maintain a list of the information.

306.3.3 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member.

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

- (d) The handgun shall be carried concealed and secured in a Level 2 or higher holster at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Range Officer prior to being carried and thereafter annually during qualifications.
- (f) Ammunition shall be the same as department issue for primary weapon.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Range Officer, who will maintain a list of the information.

306.3.4 AUTHORIZED OFF-DUTY FIREARMS

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

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
- (b) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (c) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (d) The Firearm shall be a semi-automatic firearm or a revolver.
- (e) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (f) Members shall only carry department-authorized ammunition. No “magnum” ammunition is allowed.
- (g) When armed, officers shall carry their Forest Preserves of Cook County Police Department identification card and department issued star.

306.4 AMMUNITION

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

No “magnum” ammunition will be allowed in any firearm.

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

306.5 EQUIPMENT

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

306.5.1 REPAIRS OR MODIFICATIONS

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

Firearms that are approved for department use shall be repaired or modified only by a person who is certified as an armorer or gunsmith in the repair of the specific firearm. Any modification must be authorized in advance, in writing, by the Chief of Police or authorized designee.

Any repairs or approved-modifications to the member's department approved firearm shall be done at his/her expense.

306.5.2 HOLSTERS

Members shall inspect their holsters daily to assure they are serviceable and provide the proper security and retention of the handgun.

306.5.3 TACTICAL LIGHTS

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

Officers should realize that weapon mounted tactical lights are a functioning component of the weapon designed to provide illumination and is not a sighting system or an independent light. All officers using a weapon mounted tactical light are required to carry a "primary" flashlight to be used for illumination and searching. Weapon mounted tactical lights are to be used in tactical or deadly force situations and shall not be used as an illumination tool in any other situations.

306.5.4 OPTICS OR LASER SIGHTS

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

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

306.6 SAFE HANDLING, INSPECTION AND STORAGE

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

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

- (a) Sworn Members shall not unnecessarily display or handle any firearm.
- (b) Sworn Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Range Officer. Sworn Members shall not dry fire or practice quick draws except as instructed by the Range Officer or other firearms training staff.
- (c) Sworn Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present (Each Reporting Location has portable clearing devices).
- (d) Sworn Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (e) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Range Officer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Range Officer will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.6.1 INSPECTION AND STORAGE

The sworn member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. All firearms shall be pointed in a safe direction or into clearing devices when conducting an inspection.

Department approved firearms may be safely stored in lockers at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster. The theft or loss of any firearm authorized for use by the department shall be immediately reported in writing through the chain of command.

306.6.2 STORAGE AT HOME

Sworn Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so.

Sworn Members should be aware that negligent storage of a firearm could result in civil and criminal liability (720 ILCS 5/24-9(a)).

306.6.3 ALCOHOL AND DRUGS

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

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

306.7 FIREARMS TRAINING AND QUALIFICATIONS

All sworn members will qualify at least annually with their duty firearms (50 ILCS 710/0.01 et seq.).

Sworn Members shall qualify with secondary firearms annually. All qualifications shall comply with standards set by the Illinois Law Enforcement Training and Standards Board.

All sworn members carrying a firearm will receive practical training designed to simulate field situations including low-light shooting, annually.

306.7.1 NON-CERTIFICATION OR NON-QUALIFICATION

Sworn Members who are on medical leave will not be allowed to qualify until they return to full duty.

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

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Sworn Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action

Sworn Members who fail to qualify with a secondary handgun will be prohibited from carrying the firearm until they can demonstrate proficiency with the weapon. Any cost of additional ammunition will be the sole responsibility of the member.

306.8 FIREARM DISCHARGE

Except during training or recreational use, any sworn member who discharges a firearm intentionally or unintentionally, on or off-duty, shall make a notification to his/her supervisor as soon as practicable. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the 305 - Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the 300 - Use of Force Policy.

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

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

306.8.1 DESTRUCTION OF ANIMALS

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

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.8.2 INJURED ANIMALS

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

306.8.3 WARNING AND OTHER SHOTS

Warning shots are prohibited.

306.9 RANGE OFFICER DUTIES

The range will be under the exclusive control of the Range Officer. All members attending will follow the directions of the Range Officer. The Range Officer will maintain a roster of all members attending the range and will submit the roster to the Deputy Chief of Administration or authorized designee after each range date.

The Range Officer has the responsibility of making annual inspections, of all duty weapons carried by members of this department to verify proper operation. The Range Officer has the authority to deem any personally owned firearm unfit for service. The sworn member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Range Officer.

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

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

306.10 FLYING WHILE ARMED

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

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

306.11 CARRYING FIREARMS OUT OF STATE

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Firearms

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

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

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

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

In general, Forest Preserve of Cook County Police Department members do not engage in vehicle pursuits. However, in the event circumstances require a vehicle pursuit, the below policy should be followed.

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

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

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

307.1.1 VEHICLE PURSUIT DEFINED

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

307.2 OFFICER RESPONSIBILITIES

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

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

To reduce the likelihood of a pursuit occurring, an officer intending to stop a vehicle for any violation of the law, except a traffic law, should, whenever possible and without creating a threat to public safety or officers, close the distance between the two vehicles. In situations where appropriate and prudent, awaiting the arrival of assisting officers, prior to activating emergency lights, an audible device, or otherwise signaling the suspect to stop may be warranted.

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

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

307.2.1 WHEN TO INITIATE A PURSUIT

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

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

- (g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources such as helicopter assistance.
- (l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner(s) in the police vehicle.

307.2.2 WHEN TO TERMINATE A PURSUIT

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

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

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.2.3 SPEED LIMITS

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

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

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

307.3 PURSUIT UNITS

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

307.3.1 SEMI-MARKED AND UNMARKED VEHICLES

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

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

All vehicles designated as alternative patrol methods – all-terrain Vehicles (ATV), boats, snowmobiles, utility vehicles (Razrs), and bicycles will not engage in any pursuit.

307.3.2 PRIMARY UNIT RESPONSIBILITIES

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

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

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

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

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

307.3.3 SECONDARY UNIT(S) RESPONSIBILITIES

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.3.4 PURSUIT DRIVING TACTICS

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

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

307.3.5 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

Non pursuing units are prohibited from paralleling of the pursuit route. At the direction of a supervisor, officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.3.6 PURSUIT TRAILING

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

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

307.3.7 AIRCRAFT ASSISTANCE

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

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

307.4 SUPERVISORY CONTROL AND RESPONSIBILITY

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

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

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.5 COMMUNICATIONS

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

307.5.1 LOSS OF PURSUED VEHICLE

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

307.6 INTER-JURISDICTIONAL PURSUITS

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

When a pursuit enters another agency's jurisdiction:

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

307.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

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

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

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and Illinois State Police (ISP) units, a request for ISP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, a request for assistance from the ISP should include confirmation that the ISP will relinquish control.

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

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

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

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

As soon as practicable, the on-duty sergeant or a supervisor should review a request for assistance from another agency. The on-duty Sergeant or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.

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

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

307.7 USE OF FIREARMS/VEHICLE CONTACT ACTION

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

307.8 APPREHENSION OF SUSPECTS

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

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

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

307.9 REPORTING REQUIREMENTS

Officers shall complete an appropriate report of the pursuit incident and obtain a case reporting number to each pursuit incident. If involved in inter-jurisdictional pursuit, obtain an Illinois State Police Emergency Radio Network (ISPERN) number in addition to their own case reporting number, which will be incorporated into an incident report.

- (a) Pursuit incidents will be investigated thoroughly. The acquisition of statements, photographs, drawings, preliminary medical reports and any other evidentiary items that are or could be relevant to the pursuit incident should be completed.
- (b) An O/I report shall be completed briefly summarizing the pursuit and submitted to the on-duty supervisor who will submit to the Area Commander. This O/I report should minimally contain the following information:
 - 1. Date and time of pursuit.
 - 2. Length of pursuit.
 - 3. Involved units and officers.
 - 4. Initial reason for pursuit.
 - 5. Starting and termination points.
 - 6. Disposition: arrest, citation, etc. Arrestee information should be provided if applicable.
 - 7. Injuries and/or property damage.
 - 8. Medical treatment.
 - 9. Name of supervisor at scene.
- (c) A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow up is warranted.
- (d) The "Pursuit Driving Report" shall be completed. The "Pursuit Driving Report" should be submitted through the chain of command for internal evaluation and review to determine:
 - 1. Guideline compliance.
 - 2. Operational needs.
 - 3. Future training needs.
- (e) The "Pursuit Driving Report" will be submitted to the Illinois Law Enforcement Training Standards Board, 600 South Second Street, Suite 300, Springfield, Illinois 62704, by each agency involved in a pursuit.

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Pursuits

307.10 APPLICATION OF VEHICLE PURSUIT POLICY

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

Officer Response to Calls

308.1 PURPOSE AND SCOPE

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

308.2 RESPONSE TO CALLS

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

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

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

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

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

This policy in no way supersedes the guidelines set forth in the Vehicle Pursuits Policy.

308.3 REQUESTING EMERGENCY ASSISTANCE

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

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

- The unit number
- The location

Forest Preserves of Cook County Police Department

Policy

Policy

Officer Response to Calls

- The reason for the request and type of emergency

308.4 INITIATING EMERGENCY RESPONSE

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the Dispatch Center.

308.5 RESPONSIBILITIES OF RESPONDING OFFICER(S)

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

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

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

308.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that an emergency response has been initiated, the supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practical.

The supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

Forest Preserves of Cook County Police Department

Policy

Policy

Officer Response to Calls

308.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and respond accordingly. In all cases, the officer shall notify the supervisor of the equipment failure so that another unit may be assigned to the emergency response.

Canine Unit (K-9)

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services to the community.

309.1.1 DEFINITIONS

K-9- A K-9 (dog) that has been acquired and specially trained to execute a number of specific tasks which use the animal's attributes such as speed, protection, agility, and sense of smell for law enforcement purposes.

K-9 Team- A single K-9 Handler and a K-9 (dog) who has successfully completed the required certified course in K-9 training.

K-9 Vehicle- The official on-duty vehicle used to transport the K-9 team.

K-9 Arrest/Apprehension- A K-9 arrest is when the actions of a K-9 team results in a suspect's arrest.

K-9 Deployment- Any use of a K-9 Handler or team to assist officers in the performance of their police duties as authorized by policy.

K-9 Handler- K-9 officer specially trained in the care, handling, and training of a K-9 for law enforcement purposes.

K-9 Trainer- A Department member who has been authorized to attend K-9 training, has attended and successfully completed a certified K-9 trainers' course, and has been awarded a certificate of completion.

K-9 Coordinator- A Department member, appointed by the Chief of Police, who has been assigned the responsibility for various administrative functions relating to the Department's K-9 program.

K-9 Unit- A support team consisting of an officer (Handler) and a trained police K-9 (K-9) that are assigned to the Patrol Division.

309.2 POLICY

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

309.3 GENERAL RESTRICTIONS

- (a) All K-9s are the property of the Forest Preserves of Cook County Police Department and shall be used exclusively for the sole benefit of the Cook County Forest Preserves District.
- (b) K-9 teams are assigned to the Patrol Division and will be assigned to a patrol beat. The K-9 teams will be supervised by an on-duty supervisor, unless an incident occurs

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

and the K-9 Coordinator is present at the scene of a K-9 deployment. In such cases, the K-9 Coordinator will directly supervise the K-9 Teams.

- (c) All reports related to K-9 activities will also be submitted to the Department member who has been designated the K-9 Coordinator.
- (d) Police K-9 will not be used for breeding, participation in shows, field trails, exhibition or other demonstrations unless authorized by the Office of the Chief of Police.
- (e) Police K-9 will not be used for off-duty employment.
- (f) Teasing, agitating, or roughhousing with a police K-9 is strictly prohibited unless performed as part of a training exercise.
- (g) Handlers shall not permit anyone to pet, rub, or hug their K-9 without prior permission and immediate supervision. If asked, civilians should be informed that police K-9s are serious working dogs and unintended consequences might occur if a K-9 is improperly approached by someone other than the K-9 Handler.

309.4 ASSIGNMENT OF K-9 TEAM

K-9 teams will be assigned to the Patrol Division as a normal patrol unit to supplement and assist the Patrol Division.

The following categories of calls should be considered a priority response for K-9 teams:

- (a) Violent felony and violent misdemeanor crimes where the suspect has fled on foot and the use of a K-9 team for a track is beneficial.
- (b) Burglary or robbery alarms, open door/window calls, or intrusion alarm calls where the K-9 team for a track is beneficial.
- (c) Assistance in locating lost individuals to include infants, children, or disoriented elderly persons.
- (d) Searching an area for discarded evidence or contraband.
- (e) Searching for narcotics, provided the K-9 team is trained and certified for use in these areas.

K-9 teams are subjected to any call-out, 24 hours a day 7 days a week and may be assigned by the on-duty supervisor to perform other functions based on the needs of the Watch at the time.

K-9 teams should not be assigned to handle matters that will take them out of service for extended periods of time unless necessary, and then only with the approval of the on-duty supervisor or member of the Command Staff.

309.5 K-9 COORDINATOR

The K-9 Coordinator shall be appointed by the Chief of Police and be directly report to the First Deputy Chief or authorized designee.

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

- (a) Reviewing all K-9 use reports to ensure compliance with policy and to identify training issues and other needs of the program.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with Forest Preserves of Cook County Police Department Command Staff and Sergeants.
- (d) Maintaining a list of the duty availability of all K-9 Handlers by tracking vacation and other requests for time off submitted by K-9 Handlers.
- (e) Maintaining a liaison with other agency K-9 Coordinators.
- (f) Maintaining accurate records to document K-9 activities and preparing an annual report summarizing all K-9 activities.
- (g) Recommending and overseeing the procurement of equipment and services for the K-9 teams.
 - 1. Ensure all department vehicles used to transport a K-9 are equipped with a heat sensor monitoring device that meets the requirements of 510 ILCS 83/15.
 - 2. Ensure that a documented monthly inspection, of all K-9 safety equipment is completed and submitted, to the First Deputy Chief of Police or authorized designee, no later than the 7th day of the following month.
- (h) Scheduling all K-9-related activities.
- (i) Ensuring the K-9 teams are scheduled for regular training to maximize their capabilities.
- (j) Immediately notify the First Deputy Chief or authorized designee of all UFR and O/I reports involving K-9 teams.
- (k) Coordinating all approved community demonstrations.

309.6 REQUESTS FOR K-9 TEAMS

Department members are encouraged to freely solicit the use of K-9s subject to the approval by the on-duty supervisor or Command Staff member. Requests for a K-9 team from outside the Patrol Division for purposes other than a routine law enforcement assignment (e.g. public demonstrations, parades, etc.) shall be submitted directly to the Chief of Police for review and consideration.

309.6.1 OUTSIDE AGENCY REQUEST

All requests for K-9 assistance from outside agencies must be approved by the Chief of Police or the authorized designee and are subject to the following:

- (a) K-9 teams shall not be used for any assignment that is not consistent with this policy.
- (b) The K-9 handler shall have the authority to decline a request for any specific assignment that is not consistent with this policy.
- (c) Calling out an off-duty K-9 team is discouraged. Only a member of the Forest Preserves of Cook County Police Department Command staff may approve utilizing off duty K-9 teams
- (d) It shall be the responsibility of the K-9 handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

- (e) It shall be the responsibility of the K-9 handler to complete all necessary reports to document Assist Other Agencies ("AOA") or as directed by an Forest Preserves of Cook County Police Department Command Staff or on-duty supervisor.

NOTE: Department K-9 teams shall not be used for administrative school searches (i.e. search for weapons, drugs or other contraband).

309.6.2 PUBLIC DEMONSTRATION

All public requests for a K-9 team shall be reviewed by the K-9 coordinator, First Deputy Chief, and Chief of Police and approved by the Chief of Police, prior to making any resource commitment. If approved, the K-9 coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. K-9 handlers shall not demonstrate any apprehension work unless authorized to do so by the K-9 coordinator.

309.7 APPREHENSION GUIDELINES

A K-9 may be used to locate and apprehend a suspect if the K-9 handler reasonably believes that the individual has either committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a K-9 reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the K-9 would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a K-9.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a K-9 to apprehend a suspect.

Use of a K-9 to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the on-duty supervisor. Absent a change in circumstances that presents an imminent threat to officers, the K-9, or the public, such K-9 use should be conducted on-leash or under conditions that minimize the likelihood the K-9 will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the K-9 as soon as it becomes reasonably practicable.

If the K-9 has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the K-9 to release the suspect.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

309.7.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a K-9 to search for or apprehend any suspect, the K-9 handler and the on-duty supervisor should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the K-9 is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the K-9 is released.
- (g) The potential for the suspect to escape or flee if the K-9 is not utilized.

As circumstances permit, the K-9 handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the K-9 handler's responsibility to evaluate each situation and determine whether the use of a K-9 is appropriate and reasonable. If believed reasonable and appropriate, it is the K-9 handler's responsibility to obtain approval from the supervisor on-scene to deploy the K-9. The K-9 handler shall have the authority to decline the use of the K-9 whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the K-9.

Unless otherwise directed by the supervisor on-scene, assisting members should take direction from the handler in order to minimize interference with the K-9.

309.7.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a K-9 will be used if the suspect does not surrender should be made prior to releasing a K-9.

The warning should be substantially as follows:

- "This is the Forest Preserves of Cook County Police Department. Come out now or I will send in a police dog and you may be bitten and hurt"; or
- "This is the Forest Preserves of Cook County Police Department. Stop or I will send a police dog and you may be bitten and hurt."

The handler should allow a reasonable time for a suspect to respond and/or surrender and should quiet the K-9 momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

If a warning is not to be given, the K-9 handler, when practicable, should first advise the supervisor of his/her decision before releasing the K-9. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.7.3 REPORTING DEPLOYMENTS, BITES AND INJURIES

Whenever a K-9 deployment results in a bite or causes injury to an intended suspect, an on-duty supervisor should be promptly notified and the injuries documented in a K-9 use report. The injured person shall be promptly treated by Emergency Medical Services (EMS) personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a K-9, whether on- or off-duty, shall be promptly reported to the K-9 coordinator who will then notify the First Deputy Chief of Police and Chief of Police. Unintended bites or injuries caused by a K-9 should be documented in an Offense/Incident (O/I) Report, and forwarded without delay to the K-9 coordinator.

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

K-9s used by law enforcement agencies are generally exempt from impoundment and reporting requirements (510 ILCS 5/13(b)). The K-9 shall be under observation for 10 days following any bite. The observation shall consist of the K-9 being locked in a kennel, performing its official duties in a law enforcement vehicle, or remaining under the constant supervision of its handler.

309.7.4 K-9 OFFENSE/INCIDENT REPORTING

The handler shall submit full written reports documenting K-9 Unit use for any such use or incident under the following guidelines.

- (a) In all cases where the K-9 Unit is utilized by an outside agency.
- (b) After all interdepartmental usage, when a case is generated by an initiating officer.
- (c) In the event of a K-9 Unit originating arrest.

NOTE: The initiating officer shall complete permission to search forms whenever a K-9 is requested and provide to the K-9 Coordinator.

309.8 NON-APPREHENSION GUIDELINES

Properly trained K-9s may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The K-9 handler is responsible for determining the K-9's suitability for such assignments based on the conditions and the

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

particular abilities of the K-9. When the K-9 is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an immediate threat to officers, the K-9, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the K-9 will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by an on-duty supervisor or command staff, assisting members should take direction from the handler in order to minimize interference with the K-9.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the K-9 will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the K-9 in a down-stay or otherwise secure it as soon as reasonably practicable.

309.8.1 ARTICLE DETECTION

A K-9 trained to find objects or property related to a person or crime may be used to locate or identify articles. A K-9 search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.8.2 NARCOTICS DETECTION

A K-9 trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained K-9 in support of probable cause.

A narcotics-detection trained K-9 will not be used to search a person for narcotics.

309.8.3 BOMB/EXPLOSIVE DETECTION

The Department K-9 teams have not been trained to conduct bomb or explosive detection. An officer who encounters a situation requiring a bomb or explosive detection search will contact the on-duty supervisor, who will request assistance from either the Cook County Sheriff's Police or another local law enforcement agency.

309.9 HANDLER SELECTION

The minimum qualifications for the assignment of K-9 handler include:

- (a) Must have worked as a FPCC-PD Police Officer for a minimum of 2 years.
- (b) Must not have received discipline in the form of a suspension in the past 12 months.
- (c) Must not have received discipline in any form resulting from abuse or neglect of a K-9 during employment.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

- (d) Must have satisfactory performance as indicated on most recent performance evaluation.
- (e) Ability to pass a designated physical fitness and agility test related to the task.
- (f) Must be able to complete K-9 handler training.
- (g) Must be willing to be assigned to any shift or any area as needed and must be willing to work flexible schedules (for callout assignments).
- (h) Must be available to respond to calls on short notice and must be willing to be assigned to different shifts and areas as needed and to work flexible schedules which include weekends, evenings, and holidays (for callout assignments).
- (i) Must be willing to follow standard K-9 care procedures for police K-9s and be responsible for daily care, basic dog first-aid, and feeding of the K-9.
- (j) Must ensure that they are not prohibited from possessing a large dog, weighing a minimum of 45 pounds at their residence, that would violate any lease agreements or homeowner's association by-laws.
- (k) Must not have more than one (1) domestic/personal dogs weighing more than 45 lbs. at personal residence.
- (l) Residence must be on the first-floor level/if not a single-family home dwelling.
- (m) If residence is not on the first level, the dwelling must have a working elevator for transportation of the bloodhound to and from the residence.
- (n) Residence must be able to accommodate outdoor/indoor dog kennels which are approximately 4'W x 4'H x 8'D in size.

309.10 HANDLER RESPONSIBILITIES

The K-9 handler shall ultimately be responsible for the health and welfare of the K-9 and shall ensure that the K-9 receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The Department will purchase and keep a supply of dog food to furnish each K-9 handler with an adequate supply of food to ensure each K-9 receives proper nutrition, care, and maintenance.

The K-9 handler will be responsible for the following:

- (a) The K-9 handler shall submit a written request to the K-9 coordinator to replenish their on-hand supply of dog food.
- (b) Except as required during appropriate deployment, the handler shall not expose the K-9 to any foreseeable and unreasonable risk of harm. If the K-9 must be left unattended in the K-9 vehicle for any reason
 - 1. The vehicle doors must be locked and a window left partially open to facilitate ventilation;
 - 2. The vehicle must be left running to keep the vehicle at an appropriate temperature during cold and/or hot days;

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

3. The K-9 handler shall periodically return to the vehicle (every 10 minutes) to check on the well-being of the K-9 and the K-9 vehicle
- (c) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition. The K-9 handler will promptly report any equipment failures to the K-9 coordinator so that they will be corrected with minimal delay.
- (d) When a handler is off-duty for an extended number of days, the assigned K-9 vehicle should be stored at the Forest Preserves of Cook County Police Department facility, as directed by the K-9 coordinator, unless otherwise expressly authorized by the First Deputy Chief or authorized designee.
- (e) Handlers shall permit the K-9 coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their K-9 vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the K-9 shall be reported to the K-9 coordinator as soon as possible.
- (g) When off-duty, the K-9 shall be in a kennel provided by the County at the home of the handler. When a K-9 is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the K-9 may be let out of the kennel while under the direct control of the handler.
- (h) The K-9 should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the K-9 be lodged at another location unless approved by the K-9 coordinator and the First Deputy Chief or authorized designee.
- (j) When off-duty, the handler shall not involve the K-9 in any law enforcement activity or official conduct unless approved in advance by the K-9 coordinator and the First Deputy Chief or authorized designee.
- (k) Whenever a K-9 handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the K-9. In those situations, the handler shall give reasonable notice to the K-9 coordinator so the K-9 can be kenneled at the Cook County Forest Preserves Police K-9 Training Center, 13800 S. Harlem, Orland Park IL 60462.
- (l) The Handler shall ensure the K-9 receives appropriate veterinarian attention when necessary and receives an annual medical examination by a licensed veterinarian (510 ILCS 83/10).
- (m) The handler shall ensure the K-9 is kept in the best possible state of health and cleanliness.

309.10.1 K-9 IN PUBLIC AREAS

The K-9 should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the K-9 is trained.

- (a) A K-9 shall not be left unattended in any area to which the public may have access.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

- (b) When the K-9 vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the K-9. The handler shall also ensure that the unattended vehicle remains inhabitable for the K-9.

309.11 HANDLER COMPENSATION

The K-9 handler shall be available for call-out under conditions specified by the K-9 coordinator.

The K-9 handler shall be compensated for time spent in the care, feeding, grooming and other needs of the K-9 in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the memorandum of understanding (29 USC § 207).

309.12 ASSIGNMENT OF K-9 HANDLER UTILITY VEHICLE

All K-9 teams shall be assigned a utility vehicle that has been outfitted with specialty equipment for the safe transportation of a K-9 and K-9 accessory equipment items. All K-9 utility vehicles shall bear special markings indicating it is a K-9 vehicle.

The K-9 handler shall be authorized to “take home privileges” for the K-9 utility vehicle they are assigned so that they will be able to safely transport their K-9 to and from the K-9 handler’s residence. The handler shall maintain the K-9 vehicle in a locked garage, away from the public view.

All K-9 handlers shall comply with all Forest Preserve District of Cook County and Department policies regarding authorized use of Department vehicles, including all provisions relating to take-home privileges.

The K-9 vehicle shall be used exclusively for K-9-related activities. The K-9 vehicle shall not be used for any other purpose, on-duty or off-duty, without prior authorization from the K-9 Coordinator and First Deputy Chief or authorized designee.

The K-9 handler shall be responsible for ensuring routine maintenance is provided for their assigned utility vehicle. The K-9 handler will immediately notify the K-9 Coordinator if their K-9 vehicle will be out of service for any length of time.

309.13 K-9 INJURY AND MEDICAL CARE

In the event that a K-9 is injured, or there is an indication that the K-9 is not in good physical condition, the injury or condition will be reported to the on-duty Sergeant and the K-9 coordinator or First Deputy Chief as soon as practicable and appropriately documented. The K-9 coordinator shall be responsible for providing all reports to the First Deputy Chief or authorized designee.

All medical attention shall be rendered by the designated K-9 veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler’s personnel file kept by the K-9 coordinator.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

309.14 KENNELS

Whenever a Forest Preserves of Cook County K-9 is to be housed at the Forest Preserves of Cook County K-9 Training Center (13800 S. Harlem, Orland Park, IL 60462), the following will be strictly adhered to:

- (a) Kennels will be cleaned and disinfected after each use by dog handlers.
- (b) The K-9 coordinator (his/her designee) will periodically inspect the kennel.
- (c) The K-9 coordinator (his/her designee) will check to assure that the kenneled K-9s are being properly cared for and have been run a minimum of twice a shift.
- (d) As deemed necessary, K-9 Handler(s) will perform routine maintenance and upkeep on the K-9 kennels during regularly scheduled shifts.

309.15 TRAINING

Before assignment in the field, each narcotics detection K-9 team shall be trained and certified to meet current requirements established by the Illinois Law Enforcement Training and Standards Board (ILETSB) (50 ILCS 705/10.12). Cross-trained K-9 teams or those K-9 teams trained exclusively for the detection of explosives also should be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The K-9 coordinator shall be responsible for scheduling periodic training for all department members to familiarize them with how to conduct themselves in the presence of department K-9s. The K-9 coordinator shall also be responsible for scheduling periodic training for all K-9 handlers in the recognition and treatment of a K-9's exposure to dangerous substances such as opioids.

All K-9 training should be conducted while on-duty unless otherwise approved by the K-9 coordinator or Shift Sergeant.

309.15.1 CONTINUED TRAINING

Each K-9 team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) K-9 teams should receive training as defined in the current contract with the Forest Preserves of Cook County Police Department K-9 training provider.
- (b) K-9 handlers are encouraged to engage in additional training with approval of the K-9 coordinator.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

309.15.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any K-9 team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

practicable, pending successful certification, the K-9 handler shall be temporarily reassigned to regular patrol duties.

309.15.3 TRAINING RECORDS

All K-9 training records shall be maintained in the K-9 handler's training file and the K-9's personnel file kept by the K-9 coordinator.

309.15.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of K-9s. Officers possessing, using, or transporting controlled substances or explosives for K-9 training purposes must comply with federal and state requirements. Alternatively, the Forest Preserves of Cook County Police Department may work with outside trainers with the applicable licenses or permits.

309.15.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection K-9 training in compliance with state and federal laws (21 USC § 823(f); 720 ILCS 570/302).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Forest Preserves of Cook County Police Department to be possessed by the member or a narcotics-detection K-9 trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

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

These procedures are not required if the K-9 handler uses commercially available synthetic substances that are not controlled narcotics with approval of the K-9 coordinator.

309.15.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the K-9's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual K-9 handler or trainer.
- (b) The weight and test results shall be recorded and maintained by the K-9 coordinator.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the K-9 coordinator with a copy forwarded to the dispensing agency.

Forest Preserves of Cook County Police Department

Policy

Policy

Canine Unit (K-9)

- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the K-9 handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The K-9 coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.16 K-9 RETIREMENT

When the Chief of Police or the authorized designee determines a K-9 is no longer fit for duty advice and guidance shall be sought from the Legal Department regarding the transfer of county-owned property. The K-9 handler assigned to the K-9 shall have first right of refusal. If the handler does not wish to keep the K-9, the Chief of Police or authorized designee shall offer the K-9 to another employee of the Forest Preserves of Cook County Police Department, or to a nonprofit organization or no-kill shelter that may facilitate the K-9's adoption (510 ILCS 82/5).

Domestic Violence

310.1 PURPOSE AND SCOPE

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

310.2 POLICY

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

310.3 DEFINITIONS

Definitions related to this policy include:

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

310.4 OFFICER SAFETY

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

310.5 INVESTIGATIONS

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

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers shall obtain and document statements from the victim, the suspect, and any witnesses, including children, at the location of occurrence.
- (c) Officers shall list the full name and date of birth (and school if available) of each child who was present in the location of occurrence at the time of the offense. The names of other children who may not have been at the location at that particular time should also be obtained for follow-up.
- (d) When legally permitted, video or audio record all statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a

Forest Preserves of Cook County Police Department

Policy

Policy

Domestic Violence

sworn member of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations Unit in the event that the injuries later become visible.

- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons at the location of occurrence, if appropriate and legally permitted, for safekeeping or as evidence (725 ILCS 5/112A-30).
- (i) When completing an Offense Incident report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the Offense Incident report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred (725 ILCS 5/112A-30). Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 - 11. The social status, community status, or professional position of the victim or suspect.

310.5.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

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

Forest Preserves of Cook County Police Department

Policy

Policy

Domestic Violence

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

310.5.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

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

310.5.3 ELECTRONIC SURVEILLANCE ALERTS

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

Upon being dispatched in response to an electronic surveillance alert, officers should make all possible attempts to locate the domestic violence victim who is being protected and assist the victim in providing for his/her safety. All possible attempts to locate the offender shall also be made.

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

Each response to an electronic surveillance alert shall be documented in an Offense Incident report.

310.6 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

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

Forest Preserves of Cook County Police Department

Policy

Policy

Domestic Violence

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

310.7 DISPATCH ASSISTANCE

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

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

310.8 FOREIGN COURT ORDERS

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

310.9 VERIFICATION OF COURT ORDERS

When determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact an on-duty supervisor for clarification when needed.

310.9.1 ORDERS OF PROTECTION

Before serving an Order of Protection the serving officer should conduct an inquiry to determine whether the respondent has been issued a concealed carry license (CCL). If the respondent is found to be in possession of a CCL, the officer shall seize the CCL and forward the notification

Forest Preserves of Cook County Police Department

Policy

Policy

Domestic Violence

of the order and license to the Illinois State Police within seven days of the date the order was served (430 ILCS 66/70).

310.10 LEGAL MANDATES AND RELEVANT LAWS

Illinois law provides for the following:

310.10.1 STANDARDS FOR ARRESTS

- (a) Whenever an officer has reason to believe that a person has been the victim of domestic abuse, the officer shall immediately use all available means to prevent further abuse including arresting the abusing, neglecting and exploiting party, where appropriate.
- (b) Officers investigating reports of domestic violence should consider the appropriate charges, including Domestic Battery, Aggravated Domestic Battery and Interfering with the Reporting of Domestic Violence (720 ILCS 5/12-3.2; 720 ILCS 5/12-3.3; 720 ILCS 5/12-3.5).
- (c) Officers investigating a domestic violence incident, who encounter an individual on bail or bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition or bond or bail by making contact or communicating with the victim, or by entering or remaining at the victim's residence within 72 hours following the defendant's release (725 ILCS 5/110-10(d)).

310.10.2 REPORTS AND RECORDS

The Forest Preserves of Cook County Police Department is required to record, compile and report to the Illinois State Police information regarding domestic crimes.

- (a) Officers shall include in their reports the victim's statements as to the frequency and severity of prior incidents of domestic violence by the person and the number of prior calls for law enforcement assistance to prevent domestic violence (750 ILCS 60/303).
- (b) Reports must also include information regarding the victim, suspect, date and time of the incident, any injury inflicted, any weapons involved, and the relationship between the victim and the suspect so that the Records Department is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

310.10.3 SPECIFIC VICTIM ISSUES

Officers should:

- (a) Provide or arrange for accessible transportation for the victim (and, at the victim's request, any minors or dependents in the victim's care) to a medical facility for treatment of injuries or to a nearby place of shelter or safety (750 ILCS 60/304).
- (b) Provide the victim with one referral to an accessible service agency (750 ILCS 60/304).

Forest Preserves of Cook County Police Department

Policy

Policy

Domestic Violence

310.10.4 COURT ORDER RELATED TO PEACE OFFICERS

If the respondent in an Order of Protection is a peace officer, the investigating officer shall determine if the order prohibits the peace officer from possessing any firearms during the duration of the order (725 ILCS 5/112A-14.).

If the respondent officer is employed by the Forest Preserves of Cook County Police Department, the investigating officer shall take any necessary enforcement actions, promptly submit the appropriate report, and notify the Chief of Police of the incident through the chain of command.

If the respondent officer is not a member of the Forest Preserves of Cook County Police Department, the investigating officer shall promptly notify the investigating officer's on-duty supervisor. The on-duty supervisor shall ensure prompt notification to the respondent officer's department via chain of command.

Workplace Violence

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines for responding to incidents involving workplace violence. Employees will comply with Forest Preserves of Cook County Workplace Violence Policy 06.70.00.

311.1.1 DEFINITIONS

Definitions related to this policy include:

Workplace violence - The commission or threatened commission of an act of violence, harassment or stalking as defined under the Illinois Criminal Code of 2012 against a person at his/her place of work. Place of work means any property that is owned or leased by the employer and at which the official business of the employer is conducted, as defined by the Workplace Violence Prevention Act (820 ILCS 275/10).

Workplace violence includes but is not limited to, written, electronic, or verbal communications, whether direct or indirect, which are of a threatening, improper, intimidating, and/or coercive nature; the use or threat of real or imminent physical force, stalking; vandalism, damage, or destruction of property; and the use or possession of any weapon and/or ammunition, unless the specific weapon, ammunition, or use is authorized by the Forest Preserves of Cook County for a particular work assignment, and used as authorized.

311.2 POLICY

It is the policy of this department to investigate workplace violence as a serious crime and to facilitate employer and victim access to appropriate civil remedies and community resources whenever feasible.

311.3 INVESTIGATIONS

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

- (a) Notify a supervisor immediately. The supervisor shall notify the Human Resources Department and the Legal Department upon notice of a workplace violence case.
- (b) Calls of reported, threatened, imminent or ongoing workplace violence may also involve incidents of domestic violence. Members should consider whether a related domestic violence investigation should also be conducted, as provided in the Domestic Violence Policy.
- (c) Members should take reasonable steps to prevent any further workplace violence, including making an arrest where appropriate.
- (d) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (e) Interview employees and other witness to the workplace violence,

Forest Preserves of Cook County Police Department

Policy

Policy

Workplace Violence

- (f) Officers or supervisors should advise the employer and victim about seeking medical attention and preserving evidence (specifically including photographs of injury or damage).
- (g) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (h) All responses to calls of workplace violence should be documented in an appropriate report.

311.4 EMPLOYER AND VICTIM ASSISTANCE

Officers should:

- (a) If a suspect is arrested, advise the employer and victim that there is no guarantee the suspect will remain in custody.
 - 1. Members should also provide the employer's and victim's contact information to the jail staff to enable notification upon the suspect's release from jail.
- (b) If no arrest is made, inform the victim of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer or other official in accordance with local procedure.
- (c) Provide the victim with the department's domestic violence information handout, if appropriate.
- (d) Advise the parties of available resources, such as victim advocates, shelters or other community resources.
- (e) Advise the victim to contact the local police of a jurisdiction for assistance to his/her place of residence for a reasonable period of time to remove essential items of personal property if appropriate, unless the housing is located on Forest Preserves of Cook County Property.
- (f) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (g) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to a safe location if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (h) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (i) Assist the employer and victim in obtaining an emergency court order if appropriate.
 - 1. Victims may require assistance with transportation to apply for an emergency order of protection.

Forest Preserves of Cook County Police Department

Policy

Policy

Workplace Violence

2. Employers may apply for workplace protection orders if any act of violence, harassment or stalking has been carried out or threatened to be carried out at the workplace (820 ILCS 275/15).
- (j) Officers who are investigating a workplace violence incident and encounter a workplace violence suspect who is on bail or bond for a domestic violence arrest, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of bond or bail, for example by making contact or communicating with a domestic violence victim within 72 hours of release (725 ILCS 5/110-10(d)).

311.5 REPORTS AND RECORDS

The Forest Preserves of Cook County Police Department is required to record, compile and report to the Illinois State Police information regarding workplace crimes (750 ILCS 60/303).

- (a) Officers shall include in their reports the employer's and victim's statements as to the frequency and severity of prior incidents of violence, harassment or stalking by the person and the number of prior calls for law enforcement assistance.
- (b) The Records Department shall maintain and periodically report workplace violence information in the form and manner required by the Illinois State Police.
- (c) All copy reports and investigation findings shall be provided to the Human Resources Department and the Legal Department.

Search and Seizure

312.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Forest Preserves of Cook County Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

312.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be permissible. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with the subject's clearly established rights as determined by case law.

Whenever practicable, officers shall contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Forest Preserves of Cook County Police Department

Policy

Policy

Search and Seizure

312.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

312.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports include, but not limited to, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Temporary Custody of Juveniles

313.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Forest Preserves of Cook County Police Department (34 USC § 11133).

313.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated 720 ILCS 5/24-3.1 by possessing a handgun (28 CFR 31.303; 705 ILCS 405/5-105).

Non-secure custody - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

313.2 POLICY

The Forest Preserves of Cook County Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Forest Preserves of Cook County Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

313.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held by a Forest Preserves of Cook County Police Department member at any facility:

- (a) Unconsciousness
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention, or mental health assistance, and notify a supervisor of the situation.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed.

313.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at Forest Preserves of Cook County Police Department facilities when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at Forest Preserves of Cook County Police Department facilities without authorization of the arresting officer's supervisor or member of the command staff.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult, or transferred to a juvenile custody facility, or to other authority as soon as practicable, and in no event shall a juvenile be held beyond six hours from the time of his/her

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

entry into Forest Preserves of Cook County Police Department facilities (34 USC § 11133; 705 ILCS 405/5-410).

313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at Forest Preserves of Cook County Police Department facilities. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133; 705 ILCS 405/5-410; 705 ILCS 405/2-6(b)).

A juvenile taken into protective custody for prostitution should be reported to the Illinois Department of Children and Family Services (720 ILCS 5/11-14).

313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

313.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at Forest Preserves of Cook County Police Department facilities unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when (705 ILCS 405/5-401):

- (a) Probable cause exists to believe he/she has violated, or attempted to violate, a law or ordinance.
- (b) The juvenile has been adjudged a ward of the court and has escaped from any commitment ordered by the court.
- (c) An officer reasonably believes the juvenile has violated court-ordered conditions of probation or supervision.

The officer shall promptly notify the on-duty supervisor and then immediately request that a juvenile police officer respond to the scene when practicable (705 ILCS 405/2-6; 705 ILCS 405/3-8).

The officer shall submit a completed report to the on-duty supervisor.

313.5 ADVISEMENTS

An officer who takes a juvenile into custody without a warrant shall immediately make a reasonable attempt to notify the parent, guardian or the person with whom the juvenile resides that the juvenile has been taken into custody and where the juvenile is being held (705 ILCS 405/2-6).

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

313.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including (405 ILCS 5/410 (2)(c)(iv)):

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Forest Preserves of Cook County Police Department.
- (c) On-duty Supervisor notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.
- (j) Date and time of release.
- (k) Name of person juvenile released to.

The On-duty Supervisor shall ensure that the juvenile custody log is appropriately completed.

313.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; (405 ILCS 5/410 (2)(c)(ii)). There should also be sight and sound separation between non-offenders, juvenile, and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Forest Preserves of Cook County Police Department shall maintain a constant, immediate presence with the juvenile, or the adult to minimize any contact. If inadvertent, or accidental contact does occur, reasonable efforts shall be taken to end the contact.

313.8 TEMPORARY CUSTODY REQUIREMENTS

Officers and supervisors assigned to monitor or process any juvenile at any Cook County facility or local jurisdiction agency, shall ensure the following:

- (a) The On-duty Supervisor should be notified if it is anticipated that a juvenile may need to remain at any Forest Preserves of Cook County Police Department facility more than four hours. This will enable the Supervisor to ensure no juvenile is held more than six hours.
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Blankets should be provided as reasonably necessary.
- (l) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.
- (m) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

313.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at Forest Preserves of Cook County Police Department facilities when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the On-duty Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

313.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as, pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Forest Preserves of Cook County Police Department.

313.11 SECURE CUSTODY

Only juvenile offenders 10 years of age or older may be placed in secure custody (705 ILCS 405/5-410). Approval from the On-duty Supervisor is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Sworn Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. A sworn member must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. On-duty Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. On-duty Supervisor approval should be documented.

313.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire time in custody.
- (b) Juveniles shall have constant auditory access to department sworn members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Regular personal visual checks of the juvenile by a sworn member, shall occur no more than every 15 minutes.
 - 1. All checks shall be logged.
 - 2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room.
- (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

313.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Command Staff will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Forest Preserves of Cook County Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Commander, First Deputy Chief of Police, Chief of Police, General Superintendent, Chief Attorney, and Director of Communications.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the State Police Public Integrity Task Force (PITF).
- (d) Notification of the State's Attorney.
- (e) Evidence preservation.
- (f) If in secure custody, an Illinois Department of Corrections Report of Extraordinary or Unusual Occurrences is required to be completed and forwarded to the Office of Jail and Detention Standards within 72 hours of the occurrence (The Illinois Joint Committee on Administrative Rules Administrative Code, Title 20, Chapter I, Subchapter g, Part 720.130).

313.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

A juvenile under 15 years of age at the time of the commission of any of the offenses listed in 705 ILCS 405/5-170 (e.g., homicide, criminal sexual assault, criminal sexual abuse) must be represented by legal counsel during the entire custodial interrogation of the juvenile.

Oral, written or sign-language statements of a juvenile under the age of 18 who is subject to custodial interrogation while in custody at a police station or other custodial location are governed by the Investigation and Prosecution Policy (705 ILCS 405/5-401.5).

A juvenile who was under the age of 18 at the time of the commission of the offense should be read the simplified *Miranda* warning and asked the following questions as set forth in 705 ILCS 405/5-401.5 and 725 ILCS 5/103-2.1:

- (a) Do you want to have a lawyer?
- (b) Do you want to talk to me?

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Juveniles

313.13.1 INVESTIGATIONS ON SCHOOL PROPERTY

Before detaining and questioning a juvenile student during regular hours on school grounds, an officer should make a reasonable effort to notify and have the juvenile's parent or guardian present during questioning unless the officer reasonably believes that urgent and immediate action is necessary to do any of the following (105 ILCS 5/22-85):

- (a) Prevent bodily harm or injury to a person
- (b) Apprehend an armed or fleeing suspect
- (c) Prevent the destruction of evidence
- (d) Address an emergency or other dangerous situation

The officer should document the time and manner by which the attempted notification or notification of the juvenile's parent or guardian was made.

If the juvenile's parent or guardian is not in attendance during questioning, the officer should have a guidance counselor, nurse, social worker, and/or mental health professional of the school present. If practicable, an officer trained or certified in juvenile investigations should be present or conduct the questioning of the juvenile (105 ILCS 5/22-85).

313.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

Juveniles shall be formally booked for offenses enumerated in 705 ILCS 405/1-7(B).

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon approval of the command staff member on duty, giving due consideration to:

- (a) The gravity of the offense.
- (b) The past record of the offender.
- (c) The age of the offender

No student booking station shall be established or maintained on the grounds of any school (105 ILCS 5/10-20.64; 105 ILCS 5/34-18.57).

Adult Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide requirements for the investigation, and mandatory notification of abuse.

314.2 POLICY

The Forest Preserves of Cook County Police Department will investigate all reported incidents of adult abuse and ensure proper reporting and notification as required by law.

314.3 DEFINITIONS

Definitions related to this policy include:

Adult- Any person 18 years of age or older.

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency.

314.4 INITIAL RESPONSE

Officers responding to the scene of adult abuse shall notify Cook County Radio Dispatch and the on-duty supervisor.

Officers must be prepared to intervene when necessary to protect life or property and to provide emergency care pending the arrival of medical personnel.

314.5 INVESTIGATIONS AND REPORTING

All reported or cases of adult abuse require investigation and an Offense/Incident report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where an adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom they made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs and video of such injuries, if practicable and uploaded to Evidence.com.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

Forest Preserves of Cook County Police Department

Policy

Policy

Adult Abuse

- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Whether a protective order petition should be filed on behalf of the victim when there is a reasonable belief that the victim is incapable of filing a petition for themselves ([750 ILCS 60/201](#)).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

314.6 MANDATORY NOTIFICATION

- (a) Within 24 hours members of the Forest Preserves of Cook County Police Department shall notify the Illinois Department on Aging or other designated social services agency when:
 - 1. There is reason to believe that an eligible adult, who because of a disability or other condition or impairment, is unable to seek assistance for him/herself, and;
 - 2. Has, within the previous 12 months, been subjected to abuse, neglect or financial exploitation ([320 ILCS 20/4](#)).
- (b) For purpose of this notification, an eligible adult means either:
 - 1. An adult whose disability impairs his/her ability to seek or to obtain protection from abuse, neglect or exploitation, and is 18 through 59 years old.
 - 2. A person 60 years of age or older who resides in a domestic living situation.
- (c) Incidents of alleged abuse shall continue to be reported pursuant to the Illinois Domestic Violence Act ([320 ILCS 20/4](#)).
- (d) The Forest Preserves of Cook County Police Department shall also notify the Department on Aging whenever it determines a death of an eligible adult was caused by abuse or neglect by a caregiver ([320 ILCS 20/3](#)).

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Officers shall to gather only the information necessary to begin an investigation and avoid multiple interviews with the victim. When practicable, officers should defer interviews until a person who is specially trained in such interviews is available.

314.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer shall not detain an adult involuntarily, who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without their consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:

Forest Preserves of Cook County Police Department

Policy

Policy

Adult Abuse

1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

314.8 INVESTIGATORS

Investigators shall investigate cases of adult abuse. These investigators shall :

- (a) Arrange and schedule interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide information for therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable ([320 ILCS 20/3](#)).

314.9 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the member shall immediately notify the on-duty supervisor. The investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a on-duty supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.10 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for themselves, the officer shall make reasonable attempts to contact the Illinois Department on Aging or other designated social services agency. Removal of an adult abuse victim from their family, guardian or other responsible adult shall be left to the welfare authorities when they are present or have become involved in an investigation.

Sworn members of this department shall remove an adult abuse victim from their family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult

Forest Preserves of Cook County Police Department

Policy

Policy

Adult Abuse

abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the Illinois Department on Aging or other designated social services agency.

Whenever practicable, the officer shall inform a on-duty supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.11 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.11.1 SUPERVISOR RESPONSIBILITIES

The Investigations Unit supervisor shall:

- (a) Work with professionals from the appropriate agencies, including Illinois Department on Aging or other social services agency designated to investigate adult abuse, other law enforcement agencies.
- (b) Activate any available interagency response when an officer notifies the on-duty supervisor that they have responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives there.

314.11.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives there shall:

- (a) Notify the on-duty supervisor immediately.
- (b) Notify the Cook County Crime Scene Investigators (CSI) to process the scene.
- (c) Document the environmental, medical, social and other conditions of the adult, using the department issued body-worn camera (BWC)..
- (d) Complete an Offense/Incident Report prior to end of shift and ensure the Offense/ Incident Report is forwarded to the Investigations Supervisor.

314.12 STATE MANDATES AND OTHER RELEVANT LAWS

Illinois requires or permits the following:

Forest Preserves of Cook County Police Department

Policy

Policy

Adult Abuse

314.12.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse Offense/Incident report to the Department on Aging or the designated social services agency as required by law.
- (b) Retaining the original adult abuse Offense/Incident report with the initial case file.

314.12.2 RELEASE OF REPORTS

Information related to incidents of adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Management and Release Policy ([320 ILCS 20/8](#)).

314.12.3 SUMMARY REPORTS OF DEATH INVESTIGATIONS

This department will provide, upon request, a summary of actions taken in response to a reported death of an eligible adult to a public or nonprofit agency that has been approved by the Department on Aging to receive and assess such reports ([320 ILCS 20/3](#)).

Child Abuse

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of child abuse. This policy also addresses when Forest Preserves of Cook County Police Department members are required to notify the Illinois Department of Children and Family Services (DCFS) of suspected child abuse.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency ([325 ILCS 5/3](#)).

316.2 POLICY

The Forest Preserves of Cook County Police Department will investigate all reported incidents of alleged child abuse and ensure DCFS is notified as required by law. In all instances of child abuse or alleged child abuse, officers shall immediately notify the on-duty supervisor.

316.3 MANDATORY NOTIFICATION

Sworn members of the Forest Preserves of Cook County Police Department shall notify DCFS when they have reasonable cause to believe a child known to them in their official capacity was abused by a parent, immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child or a paramour of the child's parent. Members must also report any case of a neglected child ([325 ILCS 5/4](#); [325 ILCS 5/3](#)).

Sworn members shall notify DCFS of abuse to include, but is not limited to:

- (a) Torture
- (b) Sex offenses
- (c) Excessive corporal punishment
- (d) Genital mutilation
- (e) Physical injuries
- (f) Risk of physical injuries
- (g) Failure to provide necessary nourishment of medical care or blatant disregard of parent or caretakers responsibilities.

Full definitions of abuse and neglect are provided in ([325 ILCS 5/3](#)).

316.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows ([325 ILCS 5/7](#)):

Forest Preserves of Cook County Police Department

Policy

Policy

Child Abuse

- (a) All notifications of suspected child abuse or neglect shall be made immediately, either to DCFS on the statewide, toll-free telephone number 1 (800) 25- ABUSE [1- (800) 252-2873], in person or by telephone through the nearest DCFS office (325 ILCS 5/7.6; 89 Ill. Adm. Code 300.30).
- (b) Notification, when possible, shall include:
 - 1. The name and address of the child and his/her parents or other persons having custody.
 - 2. The child's age, the nature of the child's condition, including any evidence of previous injuries or disabilities.
 - 3. Any other information that the person filing the report believes might be helpful in establishing the cause of abuse or neglect and the identity of the person believed to have caused such abuse or neglect.
- (c) A member who suspects that a child has died as a result of child abuse or neglect shall also immediately report his/her suspicion to the appropriate Medical Examiner (325 ILCS 5/4.1).
- (d) A written Offense/Incident Report shall be completed prior to the end of the officer's shift and be submitted to the on-duty supervisor.
- (e) The on-duty supervisor shall forward the report within 48-hours to DCFS.

316.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Arrange and schedule a forensic interview in a child appropriate interview facility.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the State's Attorney Office for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

316.5 INVESTIGATIONS AND REPORTING

Investigations and reports related to all cases of child abuse shall address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The officer shall notify the on-duty supervisor of any exigent circumstances that existed prior to the officers interviewing the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.

Forest Preserves of Cook County Police Department

Policy

Policy

Child Abuse

- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Other investigative steps taken in compliance with any applicable county Child Advocacy Advisory Board protocol the Forest Preserves of Cook County Police Department follows ([55 ILCS 80/3](#)).

All cases of the unexplained death of a child shall be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

In all cases involving child abuse, an Offense/Incident Report shall be completed prior to the end of the officer's shift and submitted to the on-duty supervisor for review and approval.

316.6 PROTECTIVE CUSTODY

Sworn members shall immediately notify the on-duty supervisor of the need to remove a child from their parent(s) or guardian without a court order or when immediate action is necessary to protect the child. Before taking the child into protective custody, absent the need for immediate action to protect the child, the officer shall contact DCFS under the supervision of the on-duty supervisor.

The removal of a child from their family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Children may only be removed from a parent or guardian in the following situations ([325 ILCS 5/5](#)):

- (a) A court has ordered the removal of the child.
- (b) A court has not ordered the removal of the child but there is reason to believe the child cannot be cared for at home or in the custody of the person responsible for the child's welfare without endangering the child's health or safety, and there is no time to apply for a court order for temporary custody of the child.

316.6.1 PROCEDURE

A sworn member taking a child into temporary protective custody shall immediately ([325 ILCS 5/5](#)):

- (a) Make every reasonable effort to notify the person responsible for the child's welfare.
- (b) Notify DCFS.

Forest Preserves of Cook County Police Department

Policy

Policy

Child Abuse

See the Abandoned Newborn Infant Protection Policy for guidance regarding the Abandoned Newborn Infant Protection Act ([325 ILCS 2/10 et seq.](#)).

316.7 INTERVIEWS

316.7.1 PRELIMINARY INTERVIEWS

Officers shall defer interviews with a child victim until a qualified investigator is available. The child victims shall not be interviewed in the location where the alleged abuse occurred.

316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer shall not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

316.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer shall obtain consent for such examination from the appropriate parent, guardian, or agency having legal custody of the child. The officer shall also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers shall notify an on-duty supervisor immediately before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor shall consider obtaining a court order for such an examination.

316.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking, or use of narcotics.

316.9.1 INVESTIGATIONS SUPERVISOR RESPONSIBILITIES

The Investigations Supervisor shall :

Forest Preserves of Cook County Police Department

Policy

Policy

Child Abuse

- (a) Activate any available interagency response when notified by the on-duty supervisor that an officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (b) Ensure officers document the environmental, medical, social, and other conditions that may affect the child in the appropriate report.

316.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives shall:

- (a) Notify the on-duty supervisor immediately.
- (b) Notify the Cook County Crime Scene Investigators (CSI) to process the scene.
- (c) Document the environmental, medical, social, and other conditions of the child.
- (d) Complete an Offense/Incident Report prior to end of shift and ensure the Offense/Incident Report is forwarded to the Investigations Supervisor.

316.10 STATE MANDATES AND OTHER RELEVANT LAWS

Illinois requires or permits the following:

316.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy ([325 ILCS 5/11](#)).

316.10.2 CHILD ADVOCACY ADVISORY BOARD PROTOCOL

This department has adopted the Illinois Child Advocacy Advisory Board's protocol governing the investigation of child maltreatment including sexual abuse, physical abuse, exploitation and neglect of a child.

All investigations and interviews conducted by this department shall comply with this protocol, with the procedures to be used in investigating and prosecuting cases arising from alleged child maltreatment and in coordinating treatment referrals for the child and his/her family ([55 ILCS 80/3](#)).

316.10.3 ACKNOWLEDGEMENT OF REPORTING RESPONSIBILITY

The Deputy Chief of Administration or authorized designee shall ensure that members of this department who are directly involved in the enforcement of the law sign statements acknowledging that they are mandated to notify DCFS of suspected child abuse and neglect. The statement shall be on a form prescribed by DCFS. It shall be signed before beginning employment and shall be retained by this agency as a permanent part of the personnel record ([325 ILCS 5/4](#)).

316.10.4 ASSISTANCE TO CHILD PROTECTIVE SERVICES INVESTIGATORS

Upon receiving a request for assistance from a child protective services investigator involving an investigation of a high-risk report of child abuse or neglect officers should determine the reason for the request. If the protective services investigator reasonably believes that the person

Forest Preserves of Cook County Police Department

Policy

Policy

Child Abuse

being investigated has a potential for violence, officers should accompany him/her. However, if resources are limited or unavailable, officers should notify the on-duty supervisor to arrange for the assistance to occur at a mutually agreeable time ([325 ILCS 5/7.2](#)).

316.10.5 SEXUAL ABUSE INVOLVING SCHOOL PERSONNEL

In all reported incidents of sexual abuse of a child involving school personnel, including vendors, or volunteers, the Investigations Supervisor or authorized designee shall notify the relevant school when the investigation has been suspended or completed, as well as the outcome of the investigation ([105 ILCS 5/22-85](#)).

316.11 TRAINING

The Department shall provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Cultural competence (including interpretive services) related to child abuse investigations.

Required mandated reporter training shall be administered to all members at least every three years thereafter ([325 ILCS 5/4](#)).

316.11.1 TRAINING RECORDS

Sworn members shall maintain and provide records of completed mandated reporter training and forward a copy to the Operations Manager.

Missing Persons

317.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

317.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk missing person - A person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include but are not limited to any of the following (50 ILCS 722/10(a)(1)):

- (a) The person is missing as a result of a stranger abduction.
- (b) The person is missing under suspicious circumstances.
- (c) The person is missing under unknown circumstances.
- (d) The person is missing under known dangerous circumstances.
- (e) The person is missing more than 30 days.
- (f) The person has already been designated as a high-risk missing person by another law enforcement agency.
- (g) There is evidence that the person is at risk because:
 - 1. The person is in need of medical attention, or prescription medication.
 - 2. The person does not have a pattern of running away or disappearing.
 - 3. The person may have been abducted by a non-custodial parent.
 - 4. The person is mentally impaired.
 - 5. The person is under the age of 21.
 - 6. The person has been the subject of past threats or acts of violence.
 - 7. The person has eloped from a nursing home.
 - 8. The person is a veteran, active duty, or reserve member of the United States Armed Forces or National Guard, and is believed to have a physical or mental health condition related to his/her service.
- (h) Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18, reported to the Department as abducted, lost or a runaway, whose identity is entered into the Law Enforcement Agencies Data System (LEADS) (325 ILCS 55/1(c)).

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and LEADS (20 Ill. Adm. Code 1291.40).

317.2 POLICY

The Forest Preserves of Cook County Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Forest Preserves of Cook County Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation. The Forest Preserves of Cook County Police Department may request assistance from the Cook County Sheriff's Police Department when it is determined that person reported missing was last seen on Forest Preserves of Cook County property.

317.3 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a sworn member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (50 ILCS 722/5(a)).

317.3.1 REPORTS OF MISSING CHILDREN

Any member taking a report of a missing person under the age of 18 shall provide the reporting party with the following information (325 ILCS 40/7.2):

- (a) The 24-hour toll-free telephone numbers for:
 - 1. The National Center for Missing and Exploited Children® (NCMEC) 1-800-THE-LOST (1-800-843-5678).
 - 2. The National Runaway Safeline 1-800-RUNAWAY or 1-800-786-2929.
- (b) A description of the services provided to families of missing children by NCMEC and the National Runaway Safeline.
 - 1. <http://www.missingkids.com/home>
 - 2. <https://www.1800runaway.org/>

317.4 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be a high-risk missing person.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast an alert if the person is under 18 years of age or there is evidence that the missing person is high-risk. If the missing person is under 18, the alert should be broadcast immediately or as soon as practicable, but in no event more than one hour after determining the missing person may be high-risk (325 ILCS 40/7).
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 - 1. Immediately when the missing person is high-risk.
 - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided DNA sample of the missing person, if available (e.g., toothbrush, hairbrush). Any DNA samples obtained shall immediately be forwarded to the Illinois State Police for analysis (50 ILCS 722/5(d)(3)).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) If the missing person is a child, immediately contact the State Missing Persons Clearinghouse (325 ILCS 40/7(b)) 1-800-U-HELPME (1-800-843-563).
- (k) In the event that a missing child is not found during the shift in which the report was made, information regarding the missing child shall be disseminated to all sworn officers in the Department (325 ILCS 40/7(b)).

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

317.5 REPORT PROCEDURES AND ROUTING

Sworn members should complete all missing person reports and forms promptly and advise the on-duty supervisor as soon as a missing person report is ready for review.

317.5.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include but are not limited to:

- (a) Ensuring resources are deployed as appropriate.
- (b) Initiating a command post as needed.
- (c) Ensuring applicable notifications, requests for assistance, and public alerts are made and documented.
- (d) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Division.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

317.5.2 RECORDS DIVISION RESPONSIBILITIES

The responsibilities of the Records Division member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigations Unit when applicable.
- (e) Coordinating with the NCIC Terminal Contractor for Illinois to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

317.6 INVESTIGATIONS FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 24 hours if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph.

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 5 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) In cases involving a person missing for more than 30 days but less than 60 days, may generate a report of the missing person within the National Missing and Unidentified Persons System (NamUs) and, if not previously received, obtain the following (50 ILCS 722/5(d)):
 1. DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including but not limited to the Local DNA Index System (LDIS), State DNA Index System (SDIS), National DNA Index System (NDIS), and NamUs partner laboratories.
 2. An authorization to release dental or skeletal X-rays of the missing person.
 3. Any additional photographs of the missing person that may aid with the investigation or an identification and enter the photograph into applicable missing person networks (34 USC § 41308). No written authorization to publicly release any photograph that would aid in the investigation or identification of the missing person is required.
 - (a) If the missing person is under 18 years of age, the photographs should be forwarded to the Illinois State Police and LEADS.
 4. Dental information and X-rays.
 5. Fingerprints.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update LEADS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and NCMEC if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records.
- (j) Should consider making appropriate entries and searches in NamUs.

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

1. If a DNA sample is obtained, it should be submitted to a NamUs partner laboratory or other local, state, or national DNA system resource within 60 days (50 ILCS 722/5).
- (k) Shall immediately begin an investigation and notify the Illinois State Police if information is received that a request for the birth certificate, school record, or any other information concerning a missing child has been made (325 ILCS 55/6).
- (l) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

317.6.1 NOTIFICATION TO REPORTING PERSON

The investigator shall notify the person making the report, a family member or other person in a position to assist the Department in its efforts to locate the missing person of the following (50 ILCS 722/5(d)(1)):

- (a) General information about the handling of the missing person case or about intended efforts in the case to the extent that the disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance.
- (b) That the person should promptly contact the Forest Preserves of Cook County Police Department if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information and cellular telephone records.
- (c) That any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.
- (d) That, dependent upon the missing person's age, NCMEC and NamUs may be contacted.

317.7 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The assigned investigator shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Illinois State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a missing person is high-risk, the fact that the person has been found shall be reported within 24 hours to the Illinois State Police.

Forest Preserves of Cook County Police Department

Policy

Policy

Missing Persons

- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

317.7.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

317.8 CASE CLOSURE

The Investigations supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of the Forest Preserves of Cook County or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

Public Alerts

318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

318.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

318.3 RESPONSIBILITIES

318.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Forest Preserves of Cook County Police Department should notify their on-duty supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

318.3.2 COMMAND STAFF RESPONSIBILITIES

A command staff member apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The command staff member shall notify the Chief of Police. The command staff member, under the direction of the Chief of Police or authorized designee, shall notify the FPCC Director of Communications and Chief Attorney prior to any public alert being generated.

The command staff member in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the First Deputy Chief or authorized designee.

318.4 AMBER ALERTS

The AMBER Alert Notification Plan is a tool for law enforcement to promptly notify the media of a confirmed abduction so the information can be broadcast to the public for assistance in locating the child and/or abductor.

318.4.1 CRITERIA

An AMBER Alert should only be implemented when all of the following criteria are met (20 Ill. Adm. Code 1292.30):

Forest Preserves of Cook County Police Department

Policy

Policy

Public Alerts

- (a) A confirmed abduction.
- (b) The child must be under the age of 16 or have a proven mental or physical disability.
- (c) The agency has a belief the child is in danger of serious bodily harm or death.
- (d) There is enough descriptive information about the child, abductor, and/or suspect's vehicle to believe an immediate broadcast alert will help.

318.4.2 PROCEDURE

In the event a confirmed child abduction meeting the Illinois AMBER Alert criteria has occurred the following procedures designed to alert the media shall be followed:

- (a) Notify the nearest ISP district or call the Illinois State Police Communication Center (SCC) (217) 786-6677, or fax the AMBER Fax Packet (217) 786-7191.
- (b) Include detailed information which could be helpful to the public in identifying the child.
- (c) Designate a department contact for the ISP SCC (include a name and telephone number).
- (d) Designate a secondary number (PIO) for media contacts.
- (e) Follow department policy regarding the actual investigation process involving any abducted/kidnapped child incident which takes place within this department's jurisdiction.
- (f) Disseminate necessary abduction information via a LEADS/NLETS message (sent ISPERN messages shall be coordinated through the ISP district of occurrence).
- (g) If a current portrait of the child is available, forward it electronically along with a copy of all abduction details/summaries to the ISP Clearinghouse for Missing and Exploited Children Manager (missing@isp.state.il.us).
- (h) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
 - 1. Federal Bureau of Investigation (FBI Local Office).
 - 2. Prompt entry of information into the Missing Person System (LEADS/NCIC).
 - 3. National Center for Missing and Exploited Children (800) 843-5678.
- (i) The Investigations investigator or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.
- (j) The Investigations investigator or other individual responsible for making notifications shall, immediately upon locating the abducted child, ensure that updated releases

Forest Preserves of Cook County Police Department

Policy

Policy

Public Alerts

to all previous distributions are sent notifying of the recovery and cancellation of the missing alerts.

318.5 ENDANGERED MISSING PERSON ADVISORY

The Endangered Missing Persons Advisory is a voluntary partnership between law enforcement and local media to notify the public about a missing and endangered person.

318.5.1 CRITERIA

The advisory is initiated by the department utilizing the criteria established in the definitions section of the Missing Persons Policy (50 ILCS 722/10).

318.5.2 PROCEDURE

Upon receipt of a missing person report and using the above criteria, the Investigations investigator or other individual assigned to the investigation shall promptly determine if there is a basis to classify the missing person as high-risk and endangered and, following approval by a supervisor:

- (a) Immediately enter the missing person information, including any vehicle information, into the LEADS and the NCIC databases.
- (b) Complete the Endangered Missing Person Advisory available on the Amber Alert Task Force website (www.amberillinois.com) and fax the completed form to the Illinois State Police district of occurrence.
- (c) If appropriate, coordinate an ISPERN message through the Illinois State Police District of occurrence.
- (d) Upload DNA profiles as determined by the State Police into the State DNA Index System and the National DNA Index System.
- (e) Submit relevant information to the FBI Violent Criminal Apprehension Program (ViCAP).
- (f) Notify department employees to be on the lookout for the high-risk missing person and/or suspected abductor.
- (g) Follow department policy regarding missing persons reporting and documentation, required notifications, conduct of the investigation and follow up investigation.
- (h) Immediately upon locating a missing high-risk individual, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing advisory.

318.6 CRIMES AGAINST POLICE OFFICERS ADVISORY

The Crimes Against Police Officers Advisory provides a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit certain crimes against a peace officer (20 ILCS 2605/2605-600).

Forest Preserves of Cook County Police Department

Policy

Policy

Public Alerts

318.6.1 CRITERIA

A Crimes Against Police Officers Advisory may be initiated under the following circumstances (20 ILCS 2605/2605-600):

- (a) The Department believes that a suspect has committed one or more of the following offenses against a peace officer:
 - 1. First degree murder
 - 2. Second degree murder
 - 3. Involuntary manslaughter
 - 4. Reckless homicide
 - 5. Concealment of a homicidal death
- (b) The Department believes that the suspect may be a serious threat to the public.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

318.6.2 PROCEDURE

The Illinois Department of State Police will be contacted with a request to initiate a Crimes Against Police Officers Advisory (20 ILCS 2605/2605-600).

Victim and Witness Assistance

319.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

319.2 POLICY

The Forest Preserves of Cook County Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Forest Preserves of Cook County Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

319.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Forest Preserves of Cook County Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses. This function may be transferred to any agency assisting the Forest Preserves of Cook County Police Department that takes the lead role in any investigation.

319.3.1 SPECIFIC DUTIES

The crime victim liaison or the authorized designee shall ensure the Department (725 ILCS 120/4.5; 725 ILCS 120/7):

- (a) Responds to victim requests regarding the status of investigations, as authorized.
- (b) Notifies victims when an investigation is reopened, as appropriate.
- (c) Maintains the confidentiality of victim and witness contact information.
- (d) Upon request, provides a victim with a free copy of any related report within 5 business days of the request (725 ILCS 120/4).
- (e) Provides the Illinois Attorney General's office with a police report (redacted as necessary) within 15 days of receipt of a written request needed for a crime victim's compensation application (740 ILCS 45/4.2).

319.4 CRIME VICTIMS

Officers shall provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

Forest Preserves of Cook County Police Department

Policy

Policy

Victim and Witness Assistance

319.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

Officers who are not able to provide a victim with victim information handouts shall ensure that the forms are provided to the victims within 48 hours of the initial contact.

Officers shall also provide a victim with an acknowledgement form for the victim to sign and date to verify receipt of the information, as required by 725 ILCS 120/4.

319.4.2 VICTIMS OF SEXUAL ASSAULT

At the time of first contact with the victim of a sexual assault, officers shall provide him/her with the appropriate victim information handouts, offer to arrange transportation to a hospital for treatment or evidence collection, and offer to arrange transportation to apply for an emergency civil no contact order or order of protection. If the sexual assault report is taken through a third-party representative, that representative shall be given the handouts and asked to deliver them to the victim (725 ILCS 203/25).

Officers shall also provide the appropriate handout to a victim of a sexual assault who has undergone a forensic examination at a hospital but who has not yet consented to release the evidence for testing (725 ILCS 203/30).

319.5 VICTIM INFORMATION

The Deputy Chief of Administration shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (h) Notice regarding U-Visa and T-Visa application processes.
- (i) Resources available for victims of identity theft.
- (j) A place for the officer's name, badge number, and any applicable case or incident number.

Forest Preserves of Cook County Police Department

Policy

Policy

Victim and Witness Assistance

- (k) A written statement from the Illinois Attorney General about crime victim compensation and an explanation of victim's rights as required by 725 ILCS 120/4 and 725 ILCS 120/4.5, which includes the rights afforded victims under Article I, Section 8.1(a) of the Illinois Constitution.
- (l) Witnesses may request in writing a notice from the State Attorney about post-conviction review, associated hearings, notice of the defendant's discharge from custody, release on parole, probation, or escape.
- (m) Specific contact information for the Illinois Attorney General's Office regarding compensation and victim assistance resources.
- (n) Information regarding the Illinois Automated Victim Notification system, including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and register for automatic notification when a person is released from jail.
- (o) Information regarding the Gang Crime Witness Protection Program Fund (725 ILCS 173/10).
- (p) Information and state forms for sexual assault victims prepared by the Illinois Attorney General and notice for victims who may be the subject of an outstanding arrest warrant regarding waiver requests (725 ILCS 5/107-2; 725 ILCS 203/25).
- (q) Information for those sexual assault victims who have undergone a forensic examination at a hospital but who have not yet consented to release the evidence for testing as provided by 725 ILCS 203/30.

319.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

319.7 WITNESS INFORMATION

The Administration Division Chief shall ensure that witness information handouts are available and current. Handouts should include information regarding:

- (a) The Gang Crime Witness Protection Program Fund (725 ILCS 173/10).
- (b) Witness rights, which include (725 ILCS 120/5):
 - 1. Notification of all court dates where the witness will be required.
 - 2. Access to employer intercession services.
 - 3. Availability of a secure waiting area during trial.
 - 4. Availability of translation or sign language services as necessary.

Forest Preserves of Cook County Police Department

Policy

Policy

Victim and Witness Assistance

5. The right to submit a written request to receive notice of post-conviction relief sought, discharge information involving the accused, notification of any escape, parole, or other supervised release.

Witnesses may request in writing a notice from the State Attorney about post-conviction review, associated hearings, notice of the defendant's discharge from custody, release on parole, probation, or escape.

Hate Crimes

320.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

320.2 DEFINITIONS

Definitions related to this policy include:

Hate Crime - A specified offense, as defined in 720 ILCS 5/12-7.1, motivated by prejudice based on the actual or perceived race, color, creed, religion, ancestry, national origin, gender, sexual orientation, gender identity, national origin or disability of the victim.

320.3 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following shall occur:

- (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehensions of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish, that a hate crime was involved.
- (c) The assigned officer(s) will interview available witnesses, victims, and others to determine what circumstances if any, indicate that the situation may involve a hate crime.
- (d) A supervisor should be notified of the circumstances as soon as practicable, via Cook County Radio transmission by the investigating officer(s).
- (e) After being made aware that an act of a potential hate crime had been committed, the Supervisor shall travel to the location of the incident.
- (f) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.
- (g) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (h) The on-scene supervisor or supervisor assigned to the area, will review and ensure that the report submitted by the assigned officer, contains sufficient information enabling the supervisor to approve the report, before the end of the assigned officer's and supervisor's shift.

Forest Preserves of Cook County Police Department

Policy

Policy

Hate Crimes

- (i) The notification that a hate crime had been committed, will be made following the established chain of command, being:
 - 1. Sergeant to Deputy Commander,
 - 2. Deputy Commander to Commander,
 - 3. Commander to Deputy Chief,
 - 4. Deputy Chief to First Deputy Chief
 - 5. First Deputy Chief to Chief of Police.
 - (a) Notifications shall be made on the date that the incident of hate crime occur and should be made as soon as practicable.
- (j) The assigned officer(s) and supervisor shall take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the State's Attorney's office).

320.3.1 INVESTIGATIONS RESPONSIBILITY

In all cases of a hate crime, the Investigations Unit will be contacted by a supervisor as soon as practicable. A detective(s) shall be assigned for follow up investigation when required, or to provide assistance to the assigned officer and supervisor. Detective(s) responsible for follow up investigation on the reported hate crime, shall include the following as part of their investigation:

- (a) Coordinate further investigation with the State's Attorney and other appropriate law enforcement agencies, as appropriate. Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on the circumstances (18 USC § 245).
- (b) Maintain contact with the victim and other involved individuals as needed.
- (c) Ensure that the Operations Manager is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

320.4 TRAINING

The Deputy Chief of Administration or authorized designee shall ensure all all members of this department will receive ILETSB approved training on hate crimes as provided by 20 ILCS 2605/2605-390(b).

Standards of Conduct

321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Forest Preserves of Cook County Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

321.2 POLICY

The continued employment or appointment of every member of the Forest Preserves of Cook County Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

The person countermanding the original order shall notify, in writing, the person issuing the original order and the Deputy Chief of Administration or authorized designee, indicating the action taken and the reason.

321.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers shall follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

321.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. This policy is not intended to cover every possible type of misconduct.

321.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

321.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, ordering, or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or County manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

321.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Forest Preserves of Cook County Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for nondepartment business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

321.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

321.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of one's official capacity.
- (b) Engaging in on duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact as outlined in the FPDCC Domestic/ Sexual Violence Harassment in the Workplace Policy.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

321.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper notification, permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified without a reasonable excuse.
- (e) Failure to be fully prepared to perform duties without a reasonable excuse.

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing active or protected investigation information to any unauthorized person.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

321.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Department of Human Resources of changes relevant to personal information (e.g., information associated with benefits determination) in a timely fashion.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

321.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property.
- (h) Engaging in political activities during assigned working hours.
- (i) Any act on- or off-duty that brings discredit to the department.

321.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or any FPDCC employee.
- (g) Use of obscene, indecent, profane or derogatory language while on duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

321.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, CPR, FOID card).
- (c) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (d) Carrying, while on the premises of the workplace, any firearm or other lethal weapon that is not authorized by the Chief of Police.
- (e) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (f) Any personal action contributing to a preventable traffic crash.
- (g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

Forest Preserves of Cook County Police Department

Policy

Policy

Standards of Conduct

321.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance or driving.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

322.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Forest Preserves of Cook County Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

322.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

322.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

Forest Preserves of Cook County Police Department

Policy

Policy

Information Technology Use

The Department shall not request, require or coerce a member to provide a username, password or other related account information, or require or coerce a member to invite other members to join a group affiliated with any personal account of the member or to join a member's list of contacts in order to gain access to the member's account or profile on a personal online account (820 ILCS 55/10).

322.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Sergeants.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

322.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or County-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

322.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Information Technology Use

322.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

322.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

322.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All employees have a duty to protect the system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

322.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

Forest Preserves of Cook County Police Department

Policy

Policy

Information Technology Use

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Abandoned Newborn Infant Protection

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper managing of incidents of newborn infant abandonment according to the Abandoned Newborn Infant Protection Act (325 ILCS 2/10).

323.1.1 DEFINITIONS

Newborn Infant: a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished and who is not an abused or a neglected child.

Relinquish: to bring a newborn infant to a police station and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant.

323.2 ACCEPTANCE

Officers must accept a newborn infant relinquished at the Department (325 ILCS 2/20 (c)). The State of Illinois defines a newborn infant as a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished (325 ILCS 2/10). Although a person relinquishing a newborn infant retains the right to limited immunity and anonymity, officers should request the person's personal information. Absent any other information, officers should attempt to obtain any known medical information about the newborn infant. Any information obtained shall be documented in the report and transmitted to the hospital or medical facility to which the newborn infant is taken.

If there is no evidence of abuse or neglect of the newborn infant, the relinquishing person has the right to remain anonymous and leave the premises at any time without being pursued or followed. The act of relinquishing a newborn infant does not, in and of itself, constitute a basis for a finding of abuse, neglect or abandonment. If there is suspected abuse or neglect that is not based solely on the newborn infant's relinquishment, the relinquishing person no longer has the right to remain anonymous (325 ILCS 2/30).

323.3 MEDICAL CONSIDERATIONS

After accepting a relinquished newborn infant the officer shall request paramedics for a medical evaluation and transportation to the nearest hospital (325 ILCS 2/20 (c)).

323.4 NOTICE TO RELINQUISHING PERSON

When accepting a newborn infant, officers will offer the relinquishing person a birth parent information packet (325 ILCS 2/35). If possible, the employee will also inform the relinquishing person of the following:

- His/her acceptance of the information is completely voluntary.
- Registration with the Illinois Adoption Registry and Medical Information Exchange is voluntary.
- He/she will remain anonymous if they complete a Denial of Information Exchange.

Forest Preserves of Cook County Police Department

Policy

Policy

Abandoned Newborn Infant Protection

- He/she has the option to provide medical information only and still remain anonymous.
- By relinquishing the child anonymously, he/she will have to petition the court of jurisdiction if he/she desires to prevent the termination of parental rights and regain custody of the child.

Birth Parent Information Packet links- [English](#), [Spanish](#), and [Polish](#).

323.4.1 SUPERVISOR NOTIFICATION

When accepting a newborn infant, officers shall notify their on-duty supervisor immediately. The on-duty supervisor shall respond to the scene where the newborn infant is relinquished.

323.4.2 DOCUMENTATION

When accepting a newborn infant, officers will generate an Offense/Incident report and document all information including the time the notification was made to the Illinois Department of Children and Family Services (DCFS) Hotline 800-25-Abuse (800-252-2873).

323.5 RIGHT OF PARENT TO RETURN

If the parent of a relinquished newborn infant returns to reclaim the infant within 72 hours after relinquishing the infant at the Department, an officer must inform the parent of the name and location of the hospital where the infant was transported (325 ILCS 2/20 (c)).

323.6 INFORMATION DISCLOSURE

Employees will not publicly disclose any information concerning the relinquishment of a newborn infant and the individuals involved, except as otherwise provided by law (325 ILCS 2/37).

323.7 INVESTIGATIVE RESPONSIBILITIES

Neither a child protective investigation nor a criminal investigation should be initiated solely because a newborn infant is relinquished (325 ILCS 2/25 (c)).

After accepting a newborn infant, or upon being contacted to assist in regards to a newborn infant relinquished elsewhere, the handling officer shall take the necessary steps to ensure that the infant is not a missing child.

If there is suspected child abuse or neglect that is not based solely on the newborn infant's relinquishment, as mandated reporters under the Abused and Neglected Child Reporting Act officers shall report their observations (325 ILCS 2/25(b)). In this instance, officers shall begin their criminal investigation.

323.8 REQUIRED SIGNAGE

The Deputy Chief of Administration will ensure that an appropriate sign is posted in a conspicuous place on the exterior of the police facility informing persons that a newborn infant may be relinquished at the facility. The sign and its placement will comply with the prescribed specifications to ensure statewide uniformity (325 ILCS 2/22).

Report Preparation

324.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

324.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

324.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

324.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Incidents to be documented in a written report include, but are not limited to:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving crimes against persons, threats or stalking behavior
- (d) Situations covered by separate policy (see the corresponding policy for guidance). These situations include, but are not limited to:
 - (a) Use of Force
 - (b) Domestic Violence

Forest Preserves of Cook County Police Department

Policy

Policy

Report Preparation

- (c) Child Abuse
- (d) Adult Abuse
- (e) Hate Crimes
- (f) Suspicious Activity Reports
- (e) All misdemeanor crimes.

324.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include but are not limited to:

- (a) Anytime an officer points a firearm at any person.
- (b) Any use of force against any person by a member of this department (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms Policy).
- (d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons policy).
- (e) Any found property or evidence.
- (f) Any traffic crashes.
- (g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

324.2.3 DEATH CASE

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. The assigned officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. All death cases shall be appropriately investigated and documented.

324.2.4 INJURY OR DAMAGE BY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a District employee. Additionally, reports shall be taken involving damage to District property, equipment, or vehicles.

324.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report.

Forest Preserves of Cook County Police Department

Policy

Policy

Report Preparation

324.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

324.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction Form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

324.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

Media Relations

325.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

325.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police and Director of Communications, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, members of the Command Staff shall work with the Director of Communications to prepare and release information to the media in accordance with this policy and applicable law.

325.2.1 MEDIA REQUEST

Any media request for information shall be referred to the Freedom of Information Act Officer. Any media request for access to a law enforcement situation shall be referred to the Chief of Police. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from the Chief of Police and the Director of Communications.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department.

325.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Director of Communications or other designated spokesperson.
 - 2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, on-duty supervisor

Forest Preserves of Cook County Police Department

Policy

Policy

Media Relations

should consider requesting a Temporary Flight Restriction (TFR). All requests for TFR should be routed through the command staff.

- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through the Command Staff and the Director of Communications.

325.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police and prior notification to the Director of Communications.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

325.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner's Office.

Any requests for copies of related reports or additional information shall be referred to the Freedom of Information Act Officer. Such requests will generally be processed in accordance with the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.).

325.4.1 RESTRICTED INFORMATION

All media requests for information shall be directed to FPDCC.FOIA@cookcountyl.gov.

Subpoenas and Court Appearances

326.1 PURPOSE AND SCOPE

This policy has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

326.2 POLICY

Forest Preserves of Cook County Police Department members shall respond appropriately to all subpoenas and any other court-ordered appearances.

326.2.1 DEFINITIONS

On-Call - When an employee has appeared in court, and has been told by a member of the court that they are free to leave the court, subject to being available by phone if called back.

Standby - When an employee receives a subpoena of a type which allows them to not appear in court, but remain available by phone so that they may be directed to appear in court within a reasonable amount of time.

Mandatory Appearance - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court.

326.3 COURT SUBPOENAS

Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

Service of a subpoena shall not be accepted unless witness fees are tendered as allowed by law ([705 ILCS 35/4.3](#)).

326.3.1 VALID SUBPOENAS

No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

326.3.1 ACCEPTANCE OF SUBPOENAS

Only the employee named in a subpoena, a supervisor that holds the rank of Sergeant or above, or Records Office employee shall be authorized to accept service of a subpoena. Any authorized employee accepting a subpoena shall immediately provide a copy of the subpoena to the Operations Manager or authorized designee. The Records Office shall provide a copy of the subpoena to each involved employee and their supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Subpoenas and Court Appearances

326.3.1 SERVICE OF SUBPOENA

Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished by personal service on the employee or by delivery of two copies of the subpoena on the employee's supervisor or other authorized departmental member. Subpoena service is also acceptable by certified US mail, courier or court appointed liaison from the court to this department.

326.3.4 REFUSAL OF SUBPOENA

(a) Valid reasons for an individually named employee not honoring subpoenas include illness, previously approved training, and any benefit time, which are scheduled and approved, before receipt of the subpoena. Regular scheduled days off are not valid reasons for refusing the subpoena or missing court. If the subpoena has been received by the individually named employee from the Records Office and a valid reason exists for refusing the subpoena, the subpoena shall be promptly returned to the issuing attorney with a specified reason for refusal as well as the dates when the officer will become available.

(b) If a supervisor that holds the rank of Sergeant or above, or other authorized individual knows that they will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or other authorized individual may refuse to honor the subpoena.

(c) If a subpoena is presented and cannot be honored, all reasonable attempts shall be made to contact the issuing attorney to reschedule the court date.

326.3.5 COURT STANDBY

To facilitate court standby agreements with the courts, employees are required to provide and maintain current information of their address and phone number with the Department. Employees are required to notify the Department within 24 hours of any change in residence address or phone number, and to provide accurate and reasonably reliable means or methods for contact.

Employees are required to remain on standby until released by the court or the party that issued the subpoena.

326.5 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for actions taken off-duty not related to their employment with the Forest Preserves of Cook County Police Department shall comply with the requirements of the subpoena.

- (a) Employees receiving these subpoenas may not be compensated for their appearance.
- (b) Arrangements for time off shall be coordinated through the Chief of Police or authorized designee.

326.6 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were

Forest Preserves of Cook County Police Department

Policy

Policy

Subpoenas and Court Appearances

issued by a state administrative agency. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

326.7 CIVIL SUBPOENA

The Department will compensate employees who appear in their official capacities on civil matters arising out of their official duties, as directed by any current collective bargaining agreement or County personnel rules. Any fees paid to the employee by the attorney of record shall be signed over to the Department.

The Department should seek reimbursement for the employee's compensation through the civil attorney of record who subpoenaed the employee.

326.8 OVERTIME APPEARANCES

When a sworn employee appears in court while off-duty, the sworn employee will be compensated in accordance with the current collective bargaining agreement.

326.9 COURTROOM PROTOCOL

Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

326.9.1 PREPARATION FOR TESTIMONY

Before the date of testifying, the subpoenaed employee shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

326.9.2 COURTROOM ATTIRE

Employees shall dress in uniform or business attire. Suitable business attire does not consist of t-shirts, denim, open toe shoes or athletic shoes.

326.9.3 COURTHOUSE DECORUM

Employees shall observe all rules of the court in which they are appearing, refrain from smoking, or chewing tobacco or gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

326.10 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE

Any employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of Illinois, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify the on-duty supervisor without delay. The on-duty supervisor will then notify the Chief of Police through proper chain of command and the State's Attorney in criminal cases, as may be indicated by the case.

This includes, but is not limited to the following situations:

- (a) Providing testimony or information for the defense in any criminal trial or proceeding.

Forest Preserves of Cook County Police Department

Policy

Policy

Subpoenas and Court Appearances

(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees.

(c) Providing testimony or information on behalf of or at the request of any party other than any county, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.

Outside Agency Assistance

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

329.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

329.3 ASSISTING OUTSIDE AGENCIES

Requests for any type of assistance from another agency should be routed to the on-duty supervisor.

When another law enforcement agency requests assistance from this department, the on-duty supervisor may authorize, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify an on-duty supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to on-duty supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, an Offense/Incident Report shall be prepared and submitted to the on-duty supervisor for review and approval.

329.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance shall make the request through Cook County Dispatch Center and notify the on-duty supervisor as soon as practicable.

The requesting member or on-duty supervisor shall direct all assisting personnel to where they are needed and to whom they should report to when they arrive.

329.5 INITIATED ACTIVITY

An on-duty officer who engages in law enforcement activities of any type that are not a part of a mutual aid request and take place outside the jurisdiction of the Forest Preserves of Cook County Police Department, shall notify the Cook County Dispatch Center and their on-duty supervisor as soon as practicable (this does not apply to traffic related activity unless such activity leads to an arrest).

Forest Preserves of Cook County Police Department

Policy

Policy

Outside Agency Assistance

329.6 MUTUAL AID

The Forest Preserves of Cook County Police Department has entered into Mutual Aid Agreement(s) with other Law Enforcement agencies. These agreement(s) allow law enforcement agencies to assist each other with personnel and equipment in times of emergencies.

The agreement(s) are as follows:

The Forest Preserves of Cook County Police Department is a Signatory Public Agency on a Law Enforcement Mutual Aid Agreement known as (LEMAA), and by this agreement, there is formed a third party known as The Illinois Law Enforcement Alarm System (ILEAS). LEMAA is made in recognition of the fact that natural or man-made occurrences may result in emergencies or disasters that exceed the resources, equipment and/or Law Enforcement personnel of a given Public Agency. The specific intent of LEMAA is to safeguard the lives, persons and property of citizens of the State of Illinois during an emergency or disaster by enabling other Public Agencies to provide additional resources, equipment, and or Law Enforcement Personnel. ([5 ILCS 220/1 et seq.](#)) ([745 ILCS 10/7-101 et seq.](#)) ([65 ILCS 5/11-1-2.1](#)).

ILEAS function in a Mutual Aid deployment is to receive the Mutual Aid request and to contact the appropriate potential responding Signatory Public Agency responders, obtain commitments from those Responding Agencies, and to identify which of those agencies will respond to the request to the Mutual Aid request of the Requesting Agency. It is not the function of ILEAS to warrant or endorse the sufficiency or talents of, deploy, supply, direct, command, or manage any Law Enforcement Personnel responding to Mutual Aid request under this LEMAA. Any Law Enforcement Personnel responding to a Mutual Aid request under LEMAA shall be Law Enforcement personnel of the Responding Public Agency (and not ILEAS) and shall take their orders from commanding officers of either the Requesting Public Agency or the Responding Public Agency, as otherwise detailed in this LEMAA.

329.7 REPORTING REQUIREMENTS

Outside agency assistance or law enforcement activities shall be communicated via the Cook County Dispatch Center and should be documented in the comments section of the Computer Aided Dispatch (CAD) system. An Offense/Incident Report will be completed if directed by an on-duty supervisor.

329.8 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Deputy Chief of Administration or authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:

Forest Preserves of Cook County Police Department

Policy

Policy

Outside Agency Assistance

- (a) The use of the supplies and equipment.
- (b) The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to the Records Department to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Deputy Chief of Administration or authorized designee shall maintain documentation that department members have received the required training.

Death Investigation

332.1 PURPOSE AND SCOPE

To establish a uniform procedure for the preliminary investigation and reporting of death cases and comply with the Federal guidelines on death investigations.

332.2 INVESTIGATION CONSIDERATIONS

Death investigations shall require the following actions be taken:

- Paramedics shall be called in all suspected death cases unless the cause of death is obvious (e.g., when the subject has been decapitated or the body is decomposed).
- Sworn members are not authorized to pronounce death.
- An on-duty supervisor shall be notified in all death investigations.
- The Medical Examiner should be notified in all deaths and shall be notified under those conditions listed below in this policy.

The on-duty supervisor shall request assistance from the FPCC - Investigations Unit in all death investigations. In the event the Investigations Unit is unavailable, the Deputy Chief or higher shall be notified via chain of command. The Deputy Chief or higher may approve a department member(s) to conduct the death investigation. The Cook County Sheriffs' Police Department Investigations Unit may be contacted for additional resources if deemed necessary.

The Cook County Sheriffs' Police Department Investigations Unit should be requested on all homicide death investigations in effort to utilize additional resources.

Only sworn members who have successfully completed the Illinois Law Enforcement Training and Standards Board (ILETSB) program in death and homicide investigations, or who have been granted a waiver by the board, shall be assigned as lead investigator on any death or homicide investigation ([50 ILCS 705/10.11](#)).

332.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner has the responsibility to investigate the following as soon as they know or is informed that the dead body of any person is found, or lying within their county, whose death is suspected of being ([55 ILCS 5/3-3013](#)):

- (a) A sudden or violent death, whether apparently suicidal, homicidal, or accidental.
- (b) A death due to a sex crime.
- (c) A death where the circumstances are suspicious, obscure, mysterious, or otherwise unexplained or where, in the written opinion of the attending physician, the cause of death is not determined.
- (d) A death where addiction to alcohol or to any drug may have been a contributory cause.
- (e) A death where the decedent was not attended by a licensed physician.

Forest Preserves of Cook County Police Department

Policy

Policy

Death Investigation

The body shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner.

332.2.2 SEARCHING DEAD BODIES

The Medical Examiner or Deputy Medical Examiner is the only person permitted to search a body known to be dead from any of the circumstances set forth in section 332.2.1. of this policy ([55 ILCS 5/3-3013](#)). Should exigent circumstances indicate to a sworn member that any search of a known dead body is warranted prior to the arrival of the Medical Examiner or Deputy Medical Examiner; the investigating member shall first obtain verbal consent from the Medical Examiner or Deputy Medical Examiner ([55 ILCS 5/3-3019](#)).

A sworn member is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card, if such a donor card is located, the Medical Examiner or Deputy Medical Examiner shall be promptly notified.

Whenever personal effects are removed from the body of the deceased by the Medical Examiner or Deputy Medical Examiner, it shall be documented by the Reporting Officer in the Offense Incident Report.

332.2.3 DEATH NOTIFICATION

Notification to the next-of-kin of the deceased person shall be communicated by the investigating agencies. When the Forest Preserves of Cook County Police Department is the investigating agency the supervisor of the Investigation unit or authorized designee, along with a member of the department, Sergeant rank of above shall make such notification.

Notification to the next-of-kin of the deceased person shall be made in person. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be notified prior to the notification. If the relatives live outside this county, the Coroner or Medical Examiner of that jurisdiction may be requested to make the notification.

The agency investigating the death investigation will notify the Medical Examiner of the notification to the next of kin.

332.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner's office will issue a "John Doe" or "Jane Doe" number for the report. The issued number shall be documented by the reporting officer in the Offense Incident Report.

332.2.5 DEATH INVESTIGATION REPORTING

Members of the department involved in a death investigation shall ensure the following are completed prior to the end of the shift:

- All photographed evidence and video, including body-worn camera footage is uploaded to Evidence.com.
- A completed [Crime Scene Sign-in Sheet](#) is attached to the [Offense Incident Report](#).

Forest Preserves of Cook County Police Department

Policy

Policy

Death Investigation

- An Offense Incident Report is completed.
- All collected evidence and property from the scene is inventoried and document in the Offense Incident Report.

332.3 SPECIMEN SUBMISSION

Upon receipt of any blood, buccal, or tissue specimen from the Medical Examiner, the FPCC-PD shall submit the specimen and department case number to an approved National DNA Index System (NDIS) participating laboratory within this state for analysis and categorizing into genetic marker groupings and that the results are submitted to the Illinois State Police ([55 ILCS 5/3-3013](#)).

332.4 UNUSED MEDICATIONS

If a sworn member collects any unused prescription medication at the scene of a death investigation, the sworn member shall ([210 ILCS 150/18\(g\)](#)):

- (a) Document the number or amount of medication to be disposed of.
- (b) Medication collected as evidence, including any unsure medication and its packaging shall be documented in the Offense Incident Report.

Service Animals

338.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

338.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, the horse is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i); 720 ILCS 5/48-8).

Service animal also includes any animal that is trained in obedience and task skills to meet the needs of a person with a disability or that is trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental or intellectual disability (510 ILCS 70/2.01c; 720 ILCS 5/48-8).

338.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

338.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.

Forest Preserves of Cook County Police Department

Policy

Policy

Service Animals

- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or to follow daily routines.

338.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed (720 ILCS 5/48-8; 775 ILCS 30/3). Department members are expected to treat individuals with service animals with the same courtesy and respect that the Forest Preserves of Cook County Police Department affords to all members of the public (28 CFR 35.136).

338.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

338.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

338.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Forest Preserves of Cook County Police Department

Policy

Policy

Service Animals

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

338.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Use of Social Media

339.1 PURPOSE AND SCOPE

This policy establishes guidelines and responsibilities of Department members using social media outlets, including:

1. The use of Department-authorized and personal social media accounts.
2. Prohibitions and restrictions on posting content, including posting content that is disparaging to a person or group based on any legally protected class.
3. The use of social media for investigations.

In addition, all Department members are expected to fully comply with all provisions outlined in FPCC policy directive 03.80.00 entitled "Social Media Policy (For District Managed Accounts)."

339.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

Social media outlets -any electronic communication (such as personal Web sites, outlets for social networking, and microblogging) through which participants utilize online communities to share information, ideas, personal messages, and other content through an electronic format. These formats include, but are not limited to, text, video, photographs, audio, digital documents, etc.

339.1 POLICY

Social media outlets, when used in a proper manner, can reinforce the Department's relationship with the public, build community support, and assist in solving crime. Department members have a constitutional right to express their views under the First Amendment. However, Department members may be subject to discipline for violating the provisions of this directive. Any social media participation made pursuant to a Department member's official duties is not considered protected speech under the First Amendment.

When using social media, whether on or off duty, Department members are prohibited from posting, displaying, transmitting, or otherwise disseminating:

1. Any communications that discredit or reflect poorly on the Department, its vision, mission, values, or goals.
2. Confidential information related to Department training, activities, or on-going investigations without express written permission.
3. Content that is disparaging to a person or group based on race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status,

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Social Media

military status, source of income, credit history, criminal record, criminal history, or any other protected class.

339.1 AUTHORIZED USERS

The communications department and only members authorized by the Chief of Police may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by the Chief of Police or the authorized designee.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a the Chief of Police or the authorized designee.

Requests to post information over department social media by members who are not authorized to post should be made through the chain of command.

339.2 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

339.2.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Chief of Police or the authorized designee.

339.2 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Social Media

- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the Forest Preserves of Cook County Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content that they believes are unauthorized or inappropriate shall promptly report such content to an on-duty supervisor. The on-duty supervisor will then notify the Chief of Police through proper chain of command. A subsequent internal investigation may be conducted for possible misconduct.

339.2.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

339.2.2 BOOKING PHOTOGRAPHS

Booking photographs in connection with civil, petty, and business offenses, and Class B and C misdemeanors may not be published on department social media sites unless the photograph is posted to assist in the search for a fugitive, person of interest, missing person, or individual wanted in relation to a crime other than a petty or business offense, or Class B or C misdemeanor (5 ILCS 140/2.15).

339.8 DEPARTMENT MEMBERS' PERSONAL SOCIAL MEDIA ACCOUNTS

Department members are prohibited from posting, displaying, transmitting, or otherwise disseminating:

1. Department information, records, documents, video recordings, audio recordings, or photographs to which they have access as a result of their employment without the written permission from the Chief of Police or the authorized designee.
2. Any references to another Department member's employment or employment status with the Department posted (a) without that Department member's express consent and (b) if it is reasonably foreseeable that such reference jeopardizes the personal safety of any Department member.

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Social Media

3. Any intellectual property of the Department without the specific authorization of the Chief of Police or the authorized designee. Department intellectual property includes but is not limited to logos, uniforms, official photographs, audio/ video files, or any text documents (paper or electronic)

4. Any information representing themselves as an official spokesperson of the Department unless specifically authorized by the Chief of Police or the authorized designee.

339.8 SOCIAL MEDIA AND RECRUITMENT

Due to the potential for accessing unsubstantiated, private or protected information, the Chief of Police or the authorized designee shall not request, require or coerce candidates to provide usernames, passwords, account information or access to password-protected personal online accounts (820 ILCS 55/10).

Candidates may be required to share specific content that has been reported to the Department, without requesting or requiring candidates to provide access to their personal online accounts, as set forth in 820 ILCS 55/10.

The Chief of Police or the authorized designee should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from personal online accounts to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Chief of Police or the authorized designee should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

339.8.1 DISQUALIFICATION GUIDELINES

All performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- (a) Age at the time the behavior occurred
- (b) Passage of time
- (c) Patterns of past behavior
- (d) Severity of behavior
- (e) Probable consequences if past behavior is repeated or made public
- (f) Likelihood of recurrence
- (g) Relevance of past behavior to public safety employment
- (h) Aggravating and mitigating factors
- (i) Other relevant considerations

Forest Preserves of Cook County Police Department

Policy

Policy

Use of Social Media

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

339.8.2 DOCUMENTING AND REPORTING

The investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

339.9 RETENTION OF RECORDS

The designee of the Chief shall work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

339.9 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Off-Duty Law Enforcement Actions

340.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Forest Preserves of Cook County Police Department with respect to taking law enforcement action while off-duty.

The decision to become involved in a law enforcement action when off-duty is at the sole discretion of the Officer. An affirmative decision to intervene can place the officer as well as others at great risk and must be done with careful consideration.

340.2 POLICY

All officers shall conduct themselves in a manner consistent with the highest principles of a free society, and shall exhibit professional behavior that inspires respect for the law. To that end, officers shall not circumvent the authority granted them by the courts and statutes, while acting under the authority of a peace officer.

Officers should not attempt to initiate enforcement action when witnessing minor crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

340.3 FIREARMS

All sworn officers shall be governed in their carriage of Department authorized weapons, both on and off-duty and regardless of jurisdiction, by the laws of the State of Illinois, 50 ILCS 710/ et seq "Peace Officer Firearm Training Act" and by United States Law, commonly referred to as the "Law Enforcement Safety Act of 2004." (H.R. 218)

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy (Firearms Policy 306). All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty, officers shall also carry their department issued identification card and star.

Officers shall refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the officer's senses or judgment.

Forest Preserves of Cook County Police Department

Policy

Policy

Off-Duty Law Enforcement Actions

340.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

340.4.1 INTERVENTION PROCEDURE

All off-duty sworn officers, within the Forest Preserves of Cook County, shall be authorized and governed by the same authority as when on duty. While outside the jurisdiction of the Forest Preserves of Cook County, all sworn officers shall be considered as having the same authority of detention, arrest, search, and seizure as that of a private citizen.

All off-duty sworn officers, regardless of jurisdiction and upon observing conditions, which require police action, shall first consider notifying on-duty personnel within Forest Preserves of Cook County; or the responsible law enforcement agency when outside the Forest Preserves of Cook County. In all cases, Forest Preserves of Cook County Police Department officers shall be cognizant of the circumstances and potential consequences of taking police action while off-duty.

Any Department member who, while off-duty, initiates or participates in any police action without assignment or direction of a supervisor, should loudly and repeatedly identify him/herself as a Forest Preserves of Cook County Police Department Officer until acknowledged. Official identification should also be displayed.

Any Department member who initiates or participates in any off-duty police action, shall as soon as possible after commencement of the action notify the Forest Preserve of Cook County On-Duty Supervisor. For purposes of this section, "self-assigned" means action undertaken at the discretion of a member of the Department under emergency or non-emergency circumstances, or action initiated by any member of the Department without the request or direction of an On-Duty Supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Off-Duty Law Enforcement Actions

340.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

340.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

340.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

340.5 REPORTING

The Department member shall promptly document all circumstances surrounding the incident and the reasons for his/her involvement within an Offense/Incident Report. All reports of self-assigned police action shall be forwarded to the Chief of Police, via the chain of command. Should the matter involve the Chief of Police, all reporting shall be made to the General Superintendent of Forest Preserves of Cook County.

- (a) If the self-assigned police action occurred in another jurisdiction, a copy of the offense/incident report shall be provided to that jurisdiction's Chief of Police by the Forest Preserves of Cook County Chief of Police.

If the self-assigned police action occurred in another jurisdiction, the Department member shall ensure a police report is made with that jurisdiction.

340.6 OFF-DUTY OFFICER CONSIDERATION

Department members shall always act in accordance with all applicable laws and within the limits of Department Rules, Regulations, General Orders and Operating Procedures. While an officer's discretion is a valuable and effective tool, its use must be reasonable, defensible, non-discriminatory and always accomplish a law enforcement related purpose. All self-assigned action taken by any sworn member shall be subject to review by the Forest Preserves of Cook County Police Department.

Native American Graves Protection and Repatriation

341.1 PURPOSE AND SCOPE

This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

341.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

341.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

341.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Forest Preserves of Cook County Police Department

Policy

Policy

Native American Graves Protection and Repatriation

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Medical Examiner (20 ILCS 3440/3)
- Tribal land - Responsible Indian tribal official

341.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

Private Person's Arrest

342.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

342.2 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

342.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to accept a private person's arrest only when legal and appropriate.

342.4 ARRESTS BY PRIVATE PERSON

A private person may arrest another when the person has probable cause to believe the other person has committed an offense other than an ordinance violation (725 ILCS 5/107-3).

342.5 PRIVATE PERSON'S STATEMENT FORM

The arresting person should be asked to complete and sign a statement form. If the person fails or refuses to do so, the arrested individual should be released, unless the officer has a lawful reason, independent of the private person's arrest, to take the individual into custody and determines an arrest is appropriate.

Metal Detector Use

344.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the use of metal detectors to screen persons entering the police facility and Administrative Court. The use of metal detectors as a screening tool is to discourage individuals from bringing in weapons into the police facility and the administrative courtroom, and to detect weapons on an individual who attempts to enter these areas. These types of searches will be conducted through the use of magnetometers as well as hand-held scanning devices.

344.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to provide a safe environment for individuals having business in Administrative Court. All visitors entering the police facility attending administrative court will be searched.

344.3 SIGNAGE

Signage announcing the search requirements of all visitors by a metal detector shall be posted in a conspicuous location outside the entrance to the administrative courtroom. Additionally, signage describing items prohibited from being brought into the administrative courtroom shall be placed alongside the search requirement sign.

344.4 BUILDING ACCESS

When administrative court is in session, all visitors will be permitted entrance only through the designated entrance. Any visitor who leaves the facility will be required to re-enter at the designated entrance.

344.5 USE OF METAL DETECTORS

Prior to using any metal detection device, the operating officer shall ensure the device is in proper working order. If the device is not in proper working order, that device shall be taken out of service. The officer will immediately notify the on-duty supervisor of the malfunction.

344.5.1 CONDUCTING SEARCHES

One male and one female officer will be assigned to conduct metal detector searches.

Visitors shall be instructed to remove all metal objects from his/her person (e.g. belt buckles, jewelry) and to place all removed objects, purses, bags, backpacks, briefcases or parcels on the table. Officers will inspect the contents of all containers.

Visitors will then be requested to walk through the magnetometer. If the device activates, he/she will be given a second request to remove all metal objects, place them on the table, and walk through the magnetometer again.

If the magnetometer activates a second time, the officer shall explain the hand held detection device to the person and scan the person beginning at the toes and continuing up to the head

Forest Preserves of Cook County Police Department

Policy

Policy

Metal Detector Use

without intentionally touching the body. Any bags and parcels belonging to the individual will also be scanned.

- If the visitor's body activates the scanner as second time, the visitor will be escorted to a private area for a more thorough search.
- A witness officer shall accompany the scanning officer and visitor to the private area.

Prior to this search, the visitor will again be asked to remove all objects from his/her person. This search will begin where the device was activated. This search is a pat-down search of the outer clothing by a person of the same gender with the intent of locating the item that triggered the scanning device.

If an object is felt during the search, the officer will advise the visitor they have located an object and that they will be removing it from the visitor. Once the object has been safely removed and placed away from the visitor, complete the pat-down search.

Any property removed from the visitor during the scan and any subsequent search not defined as a weapon or other prohibited item will be returned to the visitor.

344.6 WEAPONS OR CONTRABAND

While this search is primarily for weapons, any prohibited items or items that can be considered as contraband shall be seized and entered into evidence as appropriate.

Any weapons or contraband recovered may subject the visitor to arrest and/or criminal prosecution.

344.7 VISITOR REFUSAL OR SCAN/SEARCH

Refusal to cooperate with any part of a scan and subsequent search shall be grounds for immediate removal from the police facility. The visitor will not be admitted until full compliance is obtained.

344.8 TRAINING

Officers will be trained in the use of the magnetometer and scanner prior to assignment for this duty.

Pose Clear and Present Danger

346.1 PURPOSE

- (a) Provides guidelines to assist Department members in recognizing persons that pose a clear and present danger as defined by the Firearm Owners Identification Card Act [430 ILCS 65/8.1(d)(2)].
- (b) Introduces the Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649).
- (c) Provides procedures for completing the Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649).
- (d) States the immunity provision of the Firearm Owners Identification Card Act [430 ILCS 65/8.1(d)].

346.2 POLICY

The Forest Preserves of Cook County Police Department is committed to upholding the statutory requirement outlined in the Firearm Owners Identification Card Act [430 ILCS 65/8.1(d)(2)] which states, "if a person is determined to pose a clear and present danger to himself, herself or to others by a law enforcement or school administrator, the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the Department of State Police that the person poses a clear and present danger."

346.3 STATEMENT OF LAW

The Firearm Owners Identification Act [430 ILCS 65/8.1 (d)] states " the physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator making the determination, and his or her employers shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this subsection, except for willful or wanton misconduct.

346.4 PROCEDURES

- (a) The Firearm Owner Identification Card Act (430 ILCS 65.1.1) defines a person who poses a clear and present danger as one who:
 - 1. communicates a serious threat of physical violence against a reasonably identifiable victim; or
 - 2. poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or
 - 3. demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

Forest Preserves of Cook County Police Department

Policy

Policy

Pose Clear and Present Danger

- (b) Any Department member who identifies an individual who poses a clear and present danger will:
 - 1. take actions consistent with the "Crisis Intervention Incidents" Policy
 - 2. complete any reports required.
 - 3. complete the Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649).
 - 4. articulate the facts supporting the determination of "clear and present danger" in the narrative portion of the form. Specific behaviors and statements should be included as well as dates, times of occurrence, the names and contact information of any witnesses. Additional supporting documentation should be referenced in the narrative section.
 - 5. submit the completed Illinois State Police Person Determined to Pose a Clear and Present Danger form to a supervising sergeant for review and approval.
 - 6. fax the approved form and any supporting documentation to the Illinois State Police per the instructions on the form within 24 hours of making the determination that the person poses a clear and present danger.
 - 7. forward the original ISP form and any supporting documentation to the FPCCPD records division.
 - 8. complete any other necessary paperwork (e.g., case report, hospitalization report, etc).
- (c) Supervisors will:
 - 1. review the ISP form for completeness and approve by placing initials and star number on lower right-hand corner.
 - 2. ensure the approved ISP form and any supporting documentation is faxed to the Illinois State Police within 24 hours per the instructions on the form.
 - 3. ensure the original ISP form and any supporting documentation is forwarded to the FPCCPD Records Division

Persons Subject to Involuntary or Voluntary Admission Non-Arrestees

347.1 PURPOSE AND SCOPE

This Department directive

- (a) Establishes the procedures for the involuntary or voluntary admission of a person not originally in Department custody to a medical/mental health facility.
- (b) States the Emergency Admission by Certification provision of the Illinois Department of Human Services ("IDHS") Mental Health and Developmental Disabilities ("MHDD") Code (405 ILCS 5).

347.2 REFERENCES CONCERNING ADULTS SUBJECT TO INVOLUNTARY ADMISSIONS

- (a) Emergency Admission by Certification - 405 ILCS 5/3-600
- (b) Persons Subject to Involuntary Admission - 405 ILCS 5/1-119.3
- (c) Involuntary Admission; Petition - 405 ILCS 5/3-601
- (d) A peace officer may take a person into custody and transport him or her to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the peace officer may complete the petition under Section 3-601. If the petition is not completed by the peace officer transporting the person, the transporting officers name, badge number, and employer shall be included in the petition as a potential witness as provided in Section 3-601 of this chapter.

347.3 REFERENCES CONCERNING MINORS SUBJECT TO INVOLUNTARY ADMISSIONS

- (a) [405 ILCS 5/3-500](#)
- (b) [405 ILCS 5/3-502](#)
- (c) Admission on application of parent or guardian - [405 ILCS 5/3-503](#)
- (d) Minors; Emergency Admissions - [405 ILCS 5/3-504](#)

347.4 INVOLUNTARY ADMISSION

- (a) There are four instances when a Department member will take a person into custody and transport that person to a medical/mental health facility for involuntary admission.
 - 1. The member is furnished with a completed and signed "Petition for Involuntary / Judicial Admission" and an "Order of Detention, Examination, Evaluation" form issued by the Circuit Court of Cook County commanding peace officers to take custody and transport an adult person for a mental health evaluation; or
 - 2. The member is furnished with a completed and signed "Application by an Adult for the Admission of a Minor" and an "Order of Detention, Examination, Evaluation" issued by the Circuit Court of Cook County commanding peace

Forest Preserves of Cook County Police Department

Policy

Policy

Persons Subject to Involuntary or Voluntary Admission Non-Arrestees

officers to take custody and transport a minor person for a mental health evaluation; **or**

(a) **NOTE:** The Department member providing the transportation to a medical/ mental health facility **must** complete the portion of the "Order of Detention, Examination, Evaluation" entitled "**Return**" or the order is invalidated.

3. The member is furnished with a completed and signed "Petition for Involuntary / Judicial Admission" form and a signed "Mental Health and Developmental Disabilities Involuntary / Judicial Certificate" form; **or**

4. As a result of the **member's personal observation**, the member has reasonable grounds to believe that the person is in need of an immediate mental health evaluation to protect such person or others from physical harm. The member will complete and sign an "Application by an Adult for the Admission of a Minor" **or** a "Petition for Involuntary / Judicial Admission", as applicable, based upon the age of the individual needing mental health treatment. The member will include on the petition for involuntary admission a detailed description of the aberrant behavior as observed by the member.

- **NOTE:** The petition and application are furnished by the Illinois Department of Human Services.

(b) Third Party Information

1. When a Department member receives information from a third party that a person has exhibited aberrant behavior, the member **may** consider this information as **personal observation**. If the third party is unwilling or unable to sign the petition for involuntary admission, the member will complete and sign the "Petition for Involuntary / Judicial Admission" for an adult person or an "Application by an Adult for the Admission of a Minor" and transport the person to the medical/ mental health facility for involuntary admission or take other police action based on the facts of the preliminary investigation.

- **NOTE:** If the member takes the person into custody to transport the person to a medical/ mental health facility he or she **will complete and sign the petition for involuntary admission** including a detailed description of the aberrant behavior as stated to the member by the third party. In addition, the member will also include in the narrative portion of the petition for involuntary admission the relationship of the third party to the person who exhibited the aberrant behavior as well as **the name, address, and phone number of the person reporting the aberrant behavior**.

(c) Department members may provide a transport to a person in need of mental treatment with a supervisor's approval when a relative or a third party is willing to sign the petition and the person consents to being transported.

- **NOTE:** The medical/mental health facility may require the Department member to complete the petition.

Forest Preserves of Cook County Police Department

Policy

Policy

Persons Subject to Involuntary or Voluntary Admission Non-Arrestees

347.5 GENERAL INFORMATION INVOLUNTARY ADMISSION

- (a) Persons subject to involuntary admission will be transported to the medical/ mental health facility for evaluation.
 - **NOTE:** If the medical/mental health facility determines that a person not in Department custody for a criminal offense is in need of IDHS state-operated mental health center hospitalization, that medical/mental health facility will be responsible for transporting the patient to the IDHS state-operated mental health center.
- (b) Members will use restraining devices if necessary, consistent with the Department directive entitled "Handcuffing and Restraints."
- (c) Members transporting an involuntary admission to a medical/ mental health facility will:
 - 1. Obtain any related petitions or paperwork and submit them with the patient.
 - 2. Retain control of the person until custody is transferred to the intake security staff and the receiving staff has accepted the patient.

347.6 GENERAL INFORMATION VOLUNTARY ADMISSION

- (a) Supervisors may authorize Department transportation to a medical/ mental health facility for persons seeking voluntary admission when, in their judgment, a police purpose is served.
- (b) Any person may be admitted to a medical/ mental health facility as a voluntary patient for evaluation of a mental illness upon the filing of an application with the facility.
 - 1. The application for voluntary admission of a person 18 years or older may be executed by:
 - (a) the person seeking admission, or
 - (b) any interested person, 18 years or older, at the request of the person seeking admission.
- (c) The application for voluntary admission of a minor may be executed by:
 - 1. the minor seeking admission (the minor must be 16 or 17 years of age to sign his or her own application for admission), or
 - 2. a parent, guardian, or person in loco parentis, or
 - 3. a Department member when a diligent effort to locate a parent, guardian, or person in loco parentis is unsuccessful.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Forest Preserves of Cook County Police Department, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities.
- (c) All calls for service.
- (d) Traffic direction and control.
- (e) Investigation of both criminal and non-criminal acts.
- (f) The apprehension of criminal offenders.
- (g) Community policing and problem solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (h) The sharing of information between the Patrol and other divisions within the Department, as well as other outside governmental agencies.
- (i) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
- (j) Enforce district ordinances and laws that protect the habitat and wildlife.

400.1.2 TERRORISM

It is the goal of the Forest Preserves of Cook County Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers shall advise an on-duty supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written Offense/Incident report. The on-duty supervisor shall ensure that all terrorism related reports are forwarded to the First Deputy Chief in a timely fashion through the chain of command.

Forest Preserves of Cook County Police Department

Policy

Policy

Patrol Function

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Forest Preserves of Cook County Police Department.

400.2.1 PATROL ROLL CALLS

Patrol supervisors, and all sworn department members are encouraged to share information as much as possible. All supervisors and officers will be provided an opportunity to share information at the daily patrol Roll Calls as time permits.

400.2.2 ROLL CALL INFORMATION

Information will be maintained in the Roll Call room of each reporting area and will be available for review by all sworn members.

400.2.3 BULLETIN BOARDS

A bulletin board will be maintained in the Roll Call room of each reporting area. All law enforcement/departmental current and pertinent information will be displayed for review.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, permitted social and business events, District sponsored events, public displays, parades, and sporting events. Officers shall monitor such events in an effort to keep the peace and protect the safety and rights of those present. An on-duty supervisor shall be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement shall be cognizant of the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers shall contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers shall advise the on-duty supervisor prior to enforcement of all applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Forest Preserves of Cook County Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Forest Preserves of Cook County Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

Forest Preserves of Cook County Police Department

Policy

Policy

Bias-Based Policing

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING STOPS

The Chief of Police or the authorized designee shall ensure stop cards are created and available to members, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (c) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Records Section shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

401.7 ADMINISTRATION

Each year, the First Deputy Chief should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted annually.

Roll Call Training

402.1 PURPOSE AND SCOPE

Roll Call training is conducted at the beginning of the officer's assigned shift. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor shall conduct Roll Call in person. In the event a supervisor has to conduct Roll Call at multiple reporting locations, the supervisor shall utilize Microsoft Teams. Roll Calls may be conducted via telephone under exigent circumstances. Microsoft Teams and Telephone Roll Calls shall be documented on the Supervisor Activity Log on such date.

Roll Call should accomplish, the following basic:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to major incidents.
- (b) Notifying officers of changes in assignments.
- (c) Notifying officers of new Policies, Memos, Departmental Directives or changes in Departmental Directives.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call is responsible for preparation of the materials necessary for a constructive briefing.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Establish and secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Establish and secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

403.4 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat.

Forest Preserves of Cook County Police Department

Policy

Policy

Crime and Disaster Scene Integrity

Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

Foreign Diplomatic and Consular Representatives

405.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Forest Preserves of Cook County Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

405.2 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to Department of State (DOS).

405.3 POLICY

The Forest Preserves of Cook County Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

405.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members

Forest Preserves of Cook County Police Department

Policy

Policy

Foreign Diplomatic and Consular Representatives

3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 2. Support staff of missions to international organizations
 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 4. Honorary consular officers

405.5 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested Detained	or	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No note b		No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No note b		No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes note a		Yes	Yes	Yes	No for official acts Yes otherwise note a	No immunity or inviolability note a
Career Consul Officer	Yes if for a felony and pursuant to a warrant note a		Yes note d	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise note a	No immunity or inviolability
Honorable Consul Officer	Yes		Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability

Forest Preserves of Cook County Police Department

Policy

Policy

Foreign Diplomatic and Consular Representatives

Consulate Employee	Yes note a	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise note a	No immunity or inviolability note a
Int'l Org Staff note b	Yes note c	Yes note c	Yes	Yes note c	No for official acts Yes otherwise note c	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

405.6 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 , or at another current telephone number and inform the center of the circumstances.

Forest Preserves of Cook County Police Department

Policy

Policy

Foreign Diplomatic and Consular Representatives

- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

Aircraft Accidents

409.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle (drones) other than those intended for non-commercial recreational use.

409.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

409.1 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

409.5 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

Forest Preserves of Cook County Police Department

Policy

Policy

Aircraft Accidents

409.6 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

409.7 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

409.2 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

Forest Preserves of Cook County Police Department

Policy

Policy

Aircraft Accidents

- (d) Evacuation chutes, ballistic parachute systems and composite materials.

409.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

409.14 DOCUMENTATION

All aircraft accidents occurring within the County of Forest Preserves of Cook County Police Department shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of FPCCPD members deployed to assist; other County resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

409.14.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

409.14.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.

Forest Preserves of Cook County Police Department

Policy

Policy

Aircraft Accidents

- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

Crisis Intervention Incidents

411.1 PURPOSE AND SCOPE

This policy:

- (a) Provides guidelines to assist in recognizing persons experiencing an emotional crisis and/or in need of mental health treatment.
- (b) Provides policy and procedures for responding to incidents involving persons experiencing an emotional crisis and/or in need of mental health treatment.
- (c) Outlines the procedures for:
 - 1. Handling arrestees in need of mental evaluation, treatment, or hospitalization.
 - 2. Handling persons requiring involuntary admission to a designated mental and/or medical facility.
 - 3. Assisting persons seeking voluntary admission to a mental and/or medical facility.
 - 4. Processing adult arrestees who are on an Unauthorized Absence (UA) from an Illinois Department of Human Services (IDHS) State-Operated Mental Health Center.
 - 5. Handling adults who are classified as being a UA from an IDHS State-Operated Mental Health Center.
- (d) Introduces the Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649).
- (e) States the immunity provision of the IDHS Mental Health and Developmental Disabilities Code (405 ILCS 5/6-103(d)) and the Firearm Owners Identification Card Act (430 ILCS 65/8.1(d)).

411.2 POLICY

- (a) The Forest Preserves of Cook County Police Department is committed to:
 - 1. Responding to incidents involving persons experiencing an emotional crisis and/or in need of mental health treatment with the foremost regard for the preservation of human life and the safety of all persons involved.
 - 2. Using time as a tactic when there is time to negotiate, de-escalate, and ensure the safety of all persons involved.
 - 3. Using force consistent with the "300 - Use of Force Policy."
 - 4. Training Department members in recognizing the signs and symptoms of mental illness and the statutory criteria indicating a person is in need of emergency mental health treatment.
 - 5. Upholding the statutory requirement outlined in the Firearm Owners Identification Card Act [430 ILCS 65/8.1(d)(2)] which states, "If a person is determined to pose a clear and present danger to himself, herself, or to others

Forest Preserves of Cook County Police Department

Policy

Policy

Crisis Intervention Incidents

by a law enforcement official or school administrator, then the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the Department of State Police that the person poses a clear and present danger."

- (b) If a person is in need of mental health treatment, and:
 - 1. Is unarmed, not violent, and willing to comply, Department members will contact EMS to transport the individual to a mental health and/or medical facility.
 - (a) **NOTE:** Department members shall notify an on-duty supervisor immediately after requesting EMS.
 - 2. Is not immediately dangerous, Department members will contain the subject until assistance arrives.
 - 3. Is armed, Department members will not attempt to take the subject into custody without the specific direction of a supervisor unless there is an immediate threat of physical harm to the subject, Department members, or others.

411.4 GENERAL INFORMATION

- (a) The Department' "Persons Subject to Involuntary or Voluntary Admission Non-Arrestees- Policy 349" specifies the instances when a Department member will transport a person, who is not under arrest, to a mental health intake facility for involuntary or voluntary admission.
- (b) Restraining devices will be used if necessary or required consistent with the procedures established in the Department policy entitled "Handcuffing and Restraints-302."
- (c) The Department policy entitled "Person Determined to Pose a Clear and Present Danger" provides guidelines to assist Department members in recognizing persons that pose a clear and present danger as determined by the Firearm Owners Identification Act [430 ILCS 65/8.1 (d)(2)].
- (d) An Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649) will be completed consistent with Department policy entitled "Person Determined to Pose a Clear and Present Danger- 346," if appropriate.

411.5 PROCEDURES

Officers are reminded that each incident involving a person in need of mental health treatment is unique and should be approached in an individualistic manner.

- (a) No Department member will continue under the provisions of this directive when the circumstances clearly indicate that an active shooter, school violence incident or SWAT situation exists. Department members will follow the procedures as delineated in the appropriate Department directives.
- (b) Department members will not unreasonably endanger themselves or another person to conform to the procedures in this directive
- (c) An officer assigned to investigate an incident with a mental health component will:

Forest Preserves of Cook County Police Department

Policy

Policy

Crisis Intervention Incidents

1. Assess the situation.
2. Request a supervisor respond to the scene.
3. Isolate and contain the subject, if possible.
4. Establish a zone of safety.
 - (a) **NOTE:** Zone of safety is the distance to be maintained between the subject and the responding member(s). The distance should be greater than the effective range of the weapon (other than a firearm) and it may vary with each situation (e.g., type of weapon possessed, condition of the subject, surrounding area).
5. Determine if the subject is in possession of a dangerous weapon and establish weapons control.
6. Establish and maintain one on one communication with the subject and avoid giving simultaneous directions or having multiple members verbally engaging the subject to avoid confusion.
7. Listen and speak in a calm and controlled tone of voice in order to gather the individual's concerns as a de-escalation strategy while helping to defuse fear, anxiety, or insecurity.
8. Allow the subject time to process what is being said.
9. Recognize the person may be overwhelmed by external and internal stimuli.
10. Recognize a person's delusions and hallucinations are very real for them.
11. Use every possible means to verbally de-escalate the situation before resorting to the use of equipment, physical restraints, or other use of force options as delineated in the "Use Of Force Policy."
 - (a) **NOTE:** Department members will adhere to the procedures outlined in this directive when making contact with individuals experiencing and emotional crisis or in need of mental health treatment on the street, as well as during interviews and interrogations.
- (d) At the conclusion of an incident with a mental health component, the Department member assigned to investigate the incident will:
 1. Complete an Offense/Incident Report (O/I Report):
 2. Follow procedures outlined in the Department's "Person Determined to Pose a Clear and Present Danger Policy " to complete the Illinois State Police Person Determined to Pose a Clear and Present Danger form (ISP 2-649) when the individual:
 - (a) Communicates a serious threat of physical violence against a reasonably identifiable victim; or
 - (b) Poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or

Forest Preserves of Cook County Police Department

Policy

Policy

Crisis Intervention Incidents

- (c) Demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

411.6 SUPERVISOR RESPONSIBILITIES

Supervisors will:

- (a) Respond and provide supervisory guidance and support on all mental health assignments when requested, or if not requested, when feasible.
- (b) Direct the actions of first responders, while allowing the designated member to continue interactions with the subject.
- (c) Assess the situation to determine:
 - 1. The appropriateness of the application of the principles of this directive and the Department's Use of Force policy including whether an alternative force option is appropriate and should be considered.
 - 2. If additional resources not already requested are required.
- (d) Establish and maintain firearms control of the Department members on scene.
- (e) Designate the appropriate inner and outer perimeter for the incident.
- (f) Continually evaluate the incident and direct appropriate actions or modifications to the initial response tactics.
- (g) Review and if appropriate, approve the completed Offense/Incident (O/I) Report submitted for their approval.
- (h) If completed, review the ISP Determined to Pose a Clear and Present Danger form (ISP 2-649) for completeness and accuracy, and place initials and star number on the lower right-hand corner.
- (i) Ensure the approved ISP form and any supporting documentation is faxed to the Illinois State Police within 24 hours per the instructions listed on the form.

411.7 EVALUATION

A command staff member designated by the Chief of Police shall coordinate the crisis intervention strategy for this department and should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police.

411.8 TRAINING

Subject to available resources, the Department will provide training to department members to enable them to effectively interact with persons in crisis.

Training may include the ILETSB's training on crisis response (50 ILCS 705/10.17).

Mobile Data Terminal Use

413.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Cook County Radio Dispatch Center.

413.2 POLICY

Forest Preserves of Cook County Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

413.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system.

413.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to the on-duty supervisor.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's assigned identification information.

Prior to removing their MDT from their assigned vehicle, members are required to "Power Off" their MDT via their open MDT screen by; selecting the "Start button", then selecting the "Power button" and then selecting "Shut Down". Members shall then remove their assigned MDT from their vehicle and secure their MDT in their assigned department locker which will then be locked, at the end of each tour of duty.

Forest Preserves of Cook County Police Department

Policy

Policy

Mobile Data Terminal Use

413.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

- (a) When in motion the MDT shall be in a secured and locked position.
- (b) The vehicle operator shall not enter information into the MDT while the vehicle is in motion. In no case shall the operator attempt to send or review lengthy messages while the vehicle is in motion.

413.5 DOCUMENTATION OF ACTIVITY

All calls for service shall be assigned by a Cook County Radio Dispatcher and shall be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be documented by a dispatcher.
- (c) Whenever security or confidentiality concerns exist and the activity or contact is not initiated by voice, the member shall document it via the MDT.

413.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, in service) shall be disseminated via Cook County Radio transmission.

Members responding to in-progress calls shall advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

413.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer and on-duty supervisor shall respond.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

413.6 EQUIPMENT CONSIDERATIONS

413.6.1 MALFUNCTIONING

Members will not use malfunctioning MDTs. Whenever a member discovers that an MDT is not operating properly, they shall immediately notify an on-duty supervisor and the Cook County Radio

Forest Preserves of Cook County Police Department

Policy

Policy

Mobile Data Terminal Use

Dispatch Center. It shall be the responsibility of the dispatcher to document all the information that will then be transmitted verbally over the radio.

413.6.2 BOMB CALLS

When investigating reports of possible bombs, members shall not communicate on their MDTs and must turn off their MDT immediately. Radio frequency emitted by the MDT could cause some devices to detonate.

413.7 OFFICER RESPONSIBILITIES

All officers shall be assigned an MDT and shall:

- (a) Be required to LOG ON and LOG OFF at the beginning and end of each tour of duty. Each Officer shall only use their assigned identification information. Under no circumstances shall any officer utilize another officer's identification information.
- (b) Ensure their assigned MDT is properly cared for and maintained.
- (c) Ensure that any dissemination of LEADS and/or NCIC data is in compliance with the rules, regulations and policies of the LEADS and/or NCIC governing bodies.
- (d) Be cognizant that all LEADS/NCIC information is confidential and shall only be used for official law enforcement purposes. Only LEADS certified personnel are allowed to access MDTs.
- (e) Be responsible for ensuring the security of the MDT at all times.
- (f) Notify Cook County Radio Dispatch via radio transmission, upon first initiation on all traffic stops. Officers shall notify Cook County Radio Dispatch of their location and all status changes.
- (g) Notify Cook county Radio Dispatch via radio transmission of all field interrogations and provide the location, number of subjects and all status changes.
- (h) If operational and safety concerns allow, officers may run name checks and vehicle checks on their MDT.
- (i) Secure their MDT by "Powering Off" their MDT, when an unauthorized person may have access to the terminal (e.g., vehicle service).
- (j) "Power Off" and remove their assigned MDT from their vehicle at the end of each tour of duty.
- (k) Secure their assigned MDT in their department assigned locker and ensure that their locker is locked when the MDT is stored inside and unattended.

413.8 SUPERVISOR RESPONSIBILITY

On-Duty Supervisors shall:

- (a) Ensure that officers under the scope of responsibility, operate and utilize their MDT in accordance with this policy.
- (b) Take immediate corrective action or when instructed to do so, investigative action, if an officer is observed or has been reported to be, improperly handling, operating or in any way damaging an MDT.

Forest Preserves of Cook County Police Department

Policy

Policy

Mobile Data Terminal Use

- (c) Conduct monthly inspections of MDTs assigned to officers under their scope of responsibility to ensure there is no damage to the MDT and that the docking stations in all vehicles, are in proper working order.
- (d) Prepare a monthly communication to the MDT Coordinator as to the status of the MDTs and docking stations assigned to officers and vehicles under their scope of responsibility.

413.9 MDT COORDINATOR

The MDT Coordinator shall:

- (a) Assign officers their department issued MDT and issue a Confirmation Receipt Form, to be completed by the officer, for the MDT assigned to them.
- (b) Maintain a log of:
 - 1. MDTs assigned to personnel
 - 2. MDTs that have yet to be assigned
 - 3. MDTs in repair status
- (c) Coordinate and issue temporary-replacement MDTs via an on-duty sergeant to officers requiring repair of their assigned MDT.
- (d) Coordinate all training of personnel on the use of MDTs and this policy.
- (e) Disseminate to sergeants that, all officers are required to “Power Off” their assigned MDT at the end of each tour of duty, so that all required updates to MDTs are received and remain in compliance.
- (f) Prepare a monthly communication to the Chief of Police or authorized designee as to the status of department issued and inventoried MDTs and equipment (e.g. docking stations).
- (g) Maintain a spreadsheet log of all department issued MDTs and associated equipment.
- (h) Ensure that all MDTs and associated equipment are entered into the Asset Tiger inventory data base and updated as required.
- (i) Supervise and assign duties to the MDT Coordinator designee.

413.10 TRAINING

Only officers who have received department approved training in the use and maintenance of MDTs and associated equipment and are in compliance with their biennial LEADS certification, shall be authorized to operate an MDT.

Immigration Violations

417.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Forest Preserves of Cook County Police Department for investigating and enforcing immigration laws.

417.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

417.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Illinois Constitutions.

417.4 COOK COUNTY ORDINANCE 11-0-73

The Forest Preserves of Cook County Police Department has adopted the principles and guidelines set forth in Cook County Ordinance 11-0-73, Sec. 46-37. Policy for responding to ICE detainers. (Approved and adopted the 7th day of September 2011) in that:

- (a) The FPCC-PD shall decline ICE detainer requests unless there is a written agreement with the federal government by which all costs incurred by the FPCC-PD in complying with the ICE detainer shall be reimbursed.
- (b) Unless ICE agents have a criminal warrant, or County officials have a legitimate law enforcement purpose that is not related to the enforcement of immigration laws, ICE agents shall not be given access to individuals or allowed to use Forest Preserves of Cook County facilities for investigative interviews or other purposes, and Forest Preserves of Cook County personnel shall not expend their time responding to ICE inquiries or communicating with ICE regarding individuals' incarceration status or release dates while on duty.
- (c) There being no legal authority upon which the federal government may compel an expenditure of Forest Preserves of Cook County resources to comply with an ICE detainer issued pursuant to 8 USC 1226 or 8 USC 1357 (d), there shall be no expenditure of any Forest Preserves of Cook County resources or effort by on-duty Forest Preserves of Cook County personnel for this purpose, except as expressly provided within this Ordinance.
- (d) Any person who alleges a violation of this Ordinance may file a written complaint for investigation with the Forest Preserves of Cook County Police Department.

Forest Preserves of Cook County Police Department

Policy

Policy

Immigration Violations

417.4.1 ENFORCEMENT

Forest Preserves of Cook County Police Officers shall not detain any non-citizen, for any length of time, for a civil violation or federal immigration laws or a related civil warrant. Officers shall immediately notify the on-duty supervisor and apprise him/her of such circumstances when encountering a non-citizen that has an immigration warrant. An incident report detailing all of the provided information will be completed by the assigned officer and reviewed by the on-duty supervisor who was apprised, at the time of the encounter.

417.4.2 SUPERVISOR RESPONSIBILITIES

When notified by an officer that he/she has encountered a non-citizen with an immigration warrant, the supervisor shall ensure that the officer has gathered all pertinent information regarding the warrant. The supervisor shall then ensure that the officer does not detain the non-citizen any longer than required regarding the warrant information. The supervisor shall ensure that the officer completes an incident report and that he/she reviews and approves the completed report, before the end of that tour of duty.

417.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Officers will not need to notify ICE when booking arrestees at an authorized Lockup facility. Immigration officials routinely interview suspected undocumented aliens who are booked into Cook County jail on criminal charges. Notification will be handled according to Cook County jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

417.6 ICE REQUESTS FOR ASSISTANCE

Requests by ICE, or any other federal agency, for assistance from this department should be directed to an on-duty supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies with the approval of the Chief of Police.

417.7 INFORMATION SHARING

Sworn members who encounter any individual suspected of an immigration violation, or an instance that requires contact with ICE, shall immediately notify the on-duty supervisor. The on-duty supervisor, through the Chain of Command, shall obtain a written approval from the Chief of Police prior to any communication with ICE officials.

417.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 or any other hold request, unless the person has been charged with a federal crime or the detainer is accompanied by a judicial warrant. Sworn members shall immediately notify the on-duty supervisor of such circumstances. The on-duty supervisor, through the Chain of Command, shall obtain a written approval from the Chief of Police prior to making any notification to the federal authority that issued the detainer. (5 ILCS 805/15).

Forest Preserves of Cook County Police Department

Policy

Policy

Immigration Violations

417.8 NON-DISCLOSURE OF IMMIGRATION STATUS

No member shall disclose the immigration status of the victim or the person requesting the certification form unless authorized in writing by the individual or as required by law (5 ILCS 825/10).

417.8.1 PUBLICATION OF DECLARATION AND CERTIFICATION FORM PROCESS

The Investigations supervisor should make the department's procedures for certification requests publicly available for victims and their representatives (5 ILCS 825/10).

417.9 TRAINING

The Chief of Police or authorized designee shall ensure that all appropriate members receive immigration training.

Field Training

419.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Forest Preserves of Cook County Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to build trust and legitimacy with the public, treat the public with dignity and respect and to operate in a safe, skillful, productive and professional manner.

419.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

419.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of two years of patrol experience, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Submit a typed memorandum indicating their intent, skills, training, and experience, illustrating their viability as a candidate.
- (e) Participate and pass an internal oral interview selection process.

419.2.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved FTO course prior to being assigned as an FTO.

419.3 FIELD TRAINING OFFICER PROGRAM COORDINATOR

The Field Training Officer Program Coordinator will be selected from the rank of sergeant or above by the Chief of Police or his/her designee and shall complete the ILETSB certified (40 hour) Field Training Administrator's Course, within one year of appointment to this position.

The responsibilities of the FTO Program Coordinator include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintain and ensure FTO/Trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.

Forest Preserves of Cook County Police Department

Policy

Policy

Field Training

- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with academy staff on recruit performance during the academy.
- (h) Develop ongoing training for FTOs.
- (i) Ensure that trainee phase assignments are disseminated to all supervisory personnel.

419.4 TRAINEE DEFINED

Any entry level and or, lateral police officer, appointed to the Forest Preserves of Cook County Police Department who has successfully completed an ILETSB training course.

419.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 16 weeks (550 hours), comprised of four phases.

The training period for lateral officers shall also consist of a minimum of 16 weeks.

Officers shall be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

419.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Phase One Training. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Forest Preserves of Cook County Police Department. The manual is not intended to cover every contingency, but will be reviewed and updated annually. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

Each new officer will receive a manual containing the policies, procedures, rules and regulations enacted by the Forest Preserves of Cook County Police Department.

419.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

419.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO Program Coordinator on a daily basis.
- (b) Review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.
- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

Forest Preserves of Cook County Police Department

Policy

Policy

Field Training

- (e) Complete and submit a written recommendation on the successful completion of his/her assigned trainee to the Field Training Program Coordinator.

419.6.2 FIELD TRAINING OFFICER PROGRAM COORDINATOR

The Field Training Officer Program Coordinator shall review and approved the Daily Trainee Performance Evaluations and forward them to the Chief of Police or authorized designee.

419.6.3 TRAINEE

- (a) A trainee successfully completes the Field Training Program by:
 - 1. Successfully completing 16 weeks (550 hours) of the Field Training Program
 - 2. Receiving a written recommendation from the Field Training Officer to the Filed Training Coordinator advising of the trainee's successful completion of the Field Training Program and ability to perform solo patrol duties.
- (b) Probationary Police Officers that do not successfully complete the Field Training Program at any one of the four phases shall:
 - 1. Repeat the phase with a different Field Training Officer.
 - 2. If the trainee successfully completes the repeated phase, the trainee shall;
 - 3. Repeat the phase a third time, with a Field Training Officer whom the trainee, has not been previously assigned.
 - 4. A trainee that successfully completes the phase twice, may then advance to the next phase of the Field Training Program or be release to solo patrol duties, if applicable.
 - 5. Should the trainee fail any phase of the Field Training Program twice; the trainee's employment status with the Forest Preserves of Cook County Police Department will be evaluated by the Chief of Police.

419.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of phase evaluations.
- (c) A memo completed by the Field Training Coordinator, affirming that the trainee has successfully completed the required 16 weeks (550 hours) of field training.

419.8 FIELD TRAINING PROGRAM EVALUATION

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program to the Field Training Program Coordinator. The Field Training Coordinator shall review the submitted evaluation(s) with the Chief of Police or designee.

Obtaining Air Support Assistance

420.1 PURPOSE AND SCOPE

The use of a law enforcement helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

420.2 REQUEST FOR HELICOPTER ASSISTANCE

If an on-duty supervisor in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

420.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

The on-duty supervisor will notify Cook County Dispatch and request support from the closest agency having helicopter support available. The on-duty supervisor will apprise that agency of the specific details of the incident prompting the request.

420.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law Enforcement helicopters may be requested to provide additional support to ground personnel under any of the following conditions:

- (a) When the helicopter is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopter may reduce such hazard.
- (c) When the use of the helicopter will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.
- (f) Exigent circumstances at the discretion of the on-duty supervisor.

420.3 REPORTING

An Offense/Incident report will be generated when Air Support Assistance is requested. The report will be submitted to the on-duty supervisor for review and approval.

Contacts and Temporary Detentions

421.1 PURPOSE AND SCOPE

This policy provides guidelines for when an officer stops and questions a pedestrian based on reasonable suspicion that the pedestrian is-or was recently-engaged in unlawful activity. These temporary detentions may lead to a limited search. If the officer obtains probable cause that the pedestrian is or was involved in a crime, the stop could lead to a full body search.

The purpose of this policy is to ensure that temporary detentions are conducted:

- (a) Legally, justifiably, and respectfully.
- (b) In a manner which enables officers to protect themselves and the public.

Specifically, the policy establishes guidelines for temporarily detaining but not arresting persons in the field, conducting Field interviews and pat-down searches.

421.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be in progress or has recently occurred and a particular person is connected with that possible criminal activity.

Temporarydetention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

421.2 POLICY

The Forest Preserves of Cook County Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a Field interview or pat-down searchshall be left to the officer and be based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

Forest Preserves of Cook County Police Department

Policy

Policy

Contacts and Temporary Detentions

The Chief of Police will conduct an annual review of all temporary detentions to ensure temporary detentions do not have a disparate impact upon pedestrians of the Forest Preserves of Cook County.

421.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct a Field Interview, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Forest Preserves of Cook County Police Department to strengthen community involvement, community awareness, and problem identification.

421.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Actions suggesting that he/she is engaged in a criminal activity.
- (b) Presence in an area at an inappropriate hour of the day or night.
- (c) Presence in a particular area is suspicious.
- (d) Carrying of suspicious objects or items.
- (e) Clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (f) Location in proximate time and place to an alleged crime.
- (g) Physical description or clothing worn that matches a suspect in a recent crime.
- (h) Prior criminal record or involvement in criminal activity as known by the officer.

421.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

Forest Preserves of Cook County Police Department

Policy

Policy

Contacts and Temporary Detentions

- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

421.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - (a) A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, prior to interviewing a minor or transporting a minor.

421.7 STOP RECEIPTS

Whenever an officer stops a person in a public place and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number (725 ILCS 5/107-14).

Portable Audio/Video Recorders

424.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Forest Preserves of Cook County Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

424.1.1 DEFINITIONS

Definitions related to and incorporated in this policy include those definitions contained in Section 10 of the Law Enforcement Officer-Worn Body Camera Act ("Body Camera Act") (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying and processing audio/visual recordings that may be worn about the person of a law enforcement officer.

Law enforcement-related encounters or activities - Activities in which the sworn member is enforcing the law, including traffic or pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd and traffic control. It does not include community caretaking functions, which is defined as a task undertaken by a sworn member in which the sworn member is performing an articulable act unrelated to the investigation of a crime. Community caretaking functions include but are not limited to tasks unrelated to the investigation of a crime, such as completing paperwork while alone or only in the presence of another law enforcement officer

Portable recorder or recorder - Either an audio-only recording device or a body-worn camera.

424.2 POLICY

The Forest Preserves of Cook County Police Department may provide sworn members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between sworn members of the Department and the public.

The use of body-worn cameras is specifically controlled by the Body Camera Act (50 ILCS 706 et seq.). Nothing in this policy related to body-worn cameras shall be construed to conflict with the Body Camera Act and where there is a conflict or ambiguity, the provisions of the Body Camera Act shall control.

424.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

Members should consider powering down the recorder when there is an expectation of personal privacy (e.g., the member using the restroom), ensuring the recorder is powered on again prior to returning to duty.

424.4 MEMBER RESPONSIBILITIES

If applicable, prior to going into service, each member will be responsible for making sure that they are equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the sworn member becomes aware of a malfunction at any time, the member shall promptly report in writing the failure to their supervisor and obtain a functioning device as soon as practicable (50 ILCS 706/10-20); see the Portable Audio/Video Recorders Procedure for further guidance. Uniformed sworn members should wear the recorder in a conspicuous manner and notify persons that they are being recorded, whenever possible.

Any sworn member assigned to a non-uniformed position, with approval of the respective department head or the authorized designee may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed sworn members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

When using a portable recorder, the assigned sworn member shall record his/her name, star number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Sworn members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Sworn members should include the reason for deactivation.

NOTE: Members assigned to Executive Protection Unit duties, will not be required to wear or utilize a Portable Audio/Video Recorder.

424.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

Sworn members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Sworn members wearing body-worn cameras and any clothing or indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20(a)(3)). Sworn members shall also have the body-worn camera turned on as otherwise required by policy, directed by training or ordered by a supervisor.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

Portable recorders, including body-worn cameras, should also be activated in any of the following situations:

- (a) All enforcement and investigative contacts, including stops and field interview situations.
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
- (c) Self-initiated activity in which a sworn member interacts with a citizen requesting police service or observes something that requires action by the police.
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.
- (e) Upon exiting a patrol vehicle for law-enforcement-related encounters (50 ILCS 706/10-20(a)(3)(B)), regardless of whether the vehicle is equipped with Mobile Audio/Video (MAV).
- (f) When the sworn member has reason to believe that the person on whose behalf the member is performing a community caretaking function has committed or is in the process of committing a crime. If exigent circumstances exist that prevent the camera from being turned on, the camera shall be turned on as soon as practicable (50 ILCS 706/20(a)(4.5)).
- (g) When a sworn member while operating a department vehicle, encounters an incident that requires self-initiated activity. This includes traveling to and from the work place and regardless if the sworn member has yet to begin their tour of duty or has ended their tour of duty, via the Cook County Time Clock system (CCT). The sworn member shall activate the body-work Camera as soon as practicable in accordance with 50 ILCS 706/10-20(a)(3).

If exigent circumstances prevent a sworn member from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20(a)(3)(A)).

Sworn members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has committed or is committing a crime (50 ILCS 706/10-20(a)(4)(C)).

Sworn members must provide notice of recording to any person if the person has a reasonable expectation of privacy and proof of notice must be evident in the recording. If exigent circumstances exist that prevent the sworn member from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20(a)(5)).

At no time is a sworn member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as practicable.

424.5.1 CESSATION OF RECORDING

Once activated, the portable recorder should continue to record until the sworn member's direct participation in the incident is complete or the situation no longer fits the criteria for activation.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident (e.g., to conduct activity that is not relevant to the incident).

Body-worn cameras shall be turned off when a victim, witness or community member reporting a crime requests that the camera be turned off. Unless impractical or impossible, the request should be captured on the recording (50 ILCS 706/10-20(a)(4)). However, a sworn member may continue to record or resume recording a victim, or witness or community member if exigent circumstances exist or the member has a reasonable articulable suspicion that the victim, witness or community member has committed or is in the process of committing a crime. Under these circumstances, the sworn member should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20(a)(4)).

Sworn members are permitted to turn off body-worn cameras while inside a patrol vehicle equipped with (MAV). Cameras may also be turned off when the sworn member is not engaged in law enforcement-related activities, or when completing paperwork alone, when only in the presence of another law enforcement officer, when the member is engaged in community caretaking functions, or or when inside a correctional facility with a camera system ((50 ILCS 706/10-20).

424.5.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Sworn members may not surreptitiously record any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential, unless otherwise authorized by law (720 ILCS 5/14-2).

However, sworn members using body-worn cameras are not prohibited from recording a person who has a reasonable expectation of a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the sworn member from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20(a)(5)).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the respective department head or the authorized designee.

424.5.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

424.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use, and they are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

Except for authorized legitimate department business purposes (i.e., related to official duties), members are also prohibited from retaining, duplicating or distributing recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty. Any member who uses a personally owned recorder for department-related activities (e.g., inadvertently makes a recording) shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation, or ridicule.

424.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS

Any time a sworn member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report. Transfers should occur at the end of the sworn member's shift, or any time the storage capacity is nearing its limit.

To assist with identifying data and recordings, members should tag or mark these as needed in accordance with the Portable Audio/Video Recorders Procedure.

Any time a sworn member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

424.8 RETENTION OF RECORDINGS

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

424.8.1 RETENTION REQUIREMENTS FOR BODY-WORN CAMERA RECORDINGS

Recordings on body-worn cameras shall be retained for 90 days. Recordings shall not be altered, erased or destroyed prior to the expiration of the 90-day storage period (50 ILCS 706/10-20(a)(7)).

After the 90-day storage period, recordings may be destroyed unless any encounter captured on the recording has been flagged. An encounter is deemed flagged when any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

- (b) The sworn member discharged his/her firearm or used force during the encounter
- (c) Death or great bodily harm occurred to any person in the recording
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or business offense (i.e., a petty offense with a fine of more than \$1,000)
- (e) The sworn member is the subject of an internal investigation or otherwise being investigated for possible misconduct
- (f) The supervisor of the sworn member, prosecutor, defendant or court determines that the encounter has evidentiary value in a criminal prosecution
- (g) The recording sworn member requests that the video be retained for official purposes related to his/her official duties

Under no circumstances, shall any recording made with a body-worn camera relating to a flagged encounter be altered or destroyed prior to two years after the recording is flagged. If the flagged recording is used in a criminal, civil or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court (50 ILCS 706/10-20(a)(7)(C)).

Following the 90-day storage period, recordings may be retained anytime a supervisor designates the recording for training purposes and may be viewed by sworn members, in the presence of a supervisor or training instructor, for the purposes of instruction, training or ensuring compliance with department policies (50 ILCS 706/10-20(a)(8)).

424.8.2 RELEASE OF AUDIO/VIDEO RECORDINGS

The release, retention and distribution of recordings shall be conducted in accordance with the Freedom of Information Act and applicable law.

When recordings are transferred to portable media (e.g., compact disc), the date the recording was made, and any related case report number will be recorded on the surface of the media or its container. In addition, the number of copies made will be noted (e.g., "copy 1 of 1", "copy 2 of 5").

The member assigned to produce the copies will appropriately document (e.g., in evidence.com) the reason for the copies (e.g., subpoena/discovery, FOIA, copy for prosecution).

Wherever practicable, the use of the online recording review system (e.g., evidence.com) should be used in place of distributing recordings on portable media. This controls media costs and environmental impact while enhancing accountability in the form of an automated audit log.

The body-worn camera coordinator or the authorized designee for the department should notify the Chief of Police when secure, audited on-line review accounts/secure links have been utilized (e.g., in evidence.com) for the review of recordings by prosecutors, investigators from other agencies and others as authorized.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

424.9 REVIEW OF RECORDED MEDIA FILES

- (a) Per 20 ILCS 2610 Safe-T Act; the Recording Officer may access the recording prior to completing an incident report or other documentation, except in situations where there is an Officer-Involved Shooting, allegations of misconduct, and like situations.
- (b) Exceptions to Officers viewing of recordings involved or witness to:
 - 1. Officer Involved Shootings
 - 2. Use of Deadly Force incidents
 - 3. Use of force resulting in Great Bodily Harm
 - 4. Reports related to misconduct investigations
- (c) If after preparing an initial report, with a Supervisors approval, an officer may file an amendatory report after viewing a recording. Documentation of such viewing must be included in the report.
- (d) The supervisor of the recording officer may access and review recordings prior to completing incident reports or other documentation, provided that the supervisor discloses that fact in the report or documentation.
- (e) Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.
- (f) Recorded files may also be reviewed:
 - 1. Upon approval by a supervisor, or by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
 - 2. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
 - 3. By media personnel with permission of the Chief of Police and Forest Preserve District of Cook County Director of Communications, in accordance with applicable laws and regulations. In compliance with a public records request. All recordings should be reviewed prior to public release by the following:
 - (a) The Chief of Police
 - (b) The Director of Communications
 - (c) The Chief Attorney
 - (d) The Deputy General Superintendent
 - (e) The General Superintendent
- (g) Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.
- (h) Access to recordings for redaction, labeling, or duplication shall be restricted to only those members responsible for those purposes (50 ILCS 706/10-20(a)(6)).
- (i) Members shall not retain personal copies of recordings.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders

424.9.1 DOCUMENTING REVIEW OF RECORDINGS

Members who review recordings prior to completing incident reports or other documentation shall disclose that fact in the report or other documentation (50 ILCS 706/10-20(a)).

424.9.2 REQUESTS FROM OUTSIDE AGENCIES OR INDIVIDUALS

No outside agency or individual requests for recordings (e.g., FOIA, subpoena) will be processed unless the request has been received by the Forest Preserve District of Cook County Legal department and approved by the Chief Attorney or the authorized designee.

424.10 BODY-WORN CAMERA COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for the following (50 ILCS 706/10-20), including but not limited to:

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact, label, or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of least 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:
 - 1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures, or problems with the equipment.
 - 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.
 - 3. Security of recordings including access controls.
 - 4. Redacting, labeling, and duplicating recordings.
 - 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).

Foot Pursuits

429.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue a pursuit of suspects on foot.

429.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

Officers are to be ever conscious of the concept of the sanctity of human life, while maintaining order and enforcing the law impartially. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Officers must act with the foremost regard for the preservation of human life and safety of all involved persons.

- (a) A foot pursuit is an event in which a sworn Department member, on foot, chases a subject who is fleeing on foot to resist apprehension for suspected articulable criminal activity.
 - 1. Apprehending a person for their well-being (e.g., suffering from dementia or an endangered missing person) is not considered a foot pursuit.
 - 2. In such situations, the primary concern will be the safety of all persons involved.

429.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members. Officers must be of such a reasonable certainty, with the ability to articulate, that the pursuit of the subject outweighs the decision to take any alternative action that is available to the Officer.

Officers may be justified in initiating a foot pursuit of any individual that, is actively engaging in or has engaged in criminal activity of such, which would place the officer or public in danger.

Officers are prohibited from engaging in a foot pursuit when the only known act(s) to have allegedly been committed, are that of any FPCC Ordinance Violation, property crime or any crime which may meet the standard of a Class A, B, or C Misdemeanor offense.

Forest Preserves of Cook County Police Department

Policy

Policy

Foot Pursuits

The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances present at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

429.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

Forest Preserves of Cook County Police Department

Policy

Policy

Foot Pursuits

- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm, radio, or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

429.5 RESPONSIBILITIES IN FOOT PURSUITS

429.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit shall, broadcast the following information at first available, practicable opportunity:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known

Forest Preserves of Cook County Police Department

Policy

Policy

Foot Pursuits

(e) Whether the suspect is known or believed to be armed with a dangerous weapon
Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

429.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

429.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

429.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, the following:

- (a) Date and time of the foot pursuit.
 - (b) Initial reason and circumstances surrounding the foot pursuit.
 - (c) Course and approximate distance of the foot pursuit.
 - (d) Alleged offenses.
 - (e) Involved vehicles and officers.
 - (f) Whether a suspect was apprehended as well as the means and methods used.
- (a) Any use of force shall be reported and documented in compliance with Policy #300 - Use of Force Policy.

Forest Preserves of Cook County Police Department

Policy

Policy

Foot Pursuits

- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

All reports relating to an incident when a Foot Pursuit is initiated, will be reviewed by the on scene-incident supervisor only.

Homeless Persons

432.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Forest Preserves of Cook County Police Department recognizes that members of the homeless community are often in need of special protection and services. It is the goal of the Forest Preserves of Cook County Police Department to address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

432.1.1 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to provide law enforcement services and to protect the rights, dignity and private property of all members of the community, regardless of their socioeconomic status. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

432.2 HOMELESS COMMUNITY LIAISON

If appropriate for proper handling of contacts with homeless persons and adherence to this policy, the Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.
- (c) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 - (a) Proper retention of property after clean-up, including procedures for owners to reclaim their property in accordance with the Evidence Room Policy and other established procedures.
- (d) Develop training to assist officers in understanding current legal and social issues relating to the homeless.
 - 1. This should include what constitutes a reasonable expectation of privacy for the property of a homeless person (775 ILCS 45/5).

432.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. When encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace officers may consider long-term solutions

Forest Preserves of Cook County Police Department

Policy

Policy

Homeless Persons

to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest. However, nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. All such non-arrest solutions must be approved by the on-duty supervisor.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

432.3.1 PROTECTION DURING EXTREME WEATHER

When encountering a homeless person during any extreme weather condition, the officer shall immediately contact and advise the on-duty supervisor and then offer and make every practicable solution of transportation of the homeless person (and personal property), to a location (e.g. hospital, shelter) of respite and safety from the extreme weather conditions. An incident report shall be completed by the officer and reviewed by the same on-duty supervisor who was contacted.

432.3.2 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult.
- (f) Arrange for transportation for investigation related matters.

432.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public (775 ILCS 45/10(a)(7)). Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of homeless persons.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, an on-duty supervisor shall be notified. The property should be photographed and measures should be

Forest Preserves of Cook County Police Department

Policy

Policy

Homeless Persons

taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers shall not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of an on-duty supervisor.

Officers who encounter unattended encampments, shall notify an on-duty supervisor and coordinate the removal of the encampment with the appropriate Forest Preserves of Cook County department. When practicable, bedding and other personal property that reasonably appears to belong to a homeless person shall not be destroyed. Such property shall be inventoried and placed in an area storage locker for safekeeping.

432.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate.

432.6 ECOLOGICAL ISSUES

Homeless encampments can impact the ecology and natural resources of the property of the Forest Preserves of Cook County and surrounding communities. Such encampments may constitute criminal offenses beyond mere littering. When encountering such encampments, officers shall immediately notify the on-duty supervisor, required Forest Preserves of Cook County departments and other appropriate agencies in conjunction with the Homeless Community Liaison. An incident report shall be completed as well as accompanying photographs. Notification to the Investigations Unit for further investigation shall be determined by the on-scene supervisor.

First Amendment Assemblies

433.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

433.2 POLICY

The Forest Preserves of Cook County Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property. All officers shall comply with the Forest Preserves of Cook County Pickets, Protests & Demonstration Policy.

433.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disorderly conduct. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

Forest Preserves of Cook County Police Department

Policy

Policy

First Amendment Assemblies

433.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

Care should be taken to ensure that any simultaneous audio recording does not violate the Illinois Eavesdropping Act (720 ILCS 5/14-2; 720 ILCS 5/14-3).

433.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer shall immediately notify the on-duty supervisor, and then conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Cook County Radio Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

433.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans shall be developed. The Incident Command System may be considered for such events.

433.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.

Forest Preserves of Cook County Police Department

Policy

Policy

First Amendment Assemblies

- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to Forest Preserves of Cook County Permits Department and other required departments.

Information will be obtained in a lawful manner and never based on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

433.5.2 OPERATIONAL PLANS

The Chief of Police or authorized designee shall assign an operational planning team with responsibility for event planning and management. The planning team should develop an operational plan for the event.

The operational plan will provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with the Forest Preserves of Cook County legal department, County government, and bordering local agencies.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.

Forest Preserves of Cook County Police Department

Policy

Policy

First Amendment Assemblies

- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

433.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated.

433.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the on-duty supervisor shall immediately notify a member of the Command Staff so that a continued plan to monitor the gathering shall be considered.

Should the on-duty supervisor in conjunction with a Command Staff member make a determination that public safety is presently or is about to be jeopardized, the on-duty supervisor shall attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the on-duty supervisor shall make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

433.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law).

Forest Preserves of Cook County Police Department

Policy

Policy

First Amendment Assemblies

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report.

433.8 ARRESTS

The Forest Preserves of Cook County Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Chief of Police or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the State's Attorney's Office, Cook County lockup facilities and jail, and Cook County Court system.

433.9 MEDIA RELATIONS

The Director of Communications should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public.

433.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

433.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports

Forest Preserves of Cook County Police Department

Policy

Policy

First Amendment Assemblies

- (f) Photographs, audio/video recordings, Cook County Radio Dispatch Center records/tapes
- (g) Media accounts (print and broadcast media)

433.11.1 AFTER-ACTION REPORTING

Per direction of the Chief of Police, the Incident Commander shall coordinate with the Forest Preserves of Cook County Legal Department and the State's Attorney's Office as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events

433.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Chapter 5 - Traffic Operations

Vehicle Tow, Storage and Impound Hearings

503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings.

503.2 VEHICLE TOWS, STORAGE OR IMPOUNDS

When a vehicle is towed or stored by any member of the Forest Preserves of Cook County Police Department, a hearing may be conducted upon the request of the registered or legal owner of the vehicle or their agent. Hearings for vehicles that are impounded pursuant to a local impound ordinance shall follow hearing procedures provided within the ordinance. Vehicles that are impounded for the purpose of statutory seizure shall have hearings in compliance with the statute.

503.2.1 HEARING PROCEDURES

The vehicle tow or storage hearing is an informal process to evaluate the validity of the tow or storage of a vehicle. Any relevant evidence may be submitted and reviewed by an Administrative Law Judge to determine if the vehicle in question was properly towed and/or stored in accordance with the law and Forest Preserves of Cook County Police Department policies and procedures. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

An Administrative Law Judge will preside over the hearing. A member of the Command Staff will represent the Department. The person requesting the hearing may record the hearing at his/her own expense.

The Judge shall consider all information provided and determine the validity of the towing and/or storage of the vehicle in question and then render a decision. The Judge shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of period the vehicle is impounded.

If a decision is made that the vehicle was properly towed and/or stored within the law and department policy, and that mitigating circumstances are not a factor, the Judge shall so advise the inquiring party.

A decision that the vehicle was not towed and/or stored in a lawful manner or within department policy will require that the vehicle in storage be released immediately and any or all towing and storage fees will be reimbursed.

Abandoned or Derelict Vehicle Violations

504.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Forest Preserves of Cook County Police Department County Ordinance or state laws regulating abandoned or derelict vehicles.

504.1.1 DEFINITIONS

Definitions related to this policy include:

Abandoned vehicle - It shall be unlawful for any person to abandon any motor vehicle within the Forest Preserve District. A vehicle shall be deemed to have been abandoned, if it (a) is in such a state of disrepair as to be incapable of being driven in its present condition, (b) and has not been moved or used for more than seven (7) consecutive days, or (c) has been left without state registration plates or a temporary state registration placard for three (3) or more days. (Forest Preserves of Cook County ordinance 2-3-7)

Members of the police department may authorize the immediate removal of any abandoned motor vehicle. Any vehicle so removed shall be towed to an authorized facility. The owner of a vehicle towed under the provisions of this subsection shall be entitled to notice, pursuant to Section 4-205 of the Illinois Vehicle Code, of the right to request a hearing regarding the validity of the tow and any towing or storage charges as provided in [sic]. Unclaimed hazardous dilapidated motor vehicles shall be disposed of as provided in Sections 4-208 and 4-209.1 of the Illinois Vehicle Code, as amended; provided, however, that if the abandoned motor vehicle bears no ascertainable vehicle identification number, and no registration-registration sticker as defined in the Illinois Vehicle Code, and no other identification by which the last registered owner of the vehicle can be determined for the purpose of giving notice, the vehicle may be disposed of immediately after it is impounded at a public facility. (Ord. No. 10-O-03, 5-5-10)

Derelict vehicle - Means any inoperable, unregistered, discarded motor vehicle, regardless of title, that constitutes a danger, hazard, or blight (625 ILCS 5/4-301).

504.2 VEHICLE TOWING/STORAGE

Any vehicle in violation shall be towed and stored by the authorized towing service and a Motor Vehicle Incident (MVI) report shall be completed by the officer authorizing the towing/storage of the vehicle.

The MVI report shall be submitted to the Records Division immediately following the towing/storage of the vehicle. It shall be the responsibility of Dispatch to immediately notify LEADS.

Within 48 hours of the towing/storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Division to determine the names and addresses of any individuals having an interest in the vehicle. Notice to all such individuals shall be sent first-class or certified mail.

Forest Preserves of Cook County Police Department

Policy

Policy

Abandoned or Derelict Vehicle Violations

504.2.1 PROCESSING DERELICT OR ABANDONED VEHICLES AS JUNK

If this department elects or is otherwise required to process a derelict or abandoned vehicle as a junk vehicle the department shall, within 15 days complete the following (625 ILCS 5/3-117.1):

- (a) Surrender the junk vehicle's certificate of title, salvage certificate, certificate of purchase, or a similarly acceptable out of state document of ownership to the Secretary of State along with an application for a junking certificate.
- (b) Dispose of the vehicle as junk upon receipt of the junking certificate.

Vehicles or vehicle parts that have had the manufacturer's identification number removed, altered, defaced or destroyed shall be identified in compliance with 625 ILCS 5/4-107(i) before processing as junk.

Disabled Vehicles

507.1 PURPOSE AND SCOPE

All law enforcement agencies having responsibility for traffic enforcement should develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

507.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

507.3 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the telecommunicator should be advised of the location of the disabled vehicle and the need for assistance. The telecommunicator should then assign another available officer to respond for assistance as soon as practicable.

507.4 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

507.4.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

507.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle. The assigned officer should notify the on-duty supervisor as soon as practicable.

507.4.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup. The assigned officer should notify the on-duty supervisor as soon as practicable.

Forest Preserves of Cook County Police Department

Policy

Policy

Disabled Vehicles

In the event an owner or operator requests the assisting officer to obtain a tow, the officer will follow the provisions of Policy 502.3 "Removal of Vehicles Due to Hazard" and notify Dispatch of the owner/operator's request.

Chapter 6 - Investigation Operations

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members with the information necessary to properly fulfill the reporting and testimonial requirements mandated under U.S. Supreme Court decisions including Brady v. Maryland 373 U.S. 83 (1963) and Giglio v. U.S. 405 U.S. 150 (1972).

605.1.1 DEFINITIONS

Definitions related to this policy include:

Brady Information - Information known or possessed by the Forest Preserves of Cook County Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

Duty to Disclose - The affirmative constitutional duty of law enforcement to notify the prosecutor of any Exculpatory Evidence and Brady/Giglio Material.

Exculpatory Evidence and Brady/Giglio Material - Evidence that is favorable to the accused; is material to the guilt, innocence, or punishment of the accused; and that may impact the credibility of a government witness, including a law enforcement officer. Impeachment material is included in the Brady/Giglio disclosure requirements.

Material Evidence - Evidence is "material" if there is a reasonable probability that disclosing it will change the outcome of a criminal proceeding. A "reasonable probability" is a probability sufficient to undermine confidence in the outcome of the trial or sentencing of a criminal case.

605.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to follow Brady/Giglio disclosure requirements consistent with the law. The Brady/Giglio decision and subsequent rulings have made it a duty of all law enforcement agencies to:

- (a) Identify and provide to the prosecution any Exculpatory Evidence and Brady/Giglio Material that would have a reasonable probability of altering the results in a trial, or any material that could reasonably mitigate the sentencing of a defendant, and
- (b) Any material relevant to the credibility of government witnesses, including but not limited to, law enforcement officers.

Adherence to Department policy and rules in all matters is imperative. Breaches of such rules and policies related specifically to honesty and veracity may have direct bearing on a member's ability to continue serving as a law enforcement officer.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

- (a) Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns

Forest Preserves of Cook County Police Department

Policy

Policy

Brady Material Disclosure

of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

1. If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.
2. Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.
3. Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

(b) General Provisions of Disclosure - Affirmative Duty to Report

1. The Department is not responsible for determining the relevancy of the material. Relevancy is solely determined by the prosecutor and the judge.
2. All members must disclose Brady/Giglio material, without a specific request by the trial prosecutor handling a case in which the member is an intended government witness, whether, to the best of the member's knowledge and belief, and Brady material exists.
3. All members have an affirmative duty to maintain knowledge of their personnel history including their disciplinary/internal affairs history.
4. It is the prosecutor's responsibility to establish whether material disclosed by the Department must be provided to the defense.
5. A member shall not manipulate or alter possible Brady/Giglio material.

605.4 DISCLOSURE OF PERSONNEL INFORMATION

- (a) If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain Brady information. If Brady information is located, the following procedure shall apply:

1. Should the prosecuting attorney or defense counsel file a motion to inspect the personnel file of any officer, the Chief or authorized designee should request the assistance of the prosecuting attorney or municipal attorney to respond to the motion and facilitate the inspection or release, if any, of the potential Brady information. The member involved shall be informed of the request by the Chief of Police or authorized designee.

- (b) Criminal Cases:

Forest Preserves of Cook County Police Department

Policy

Policy

Brady Material Disclosure

1. The Chief or authorized designee shall promptly disclose to the appropriate federal or state prosecutors the following potential Brady information relating to a police member that is the reporting member or may be called as a witness in a hearing or case.
 2. Any department sustained finding of misconduct related to truthfulness or dishonesty.
 3. Any criminal convictions involving acts of dishonesty.
 4. Any present allegations of misconduct under investigation involving truthfulness or dishonesty.
 5. The member involved shall be notified that the material will be disclosed to the prosecutors by the Chief of Police or authorized designee.
 6. It will then be the duty of the prosecutor to determine whether the information should be provided to the defense or reviewed by the judge presiding over a matter. In the event a member believes that a prosecutor is unaware of information that may be considered Brady material, that member will notify their supervisor and/or the prosecutor of the existence of the information sufficiently in advance of their presentation or testimony at the hearing; so that a decision regarding disclosure of the information can be made by the prosecutor.
- (c) The person(s) designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain Brady information. The obligation to provide Brady information is ongoing. If any new Brady information is identified, the prosecuting attorney should be notified.

605.5 DUTY TO NOTIFY SUPERVISOR

Members have a duty to report any information described in the section above to their immediate supervisor and through their chain of command to the Chief of Police if the investigation or charges are brought by an outside agency or jurisdiction. Any current member who has been notified that they have been identified as subject to Brady/Giglio guidelines is required to inform any supervisor that is involved in assigning them to any task that they are a Brady/Giglio status employee.

605.6 CONTINUING OBLIGATIONS

The duty to disclose exculpatory information under this policy to the defense continues throughout the course of the prosecution of the case and remains after the defendant's conviction.

605.7 EXAMPLES OF BRADY/GIGLIO MATERIAL

Examples of Brady/Giglio material that may be subject to disclosure include, but may not be limited to:

- (a) Information that would directly negate the defendant's guilt concerning any charge(s);
- (b) Information that would cast doubt on the admissibility of evidence that the government plans to offer that could be subject to a motion to suppress or exclude;

Forest Preserves of Cook County Police Department

Policy

Policy

Brady Material Disclosure

- (c) Any criminal record or criminal case pending against any witness whom the prosecution anticipates calling;
- (d) Any final Department adjudicated findings of misconduct or pending Departmental charges against a member whom the prosecution anticipates calling;
- (e) The failure of any proposed witness to make a positive identification of a defendant;
- (f) Information that casts doubt on the credibility or accuracy of a witness or evidence;
- (g) An inconsistent statement made orally or in writing by any proposed witness;
- (h) Statements made orally or in writing by any person that are inconsistent with any statement of a proposed government witness regarding the alleged criminal conduct of the defendant;
- (i) Information regarding any mental or physical impairment of any governmental witness that would cast doubt on their ability to testify accurately and truthfully at trial;
- (j) Information that tends to diminish the degree of the defendant's culpability or the defendant's offense level under state or federal sentencing guidelines;
- (k) A finding of misconduct by the Forest Preserves of Cook County Police Department or any court of competent jurisdiction that reflects on the witness's truthfulness, bias, or moral turpitude; this includes members under suspension;
- (l) Evidence that a proposed witness has a racial, religious, or personal bias against a defendant individually or as a member of a group; or
- (m) A member's untruthfulness, dishonesty, bias, or misconduct in conjunction with their service as a law enforcement officer.

605.8 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

Members who are knowingly and intentionally untruthful, are otherwise dishonest in the course of their employment, or use excessive force are subject to impeachment of testimony at trial. Such members are subject to disciplinary action or termination of employment.

605.9 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Chapter 7 - Equipment

Department Owned Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to an on-duty supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair or replace the property without prior approval of an on-duty supervisor or the on-call command staff member.

Employees shall return all issued department property to the Operations Manager upon resignation, separation, and/or retirement.

700.3 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall immediately notify the on-duty supervisor. A written report documenting the incident shall be completed prior to employees end of shift.

700.3.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the Forest Preserves of Cook County, it shall be the responsibility of the employee present to notify

Forest Preserves of Cook County Police Department

Policy

Policy

Department Owned Property

the on-duty supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the on-duty supervisor.

These written reports, accompanied by the supervisor's memorandum, shall promptly be forwarded through the chain of command.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.1 POLICY

The Forest Preserves of Cook County Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.2 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles to ensure that they are properly maintained and present a clean appearance at all times. This shall include, but is not limited to the following:

- (a) Reporting all damage to vehicles as soon as practicable.
- (b) Report any required vehicle maintenance to the on-duty supervisor (i.e oil changes).
- (c) Removal of all personal belongings at the end of each shift (exempt vehicles: take home).
- (d) Fuel department vehicles at the end of each shift.
- (e) Cleaning and removing all trash.

702.6 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair, the member who becomes aware of the defective conditions shall notify the on-duty supervisor. The on-duty supervisor will determine if the vehicle shall be removed from service. A member should then email the on-duty supervisor with the defective conditions and/or concerns prior to end of shift. The on-duty supervisor will complete a NetFacilities work order to ensure documentation and completion of needed repair.

702.6.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.7 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

702.7.1 PATROL VEHICLES / UNMARKED VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- 20 emergency road flares.
- 1 roll crime scene caution tape.
- 1 fire extinguisher.

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Maintenance

- Snare pole.
- Spare tire, jack and lug wrench.

702.8 VEHICLE REFUELING

Absent emergency conditions or on-duty supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles shall only be refueled at the Forest Preserve of Cook County facilities.

702.9 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the department.

Only one patrol vehicle should be at the car wash at a time unless otherwise approved by an on-duty supervisor.

Members using a vehicle shall remove any trash or debris at the end of their shift. Confidential material shall be appropriately disposed of (i.e. shredded).

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the Forest Preserve of Cook County Police Department to provide assigned take-home vehicles.

703.2 POLICY

The Forest Preserves of Cook County Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 ASSIGNED VEHICLES

The on-duty supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during their shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event, pre-scheduled overtime) shall first notify the on-duty supervisor and obtain approval prior to utilizing the vehicle.

703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to an on-duty supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Use

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles shall be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).

703.3.5 VEHICLE LOCATION SYSTEM

All department vehicles shall be equipped with a Global Positioning System (GPS) designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system.

System data may be accessed by supervisors at any time. All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.7 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications or removal of any equipment or accessories to any department vehicle.

703.3.7 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

703.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicles.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police or the authorized designee. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time.

Assigned take-home vehicles will meet the provisions of any current bargaining agreement (if applicable).

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.3 TAKE-HOME VEHICLES

Members assigned a take-home vehicle are expected to fully comply with all provisions outlined in FPCC policy directive 08.20.00 entitled "[Travel, Vehicles, & Equipment & Parking](#)."

Forest Preserves of Cook County Police Department

Policy

Policy

Vehicle Use

703.4.4 MAINTENANCE

Members shall ensure vehicle maintenance is followed as outlined in the Vehicle Maintenance policy.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work while off-duty, the sworn members shall take appropriate enforcement actions in circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Sworn members may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Sworn members driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Sworn members should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.5 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved member shall promptly notify an on-duty supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Reporting Policy). The Vehicle & Equipment Incident/Damage report shall be completed and submitted as required.

Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported when discovered. Such damage shall be documented in an Offense Incident report and a memorandum, and submitted to the on-duty supervisor. An administrative investigation shall be initiated to determine if there has been any vehicle abuse or misuse.

703.6 TOLL ROAD USAGE

Law enforcement vehicles while performing emergency services or duties are not required to pay toll road charges (605 ILCS 10/19).

Chapter 8 - Support Services

Property and Evidence

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

802.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping, lost or found property and abandoned property.

Evidence- Includes items taken or recovered in the course of an investigation.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Lost or Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Abandoned Property - Includes property found by an employee or citizen that appears to be intentionally left or discarded by the owner.

Quicket Solutions - a cloud based data management platform for the recording and tracking of evidence and property.

802.3 COLLECTION OF EVIDENCE BY OFFICERS

While the detection of crimes and the apprehension of offenders are of primary importance, gathering the evidence for a successful prosecution is oftentimes a critical element of criminal investigations. Officers of the Forest Preserves of Cook County Police Department are required to collect pertinent physical evidence whenever practicable and after obtaining permission from a supervisor. When collected, processed and analyzed properly, physical evidence becomes not only a crucial element of fact finding, but of law enforcement as a profession.

Usefulness - The usefulness of the evidence is the most important factor affecting the decision on what evidence will be collected. Usefulness is determined by the likelihood of being able to identify an offender on the basis of the evidence collected and of the weight that such evidence might have on the determination of the guilt or innocence of the offender.

In most cases, the following items should be collected as evidence:

- Fruits of the crime such as property taken from the scene by the offender
- Items brought to the scene by the offender

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

- Clothing worn by the victim or the suspect in a sexual assault or the clothing worn by the victim or suspect in an aggravated battery case where there may be blood or other bodily substances
- Any item of contraband
- Any item found in a squad car or lockup facility that may have been concealed by a subject in custody and that may have evidentiary value

Evidence Not Normally Collected - Officers may forego collecting evidence on misdemeanor cases for which no suspect is likely to be identified and for which no evidence that might subsequently identify the suspect is available. Further, evidence potential on misdemeanors and to a lesser extent, felonies, may become superfluous if the existence of other types of evidence is sufficient. In all cases coordination with the on-duty supervisor is required, for an ultimate determination regarding the usefulness of any evidence collected or not collected.

802.4 PROPERTY HANDLING

Any department member who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage area. The chain of custody shall be maintained for all evidence and property at all times.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for keeping and processing. The Property Release Receipt must be completed to document the release of property not kept, and the owner shall sign the form acknowledging receipt of the item(s).

802.4.1 PROPERTY BOOKING PROCEDURE

All property shall be logged prior to the department member going off-duty unless otherwise approved by a supervisor and stored in a designated secured, location. Items of evidence that are collected shall be secured in a designated Evidence Locker and/or an Evidence Storage Facility.

802.4.2 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Shift Sergeant. The Cook County Sheriff's Department Bomb Squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in any Forest Preserves of Cook County Police Facilities.

802.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

To ensure integrity and admissibility of evidence, officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders shall comply with Policy #425 - Portable Audio/Video Recorders and Procedure #1100 - Portable Audio/Video Recorders Procedure.

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

802.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded, it shall not be erased, deleted, or altered in any way, unless as described and noted below. All photographs taken will be preserved regardless of quality, composition, or relevance. Video and audio files will not be altered in any way.

802.5.2 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only detectives, evidence technicians or other trained personnel are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

802.6 PACKAGING OF PROPERTY

Rules for packaging evidence may vary depending on the evidence itself. However, the following are basic guidelines that can be applied to all items seized as evidence:

- (a) Whenever practicable, evidence should be sealed in packaging. This may be plastic, paper bag, butcher block paper, or box. If an item is damp, it should always be secured in a paper-based container, not plastic, due to concerns regarding molding and other similar issues.
- (b) Evidence packaging should be initialed by the officer securing the item.
- (c) Tags should be secured to all property, with items of evidence receiving an evidence tag and safekeeping items receiving a property tag.

802.6.1 PROPERTY PACKAGING SPECIAL CONCERNS

Certain special guidelines are below:

- (a) Narcotics (Cannabis) - Prior to packaging and if the quantity allows, a field test shall be made of suspect Cannabis. The results shall be included in the officer's incident report and Cannabis Field Test Affidavit. All other suspect narcotics shall be packaged and secured in an Evidence Locker with the locker key placed inside a safe which only a sergeant shall have access to. When required, Narcotics shall be removed by a sergeant and transported to the Illinois State Police Forensic Science Laboratory for analysis or to the Evidence Storage Facility.
- (b) Firearms – In a secure location shall be unloaded by use of a Clearing Barrel and made temporarily inoperable by placing a zip-tie or other item through the barrel and breech. Firearms shall be booked separately from ammunition.
- (c) Flammable liquids/gases - Due to safety concerns, these items shall be photographed, an estimate made of the quantity, and then disposed of. Consult with the evidence technician or fire department in order to determine the most appropriate method of disposal.

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

- (d) Wet items - All wet evidence, including items with bodily fluids on them, such as blood or semen stains, shall be air dried prior to booking.
- (e) Recovered bicycles - recovered bikes shall be inventoried and stored.
- (f) Money - Currency collected by officers and seized as evidence (including suspected counterfeit currency) must be carefully counted in order to ensure accuracy and to protect the officers and the Department from charges of malfeasance. Prior to placing money into evidence, two officers, one being a supervisor (or designee) must count the money in the presence of the other. The two officers shall then initial the evidence bag and seal it. The money may then be placed into an evidence locker and the key dropped into the Area safe; both officers shall witness this entire procedure. Documentation of the counting procedure should be included in the officer's supplemental report. Money should be packaged in clear plastic, so it can be seen and verified to actually be money at later audits and inventories. Also, money should be packaged separately from other contents typically found in pockets, like keys and lip balm.
- (g) Forest Preserves of Cook County property (FPCC) - Unless connected to a known criminal case, FPCC property should be released directly to the appropriate FPCC department after notification has been made to an on-duty supervisor. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.7 RECORDING OF PROPERTY

The Evidence Custodian receiving custody of evidence or property shall record his/her signature, the date the property was received and where the property will be stored on the property's evidence tag.

802.8 PROPERTY CONTROL

Each time the Evidence Custodian receives property or releases property to another criminal justice person or agency, he/she shall enter this information on the evidence tag and in the **Quicket Data Management Platform**.

802.8.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of custody.

Request for lab analysis for items shall be made via the Case Management System.

802.8.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date on the evidence tag. A corresponding entry will be made in the **Quicket Data Management Platform**.

Any necessary lab forms will be completed as necessary and per procedures in place at the time as per the receiving lab.

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

The Evidence Custodian will ensure that Illinois State Police Sexual Assault Evidence Kits are submitted to an approved laboratory in conformance with the rules set forth in 20 Illinois Administrative Code 1255.10 et seq.

802.8.3 STATUS OF PROPERTY

The temporary release and the subsequent return of property for justified purposes (e.g. investigation, lab, court, etc.) shall be documented on the evidence tags and in the **Quicket Data Management Platform**. Other receipts or forms may be used as needed (e.g. Property Release Form).

802.8.4 AUTHORITY TO RELEASE PROPERTY

The Evidence Custodian or on-duty supervisor working under the authority of the Investigations Unit Commander shall authorize the disposition or release of all evidence. Property coming into the care and custody of the Department shall be released by the authority of an on-duty supervisor.

802.8.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon reasonable and satisfactory proof of ownership or right to possession.

With the exception of firearms and other property specifically regulated by statute (e.g. found money), found property and property held for safekeeping shall be held for a minimum of six months. During such period, department personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within six months after notification (or receipt, if notification is not feasible) may be disposed of. Items of significant value (more than \$100) should be auctioned to the highest bidder at a published public auction. If such property is not sold at auction or otherwise lawfully claimed, the Chief of Police with the approval of the District, may donate property valued at less than \$100 to a registered Illinois charitable organization (see Forest Preserves of Cook County Municipal Code 1-8-2 (O) (6)). It may also be transferred to the government of which the law enforcement agency is a branch. If such property is not sold at auction or otherwise lawfully claimed, it may be offered or sold at a subsequent public auction without notice. The final disposition of all such property shall be fully documented in related reports or other documentation (765 ILCS 1030/3).

Proceeds of the sale of the property at public auction, less reimbursement of the reasonable expenses of custody thereof, shall be deposited in the city/county treasury (765 ILCS 1030/4).

An Evidence Custodian shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the property receipt.

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

802.8.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an Interpleader in court to resolve the disputed claim (735 ILCS 5/2-409).

802.8.7 RELEASE OF FIREARMS

Any firearm held for safekeeping shall be returned to the person from whom it was obtained or to the lawful owner upon presentation of a valid Illinois Firearm Owners Identification card (FOID) or concealed carry license, provided he/she is lawfully entitled to possess the firearm. Firearms seized as evidence shall only be returned when approved by the Investigations Unit Commander and the State's Attorney's Office or as otherwise ordered by the court. Seized firearms shall only be released to the lawful owner and only upon presentation of a valid FOID or concealed carry license, provided he/she is lawfully entitled to possess the firearm.

If the firearm or other weapon has not been retained as evidence, the Department is not required to retain the firearm any longer than 180 days after notice has been provided to the owner that it is available for return. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

802.8.8 DOMESTIC VIOLENCE AND CONCEALED CARRY MATTERS

Any weapon seized in a domestic violence or concealed carry investigation shall be returned to the person from whom it was seized when it is no longer needed for evidentiary purposes, unless the court orders otherwise or the weapon was reported stolen. Weapons not returned shall be disposed of as provided in 720 ILCS 5/24-6 (750 ILCS 60/304(c)).

802.8.9 RELEASE OF FIREARMS IN MENTAL HEALTH COMMITMENT MATTERS

The Department shall maintain possession of any firearm received from a mental hospital that admitted a patient pursuant to any of the provisions of the Mental Health and Developmental Disabilities Code for a minimum of 90 days. After that time, the firearm may be disposed of pursuant to 720 ILCS 5/24-6(b).

802.8.10 OTHER MATTERS

A weapon seized and confiscated pursuant to court order under 720 ILCS 5/24-6 shall be retained for at least 90 days. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

802.9 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws and current practices.

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

Rules for disposing of property seized as evidence are as follows:

- If the offender is found guilty, disposal is permitted 30 days after the finding and no appeal is filed. Consultation with the State's Attorney's Office records or personnel should be done prior to disposal
- If there is a court order pursuant to a legal action as to the disposition of the property, then the Evidence Custodian shall follow the court order. Once the case is completed, the evidence, unless it is contraband, may be returned to the owners. If the owner is unknown, it will be disposed of as unclaimed property.
- Illinois law allows police departments to photograph and release items of evidence prior to trial under certain circumstances. and with direction from the State's Attorney's Office.
- Alcoholic beverages and food items will be disposed of appropriately and not required to adhere to the six month waiting period.
- Firearms and other dangerous weapons will be destroyed by either a melting or cutting process until they are made unusable.
- Drugs will be incinerated. At least two persons shall witness the incineration of drugs and sign a release form.
- All other property shall be disposed of by whatever method is appropriate, which may mean simply placing into the garbage or being destroyed before placement into the garbage.

802.9.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Disposition of stolen weapons or upon conviction after a minimum of 90 days (720 ILCS 5/24-6)
- Weapons confiscated for being abandoned, illegally possessed or upon final court disposition may be transferred to the Department of State Police if no legitimate claim is made within 6 months (765 ILCS 1030/2(b))
- Weapons declared by a court for safekeeping, not to exceed one year (725 ILCS 165/2)
- Confiscated property or evidence obtained for violation of the Wildlife Code (520 ILCS 5/1.25)
- Confiscated property or evidence obtained for violation of the Fish and Aquatic Life Code (515 ILCS 5/1-215)
- Gambling devices (720 ILCS 5/28-5)
- Obscene matter ordered to be destroyed by the court (720 ILCS 5/11-20(g)(6))
- Vehicles, vessels, aircraft or component parts (625 ILCS 5/4-107)

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

- Narcotics/Drug seizure and forfeiture (720 ILCS 646/85; 720 ILCS 570/505; 720 ILCS 550/12; 210 ILCS 150/18)
- Drug paraphernalia (720 ILCS 600/5)
- Property seized for money laundering (720 ILCS 5/29B-1)
- Abandoned, lost, stolen or unclaimed property (765 ILCS 1030/1; 765 ILCS 1030/2; 765 ILCS 1025/17; 765 ILCS 1025/8.1)
- Preservation of evidence for forensic testing (725 ILCS 5/116-4)
- Counterfeiting equipment
- Destructive devices

802.9.2 UNCLAIMED MONEY

Money found or seized under circumstances supporting a reasonable belief that such property was abandoned, lost or stolen or otherwise illegally possessed that remains in the Department's possession for over 6 months may be deposited in the treasury of the County of Forest Preserves of Cook County Police Department. The Department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession, prior to the conversion of money to the County (765 ILCS 1030/0.01 et seq.).

802.9.3 DISPOSITION OF COURT SEIZED PROPERTY

Evidence seized upon service of a search warrant or other court order shall be retained until final disposition of the investigation or upon further directions of the court.

802.9.4 UNUSED MEDICATIONS

Unused prescription medications of a deceased individual collected at the scene of a death investigation should be disposed of in compliance with 210 ILCS 150/17 or other state- or federally-approved drug disposal program (210 ILCS 150/18).

If an autopsy is performed as part of the death investigation, no medication shall be disposed of until after receipt of the toxicology report (210 ILCS 150/18(h)).

802.10 DISPOSITION OF BIOLOGICAL EVIDENCE

The Evidence Custodian shall preserve, subject to a continuous chain of custody, any physical evidence in his/her possession or control that is reasonably likely to contain forensic evidence, including biological material secured in relation to a trial, and with sufficient documentation to locate that evidence (725 ILCS 5/116-4(a)).

802.10.1 RETENTION PERIODS

Biological evidence shall be retained for the following periods (725 ILCS 5/116-4):

- (a) Permanently if a death sentence is imposed
- (b) Until the completion of the sentence for a homicide offense as set forth in 720 ILCS 5/9

Forest Preserves of Cook County Police Department

Policy

Policy

Property and Evidence

- (c) Until the completion of the sentence, including any period of supervised release, for any conviction for an offense set forth in:
 - 1. 720 ILCS 5/11-1.20 (Criminal Sexual Assault)
 - 2. 720 ILCS 5/11-1.30 (Aggravated Criminal Sexual Assault)
 - 3. 720 ILCS 5/11-1.40 (Predatory Criminal Sexual Assault of a Child)
 - 4. 720 ILCS 5/11-1.50 (Criminal Sexual Abuse)
 - 5. 720 ILCS 5/11-1.60 (Aggravated Criminal Sexual Abuse)
- (d) Seven years following any conviction for any felony for which the defendant's genetic profile may be taken and submitted for comparison in a forensic DNA database (725 ILCS 5/116-4(b)).
- (e) All other biological evidence shall be retained for the minimum period established by law, the minimum period established by the Evidence Room supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater.

802.10.2 REQUEST FOR DESTRUCTION OF EVIDENCE PRIOR TO END OF RETENTION PERIOD

After a judgment of conviction is entered but prior to the end of the statutory retention period, the Department may petition the court to allow destruction of evidence when the evidence:

- (a) Has no significant value for forensic analysis and should be returned to its rightful owner.
- (b) Has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the Department and cannot practically be retained.
- (c) Is no longer needed because of the death of the defendant (does not apply if a sentence of death was imposed).
- (d) The court allows the defendant the opportunity to take reasonable measures to remove or preserve portions of the evidence for future testing (725 ILCS 5/116-4(c)).

The Department shall give notice of any such petition to the defendant or his/her estate and the defendant's attorney of record.

No evidence shall be disposed of until 30 days after the entry of a court order granting the petition and until the time period for any appeal has lapsed, or any appeal has concluded, whichever is longer.

802.11 INSPECTIONS OF THE EVIDENCE ROOM

- (a) Annually, the supervisor of the Evidence Custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Audits of evidence held by the Department shall be conducted biennially by a Commander as designated by the Chief of Police.

Animal Control

805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

805.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state, and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

805.3 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner shall be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued if appropriate. If a dog is taken into custody, it shall be transported to the appropriate facility.

Sworn members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

805.4 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced including but not limited to cruel treatment of animals, aggravated cruelty to animals, animal torture, animal fighting, and animals confined in vehicles (510 ILCS 70/3.01; 510 ILCS 70/3.02; 510 ILCS 70/3.03; 510 ILCS 70/4.01; 720 ILCS 5/48-1; 510 ILCS 70/7.1):

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Sworn members may enter during normal business hours on a premise where the animal is housed or kept for the purpose of conducting an investigation except such entry shall not be made into a person's residence without a search warrant or court order (510 ILCS 70/10).
- (d) Sworn members who lawfully seize an animal shall comply with impound and notice requirements (510 ILCS 70/3.04; 510 ILCS 70/4.02).

805.5 ANIMAL BITE REPORTS

Sworn members investigating an animal bite shall obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Sworn members should attempt to identify and notify the owner of the final disposition of the animal.

Forest Preserves of Cook County Police Department

Policy

Policy

Animal Control

805.6 SWORN MEMBERS RESPONSIBILITIES

Sworn members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Sworn members shall consider the following :

- (a) There is a threat to the public safety.
- (b) An animal has bitten someone. Sworn members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the sworn member should find appropriate placement for the animal.
- (f) This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
- (g) With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
- (h) If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

805.7 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Sworn members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

805.8 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a on-duty supervisor. The on-duty supervisor shall respond to the scene where the animal was euthanized. The on-duty supervisor shall inspect the scene and confirm the number of rounds fired.

805.9 DECEASED ANIMALS

When a sworn member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on the Forest Preserve District property shall be removed by Landscape Maintenance. Deceased animals on the perimeter of the Forest Preserve District property and near county roads shall be removed by Cook County Department of Transportation and Highways (CCDOTH).

Sworn members should not climb onto or under any privately owned structure for the purpose of removing a deceased animals.

Forest Preserves of Cook County Police Department

Policy

Policy

Animal Control

805.10 INJURED ANIMALS

When a sworn member becomes aware of an injured domesticated animal, all reasonable attempts shall be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal shall be taken to a designated animal care facility.

805.10.1 INJURED WILDLIFE

- (a) Injured wildlife should be referred to one of several locations as applicable and depending upon available resources and type of animal:
 - 1. A local Rehabilitator, preserve or wildlife care center
 - 2. A shelter by the Anti-Cruelty Society, Illinois Society for the Prevention of Cruelty to Animals (SPCA), or the Illinois Department of Natural Resources
- (b) Injured wildlife may be briefly held and transported to wildlife Rehabilitators licensed by the State of Illinois. In addition, migratory birds may be taken only to Rehabilitators who are in possession of appropriate Federal permits issued by the United States Fish and Wildlife Service (USFWS).
- (c) The driver involved in a deer accident may take possession of the dead animal. If the driver does not want the deer, any Illinois resident may claim it (17 Ill. Adm. Code 750.10).

805.11 ANIMAL CONTROL RESPONSIBILITIES

Cook County Animal Control services may be requested to assist with the following:

- (a) Animal-related matters during periods when Cook County Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up assistance on animal-related calls, such as locating owners of injured animals, animal capture, dangerous dogs investigations, etc.

Protected Information

806.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Forest Preserves of Cook County Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

806.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Forest Preserves of Cook County Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state, or local law enforcement databases that is not accessible to the public.

806.2 POLICY

Members of the Forest Preserves of Cook County Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

806.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to (20 Ill. Adm. Code 1240.90):

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Illinois Secretary of State records and the Illinois Law Enforcement Agencies Data Systems (LEADS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

Forest Preserves of Cook County Police Department

Policy

Policy

Protected Information

- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

806.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Forest Preserves of Cook County Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (20 Ill. Adm. Code 1240.50).

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (20 ILCS 2630/7; 20 Ill. Adm. Code 1240.50).

806.4.1 PENALTIES FOR NON-COMPLIANCE OR MISUSE OF RECORDS

The Department of State Police may suspend all or any portion of LEADS service without prior notification as the result of an agency's non-compliance with laws, rules, regulations, or procedures. The Director of State Police may suspend all or part of LEADS service for agency for violations of LEADS laws, rules regulations, or procedures (20 Ill. Adm. Code 1240.110).

It is a Class A misdemeanor to furnish, buy, receive, or possess LEADS information without authorization by a court, statute, or case law (20 ILCS 2630/7).

806.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (20 Ill. Adm. Code 1240.50; 20 Ill. Adm. Code 1240.80).

A member who is asked to release protected information that should not be released shall refer the requesting person to the Records Section for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

Forest Preserves of Cook County Police Department

Policy

Policy

Protected Information

806.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems (20 Ill. Adm. Code 1240.50).
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

806.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it (20 Ill. Adm. Code 1240.80). This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal) (20 Ill. Adm. Code 1240.50).

806.6.2 MAINTENANCE AND TECHNICAL SERVICES

The personnel security requirement for a LEADS agency requires conformance with 20 Ill. Adm. Code 1240.50. No person may provide maintenance or technical services at or near LEADS equipment unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have their authority to provide maintenance or technical services at or near LEADS equipment denied if they are charged with a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction (20 Ill. Adm. Code 1240.50(3)).

806.6.3 PROTECTION OF LEADS DATA

LEADS data shall not be included on the violator's copy of any citation that is not delivered by hand to the violator. This specifically includes citation copies left on an unattended vehicle, a building or any other place where the violator is not present to receive the citation. LEADS data will continue to be included on other copies of the citation that are kept by the employee and/or the Department (18 USC § 2721 through 18 USC § 2725).

806.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

Chapter 9 - Custody

Temporary Custody of Adults

900.1 POLICY

The Forest Preserves of Cook County Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody by the Department. Adults shall be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.2 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Forest Preserves of Cook County Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults who are in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.2.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody by the Forest Preserves of Cook County Police Department prior to being released or transported to a housing or other type of facility.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than 48 hours except when detention occurs at the beginning of a weekend or holiday (20 Ill. Adm. Code 720.30).

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to a medical facility.

The officer should immediately notify the on-duty supervisor of any conditions that may warrant immediate medical attention or other appropriate action.

900.5 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody by the Forest Preserves of Cook County Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk.
 - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until the individual is transported by EMS, to a medical facility for evaluation and or release or transfer to an appropriate facility.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.
- (j) Any individual with a known history of a mental disorder or mental defect, or who shows evidence of such condition (20 Ill. Adm. Code 720.30).
 - 1. If the officer taking custody of an individual believes that he/she may have such a history or condition, the officer shall ensure continuous direct supervision until the individual is transported by EMS to a medical facility for evaluation and or release or a transfer to an appropriate facility.

Officers taking custody of a person who exhibits any of the above conditions, shall immediately notify a supervisor of the situation. These individuals should not be in temporary custody by the

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.6 SUPERVISION IN TEMPORARY CUSTODY

A Forest Preserves of Cook County Police Officer will adhere to the below listed statute until the individual is transferred to the responsibility of the lockup facility (Cook County Sheriff's or local jurisdiction). An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.60).

At least one female department member should be present when a female adult is in temporary custody and should be available for supervision during periods of personal hygiene such as using the toilet (20 Ill. Adm. Code 720.25). In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.6.1 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the on-duty supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.7 SAFETY, HEALTH AND OTHER PROVISIONS

900.7.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Forest Preserves of Cook County Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks including (20 Ill. Adm. Code 720.60):

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

1. The time of check.
 2. The signature, initials, badge number or any other personal identifier of the responsible person.
 3. Any relevant remarks.
- (e) Any medical and other screening requested and completed.
 - (f) Any emergency situations or unusual incidents.
 - (g) Any other information that may be required by other authorities, such as vehicle information.
 - (h) Date and time of release from the Forest Preserves of Cook County Police Department.

The on-duty supervisor shall ensure that the temporary custody log is completed when the individual is released from custody or transferred to another facility.

The on-duty supervisor responsible for the individual in custody, shall ensure all log entries and safety and security checks are made on time.

900.7.2 VISITORS

Consistent with safety and security, protocol, of the Cook County Sheriff's Police lockup facilities and other agency lockup facilities, visitors should be allowed during normal working and evening hours.

Any open or contact visits must be closely supervised. The visitor and the person in custody shall be searched before and after the visit (20 Ill. Adm. Code 720.70).

A sign notifying visitors that they are subject to search must be conspicuously posted (20 Ill. Adm. Code 720.70).

900.7.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins (20 Ill. Adm. Code 720.50).
- (d) There is reasonable access to a drinking fountain or water (20 Ill. Adm. Code 720.60).
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches.

The on-duty supervisor must be notified by the officer present with the individual in temporary custody, if any of the above requirements are not present, at any lockup facility being utilized by the Forest Preserves of Cook County Police Department.

900.7.3 MEDICAL CARE

First-aid equipment and basic medical supplies shall be available to department members. All department members shall be provided training and maintain current certification in basic first aid and CPR and AED.

Should a person in custody be injured or become ill, appropriate medical assistance shall be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

900.7.2 TELEPHONE CALLS

Every individual in temporary custody shall be allowed to make three telephone calls as soon as possible after arrival and in no event, any later than three hours after arrival (725 ILCS 5/103-3; 20 Ill. Adm. Code 720.20). Telephone calls may be limited to local calls, except that long-distance calls may be made by individuals at the individual's own expense (20 Ill. Adm. Code 720.75).

1. Telephone calls may be limited to local calls, except that long-distance calls may be made by individuals at the individual's own expense (20 Ill. Adm. Code 720.75).
 - (a) The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
 - (b) If the individual in custody is a custodial parent with responsibility for a minor child, the officer should assist the individual in the placement of the child with a relative or other responsible person designated by the individual in custody (725 ILCS 5/107-2).
 - (c) Telephone calls to the individual's attorney of choice and family members should be free of charge (725 ILCS 5/103-3).
2. The individual should be given sufficient time to contact whomever the individual desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

- (a) Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may.
 - (b) Reasonably determine the duration of the calls.
- 3. The individual shall have access to the individual's cell phone to retrieve phone numbers from the phone's contact list prior to the cell phone being placed into inventory (725 ILCS 5/103-3).
- 4. Calls between an individual in temporary custody and the individual's attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded.
- 5. A notice stating telephone calls may be monitored or recorded shall be posted by each telephone from which persons in custody may place calls (20 Ill. Adm. Code 720.75).
- 6. A notice informing persons in custody to their rights regarding telephone calls and, where applicable, providing the telephone contact information for the public defender or court appointed attorney (725 ILCS 5/103-3).
- 7. The three hours requirement shall not apply while the person is asleep, unconscious, or otherwise incapacitated (725 ILCS 5/103-3).

900.7.2 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

900.7.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed (20 Ill. Adm. Code 720.70). They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

900.7.8 ATTORNEYS

A person in custody shall be allowed to consult with a licensed attorney a reasonable number of times and for reasonable periods of time (20 Ill. Adm. Code 720.20(c)).

- (a) Attorneys who need to interview a person in custody should do so inside a secure interview room.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

- (b) Attorneys must produce a current Illinois Bar card as well as other matching appropriate identification.
- (c) Interviews between attorneys and their clients shall not be monitored or recorded.

900.7.9 HYGIENE

Individuals in custody shall be supplied with personal hygiene items as needed (20 Ill. Adm. Code 720.60).

Individuals confined beyond 48 hours shall be permitted to shower or bathe once every 48 hours. Clean towels shall be provided when showering or bathing (20 Ill. Adm. Code 720.60).

900.7.10 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the on-duty supervisor shall be immediately apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.7.11 FOOD SERVICE

Meals will be provided for persons held in excess of six hours as follows (20 Ill. Adm. Code 720.80). As coordinated with the Cook County Sheriff's Police lockup facilities or other agency lockup facilities:

- (a) Three meals per day shall be served in accordance with recognized breakfast, lunch and dinner periods.
- (b) Food must be of sufficient nutritional value and daily minimum calories.
- (c) At least one of the three meals shall be a balanced and complete hot meal if the individual is confined for longer than 24 hours.
- (d) A drink other than water shall be served with each meal.
- (e) Special diets shall be adhered to when prescribed by a physician, clinic or hospital.
- (f) Individuals shall be served in their cells. Eating utensils shall be removed from cells after each meal (20 Ill. Adm. Code 720.70).

900.8 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

- (a) Advise the on-duty supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
- (c) Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
- (d) Ensure males and females are separated by sight and sound (20 Ill. Adm. Code 720.50).
- (e) Ensure restrained individuals are not placed in cells with unrestrained individuals.
- (f) Ensure no more than two individuals are placed in a cell together (20 Ill. Adm. Code 720.50).
- (g) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (h) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.9 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Chief of Police or designee will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation.

Department members assigned to process a foreign national shall immediately notify the on-duty supervisor and ensure the following is followed and adhered to:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

- (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
- 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrestor detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

900.10 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return (20 Ill. Adm. Code 720.25). If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The on-duty supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The on-duty supervisor shall attempt to prove or disprove the claim.

900.11 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY

The Chief of Police or authorized designee will ensure procedures are in place to address any suicide attempt, death, or serious injury of any individual in temporary custody at the Forest Preserves of Cook County Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Evidence preservation.
- (c) Immediate notification of the on-duty supervisor, command staff, and Chief of Police.
- (d) Notification to the Cook County Forest Preserves Police Investigation Unit and Cook County Sheriff's Investigation Unit.
- (e) Notification of the Medical Examiner.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

- (f) Notification of the Cook County State's Attorney's Office, when applicable.
- (g) Notification of the spouse, next of kin, or other appropriate person (see Officer-Involved Shootings and Deaths Policy for additional requirements regarding deaths related to a use of force).

900.12 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell (20 Ill. Adm. Code 720.60).

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody by the Forest Preserves of Cook County Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.12.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy (Policy #302.) which states; "Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by use of leg irons or waist chains.

No persons who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances to prevent escape or injury".

900.13 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

Forest Preserves of Cook County Police Department

Policy

Policy

Temporary Custody of Adults

1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (g) Persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier.

900.13.1 RELEASE OF PERSONS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Arresting officers should make reasonable efforts to contact a responsible adult who is willing to assist a person being released from custody who is under the influence of alcohol or drugs (50 ILCS 705/10.17-5).

900.14 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures. Written documentation of training should be maintained (20 Ill. Adm. Code 720.25).

All members responsible for the temporary custody of adults should receive training that includes, but is not limited to (20 Ill. Adm. Code 720.25; 20 Ill. Adm. Code 720.100(a)(3); 20 Ill. Adm. Code 720.110):

- Security measures such as use of restraints, force and chemical agents.
- Handling special incidents such as assaults, disturbances, fires, natural disasters, evacuation procedures, escapes, communications and crime scene protection.
- Suicide prevention.
- Identification of signs and management of mentally impaired individuals.
- First aid and CPR.
- Department supplemental procedures.
- Illinois Municipal Jail and Lockup Standards.

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Forest Preserves of Cook County Police Department facilities or any lock-up facility used by sworn members of this Department. Such items can pose a serious risk to the safety and security of department members, members of other police departments, individuals in custody, contractors, and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment, or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not available, a witnessing officer shall be present during the search. All available efforts shall be made to obtain the service of an officer of the same sex, as the person being searched. If such accommodation is not available, the efforts made to obtain the service shall be documented in a supplemental report. Coordination with the

Forest Preserves of Cook County Police Department

Policy

Policy

Custodial Searches

on-duty supervisor shall be conducted of all efforts made and that on-duty supervisor shall review the supplemental report which documents the efforts.

901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to any police department or Cook County Sheriff's Police lock-up facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Sworn members shall take care handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as backpacks or large items. These items should be retained for safekeeping in accordance with the Evidence Room Policy.

All property shall be inventoried by objective description. The individual from whom it was taken shall be notified of where their property is being stored and how they may retrieve it.

901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. Additionally, all money shall be placed in a separate envelope or property bag and sealed. Negotiable checks or other instruments and foreign currency shall also be sealed in an envelope or property bag with the amount indicated but not added to the cash total. All envelopes or property bag should clearly indicate the contents on the front. The department member sealing it shall place his/her signature upon the envelope or property bag. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope or property bag always be totaled and written on the outside of the sealed envelope or property bag.

901.5 STRIP SEARCHES

No individual placed in custody by any Forest Preserves of Cook County Police Department officer shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

Forest Preserves of Cook County Police Department

Policy

Policy

Custodial Searches

- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

Inmates who have not been arraigned and remanded by the court to the custody of this department and are being held for a traffic, regulatory or misdemeanor offense that does not involve weapons or a controlled substance, shall only be subject to a modified strip or strip search for weapons or controlled substances (725 ILCS 5/103-1).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches by Forest Preserves of Cook County Police Department officers shall be conducted as follows (28 CFR 115.115; 725 ILCS 5/103-1):

- (a) Written authorization (memo or electronically) from the on-duty Command Staff member shall be obtained prior to the strip search. The Command Staff member shall notify and apprise the Chief of Police or authorized designee, prior to issuing the written authorization.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) A second member of the same sex shall also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare an offense/incident report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.

Forest Preserves of Cook County Police Department

Policy

Policy

Custodial Searches

3. The written authorization for the search, obtained from the on-duty Command Staff member.
 4. The name of the individual who was searched.
 5. The name and sex of the members who conducted the search.
 6. The name, sex, and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, that were recovered.
 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower, performing bodily functions or a change of clothes, a on-duty supervisor shall be contacted to ensure practicable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (725 ILCS 5/103-1):

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Chief of Police or authorized designee and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) A physical body cavity search shall only be conducted by a physician.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented in an offense/incident report which shall include:
 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 2. The reasons less intrusive methods of searching were not used or were insufficient.

Forest Preserves of Cook County Police Department

Policy

Policy

Custodial Searches

3. The on-duty supervisor's approval, per the approval of the Chief of Police or authorized designee
 4. A copy of the search warrant.
 5. The time, date, and location of the search.
 6. The medical personnel present.
 7. The names, sex and roles of any department members present.
 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be provided to the individual who was searched or other authorized representative upon request.

901.7 TRAINING

The Chief or Police or authorized designee shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Chapter 10 - Personnel

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Forest Preserves of Cook County Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Forest Preserves of Cook County Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report alleged misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

1010.3.1 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct by another department member shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

contact with the complainant, shall complete and submit an Investigation Complaint Registration Form (Complaint Form).

1010.5 DOCUMENTATION

Supervisors shall ensure that all complaints are documented on a Complaint Form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries shall also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint, actions taken to address the complaint, and its resolution. On an annual basis, the IAD Supervisor assigned to Internal Affairs Division shall audit the log and send an audit report to the Chief of Police or the authorized designee.

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES

The primary responsibility for the investigation of a personnel complaint shall rest with an assigned supervisor. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take immediate steps to prevent aggravation of the situation, included but not limited to, separating the parties, immediately notify a member of the Command Staff and request an Internal Affairs Investigation be conducted.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that upon receiving or initiating any complaint, a Complaint Form is completed, and Internal Affairs Division file number (IAD number) is obtained.
 - 1. As per who is the subject of the complaint; the information regarding the complaint and original Complaint Form will be directed to the on-duty Sergeant, Area Deputy Commander, Area Commander, Chief of Police or authorized designee. Via the chain of command, the responsibility of the investigation will be assigned and immediate/appropriate action will be taken.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the assigned supervisor will document the resolution on a To-From Memo (memo) and forward the memo and Complaint Form (IAD File) via the chain of command to the appropriate Command Staff member by delivering the IAD File to the Operations Manager whom will then ensure the IAD File is forwarded accordingly.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Chief of Police is immediately notified.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

1. This notification is required when there are allegations of a failure to intervene, unreasonable uses of force, perjury, tampering with evidence, or other categories required under state law. The Chief of Police or the authorized designee should take steps to notify the Illinois Law Enforcement Training and Standards Board (ILETSB). After preliminary review by ILETSB, an investigation should be conducted, if necessary (50 ILCS 705/6.3).
- (e) Immediately notify the Chief of Police or authorized designee, for direction regarding a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.
- (f) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (g) Investigating a complaint as follows:
 1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (h) Ensuring that the procedural rights of the accused member are followed.
- (i) Ensuring interviews of the complainant are conducted during amenable hours of the complainant.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

The following applies to members covered by the Uniform Peace Officers' Disciplinary Act:

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated (50 ILCS 725/3.3).
- (b) Unless waived by the member, interviews of an accused member shall be at the Forest Preserves of Cook County Police Department or other reasonable and appropriate place (50 ILCS 725/3.1).
- (c) The accused member shall be informed in writing of the interviewers and all persons who will be present on behalf of the Department during any interview. The accused member shall inform the Department of any person who will be present on his/her behalf during any interview (50 ILCS 725/3.4).
- (d) No more than two interviewers should ask questions of an accused member.
- (e) Prior to any interview, a member should be informed in writing of the nature of the investigation (50 ILCS 725/3.2).
- (f) All interviews should be for a reasonable period and the member's personal needs should be accommodated (50 ILCS 725/3.5).
- (g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers (50 ILCS 725/3.6).

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

- (h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement and after the investigator has consulted with the prosecuting agency. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (i) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview (50 ILCS 725/3.7).
- (j) No member shall be interviewed without first being advised in writing that admissions made in the course of the interview may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge. In addition, no member shall be interviewed without first being advised in writing that he/she has the right to counsel of his/her choosing, and that counsel may be present to advise him/her at any stage of any interview (50 ILCS 725/3.8).
- (k) All members subjected to interviews that could result in discipline have the right to have representation by counsel of the member's choosing and may request counsel at any time before or during an interview. When a request for counsel is made, the interview shall not proceed until a reasonable time and opportunity are provided to the member to obtain counsel. If a collective bargaining agreement requires the presence of a representative of the collective bargaining unit during investigations, the representative shall be present during the interview, unless this requirement is waived by the member being interviewed (50 ILCS 725/3.9). However, in order to maintain the integrity of each employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (l) All members shall provide complete and truthful responses to questions posed during interviews.
- (m) No member may be compelled to submit to a polygraph test, or any other test questioning by means of any chemical substance, except with the member's express written consent. Refusal to submit to such tests shall not result in any disciplinary action nor shall such refusal be made part of his/her record (50 ILCS 725/3.11).
- (n) These provisions do not apply to any member charged with violating any provisions of the Criminal Code of 2012, or any other federal, state, or local criminal law (50 ILCS 725/5).

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Complaint Form - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A recommended finding shall be provided.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within 30 days from the date of assignment. Supervisors assigned to investigations that exceed 30 days to complete, shall document the reason(s) in a memo that will become a part of the IAD file.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with monthly updates on the status of the investigation, as appropriate.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and department vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons/devices and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, and assignment.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police shall request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Forest Preserves of Cook County Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an IAD File (file) shall be forwarded to the Chief of Police through the chain of command. Each level of command shall review the file and include his/her opinion in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

1010.10.1 IAD SUPERVISOR

Upon receipt of any completed personnel investigation, the Command Staff Member Assigned to the Internal Affairs Division (IAD Supervisor) of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The IAD Supervisor may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the IAD Supervisor may return the entire investigation to the assigned supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the IAD Supervisor shall include all relevant materials supporting the recommendation.

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the IAD Supervisor for further investigation or action.

Once the Chief of Police is satisfied that no further investigation is required, and all necessary interrogations and hearings have been conducted, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with notice which will include:

A timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a Results Letter, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal pursuant to the personnel rules and applicable guidelines; pursuant to the collective bargaining agreement.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Complaints

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy.

Any probationary period may be extended at the discretion of the Chief of Police.

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with Safe-T-Act, Local Records Act - Police Misconduct Records 50 ILCS 205/25.

1010.16 MANDATORY NOTIFICATION TO THE ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

The Chief of Police or the authorized designee shall notify the ILETSB of any final determination of discipline in the following circumstances (50 ILCS 705/6.2):

- (a) The officer is discharged or dismissed as a result of the violation.
- (b) The officer resigns during the course of an investigation and after being served notice that he/she is under investigation that is based on the commission of a Class 2 or greater felony.

The notification shall occur within 30 days of a final decision and exhaustion of any appeal, or resignation, and shall provide information regarding the nature of the violation.

Seat Belts

1011.1 PURPOSE AND SCOPE

It is the policy of the Forest Preserves of Cook County Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle crash.

1011.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only when wearing a seat belt would endanger the department member or the public. Members must document the deviation from this requirement in an Offense Incident report.

1011.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with 625 ILCS 25/4.

In the event no alternatives are available to transport a child, the member shall notify the on-duty supervisor. The on-duty supervisor shall determine the appropriate means of transportation.

If a child must be transported in a department vehicle, the child shall be transported in an approved child restraint system that is properly installed in the rear seat of the vehicle. All efforts shall be taken to ensure the safety of the child. The member shall utilize their emergency police lights, hazard lights, and drive no greater than the posted speed limit. The on-duty supervisor shall approve the location to where the child shall be transported.

Only in circumstances necessary for immediate safety and with approval of the on-duty supervisor shall a member transport a child in a department vehicle without using the appropriate child restraint system.

1011.5 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

Forest Preserves of Cook County Police Department

Policy

Policy

Seat Belts

1011.6 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

1011.7 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the on-duty supervisor. Prompt action will be taken to replace or repair the system.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Forest Preserves of Cook County Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

The Law Enforcement Operations Manager shall ensure that body armor is issued to all officers when the officer begins service at the Forest Preserves of Cook County Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice (50 ILCS 712/10).

The Law Enforcement Operations Manager shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to this schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR

The use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1012.3.2 INSPECTIONS OF BODY ARMOR

All sworn members should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Regular inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

Forest Preserves of Cook County Police Department

Policy

Policy

Body Armor

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.3.4 WARRANTY PERIODS

All body armor shall be replaced before or at the expiration of the warranty at the Department's expense (50 ILCS 712/10).

1012.4 BODY ARMOR COVER / CARRIER

Department authorized for soft body armor ballistic panels may either be worn:

- (a) Under the uniform shirt in the carrier issued by the manufacturer, or
- (b) Over the uniform shirt in a ballistic panel carrier approved by the Department.

Department members who opt to wear their Department-issued soft body armor in an "overshirt carrier" will be required to use/purchase a carrier which conforms with the below listed specifications:

- (a) Black overshirt carrier.
- (b) Constructed of cordura nylon - or black polyester outer shell with 100% polyester lining.
- (c) Shoulder epaulets.
- (d) Two top pockets with flaps or slit openings.
- (e) FPCC Police star embroidered above the left breast pocket, displaying the star number.
- (f) Officer's name (first initial and last name) embroidered above the right breast pocket. (Gold lettering for Sergeants and above, and Silver lettering for Officers).
- (g) POLICE - embroidered on the back panel approximately 6" below top seam, 2.89 inches in height and 9 inches long. (Gold lettering for Sergeants and above, and silver lettering for Officers).

Forest Preserves of Cook County Police Department

Policy

Policy

Body Armor

- (h) Bottom pockets or full Molle webbing across entire front panel. Molle webbing shall allow for the attachment of MOLLE-compatible pouches.
- (i) Full detachable Velcro fasteners with elastic bands for maximum comfort and adjustment.

External vest carriers are NOT authorized for wear with Class "A" Uniform.

1012.5 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

1012.6 FUNDING

The Rangemaster should coordinate with other Forest Preserves of Cook County Police Department officials as appropriate to ensure grant funding is sought as appropriate (50 ILCS 712/10). The Rangemaster should also ensure that Department procedures are not in conflict with the terms of any applicable grant.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1013.1 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Illinois (5 ILCS 140/7).

1013.4 DEPARTMENT FILE

The department file shall be maintained by the Law Enforcement Operations Manager and overseen by Deputy Chief of Administration. The department file should contain, at a minimum:

- (a) Personnel data, including residence address, telephone contact, demographics, spouse name, number of children, blood type, emergency contact, vehicle information, operators license information, and service weapon information. Personnel data form shall be completed biannually (submitted no later than June 30th and December 31st) to the Law Enforcement Operations Manager.
- (b) A photograph of the member should be permanently retained.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Any To-From memos or department forms in reference to any members performance may be retained in the department file after the member has had the opportunity to read and initial the document.
 - (a) Once a member has had an opportunity to read and initial the document, the member shall be given the opportunity to respond in writing.
 - (b) Any member response shall be attached to and retained with the original document (820 ILCS 40/6).
 - (c) If a member refuses to initial or sign the document, at least one supervisor should note the date and time of such refusal on the original document. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the document into the member's file.
- (g) Commendations, letters of recognition, awards, and complimentary praise notes/ comments (in any form- i.e. emails, cards, etc.).
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Records

1013.1 TRAINING FILE

An individual training file shall be maintained by the Law Enforcement Operations Manager and overseen by Deputy Chief of Administration for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The member is responsible for providing the completed training/education to the on-duty supervisor who will forward the record to the Law Enforcement Operations Manager in a timely manner.
- (b) The Law Enforcement Operations Manager shall ensure that copies of such training records are placed in the member's training file.

1013.7 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the General Superintendent, Chief Attorney or other attorneys or representatives of the County in connection with official business.

1013.7.1 REQUESTS FOR DISCLOSURE

Any received requests for a personnel record shall promptly be forwarded to Law Enforcement Operations Manager, FOIA Officer, or Human Resources who are responsible for the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1013.7.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Records

1013.8 MEDICAL FILE

A medical file shall be maintained by Human Resources separately from all other personnel records and shall contain all documents relating to the member's medical condition and history.

The department will maintain letters related to the Family and Medical Leave Act (FMLA) and Workers Compensation status.

1013.9 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the First Deputy Chief of Operations in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the First Deputy Chief of Operations.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

1013.13 MEMBER ACCESS TO THEIR OWN PERSONNEL RECORDS

Any member may request access to their own personnel records during the normal business hours of those responsible for maintaining such files twice in a calendar year or as otherwise provided in a collective bargaining agreement. The Department will grant the inspection within seven working days (820 ILCS 40/2).

Any member seeking the removal or correction of any item from their personnel records shall file a written request to the Chief of Police through the chain of command. The Department may remove or correct any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record as long as the contested item is a part of the file (820 ILCS 40/6).

Members may obtain a copy of the information or part of the information contained in their file (820 ILCS 40/3).

A member who is involved in a current grievance against the Department may designate in writing a representative of the member's union or collective bargaining unit or other representative to inspect the member's personnel record which may have a bearing on the resolution of the grievance (820 ILCS 40/5).

Members may be restricted from accessing files containing any of the following information (820 ILCS 40/10):

Forest Preserves of Cook County Police Department

Policy

Policy

Personnel Records

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1013.14 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) Records related to complaints, investigations, and adjudications of police misconduct shall be permanently retained and may not be destroyed (50 ILCS 205/25).

1013.14.1 SPECIFIC RETENTION REQUIREMENTS

Unless provided otherwise in this policy, the following records shall be maintained (56 Ill. Adm. Code 320.140):

- (a) Member payroll records, including name, address, occupation, wages, records of wages and other forms of compensation, dates of hire, promotion and dates of pay increases shall be maintained for a minimum of five years.
- (b) Personnel records, including qualifications for hire, records of promotion, transfer, discipline, certifications, evaluations, written job offers and any available explanations of member compensation shall be maintained for a minimum of five years.

Meal Periods, Breaks, Restricted Leave

1017.1 PURPOSE AND SCOPE

This policy regarding meals and breaks is superseded by the affected employee's collective bargaining agreement. If not covered in the employee's collective bargaining agreement, this policy shall conform to and be guided by the policy governing all employees that has been established by the General Superintendent (820 ILCS 140/3).

1017.1.1 MEAL PERIODS

All employees will be granted a 30 minute meal period once each watch. Meal periods will only be taken when no emergency exists that would require the service of the sworn member. Sworn members shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by an on-duty supervisor.

All employees will receive an appropriate meal period not more than five hours from the start of the work period absent emergency situations (820 ILCS 140/3). When sworn members take their meal period away from their vehicles, they shall do so only with the knowledge and approval of the on-duty supervisor.

The time spent for the meal period shall not exceed the authorized time allowed.

1017.2 RESTRICTED LEAVE

Employees upon request may use up to one hour of paid leave or more if authorized by the collective bargaining agreement to donate blood every 56 days (820 ILCS 149/10).

Employees with the approval of an on-duty supervisor are entitled to take up to two hours of paid leave to vote (10 ILCS 5/17-15).

Lactation Break Policy

1018.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for reasonable accommodations for members desiring to express breast milk for the member's infant child as outlined in the Nursing Mothers in the Workplace Act (820 ILCS 260/10; 29 USC § 207).

1018.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for an infant nursing child up to one year after the child's birth (820 ILCS 260/10; 29 USC § 207).

1018.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Members desiring to take a lactation break shall notify the on-duty supervisor prior to taking such a break and such breaks may be reasonably delayed if they would unduly disrupt department operations (820 ILCS 260/10; 775 ILCS 5/2-102).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall (820 ILCS 260/15). The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Members occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

1018.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the member ends their shift.

Personal Appearance Standards

1023.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1023.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1023.2.1 HAIR

Hairstyles of all members shall be neat in appearance. Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Religious Accommodation - The religious beliefs should be reasonably accommodated. Requests for religious accommodation shall be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police or authorized designee shall ensure all requests for religious accommodation are reviewed and submitted to Human Resources.

HB 20-1048 (CROWN Act) provides for certain protected hair styles and should be reviewed before approaching a member regarding any hair style or appearance.

1023.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.4 FACIAL HAIR

All facial hair must be kept clean, neatly trimmed, and present a conservative, professional appearance. Facial hair that presents any sort of unrefined appearance (i.e. designs or patterns) are prohibited. Braids, beads, and tie-ins are not authorized. Beard coloring, if used, shall appear natural. The neck shall be clean shaven. Facial hair shall not interfere with the proper fit of any personal protection equipment. If there is interference, the member shall be required to trim the facial hair for a proper fit.

Forest Preserves of Cook County Police Department

Policy

Policy

Personal Appearance Standards

1023.2.5 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1023.2.6 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small and worn only in or on the earlobe.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1023.3 TATTOOS

While on-duty or representing the Forest Preserves of Cook County Police Department in any official capacity, members shall conceal any offensive tattoos or body art. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

1023.4 BODY PIERCING

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or bifurcation.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth.
- (d) Branding or scarification.

Departmental Stars

1027.1 PURPOSE AND SCOPE

The Forest Preserves of Cook County Police Department stars, shields, identification cards, and uniform patch as well as the likeness of these items and the name of the Forest Preserves of Cook County Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1027.2 POLICY

The departmental stars shall be issued to all sworn members as a symbol of authority and the use and display of departmental stars shall be in strict compliance with this policy. Only authorized stars issued by this department shall be carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

- (a) Should the star become lost, damaged, or otherwise removed from the officer's control, they shall immediately notify the on-duty supervisor. The on-duty supervisor shall make notification to the Chief of Police through the chain of command.
- (b) A written Offense/Incident Report shall be completed prior to the end of the officer's shift.

1027.2.2 CIVILIAN PERSONNEL

Departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee.

- (a) Non-sworn personnel shall not display any departmental identification except as a part of their uniform and while on duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any departmental identification or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1027.2.3 RETIREE STARS

Only upon honorable retirement employees shall be issued a retired identification card and star.

1027.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no stars designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department stars are issued to all sworn employees for official use only. The department stars, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

Forest Preserves of Cook County Police Department

Policy

Policy

Departmental Stars

The use of the stars, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan their department stars or identification card to others and shall not permit the stars or identification card to be reproduced or duplicated.

1027.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department stars shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the department star for merchandise and official association business provided they are used in a clear representation of the association and not the Forest Preserves of Cook County Police Department. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the department star for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

Chapter 11 - Procedures

Portable Audio/Video Recorders Procedure

1100.1 PURPOSE AND SCOPE

This procedure provides guidelines on authorized body-worn cameras (a specific type of portable audio/video recorder). This procedure applies to sworn members whose assignments involve body-worn cameras. It is specific to those body-worn cameras authorized for official use by the Forest Preserves of Cook County Police Department.

1100.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10).

The following definitions apply to this procedure and are specific to the body-worn camera models authorized by the Forest Preserves of Cook County Police Department:

Buffering mode - A body-worn camera is in buffering mode when it is powered on but not permanently storing recorded audio and video (see event mode). In buffering mode, a form of pre-event recording, the body-worn camera buffers 30 seconds of video only (no audio) before the operator activates event mode. The body-worn camera must be powered on in order for buffering mode to work.

Event mode - A body-worn camera is in event mode when actively recording and storing both audio and video. When a body-worn camera is put into event mode, the previous 30 seconds of video without audio are saved (see buffering mode), and continuous audio and video recording begin. Event mode must be manually started and manually ended.

GPS location reporting - While recording, a body-worn camera sends location updates based on a global positioning sensor in the camera. Location updates are sent every few seconds and stop once the body-worn camera stops recording. The body-worn camera must be powered on and in event mode in order for GPS location reporting to work.

Real-time alert - All body-worn cameras are equipped with an alert sensor. When a member discharges a firearm, the body-worn camera can activate, begin recording, and send an alert in real-time. The body-worn camera must be powered on in order for real-time alert to work.

Signal mode - All body-worn cameras are equipped with Axon Signal® technology that allows the body-worn cameras to transition from buffering to event mode automatically when a nearby AXON Taser 7® is armed. The body-worn camera must be powered on in order for signal mode to work.

MAV – Mobile Audio Video / in-car camera (50 ILCS 706/10-20 (a)(3)(B)).

Powered On - the Powered-On position is achieved by means of pressing the Power button located on the upper right portion of the body-worn camera. This position will enable the body-worn camera to then be placed in Buffering mode.

Powered Off – the Powered Off position is achieved by means of pressing the Power button located on the top right portion of the body-worn camera. This position renders the body-worn camera incapable of continuing in the Buffering mode.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

Activated – the body-worn camera is Activated by means of double-pressing the round Event button, located on the front of the body-worn camera. The body-worn camera is also Activated by means of the AXON Signal and AXON Taser 7 technology (see Definitions – Signal mode).

De-Activated – the body worn camera is De-Activated by means of pressing the round Event button located on the front of the body-worn camera. The Event button shall be held down for a period of 3 seconds until the body-worn camera alerts the user, that it has De-Activated. This process will return the body-worn camera into Buffering mode.

1100.2 GENERAL GUIDELINES

Sworn Members should familiarize themselves with the Portable Audio/Video Recorders Policy before referring to this procedure; the policy contains important directives and requirements relevant to body-worn camera legal mandates.

The body-worn camera model used by the Forest Preserves of Cook County Police Department is a single-unit device with an internal battery, internal non-removable storage, signal mode, GPS location reporting, and real-time alerts (e.g., AXON Taser). The device is designed to be worn in a holster clipped to the operator's upper torso. The device records both audio and video in compliance with applicable law (including 50 ILCS 706/10-20(a)(1); 50 ILCS 706/10-20(a)(2)).

Sworn members whose duties involve body-worn cameras will be provided training in their use, and shall become familiar with their operation (e.g., buttons and indicator lights) and features (e.g., battery and recording capacities).

Sworn members will use body-worn cameras in accordance with this procedure and the Portable Audio/Video Recorders Policy to ensure compliance with the Illinois Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706 et seq.) and the guidelines of the Illinois Law Enforcement Training and Standards Board (ILETSB).

1100.2.1 PRIVACY EXPECTATIONS

Sworn members have no expectation of privacy or ownership interest in the content of the recordings made with department-issued body-worn cameras.

1100.2.2 ASSIGNMENT OF BODY-WORN CAMERAS

Body-worn cameras shall be assigned to an individual sworn member.

Temporary assignments and replacements for body-worn cameras that have malfunctioned or become inoperable during an assigned sworn member's work shift will be authorized by the on-duty supervisor.

1100.2.3 RECORDING GUIDELINES

Refer to the Portable Audio/Video Recorders Policy, subsection entitled Activation of The Portable Recorder, for guidance on when a body-worn camera needs to be activated.

Sworn members are permitted to record individuals:

- (a) Who are on the public way or in public view when the sworn member is:

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

1. In uniform of the day (e.g., detective or covert dress);
 2. Responding to calls for service; or
 3. Engaged in any law enforcement-related encounters or activities that occur while the member is on-duty or acting in an official capacity.
- (b) During enforcement-related encounters or activities, as defined in the Portable Audio/Video Recorders Policy.
- (c) In private residences or other places where a reasonable expectation of privacy exists and there is a lawful reason for the presence of law enforcement. In addition:
1. Sworn members shall provide notice of recording to any person who has a reasonable expectation of privacy (e.g., "The police camera is recording audio and video.").
 2. The notice must be evident in the recording.
 3. If exigent circumstances exist that prevent the sworn member from providing notice, notice must be provided as soon as practicable.

When recording an incident with a body-worn camera, a sworn member should record the entire incident until its conclusion.

A sworn member who creates a body-worn camera recording while in a field assignment should have a case report number associated with each recording.

1100.2.4 PROHIBITED RECORDINGS

Refer to the Portable Audio/Video Recorders Policy, subsections entitled:

- Activation of The Portable Recorder
- Cessation of Recording
- Surreptitious Use of The Portable Recorder
- Explosive Device
- Prohibited Use of Portable Recorders

In addition, specific examples of when body-worn camera recording is prohibited are as follows:

- (a) In locations where a reasonable expectation of privacy exists, such as dressing rooms or restrooms, unless required for capturing evidence.
- (b) During exposures of private body parts when such exposures are not relevant or necessary to capture evidence for law enforcement purposes.
- (c) During personal activities of the sworn member or those of other members during routine activities not related to law enforcement (e.g., member using the restroom).
- (d) Inside medical facilities, except when a situation arises that the member believes to serve a proper law enforcement purpose. Members will be aware of patient privacy rights when in a hospital setting (e.g., give notice of recording, and if applicable, turn the camera away from medical procedures being performed).

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

- (e) When an involved sworn member is making a public safety statement following an officer-involved shooting.
- (f) When performing death notifications.
- (g) When the recording would conflict with other legal mandates or restrictions involving confidentiality and video/audio recording (e.g., during court attendance/preparation/testimony, during an electronically recorded homicide interrogation, while a victim sensitive interview is being recorded by a Child Advocacy Center, while a lineup is being recorded by a dedicated device).

When a sworn member ceases recording an event due to a prohibited condition, he/she will follow the appropriate procedure below in the subsection entitled "Ceasing A Recording".

1100.3 PROCEDURES

1100.3.1 REPORTING PROCEDURES

Computer-Aided Dispatch (CAD) considerations - The reporting member should report any associated case report numbers to the Cook County Dispatch. In addition, each responding member must report to the Communications Center that he/she had responded to the call.

Reporting considerations - When a body-worn camera recording of an incident has been made, the reporting sworn member shall disclose it in the appropriate report (50 ILCS 706/10-20(a)(2)).

Per HB3653 – Criminal Justice Reform Omnibus; the recording made, may not be viewed by the recording officer, prior to completing an appropriate report.

If the recording made or reviewed relates solely to a traffic or ordinance citation, the issuing sworn member shall record the disclosures described above on the department's copy of the citation (e.g., by writing them on the back). When more than one citation is issued to a single subject at once, disclosures only need to be recorded on the first citation.

Evidence.com considerations - Reporting sworn members shall check evidence.com and/or AXON View XL® to ensure that the CR number, a brief description of the recording, and the incident category are on file and correct. If there is no CR number or event description on file or the entries on file are incorrect, the reporting sworn member shall make the correct mandatory entries:

- (a) Enter the number in the Event ID section in evidence.com or in AXON View XL for each recording.
 - 1. The proper format to tag a video exhibit follows out CR/OI format to which the first six numerical digits, indicating the date of occurrence (e.g., 210310 being March 10 2021), then separated by a dash (-) followed by the last six numerical digits, generated by Cook County Dispatch (e.g., 123456).
- (b) Enter the location that the event occurred into the "Title" field. If there is not a category to label the event then add the description into the Title Field (e.g. Schiller Woods - Battery).
- (c) Select the appropriate category based on the type of incident (e.g., Citizen Contact, Civil, Crash Injury/Fatal, Crash Non-Injury, Critical Incident Non Officer Initiated, DWI,

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

Felony Off/Aggravated Violent, FOIA Request, Incident, Misdemeanor Offense/Arrest, Officer Injury, Officer Involved Critical Incident, Ordinance Violations, OWI, Pending Review, Restricted, Restricted-Accidental, Sex Offender, Taser Event, Traffic Stop, Use of Force).

The CR number, the incident description, and the category shall be entered by the end of the reporting sworn member's tour of duty unless extraordinary and exigent circumstances apply. If necessary, the information will be entered at the beginning of the sworn member's next shift or by an appropriate supervisor (e.g., if the member will be off work due to an injury).

Reporting members may add case report numbers or additional event descriptions as "Tags".

1100.3.2 BEGINNING TOUR OF DUTY

- (a) The sworn member should power on the body-worn camera, then check the battery level and indicator lights.
- (b) If applicable, the sworn member shall perform a test of the Axon Signal mode by arming the member's Taser 7 and ensuring the assigned body-worn camera transitions from buffer to event mode automatically.
- (c) The body-worn camera will then be worn on the sworn member's chest as directed (e.g., in a holder clipped off-center on the chest to the uniform shirt or ballistic vest carrier opposite the dominant hand in a position that offers full view of a subject while in an interview stance).
- (d) The sworn member may optionally configure the body-worn camera's audio beep volume (high, medium, low, off) and LED lights (on or off) for his/her assignment requirements.
 1. In general, absent a tactical basis for turning off these indicators (e.g., responding to a burglary in progress, serving a high-risk search warrant), the audio and LED lights should remain on.

1100.3.3 RECORDING AND EVENT DURING A TOUR OF DUTY

Events are recorded when the body-worn camera is put into event mode. Event mode must be manually started and ended, as follows:

- (a) Double-press the event button to start recording (e.g., upon initiating a traffic or pedestrian stop).
- (b) Press the event button for three seconds to stop recording.
 1. Recording can also be ended by powering off the body-worn camera (using the device's on/off button); however, this method should normally not be used for ending a recording, because the legally mandated buffering mode does not work when the device is powered off.

1100.3.4 CEASING A RECORDING

Refer to the Portable Audio/Video Recorders Policy, subsection entitled Cessation of Recording.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

Recording should be ceased at the normal end of an incident (e.g., a law enforcement contact with a subject ends, a traffic stop ends) by stating aloud "End recording" and exiting event mode.

A sworn member ceasing a recording for any reason other than equipment failure or the normal end of an incident should do the following:

- (a) Unless impractical or impossible, state the reason why the recording is being ceased (e.g., "Victim/witness requests no video recording.") while still recording.
- (b) Cease recording by exiting event mode.
- (c) Notify their immediate, on-duty supervisor as soon as practicable.
- (d) Document in the appropriate report that recording was ceased, the reason why and the supervisor notified.

If exigent circumstances exist or the sworn member has reasonable articulable suspicion that the person requesting that recording stop has committed or is in the process of committing a crime, the sworn member should resume or continue recording, and unless it is impractical or impossible, state the reason for doing so. Examples include the following:

- Recording will continue because the subject is a suspect in a crime.
- Recording will continue because subject is involved in a traffic stop.
- Recording will continue because of a hostile public disturbance.

If any external agency or jurisdiction orders a sworn member to shut off their body-worn camera, the sworn member is not to comply without the permission of their immediate, on-duty supervisor, in accordance with statute.

1100.3.5 REVIEWING BODY-WORN CAMERA RECORDINGS

Refer to the Portable Audio/Video Recorder Policy, subsection entitled Review of Recordings.

In general - Body-worn camera recordings can be reviewed once they are uploaded at a department facility. Alternatively, if technical requirements are met, wireless smartphone access to review recordings in the field may be authorized by the department body-worn camera coordinator (e.g., during an officer-involved shooting incident). All reviews are automatically recorded in an electronic log and security is maintained through access levels assigned by the department body-worn camera coordinator.

Before report completion - Per 20 ILCS 2610 Safe-T Act; the Recording Officer may access the recording prior to completing an incident report or other documentation, except in situations where there is an Officer-Involved Shooting, allegations of misconduct, and like situations.

- (a) Exceptions to Officers viewing of recordings involved or witness to:
 1. Officer Involved Shootings
 2. Use of Deadly Force incidents
 3. Use of force resulting in Great Bodily Harm

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

4. Reports related to misconduct investigations

- (b) If after preparing an initial report, with a Supervisors approval, an officer may file an amendatory report after viewing a recording. Documentation of such viewing must be included in the report.
- (c) The supervisor of the recording officer may access and review recordings prior to completing incident reports or other documentation, provided that the supervisor discloses that fact in the report or documentation

Documenting reviews - Each supervisor reviewing recordings should do so only with their assigned account. In the event more than one supervisor is reviewing the recording all supervisors reviewing the recording shall documented said viewing in the appropriate report.

Limitations - Supervisors should only review those recordings related to their actions and the actions of their subordinates.

Training - When body-worn camera recordings have been designated for training/instruction purposes, they may be viewed by sworn members in the presence of a supervisor or training instructor (50 ILCS 706/10-20(a)(8)).

1100.3.6 END OF TOUR OF DUTY

At the end of a tour of duty, body-worn cameras shall be docked, and recordings uploaded, and the body-worn camera's battery charged before the next work period.

Recordings are uploaded by inserting the body-worn camera into a dock at a department facility or authorized vehicles. Additionally, if technical requirements are met, certain devices may be authorized to make wireless uploads from the field by the respective department's body-worn camera coordinator (e.g., during unfolding hostage or terrorist incidents, emergency mobilization). When docked, the device's battery is being charged.

Only a supervisor may authorize the removal of another member's body-worn camera from a dock and should only do so after ensuring the device has completed uploading its stored recordings and its battery is fully charged.

The on-duty supervisor will conduct an inventory of all body-worn cameras to ensure they are returned prior to the end of the tour of duty when practicable.

- (a) All supervisors who are assigned to department issued take home vehicles, shall have in their possession, their assigned body-worn camera fully charged and Power on, while operating their assigned, department issued vehicle. The supervisor shall ensure that their body worn camera is fully charged, prior to ending their tour of duty, via the Cook County Time Clock system (CCT). Once arriving at their residence and no longer operating a department issued vehicle, the supervisor shall Power off their body-worn camera completely off and then store their assigned body-worn camera inside their residence, in a secure location of their choosing while off-duty. At no time shall the supervisor power on and activate, their assigned body-worn camera while inside their residence, nor in any other public place, while off-duty. At no time shall a supervisor

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

allow a family member, household member, nor any other person, to possess their body-worn camera, while the supervisor is off-duty.

- (a) All department members assigned to specialized units (e.g. Investigations Unit) shall adhere to the same procedures when after approval of a supervisor; they operate a department vehicle and must drive the vehicle to their residence, at the end of their tour of duty.

1100.3.7 TEMPORARY ASSIGNMENTS

An individually assigned body-worn camera may be temporarily used by or assigned to another sworn member as follows:

- (a) The temporary use must be authorized by the Body-Worn Camera Coordinator or on-duty supervisor.
- (b) The temporary use must not interfere with the normally assigned member's duty to carry an assigned body-worn camera during their tour of duty (i.e., the normally assigned member should be off-duty).
- (c) The temporarily assigned member will record his/her name, star number, and unit of assignment on the body-worn camera before starting their tour of duty.
- (d) The temporarily assigned member has the responsibility to care for, maintain, and operate the body-worn camera as if it were regularly assigned to them, including the duty to ensure recordings are uploaded.

1100.4 ADDITIONAL MEMBER RESPONSIBILITIES

The sworn member who created the recording should document additional information relating to the incident in the recording review system as soon as practicable, when required to do so.

1100.5 ADDITIONAL SUPERVISOR RESPONSIBILITIES

1100.5.1 RANDOM AUDITS AND DISCIPLINE

Random audits by supervisors are required to ensure video and audio are clear on body-worn camera recordings, and the devices are operating properly.

If a violation of policy or procedure is observed during the random audits that may lead to discipline and the need for supplemental training, the auditing supervisor shall act in accordance with applicable policy directives and the Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-20(a)(9)):

- (a) Recordings shall not be used to discipline law enforcement officers unless:
 - 1. A formal or informal complaint of misconduct has been made;
 - 2. A use of force incident has occurred;
 - 3. The encounter on the recording could result in a formal investigation under the Uniform Peace Officers' Disciplinary Act, 50 ILCS 725/1; or
 - 4. Used as corroboration of other evidence of misconduct.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

- (b) This does not limit or prohibit a law enforcement officer from being subject to an action that does not amount to discipline.

Supervisors shall conduct random audits as follows:

- (a) Sergeants shall randomly audit recordings made by the subordinates under their supervision. In general, at least one recording from each subordinate with a body-worn camera should be audited every two weeks.
- (b) Commanders and Deputy Commanders may randomly audit recordings made by the sworn members under their respective commands as needed.
- (c) The Director of Compliance may randomly audit recordings made by the sworn members to ensure compliance with the employment plan and district policies.

1100.5.2 SPECIAL AND EXIGENT CIRCUMSTANCES

Whenever a sworn member is unable to upload his/her recordings at the end of the tour of duty due to special or exigent circumstances, the body-worn camera shall be recovered and docked as soon as practicable. These circumstances include but are not limited to when a sworn member is:

- Ending their tour of duty early (e.g., sick, personal family emergency)
- Injured on duty
- Sent to a medical facility for treatment or evaluation
- Incapacitated (e.g., in a vehicle crash)
- Relieved from duty (e.g., immediate suspension)

A sworn member ending their shift early, shall dock the body-worn camera as per practice as they would at the end of their normal tour of duty. Prior to departing, the sworn member shall contact the on-duty supervisor and advise them that the body-worn camera has been docked.

If a sworn member is incapacitated:

- (a) The on-duty supervisor should recover the body-worn camera as soon as practicable.
- (b) A sworn member may recover the body-worn camera on behalf of the supervisor, with authorization.

1100.6 CARE AND MAINTENANCE

Sworn members who are assigned body-worn cameras or have responsibilities involving body-worn camera use (e.g., appropriate supervisors of those who are assigned body-worn cameras) shall be trained in the care and maintenance of those devices (50 ILCS 706/10-20(a)(10)).

1100.6.1 EQUIPMENT PROBLEMS

If experiencing body-worn camera failure, equipment problems, or related technical issues, regardless of the cause, the sworn member shall notify Cook County Dispatch and obtain a case report number (UCR code 7800 - Body-worn Camera - Not Operating), document the incident appropriately (e.g., on a To/From Memorandum, Offense/Incident Report) and notify their immediate on-duty supervisor as soon as practicable (50 ILCS 706/10-20(a)(10)).

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

The on-duty supervisor will make reasonable attempts to correct and repair body-worn camera equipment (50 ILCS 706/10-20(a)(10)). In addition, the supervisor should consider the following options:

- Ordering the sworn member to report for a replacement device.
- Bringing the sworn member a replacement device as soon as practicable.
- Permitting the sworn member to continue their tour of duty without the device.

A replacement camera should be provided to the affected sworn member by the member's next tour of duty.

1100.6.2 REPORTING EQUIPMENT PROBLEMS

Supervisors who receive notification/documentation of any equipment problems or related technical issues with body-worn camera equipment shall document what the issues were and how those issues were remedied.

The supervisor shall make notification to the Body-Worn Camera Coordinator to report any issues with the body-worn cameras, including any reasonable attempt to repair, whether successful or not. In addition, the supervisor shall forward any reports they create or receive to the Body-Worn Camera Coordinator.

1100.7 RELEASE, RETENTION, AND DISTRIBUTION OF RECORDINGS

The release, retention, and distribution of recordings shall be conducted in accordance with the Forest Preserves of Cook County Police Department Policy, State of Illinois Local Records Act The Local Records Act (50 ILCS 205), Title 44 of the Illinois Administrative Code, the Cook County Records Compliance Ordinance- Division 1, Cook County Information Security, Freedom Of Information Act (5 ILCS/140), applicable Collective Bargaining Agreements,, and applicable law (, see the Portable Audio/Video Recorders Policy, subsections entitled Retention Requirement For Body- Worn Cameras and Review Of Recordings).

When recordings are transferred to portable media (e.g., compact disc), the date the recording was made, and any related case report number will be recorded on the surface of the media or its container. In addition, the number of copies made will be noted (e.g., "copy 1 of 1", "copy 2 of 5").

The member assigned to produce the copies will appropriately document the reason for the copies (e.g., subpoena/discovery, FOIA, copy for prosecution).

Wherever practicable, the use of the online recording review system should be used in place of distributing recordings on portable media. This controls media costs and environmental impact while enhancing accountability in the form of an automated audit log.

The Body-Worn Camera Coordinator or the authorized designee (e.g., Operations Manager) should notify the Chief of Police (e.g., by copying the Chief of Police in an email) when secure, audited on-line review accounts/secure links have been utilized for the review of recordings by prosecutors, investigators from other agencies and others as authorized.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

1100.8 ADMINISTRATION AND PHYSICAL SECURITY

1100.8.1 BODY-WORN CAMERA COORDINATOR

Refer to the Portable Audio/Video Recorders Policy, subsection entitled Body-Worn Camera Coordinator.

The Body-Worn Camera Coordinator is appointed by the Chief of Police.

The Body-Worn Camera Coordinators is responsible for all coordinator duties, including setting access control levels appropriate for the duties of applicable sworn members (e.g., review, editing, release, and distribution).

The Body-Worn Camera Coordinator is responsible for the overall health of the department's program. The Coordinator's responsibilities include but are not limited to the following:

- (a) Inventory, assignment, overall maintenance, and care of that department's cameras, accessories, and docking stations.
- (b) Proactively ensuring that recordings for that department have required information added by the appropriate sworn member (e.g., CR number, title, category).
- (c) Responding to requests for recordings (e.g., subpoenas) and fulfilling internal requests.

The Body-Worn Camera coordinator shall send the annual report to the Chief to Police and the Director of Compliance. (See Annual Report subsection.)

1100.8.2 ANNUAL REPORT

On or before April 1 of each year, the Body-Worn Camera Coordinator shall provide a report for the Forest Preserves of Cook County Police Department to the Chief of Police. Pursuant to 50 ILCS 706/10-25, on or before May 1 of each year, the Body-Worn Camera Coordinator shall provide the Forest Preserves of Cook County Police Department compiled report directly to ILETSB. The report shall include:

- (a) A brief overview of the makeup of the agency, including the number of sworn members utilizing body-worn cameras in the Coordinator's department.
- (b) The number of body-worn cameras utilized by the Coordinator's department.
- (c) Any technical issues with the equipment and how those issues were remedied.
- (d) A brief description of the review process used by supervisors within the law enforcement agency.
- (e) For each recording used in prosecutions of criminal, traffic offenses or ordinance violations by the Coordinator's department:
 - 1. The time, date, location, and reporting area of the incident.
 - 2. Offenses charged and the date charges were filed.
- (f) Any other information relevant to the administration of the program.

Forest Preserves of Cook County Police Department

Policy

Policy

Portable Audio/Video Recorders Procedure

1100.8.3 ADDITIONAL PHYSICAL SECURITY REQUIREMENTS

The dock devices and areas where body-worn cameras are stored should be under overhead camera surveillance and in secured locations.

1100.9 TRAINING

The Chief of Police the authorized designee shall ensure that training on body-worn cameras includes the following, as applicable to the access levels and responsibilities of the members being trained:

- (a) The operation, use, care, and maintenance of body-worn cameras.
- (b) The recording review process used by sworn members and supervisors.
- (c) Redacting, labeling, and duplicating recordings.
- (d) Security of recordings, including access control.
- (e) Troubleshooting technical difficulties or equipment failures. Additional training for appropriate supervisors shall include the correction or repair of body-worn camera equipment.
- (f) That body-worn camera recordings designated for training/instruction purposes may be shown to sworn members in the presence of a supervisor or training instructor (50 ILCS 706/10-20(a)(8)).
- (g) Compliance with applicable laws, guidelines, policies, and procedures.

Inventory - Asset Management

1101.1 PURPOSE AND SCOPE

This policy sets forth procedures, establishing effective organizational asset inventory identification, tracking and management.

1101.2 POLICY

It shall be the policy of the Department to locate, identify and tag, all items and property determined to be an asset.

1101.3 OVERVIEW

Asset management is the process of receiving, tagging, documenting, and eventually disposing of equipment. It is critically important to maintain up to date inventory and asset controls to ensure equipment locations and dispositions are accurate. Lost or misplaced assets contribute to inefficiency and unproductive when an asset is most needed during emergency circumstances. Management procedures and protocols of asset tracking, provide valuable assistance and oversight of the department's most needed assets.

1101.4 SCOPE

This policy applies to all Forest Preserves of Cook County Police Department, sworn members and non-sworn members.

1101.5 ASSET TYPES

The following asset classes are subject to tracking and asset tagging:

Motorized equipment (e.g. ATV, Razor, Snow Mobile)

Trailers

Boats

Bicycles

Office Equipment

Law Enforcement equipment

***Body-Worn Camera**

***Taser**

1101.6 ASSET VALUES

Assets with a value of less than thirty-five (\$35) dollars shall not be tracked. These items include but are not limited to: staplers, tape holders, desk lamps etc. Assets with a value of thirty-five dollars (\$35) or more, shall be tracked in accordance with the provisions of this policy.

1101.7 ASSET TRACKING REQUIREMENTS

The following procedures and protocols apply to asset management activities:

Forest Preserves of Cook County Police Department

Policy

Policy

Inventory - Asset Management

All assets must have an internal FPCC-PD **Asset Tag** attached.

The cloud based FPCC SharePoint integrated and customized asset-tracking database **Asset Tiger (Asset Tiger is a cloud-based asset management tool)** will be used to track assets. It shall include the following information:

Date of purchase

Make, model, and descriptors

Serial number

Location

Type of asset

Assigned to (when applicable)

Cost

FPCC-PD staff shall affix an **Asset Tag** and enter the applicable information into the **Asset Tiger** tracking database. Whenever a tagged item is transferred for more than a 24-hour period, the item and transfer information must be entered into the **Asset Tiger** database.

***Axon.Evidence.com is a cloud-based digital evidence management system. Axon Evidence.com is used by the Forest Preserves of Cook County Law Enforcement Department specifically for the tracking of Body-Worn Cameras and Tasers Inventory only. When Body-Worn Camera and Taser inventory is purchased, the following information is automatically assigned, inventoried and maintained by the vendor:**

Model number

Serial number

Device name

Assignee

Last upload

Device status (assigned or not assigned)

Error status

1101.8 ASSET DISPOSAL, REPURPOSING, STORAGE, DONATION

The Chief of Police or authorized designee, shall determine what type of destruction, repurpose, permanent storage, or donation manner is appropriate. All such final determinations shall be entered into the **Asset Tiger** database. All returns, defects, and exchanges of Body-Worn Cameras and Tasers shall be completed by utilizing the **Axon.Evidence.com** system that will track dates of all such transactions.

Forest Preserves of Cook County Police Department

Policy

Policy

Inventory - Asset Management

1101.9 ANNUAL INTERNAL AUDIT AND REPORT

The Deputy Chief of Administration or authorized designee, shall conduct an annual audit of all items entered in the **Asset Tiger and Axon.Evidence.com** databases, commencing on the second Monday of each January. A report of assurance and compliance that all assets are accounted for will be prepared and delivered to the Chief of Police following the audit.

Chapter 12 - Executive Protection Unit

Executive Protection Unit

1200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the rules and responsibilities of the Forest Preserves of Cook County Police Department (the "FPCC-PD") Executive Protection Unit (EPU). Additional EPU policies governing equipment, communications, transportation, site analysis and logistics, and emergency procedures, will be addressed in separate policies.

This policy applies to all FPCC-PD employees in the Police Department that are assigned to the EPU.

1200.2 POLICY

Executive Protection Unit (EPU): The EPU is responsible for providing security for the President of the Forest Preserves District of Cook County Board of Commissioners, who also serves as the President of the Cook County Board of Commissioners (the "President"), and other officials when directed by the President and/or the President's designee.

Mission of the EPU: The primary mission of the EPU is to protect the President from harm and/or embarrassment. This may entail getting the President away from danger, but not necessarily confronting/apprehending a would-be assailant. The mission revolves around the President and thus is different than traditional law enforcement operations.

1200.2.1 EPU OBJECTIVES

The EPU will use proactive measures to avoid incidents while maintaining a reactive capability in the form of good planning, response, and training.

The EPU will safeguard the President from harm, including situations likely to endanger his/her person or liberty. (e.g., murder, manslaughter, willful threats, extortion, kidnapping, assault, bodily injury, etc.)

The EPU will protect the President from harassment and embarrassment. Most likely this will involve prevention of heckling, soiling of clothes, etc.

The EPU will safeguard and keep confidential the President's schedule.

1200.3 RESPONSIBILITIES

1200.3.1 CHIEF OF POLICE

The Chief of Police shall:

- (a) Oversee the implementation of this policy
- (b) Provide leadership and direction to FPCC-PD Employees
- (c) Supervise the Chief of Executive Protection
- (d) Review and approve EPU related recommendations and officer assignments, as reasonable and appropriate.

Forest Preserves of Cook County Police Department

Policy

Policy

Executive Protection Unit

1200.3.2 CHIEF OF EXECUTIVE PROTECTION

The Chief of Executive Protection shall:

- (a) Direct the day-to-day operations of the EPU
- (b) Manage the execution of this Policy, and other EPU security related policies;
- (c) report directly to the Chief of Police
- (d) Design and approve executive protection plans
- (e) Make recommendations to the Chief of Police concerning officer assignments
- (f) Serve as the chief liaison to the President's Office, and other security related departments and agencies, regarding the EPU and its related activities
- (g) Manage and approve EPU officer work schedules
- (h) Monitor EPU assigned vehicles to ensure they remain in a state of readiness
- (i) Keep in constant contact with the President's scheduling staff.

1200.3.3 SECURITY SPECIALIST OPERATORS & OFFICERS ASSIGNED TO THE EPU

In addition to the Chief of Executive Protection, Security Specialist Operators and, from time to time, various other members of the FPCC-PD shall be assigned to the EPU. Personnel assigned to the EPU shall:

- (a) Comply with this policy and other EPU related policies and procedures
- (b) Work to achieve the mission and objectives of the EPU
- (c) Communicate actions, issues, incidents, and/or other concerns, as soon as practical, to the Chief of Executive Protection.

1200.4 PROCEDURES

- (a) **Chain of Command/Reporting Structure:** The Chain of Command is the order in which authority and power in an organization is wielded and delegated from top management to every employee at every level of the organization. Instructions flow downward along the chain of command and accountability flows upward.
 - 1. **The President:** The General Superintendent, Chief of Police, Chief of Executive Protection, and Security Specialists all serve at the will and pleasure of the President.
 - 2. **The Chief of Police:** Reporting to the General Superintendent, the Chief of Police oversees the Law Enforcement Department. The Chief of Police will supervise the Chief of Executive Protection. The Chief of Police will oversee the successful implementation of this policy.
 - 3. **The Chief of Executive Protection:** Reporting to the Chief of Police, the Chief of Executive Protection oversees the day-to-day management of the EPU and the implementation of this policy, and subsequent related EPU policies and procedures. The Chief of Executive Protection will supervise members of the EPU.

Forest Preserves of Cook County Police Department

Policy

Policy

Executive Protection Unit

4. **Security Specialist Operators & Officers Assigned to the EPU:** Reporting to the EPU Chief, Security Specialist Operators and other Officers assigned to the EPU will comply with this policy and subsequent related EPU policies and procedures. Personnel assigned to the EPU will report activities, time and attendance, concerns, and all incidents in a timely manner to the Chief of Executive Protection. If the Chief of Executive Protection position is vacant and/or indisposed, the Chief of Police and/or authorized designee, will fill-in for the Chief of the Executive Protection Unit.
- (b) **Professional Etiquette:** Professional etiquette will build confidence in the EPU. Officers assigned to the EPU should:
 1. Display good manners.
 2. Have a professional appearance and demeanor.
 3. Give full attention to his/her duties.
 4. Keep a low profile.
 5. Not advertise one's identity.
 6. Communicate skillfully.
 7. Display diplomacy and tact.
- (c) **Logistics for Daily Operations:**
 1. Chief of Executive Protection Daily Operations: The EPU Chief shall:
 - (a) Coordinate activities among security teams to ensure EPU staff have equipment and resources that may be needed during day/time of service
 - (b) Communicate/coordinate logistics with the President's scheduling staff
 - (c) Investigate any vehicle related incidents
 - (d) Manage EPU personnel schedules
 - (e) Communicate any major issues or concerns to the Chief of Police
 - (f) Oversee the implementation of this policy and other standard procedures.
 2. Security Specialist Operators & Officers Assigned to the EPU Daily Operations: EPU Security Specialist Operators and other Officers assigned to the EPU shall:
 - (a) Remain with the President, or close proximity, to ensure a readiness to respond
 - (b) Provide security protection to the President's immediate family as reasonably needed regarding all threats, perceived or actual
 - (c) Remain on post at all times, until physically relieved by another officer, or as directed by the Chief of Executive Protection
 - (d) Remain alert for any potential threats to the President's safety while he/she is entering or leaving residence or work

Forest Preserves of Cook County Police Department

Policy

Policy

Executive Protection Unit

- (e) Tactfully investigate persons or situations that arouse suspicion and report any such circumstances to the Chief of Executive Protection, as soon as practical.
- 3. Prohibited Activities: EPU personnel are prohibited from:
 - (a) Making remarks to the media or press
 - (b) Participating in any political activity while on duty and/or in District vehicles when the President is not present (e.g., personally transporting campaign materials to different locations upon request, or transporting campaign workers to polling sites, etc.)
 - (c) Violating the Cook County Personnel Rules; and/or
 - (d) Violating any Forest Preserve District rule, regulation, or policy, and any including but not limited to:
 - 1. The Alcohol & Controlled Substances Policy
 - 2. The Employee Gift Restrictions Policy
 - 3. The Non-Discrimination Policy
 - 4. The Electronic Communications & Technology Policy
 - 5. The Vehicle & Equipment Policy
 - 6. The Workplace Violence Policy
 - 7. The Domestic/Sexual Violence and Harassment in the Workplace Policy

NOTE: Any questions regarding EPU personnel prohibited activities shall be directed to the EPU Chief.

1200.5 TRAINING

All personnel assigned to the EPU shall be trained on this policy.

The Chief of Police and EPU Chief will work to provide EPU personnel annual training on related best practices.

Executive Protection Unit Dress Code

1201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the Forest Preserves of Cook County Police Department ("FPCC-PD") dress code for the Executive Protection Unit ("EPU").

This policy applies to all FPCC-PD employees in the Police Department that are assigned to the EPU.

1201.2 POLICY

Personnel assigned to the EPU will be responsible for wearing the appropriate dress attire while on duty, as defined in this policy.

1201.3 PROCEDURES

- (a) **Regular Daily Attire:** Generally, personnel assigned to the EPU should adhere to the following Standard Dress Code guidelines, unless otherwise directed by the Chief of the Executive Protection Unit, and/or as described in Subsection B to this section below:
 - 1. Wear dark colored conservative suits and/or sport coats. Bright colors should not be worn. The sport jacket or suit coat should be tailored to allow concealment of weapons and easy access to equipment, as needed.
 - 2. Shirts should be conservative in color.
 - 3. All ties should be subdued.
 - 4. Wear comfortable professional dress shoes with rubber soles.
- (b) **Relaxed or Parade Attire:** All members of the EPU shall wear the regular daily attire specification while on duty or while performing extra details, unless the nature of the assignment or detail requires wearing of civilian (relaxed or parade attire) clothing. The civilian clothing should adhere to the following criteria:
 - 1. Disheveled, partially buttoned, or zipped shirts are prohibited.
 - 2. If relaxed or parade clothing becomes soiled, disarranged, or damaged while on duty or assignment, it shall be put in proper condition or changed as soon as practicable.
 - 3. Mirrored sunglasses shall not be worn while on duty and sunglasses shall be removed when entering a building.
- (c) **Observation & Adjustments:**
 - 1. Always be well groomed and have a professional look.
 - 2. Observe the dress of the President:
 - (a) If the President is wearing a suit, so should you.
 - (b) If the President is wearing formal or business attire, so should you.

Forest Preserves of Cook County Police Department

Policy

Policy

Executive Protection Unit Dress Code

- (c) If the President does not wear a formal or business attire, refer to the above guidelines and/or refer the matter to the Chief of Executive Protection who will decide the uniform of the day.
- 3. Have a spare suit and relaxed/parade clothing with you at all times.

1201.4 TRAINING

All personnel assigned to the EPU shall be trained on this policy.

Executive Protection Unit Required Equipment

1202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the Forest Preserve of Cook County Police Department (the "FPCC-PD") required equipment for the Executive Protection Unit ("EPU").

This policy applies to all FPCC-PD employees in the police department that are assigned to the EPU.

1202.2 POLICY

Personnel assigned to the EPU will be responsible for having the required equipment on their person while on duty, as defined in this policy.

1202.3 RESPONSIBILITIES

Personnel assigned to the EPU shall comply with this policy and other EPU related policies and procedures. It is the responsibility of all EPU personnel employees to ensure that all equipment is operable at all times.

1202.4 PROCEDURES

- (a) **Required Equipment:** Personnel assigned to the EPU are required to carry on their person the following FPCC-PD issued or approved equipment:
 - 1. Firearm or auxiliary weapon with prescribed ammunition. (Personnel assigned to the EPU must participate in the annual firearms qualification and adhere to G.O. 01-02A [Firearm])
 - 2. Regulation secure holster
 - 3. At least one magazine and extra ammunition
 - 4. Handcuffs and handcuff key
 - 5. A small, easily concealed flashlight
 - 6. County police radio with Executive Protection channel
 - 7. Work Cell Phone / and chargers
 - 8. 3x5 notecards and writing utensil
 - 9. Small medical kit
 - 10. Body Armor
 - 11. Police badge
 - 12. Department identification card
 - 13. Official EPU lapel pin
- (b) **Emergency Equipment:**

Forest Preserves of Cook County Police Department

Policy

Policy

Executive Protection Unit Required Equipment

1. Personnel assigned to the EPU may be authorized to use the following emergency equipment, with the approval of the Chief of Police and/or the Chief of the Executive Protection Unit:
 - (a) Oleoresin Capsicum spray
 - (b) Extra ammunition
 - (c) Other equipment authorized by the Chief of Police
 2. Personnel assigned to the EPU are authorized to operate vehicle emergency equipment to clear intersections of vehicular and pedestrian traffic to protect the public.
- (c) **Incident Ledger:** The EPU will maintain an incident ledger to record all security-related events that occur in and around the President's Office. The ledger shall include any other incident report filed by the EPU.

1202.5 PORTABLE AUDIO/VIDEO RECORDER

Members of the Executive Protection Unit and any member of the Forest Preserves of Cook County Police Department, assigned to the Executive Protection Unit, will not be required to wear, or utilize a Portable Audio/Video Recorder (Body Worn Camera) while conducting any required or assigned Executive Protection duties. The duties, of the members of the Executive Protection Unit is that of a security related function and not that of a "Law enforcement officer" as defined in the Law Enforcement Officer-Worn Body Camera Act ("Body Camera Act") (50 ILCS 706/10-10).

1202.6 TRAINING

All personnel assigned to the EPU shall be trained on this policy.

Attachments

Use of Force Continuum.pdf

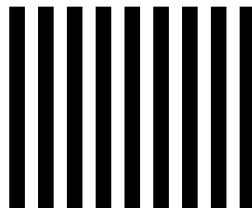
USE OF FORCE MODEL



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Additional Resources

Illinois Department of Children and Family Services

www.DCFS.illinois.gov

Advocacy Office for Children and
Family Services: 800-232-3798
(weekdays 8:30 a.m. - 5 p.m.)

Hotline: 800-252-2873 (24-hours)

Save Abandoned Babies Foundation

www.saveabandonedbabies.org
312-440-0229

Illinois Department of Human Services

www.dhs.state.il.us
Help Line: 800-843-6154
(TTY 800-447-6404)

Midwest Adoption Center

www.macadopt.org
847-298-9096

Illinois Adoption Registry and Medical Information Exchange (IARMIE) Program

www.idph.state.il.us/vitalrecords/index.htm
877-323-5299 (toll-free) or
217-557-5159

The IARMIE program allows birth parents to authorize or prohibit the release of identifying information. Confidential facts may be released to registrants only after at least two parties to the adoption have filed explicit mutual consents for the exchange of this information. If you register with the IARMIE, you must provide your name and a photocopy of a State-issued ID, but this information will be kept confidential if you wish. The Department of Public Health also provides application forms to register with IARMIE.

Vital medical information may be exchanged anonymously through the Medical Information Exchange. This information can only be exchanged if you and your adult adopted child (or your child's adoptive parent, if the child is under age 21) voluntarily register and agree to exchange these facts.

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CFS 1050-74-1, Rev. 9/10

help is here.



and “here” is anywhere
you see this sign.

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Illinois Department of
DCFS
Children & Family Services

Save Abandoned Babies
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Thank you for bringing your baby to a Safe Haven. You have made a difficult but responsible decision. Your baby will be adopted by a family that is waiting for the opportunity to love and care for a child. Please provide some background information to us now. It will help your baby have a healthy future. You can do this anonymously. It's OK if you don't know all the answers, but whatever you do know will be a big help to both your baby and his or her adoptive family.

Illinois law (325 ILCS 2/1-70) says:

- You can leave your unharmed baby, who can be up to 30 days old, and
- You can walk away with no questions asked, and
- Remain anonymous and protected from prosecution.
- You must hand the baby to a staff person at a hospital, staffed fire station, police station, or sheriff's office, and
- If you leave the baby with someone at a staffed fire, police, or sheriff station, the baby will be transported to a nearby hospital and seen by a doctor.
- If you leave your baby with a person at a Safe Haven, there is a legal presumption that you are the baby's biological parent, that you consent to the termination of your parental rights and you are relinquishing your baby for adoption.

A check will be done to make sure the baby has not been reported missing. The Illinois Department of Children and Family Services (DCFS) will contact an Illinois adoption agency, which will place the baby with an adoptive family. The adoption agency will go to court to be appointed the baby's legal guardian until the adoption is finalized. During the adoption proceeding, the birthparents' legal rights to the baby will be terminated.

If you leave your baby at a fire, police, or sheriff station and return within 72 hours, the facility must inform you of the name and location of the hospital the baby was taken to. If you change your mind after leaving your baby at a Safe Haven, call DCFS at 800-252-2873.

- When you call DCFS, request the name of the adoption agency your baby was placed with and find out where the adoption proceeding is taking place.
- If you want to try to get your baby back, you must petition the court for a return of custody. This must be done before your parental rights are terminated by the court.
- You have a limited time before your parental rights are terminated. The court can terminate your parental rights 60 days after you abandon your baby.
- If you do petition the court to get your baby back before your parental rights have been terminated, the court may put the adoption on hold for up to 60 more days and require:
 - o genetic testing to see if the baby is yours, and
 - o that DCFS conduct an investigation and home study with recommendations for the court
- If you don't try to get your baby back before your parental rights are terminated, you are barred from any future attempts to get your baby back or assert your rights as a parent.

Please answer these questions and return this form by mail to the DCFS State Central Register, 406 East Monroe Street, Station 30, Springfield, IL 62701. You do not need to give your name unless you wish to do so. It's okay to answer some of the questions and leave others blank. Any information you are able to provide will be helpful. If you do provide identifying information, it will remain confidential. This is an anonymous, safe and legal process. In the future, you and your child (or your child's adoptive parents, if the child is under age 21) may want to exchange information anonymously or have contact. If you do provide identifying information here, it will not be given to anyone else without your consent first.

Date you brought your baby to the Safe Haven:

Location of Safe Haven: _____

Mother's age: _____ Father's age: _____

Mother's race and ethnicity: _____

Father's race and ethnicity: _____

Date baby was born: _____

Was the baby premature? ☐ Yes ☐ No

Describe any problems with the pregnancy or delivery _____

Where was the baby born (city/state)? _____

During the pregnancy did you use any of the following?

☐ Cigarettes: How much and at what point in the pregnancy? _____

☐ Alcohol: How much and at what point in the pregnancy? _____

☐ Drugs/Medications: Which and at what point in the pregnancy? _____

Did you receive any prenatal care? If so, please describe: _____

Do you have any other children? ☐ Yes ☐ No
If so, how old are they? _____

Blood Relatives: This means the baby's mother, father, sister, brother, grandparents, aunts, uncles, nieces, nephews, or cousins. Please circle if any blood relative has any of these medical conditions:

Allergies	Diabetes	Mental Illness
Asthma	Down Syndrome	Muscular Dystrophy
Cancer	Heart Disease	Seizures
Depression	High Blood Pressure	
Other:	_____	

If you would like to write your child and/or your child's adoptive family a note, please use the space below or attach a separate page. **You may do so even if you do not want to provide your identifying information.** _____

Optional identifying information:

Today's Date: _____

Mother's name: _____

Mailing Address: _____

State: _____ Zip Code: _____

E-Mail Address: _____

Phone: _____

Social Security Number: _____

Mother's Date of Birth: _____

Father's name: _____

Mailing Address: _____

State: _____ Zip Code: _____

E-Mail Address: _____

Phone: _____

Social Security Number: _____

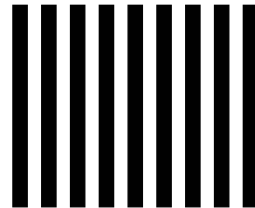
Father's Date of Birth: _____



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p_sab_moms_rights_brochure_polish.pdf**

Zagiąć tutaj

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NECESSARY
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BUSINESS REPLY MAIL
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POSTAGE WILL BE PAID BY ADDRESSEE

STATE OF IL DEPT OF CHILDREN & FAMILY SERVICES
410 S 11TH ST
SPRINGFIELD IL 62703-9903



Dodatkowe źródła

Departament Stanu Illinois ds. Usług
na Rzecz Dzieci i Rodzin
www.DCFS.illinois.gov

Urząd Wspomagający Usługi na Rzecz Dzieci i
Rodzin: 800-232-3798 (dni robocze 8:30 - 17.00)

Gorąca linia: 800-252-2873 (całodobowo)

Fundacja Pomocy Dzieciom Porzuconym
Save Abandoned Babies Foundation
www.saveabandonedbabies.org
312-440-0229

Departament Stanu Illinois ds.
Usług dla Ludności
www.dhs.state.il.us

Linia pomocy: 800-843-6154
(telefon tekstowy 800-447-6404)

Ośrodek Adopcyjny
Midwest Adoption Center
www.macadopt.org • 847-298-9096

Rejestr Adopcji Stanu Illinois oraz Wymiana
Informacji Medycznych Program (IARMIE)
www.idph.state.il.us/vitalrecords/index.htm
877-323-5299 (numer bezpłatny)
lub 217-557-5159

Program IARMIE pozwala rodzicom biologicznym na upoważnienie do ujawnienia informacji umożliwiających ich identyfikację lub zakazanie ujawnienia tych informacji. Informacje poufne mogą być przekazywane osobom zarejestrowanym dopiero po tym, jak co najmniej dwie strony uczestniczące w adopcji wyrażą jednoznaczną zgodę na wymianę tych informacji. Rejestrując się w programie IARMIE należy podać swoje imię i nazwisko oraz fotokopię dowodu tożsamości wydanego przez władze stanowe, informacje te mogą jednak pozostać poufne na życzenie osoby dokonującej rejestracji. Formularze rejestracyjne do programu IARMIE można także otrzymać w Departamencie Zdrowia Publicznego.

Ważne informacje medyczne można wymieniać anonimowo za pośrednictwem Wymiany Informacji Medycznych. Wymiana tych informacji jest możliwa jedynie w przypadku, gdy zarówno rodzic, (lub przybranych rodziców dziecka, gdy dziecko jest w wieku poniżej 21 lat) jak i dorosłe adoptowane dziecko dokonają dobrowolnej rejestracji i wyrażą zgodę na taką wymianę.

Wydrukowane przez władze Stanu Illinois
DCFS #557 – luty 2012 – 1000 egzemplarzy
CFS 1050-74-1-P, Wersja 9/10

Pomoc znajdziesz tutaj.



„Tutaj”, czyli wszędzie tam,
gdzie zobaczysz ten znak.

Boisz się i jesteś sama, ale nie
jesteś w sytuacji bez wyjścia.

Trafiłaś do miejsca, gdzie
otrzymasz pomoc!

Niniejsza ulotka wyjaśnia, jakie
masz prawa i co będzie dalej.

Illinois Department of
DCFS
Children & Family Services

Save Abandoned Babies
Foundation®

Dziękujemy, że przyniosłaś swoje dziecko do „bezpiecznego schronienia”. Podjęłaś trudną, ale odpowiedzialną decyzję. Twoje dziecko zostanie adoptowane przez rodzinę, która czeka na możliwość otoczenia dziecka miłością i opieką. Prosimy teraz o przekazanie nam pewnych informacji. Pomogą one zadbać o zdrowie Twojego dziecka w przyszłości. Możesz to zrobić anonimowo. Nic nie szkodzi, jeśli nie znasz odpowiedzi na wszystkie pytania, ale wszystko, co wiesz, może bardzo pomóc zarówno Twojemu dziecku, jak i jego rodzinie adopcyjnej.

Według przepisów (325 ILCS 2/1-70) obowiązujących w stanie Illinois:

- Możesz oddać swoje dziecko, całe i zdrowe, przez pierwszych 30 dni jego życia, a także
- Możesz odejść, nie udzielając odpowiedzi na żadne pytania oraz
- Zachować anonimowość i nie podlegać sankcjom karnym.
- Musisz oddać dziecko pracownikowi szpitala, remizy strażackiej, komisariatu policji lub biura szeryfa, a także
- Jeśli oddasz dziecko pracownikowi remizy strażackiej, komisariatu policji lub biura szeryfa, dziecko zostanie przewiezione do najbliższego szpitala i zbadane przez lekarza.
- Jeśli oddajesz dziecko osobie w „bezpiecznym schronieniu”, z prawnego punktu widzenia zakłada się, że jesteś biologicznym rodzicem dziecka, zgadzasz się na ustanie praw rodzicielskich i oddajesz swoje dziecko do adopcji.

Przeprowadzona zostanie weryfikacja w celu potwierdzenia, że dziecko nie zostało zgłoszone jako zaginione. Departament Stanu Illinois ds. Usług na Rzecz Dzieci i Rodzin (DCFS) skontaktuje się z działającą na terenie stanu Illinois agencją adopcyjną, która przekaże dziecko rodzinie adopcyjnej. Agencja adopcyjna zwróci się do sądu z wnioskiem o ustanowienie jej prawnym opiekunem dziecka do czasu zakończenia procedury adopcyjnej. Podczas postępowania adopcyjnego rodzice biologiczni zostaną pozbawieni praw rodzicielskich.

W przypadku pozostawienia dziecka w remizie strażackiej, na komisariacie policji lub w biurze szeryfa, a następnie powrotu w ciągu 72 godzin, dana instytucja musi podać rodzicowi nazwę i adres szpitala, do którego przewieziono dziecko. W przypadku zmiany zdania po pozostawieniu dziecka w „bezpiecznym schronieniu”, należy zadzwonić do DCFS pod numer 800-252-2873.

- W rozmowie z DCFS należy poprosić o podanie nazwy agencji adopcyjnej, której przekazano dziecko oraz informację, gdzie toczy się postępowanie adopcyjne.
- Aby ubiegać się o odzyskanie dziecka, należy złożyć do sądu wnioski o przywrócenie opieki nad dzieckiem. Należy to zrobić, zanim sąd odbierze rodzicom prawa rodzicielskie.
- Czas pozostały do utraty praw rodzicielskich jest ograniczony. Sąd może odebrać rodzicom prawa rodzicielskie 60 dni po porzuceniu dziecka.
- W przypadku złożenia w sądzie wniosku o odzyskanie dziecka przed odebraniem praw rodzicielskich, sąd może zawiesić postępowanie adopcyjne na kolejne 60 dni i zażądać:
 - o przeprowadzenia badań genetycznych potwierdzających, że dana osoba jest rodzicem dziecka oraz
 - o przeprowadzenia przez DCFS dochodzenia i wywiadu środowiskowego oraz przedstawienia rekomendacji dla sądu
- W przypadku gdy rodzic nie spróbuje odzyskać dziecka przed odebraniem praw rodzicielskich, nie ma prawa podejmować żadnych prób odzyskania dziecka ani domagać się uznania swoich praw rodzicielskich w przyszłości.

Prosimy o udzielenie odpowiedzi na poniższe pytania i odesłanie formularza pocztą na adres DCFS State Central Register, 406 East Monroe Street, Station 30, Springfield, IL 62701. Podanie imienia i nazwiska nie jest wymagane. Można odpowiedzieć tylko na niektóre pytania i pozostawić inne bez odpowiedzi. Pomocne będą wszelkie informacje, jakich możesz udzielić. Jeśli podasz informacje umożliwiające Twoją identyfikację, będą one traktowane jako poufne. Jest to anonimowy, bezpieczny i zgodny z prawem proces. W przyszłości zarówno Ty, jak i Twoje dziecko (lub rodzice adopcyjni dziecka, które nie ukończyło 21 lat) będziecie mogli dokonać anonimowej wymiany informacji lub nawiązać kontakt. Jeśli podasz tutaj informacje umożliwiające Twoją identyfikację, informacje te nie zostaną przekazane nikomu bez Twojej zgody.

Data przyniesienia dziecka do „bezpiecznego schronienia”: _____

Lokalizacja „bezpiecznego schronienia”: _____

Wiek matki: _____ Wiek ojca: _____

Rasa i pochodzenie etniczne matki: _____

Rasa i pochodzenie etniczne ojca: _____

Data urodzenia dziecka: _____

Czy dziecko było wcześniakiem? ☐ Tak ☐ Nie

Opisz problemy podczas ciąży lub porodu, jeśli wystąpiły _____

Gdzie dziecko się urodziło (miejscowość/stan)? _____

Czy podczas ciąży... _____

☐ Paliłaś papierosy: Ile i w jakim okresie ciąży? _____

☐ Piłaś alkohol: Ile i w jakim okresie ciąży? _____

☐ Brałaś narkotyki/leki: _____

Jakie i w jakim okresie ciąży? _____

Czy korzystałaś z jakiegś opieki prenatalnej? Jeśli tak, _____

opisz: _____

Czy masz inne dzieci? ☐ Tak ☐ Nie

Jeśli tak, ile mają lat? _____

Krewni: Matka, ojciec, siostra, brat, dziadkowie, ciotki, wujowie, siostrzenice, siostrzeńcy, bratanice, bratankowie, kuzynki lub kuzynowie dziecka. Proszę zakreślić kółkiem, jeśli ktoś z krewnych cierpi na jedno z poniższych schorzeń:

Alergie	Cukrzyca	Choroba psychiczna
Astma	Zespół Downa	Zanik mięśni
Rak	Choroby serca	Napady padaczkowe
Depresja	Nadciśnienie tętnicze	
Inne: _____		

Jeśli chcesz napisać coś do swojego dziecka i/lub rodziny adopcyjnej, zrób to w pustym polu poniżej lub dołącz osobną kartkę. Możesz to zrobić nawet jeśli nie chcesz podać informacji umożliwiających identyfikację Twojej osoby. _____

Opcjonalne informacje umożliwiające identyfikację:

Dzisiejsza data: _____

Imię i nazwisko matki: _____

Adres korespondencyjny: _____

Stan: _____ Kod pocztowy: _____

Adres e-mail: _____

Nr tel.: _____

Numer Social Security: _____

Data urodzenia matki: _____

Imię i nazwisko ojca: _____

Adres korespondencyjny: _____

Stan: _____ Kod pocztowy: _____

Adres e-mail: _____

Nr tel.: _____

Numer Social Security: _____

Data urodzenia ojca: _____



To-From Odum 2022.pdf



FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

DEPARTMENT OF LAW ENFORCEMENT

Theresa Odum, Chief of Police

DATE:

TO:

FROM:

CC:

SUBJECT:

Signature/Star #

1 ALOHA LN., HINSDALE, IL 60523 (708) 771-1001 FPDCC.COM

IL preventing Elder abuse ea-act_book.pdf



State of Illinois
Illinois Department on Aging

Elder Abuse and Neglect Act and Related Laws



**State of Illinois
Department on Aging**


One Natural Resources Way #100
Springfield, IL 62702-1271

Senior HelpLine:
1-800-252-8966, 1-888-206-1327 (TTY)
www.state.il.us/aging

24-Hour Elder Abuse Hotline:
1-866-800-1409, 1-888-206-1327 (TTY)

including mandated reporters and
elder abuse provider agencies
July 2011

The Illinois Department on Aging does not discriminate in admission to programs or treatment of employment in programs and activities in compliance with appropriate State and Federal statutes. If you feel you have been discriminated against, call the Senior HelpLine at 1-800-252-8966, 1-888-206-1327 (TTY).

 IOCI 0842-11 (Rev. 7/11, 3/07, 8/04, 4/03) Printed by Authority State of Illinois

<u>Service Area</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
Leyden, Lyons, Norwood Park, and Riverside Townships and the Villages of Brookfield and LaGrange Park	Aging Care Connections	708-354-1323
Stickney Township	Stickney Township Office on Aging	708-636-8850

Note: This list of Elder Abuse Provider Agencies can also be found on the Illinois Department on Aging's Web site (www.state.il.us/aging) under the **Directory of Agencies Serving Seniors**.

Table of Contents

Illinois Elder Abuse and Neglect Program.....	1
Elder Abuse	1
Defining Elder Abuse	1
Reporting Elder Abuse	2
Elder Abuse and Neglect Act	3
Section:	
20/1 Short title	3
20/2 Definitions	3
20/3 Responsibilities	8
20/3.5 Other Responsibilities	9
20/4 Reports of Abuse or Neglect	11
20/4.1 Employer Discrimination	13
20/4.2 Testimony by Mandated Reporter and Investigator	14
20/5 Procedure	14
20/6 Time	15
20/7 Review	16
20/8 Access to Records	16
20/9 Authority to Consent to Services	18
20/9.5 Commencement of Action for Ex Parte Authorization Orders; Filing Fees; Process	19
20/10 Rules	20
20/11 Annual Reports	20
20/12 Repealed	21
20/13 Access	21
20/13.5 Commencement of Action for Access; Filing Fees; Process; Notice; Duration of Orders	22
20/14 Volunteer Corps	24
20/15 Elder Abuse Fatality Review Teams	24

Code of Criminal Procedure of 1963	27
Sec. 114-13.5. Evidence Deposition: Elder Abuse	
Sec. 10.3. Hearsay Exception Regarding Elder Adults	
Code of Civil Procedure	29
Sec. 8-2701. Admissibility of Evidence; Out of Court Statements; Elder Abuse	
Probate Act of 1975	30
Sec. 2-6.6. Person convicted of certain offenses against the elderly or persons with disabilities	
Sec. 11a-10. Procedures Preliminary to Hearing	
Power of Attorney Act of 1987	35
Sec. 2-7 Incapacitated Principal — Definition of incapacitated principal; requirements of agent to provide records of receipts, disbursements, and significant actions; and requirement of additional witness	
Mandated Reporters under the Elder Abuse Act	37
Agencies Responding to Domestic Elder Abuse, Neglect, and Financial Exploitation	40

<u>Sub-Area by Zip Code</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
8 – 60617, 60619, 60628, 60633, 60827	Metropolitan Family Services	312-986-4332
9 – 60620, 60621, 60643, 60652, 60655	Metropolitan Family Services	312-986-4332
10 – 60608, 60612, 60624, 60644, 60651	Sinai Community Institute	773-522-8640

Suburban Cook County

<u>Service Area</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
Berwyn, Cicero, and Proviso Townships (except the Villages of Brookfield and LaGrange Park)	Solutions for Care	708-447-2448
Barrington, Hanover, Palatine, and Wheeling Townships	Catholic Charities (Northwest Senior Services)	847-253-5500
Bloom, Bremen, Calumet, Rich and Thornton Townships. <u>Cities served:</u> Dixmoor, Harvey, Homewood, Markham, Burnham, Dolton, Calumet City, East Hazel Crest, Lansing, Phoenix, Riverdale, South Holland, and Thornton	Catholic Charities (South Suburban Senior Services)	708-596-2222
Elk Grove, Schaumburg	Kenneth W. Young Centers	847-524-8800
Evanston, Niles	Metropolitan Family Services	847-425-7400
Maine, New Trier, Northfield	North Shore Senior Center	847-784-6000
Oak Park, River Forest	Oak Park Township	708-383-8060
Lemont, Orland, Palos and Worth Townships	PLOWS (Palos, Lemont, Orland and Worth) Council on Aging	708-361-0219

<u>County</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
Wayne	SWAN (Stopping Woman Abuse Now)	618-392-3556
White	SWAN (Stopping Woman Abuse Now)	618-392-3556
Whiteside	Intouch Services of Lutheran Social Services of Illinois	815-626-7333
Will	Senior Services Center of Will Co.	815-740-4225
Williamson	Shawnee Alliance for Seniors	618-985-8322
Winnebago	Visiting Nurses Association of Rockford	815-971-3502
Woodford	Senior Services of the Center for Prevention of Abuse	309-637-3905

City of Chicago

<u>Sub-Area by Zip Code</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
1 – 60626, 60640, 60645, 60659, 60660	Catholic Charities	773-353-6230
2 – 60625, 60630, 60631, 60646, 60656	Catholic Charities	773-353-6230
3 – 60634, 60635, 60639, 60641, 60666, 60707	Catholic Charities	773-353-6230
4 – 60613, 60614, 60618, 60647, 60657	Catholic Charities	773-353-6230
5 – 60601, 60602, 60603, 60604, 60605, 60606, 60607, 60610, 60611, 60622	Healthcare Consortium of Illinois	708-841-9515
6 – 60615, 60616, 60637, 60649, 60653	Centers for New Horizons	773-451-1377
7 – 60609, 60623, 60629, 60632, 60638	Metropolitan Family Services	312-986-4332

Illinois Elder Abuse and Neglect Program

Elder Abuse. Many older adults who live at home are at risk of abuse, neglect, and financial exploitation by family members and others close to them. It is estimated that over 76,000 persons over the age of 60 in Illinois are elder abuse victims; yet, approximately 10,000 elderly victims are reported to the Elder Abuse and Neglect Program annually. Victims of abuse are often isolated, and they may be afraid or unable to seek help for themselves. In many cases, the only person outside the family who sees the victim is a health care professional, home care provider, financial institution, or other helping professional. Therefore, it is critical that individuals know how to report cases of abuse, neglect, or financial exploitation for investigation and services.

Defining Elder Abuse. The Elder Abuse and Neglect Program responds to the following types of abuse:

- ❖ **Physical abuse** means inflicting physical pain or injury upon an older adult.
- ❖ **Sexual abuse** means touching, fondling, intercourse, or any other sexual activity with an older adult, when the older adult is unable to understand, unwilling to consent, threatened or physically forced.
- ❖ **Emotional abuse** means verbal assaults, threats of abuse, harassment or intimidation.
- ❖ **Confinement** means restraining or isolating an older adult, other than for medical reasons.
- ❖ **Passive neglect** means the caregiver's failure to provide an older adult with life's necessities, including, but not limited to, food, clothing, shelter or medical care.
- ❖ **Willful deprivation** means willfully denying an older adult medication, medical care, shelter, food, a therapeutic device or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm

— except when the older adult has expressed capacity to understand the consequences and an intent to forego such care.

❖ **Financial exploitation** means the misuse or withholding of an older adult's resources by another, to the disadvantage of the elderly person, or the profit or advantage of someone else.

Reporting Elder Abuse. The Illinois Elder Abuse and Neglect Act directs the Illinois Department on Aging to establish an intervention program to respond to reports of alleged elder abuse, neglect and financial exploitation of older adults living in the community and to work with the older adult in resolving the abusive situation. The program provides services to people over the age of 60 who may be victims of abuse as described above.

The Elder Abuse and Neglect Act provides that a person — who in good faith reports suspected abuse or cooperates with an investigation — shall be immune from criminal or civil liability or professional disciplinary action. It further provides that the identity of the reporter shall not be disclosed except with the written permission of the reporter or by order of a court. Anonymous reports are also accepted.

To report suspected abuse, neglect, or exploitation, please call toll-free 1-866-800-1409, 1-888-206-1327 (TTY), or call the local elder abuse provider agency serving your area (see pages 40-46). Callers should be prepared to report the alleged victim's name and address, what happened, where and when it happened, and who the suspected abuser might be. While reporting is voluntary for most individuals, certain professionals are mandated to report their concerns of elder abuse, neglect or financial exploitation. For a list of mandated reporters, please refer to pages 37-39.

<u>County</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
Ogle	Intouch Services of Lutheran Social Services of Illinois	815-626-7333
Peoria	Senior Services of the Center for Prevention of Abuse	309-637-3905
Perry	Shawnee Alliance for Seniors	618-985-8322
Piatt	Senior Resource Center	217-352-5100
Pike	West Central Illinois Case Coordination Unit	217-222-1189
Pope	Shawnee Alliance for Seniors	618-985-8322
Pulaski	Shawnee Alliance for Seniors	618-985-8322
Putnam	Alternatives for the Older Adult	309-277-0167
Randolph	Southwestern Illinois Visiting Nurse Association	618-236-5863
Richland	SWAN (Stopping Woman Abuse Now)	618-392-3556
Rock Island	Alternatives for the Older Adult	309-277-0167
Saline	Shawnee Alliance for Seniors	618-985-8322
Sangamon	Senior Services of Central Illinois	217-528-4035
Schuyler	West Central Illinois Case Coordination Unit	217-222-1189
Scott	Prairie Council on Aging	217-479-4600
Shelby	Cumberland Associates, Inc.	1-800-626-7911
St. Clair	Southwestern Illinois Visiting Nurse Association	618-236-5863
Stark	Senior Services of the Center for Prevention of Abuse	309-637-3905
Stephenson	Stephenson County Senior Center	815-235-9777
Tazewell	Senior Services of the Center for Prevention of Abuse	309-637-3905
Union	Shawnee Alliance for Seniors	618-985-8322
Vermilion	CRIS Healthy Aging Center	217-443-2999
Wabash	SWAN (Stopping Woman Abuse Now)	618-392-3556
Warren	Alternatives for the Older Adult	309-277-0167
Washington	Southwestern Illinois Visiting Nurse Association	618-236-5863

County	Elder Abuse Agency	Phone Number
Kane	Senior Services Associates (Elgin) (Aurora)	847-741-0404 630-897-4035
Kankakee	Catholic Charities, Diocese of Joliet	815-932-1921
Kendall	Senior Services Associates, Inc.	630-553-5777
Knox	Alternatives for the Older Adult	309-277-0167
Lake	Catholic Charities, Chicago Archdiocese	847-546-5733
LaSalle	Alternatives for the Older Adult	309-277-0167
Lawrence	SWAN (Stopping Woman Abuse Now)	618-392-3556
Lee	Intouch Services of Lutheran Social Services of Illinois	815-626-7333
Livingston	PATH	309-828-1022
Logan	Senior Services of Central Illinois	217-528-4035
Macon	Community Home Environmental Learning Project, Inc. (CHELP)	217-422-9888
Macoupin	Locust Street Resource Center	217-854-4706
Madison	Southwestern Illinois Visiting Nurse Association	618-236-5863
Marion	SWAN (Stopping Woman Abuse Now)	618-392-3556
Marshall	Senior Services of the Center for Prevention of Abuse	309-637-3905
Mason	Senior Services of Central Illinois	217-528-4035
Massac	Shawnee Alliance for Seniors	618-985-8322
McDonough	Alternatives for the Older Adult	309-277-0167
McHenry	Senior Services Associates	815-344-3555
McLean	PATH	309-828-1022
Menard	Senior Services of Central Illinois	217-528-4035
Mercer	Alternatives for the Older Adult	309-277-0167
Monroe	Southwestern Illinois Visiting Nurse Association	618-236-5863
Montgomery	Montgomery County Health Dept.	217-532-2001
Morgan	Prairie Council on Aging	217-479-4600
Moultrie	Cumberland Associates, Inc.	1-800-626-7911

Elder Abuse And Neglect Act

(Chapter 320 ILCS 20/1 et seq.)

Sec. 1. Short title.

This Act shall be known and may be cited as the “Elder Abuse and Neglect Act.”

Sec. 2. Definitions.

As used in this Act, unless the context requires otherwise:

(a) “Abuse” means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult’s financial resources.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) “Abuser” means a person who abuses, neglects, or financially exploits an eligible adult.

(a-7) “Caregiver” means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.

(b) “Department” means the Department on Aging of the state of Illinois.

(c) “Director” means the Director of the Department.

(d) “Domestic living situation” means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or a board and care home or other community-based unlicensed facility, but is not:

- (1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;
- (1.5) A facility licensed under the MR/DD Community Care Act;
- (2) A “life care facility” as defined in the Life Care Facilities Act;
- (3) A home, institution, or other place operated by the federal government or agency thereof or by the state of Illinois;
- (4) A hospital, sanitarium, or other institution, the principle activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;
- (5) A “community living facility” as defined in the Community Living Facilities Licensing Act;
- (6) (Blank)
- (7) A “community-integrated living arrangement” as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;
- (8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or
- (9) A “supportive living facility” as described in Section 5-5.01a of the Illinois Public Aid Code [305 ILCS 5/5-5.01a].

<u>County</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
DeKalb	Elder Care Services of DeKalb Co.	815-758-6550
DeWitt	Community Home Environmental Learning Project, Inc. (CHELP)	217-422-9888
Douglas	Cumberland Associates, Inc.	1-800-626-7911
DuPage	DuPage County Department of Community Services	630-407-6500
Edgar	Cumberland Associates, Inc.	1-800-626-7911
Edwards	SWAN (Stopping Woman Abuse Now)	618-392-3556
Effingham	SWAN (Stopping Woman Abuse Now)	618-392-3556
Fayette	(Stopping Woman Abuse Now)	618-392-3556
Ford	Elder Care Services of Ford-Iroquois Counties	815-432-2483
Franklin	Shawnee Alliance for Seniors	618-985-8322
Fulton	Senior Services of the Center for Prevention of Abuse	309-637-3905
Gallatin	Shawnee Alliance for Seniors	618-985-8322
Greene	Prairie Council on Aging	217-479-4600
Grundy	Catholic Charities, Diocese of Joliet	815-932-1921
Hamilton	SWAN (Stopping Woman Abuse Now)	618-392-3556
Hancock	West Central Illinois Case Coordination Unit	217-222-1189
Hardin	Shawnee Alliance for Seniors	618-985-8322
Henderson	Alternatives for the Older Adult	309-277-0167
Henry	Alternatives for the Older Adult	309-277-0167
Iroquois	Elder Care Services of Ford-Iroquois Counties	815-432-2483
Jackson	Shawnee Alliance for Seniors	618-985-8322
Jasper	SWAN (Stopping Woman Abuse Now)	618-392-3556
Jefferson	SWAN (Stopping Woman Abuse Now)	618-392-3556
Jersey	Prairie Council on Aging	217-479-4600
JoDaviess	Stephenson County Senior Center	815-235-9777
Johnson	Shawnee Alliance for Seniors	618-985-8322

Agencies Responding to Domestic Elder Abuse, Neglect and Financial Exploitation

24-Hour Elder Abuse Hotline Illinois Department on Aging

1-866-800-1409
1-888-206-1327(TTY)

Can accept reports of domestic elder abuse, neglect, and financial exploitation and refer to the local Elder Abuse Provider Agencies throughout the state. Or call locally:

<u>County</u>	<u>Elder Abuse Agency</u>	<u>Phone Number</u>
Adams	West Central Illinois Case Coordination Unit	217-222-1189
Alexander	Shawnee Alliance for Seniors	618-985-8322
Bond	Southwestern Illinois Visiting Nurse Association	618-236-5863
Boone	Visiting Nurses Association of Rockford	815-971-3502
Brown	West Central Illinois Case Coordination Unit	217-222-1189
Bureau	Alternatives for the Older Adult	309-277-0167
Calhoun	West Central Illinois Case Coordination Unit	217-222-1189
Carroll	Intouch Service of Lutheran Social Services of Illinois	815-626-7333
Cass	Prairie Council on Aging	217-479-4600
Champaign	Senior Resource Center	217-352-5100
Christian	Locust Street Resource Center	217-854-4706
Clark	Cumberland Associates, Inc.	1-800-626-7911
Clay	SWAN (Stopping Woman Abuse Now)	618-392-3556
Clinton	Southwestern Illinois Visiting Nurse Association	618-236-5863
Coles	Cumberland Associates, Inc.	1-800-626-7911
Cook	See pages 45-46.	
Crawford	SWAN (Stopping Woman Abuse Now)	618-392-3556
Cumberland	Cumberland Associates, Inc.	1-800-626-7911

(e) “Eligible adult” means a person 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.

(f) “Emergency” means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

(f-5) “Mandated reporter” means any of the following persons while engaged in carrying out their professional duties:

- (1) a professional or professional’s delegate while engaged in:
 - (i) social services,
 - (ii) law enforcement,
 - (iii) education,
 - (iv) the care of an eligible adult or eligible adults, or
 - (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietetic and Nutrition Services Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the

Professional Counselor and Clinical Professional Counselor Licensing Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community-based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the state of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or

✕ a person who performs the duties of a coroner or medical examiner;

✕ a person who performs the duties of a paramedic or an emergency medical technician.

* Note: the law exempts attorneys, including legal services providers and bankers, from mandatory reporting.

- Pharmacy Practice Act of 1987
- Physician Assistant Practice Act of 1987
- Podiatric Medical Practice Act of 1987
- Professional Counselor and Clinical Professional Counselor Licensing Act
- Respiratory Care Practice Act
- Veterinary Medicine and Surgery Practice Act of 2004

- ✗ an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;
- ✗ an administrator, employee, or person providing services in or through an unlicensed community-based facility;
- ✗ any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;
- ✗ field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;
- ✗ personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies,* and the Office of State Long Term Care Ombudsman;
- ✗ any employee of the state of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) “Neglect” means another individual’s failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) “Provider agency” means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation.

(i) “Regional administrative agency” means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) “Self-neglect” means a condition that is the result of an eligible adult’s inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which

significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) “Substantiated case” means a reported case of alleged or suspected abuse, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

Sec. 3. Responsibilities.

(a) The Department shall establish, design and manage a program of response and services for persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, financial exploitation, or self-neglect. The Department shall contract with or fund or, contract with and fund, regional administrative agencies, provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to this Act. The program shall include the following services for eligible adults who have been removed from their residences for the purpose of cleanup or repairs: temporary housing; counseling; and caseworker services to try to ensure that the conditions necessitating the removal do not reoccur.

(b) Each regional administrative agency shall designate provider agencies within its planning and service area with prior approval by the Department on Aging, monitor the use of services, provide technical assistance to the provider agencies and be involved in program development activities.

(c) Provider agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently. Such assistance shall include but not be limited to receiving reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, conducting face-to-face assessments of such reported cases, determination of substantiated cases, referral of substantiated cases for necessary

Mandated Reporters under the Elder Abuse and Neglect Act

As defined in the Elder Abuse and Neglect Act 320 (ILCS 20/1 et seq.), as amended

“Mandated Reporter” means any of the following persons while engaged in carrying out their professional duties:

- ✕ A professional or professional’s delegate while engaged in:
 - ❖ social services
 - ❖ the care of an eligible adult or eligible adults
 - ❖ education
 - ❖ law enforcement
 - ❖ any of the occupations required to be licensed under the:
 - Clinical Psychologist Licensing Act
 - Clinical Social Work and Social Work Practice Act
 - Dietetic and Nutrition Services Practice Act
 - Illinois Dental Practice Act
 - Illinois Nursing Act
 - Illinois Occupational Therapy Practice Act
 - Illinois Optometric Practice Act of 1987
 - Illinois Physical Therapy Act
 - Illinois Public Accounting Act
 - Illinois Speech-Language Pathology and Audiology Practice Act
 - Marriage and Family Therapy Licensing Act
 - Medical Practice Act of 1987
 - Naprapathic Practice Act
 - Nursing Home Administrators Licensing and Disciplinary Act

(ii) a representative of a provider agency, as defined in Section 2 of the Elder Abuse and Neglect Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act;

(iii) a representative of the Office of the State Long Term Care Ombudsman, acting in the course of an investigation of a complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging;

(iv) a representative of the Office of Inspector General for the Department of Human Services acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act; or

(v) a court under Section 2-10 of this Act.

(d) If the agent fails to provide his or her record of all receipts, disbursements, and significant actions within 21 days after a request under subsection (c), the elder abuse provider agency or the State Long Term Care Ombudsman may petition the court for an order requiring the agent to produce his or her record of receipts, disbursements, and significant actions. If the court finds that the agent's failure to provide his or her record in a timely manner to the elder abuse provider agency or the State Long Term Care Ombudsman was without good cause, the court may assess reasonable costs and attorney's fees against the agent, and order such other relief as is appropriate.

(e) An agent is not required to disclose receipts, disbursements, or other significant actions conducted on behalf of the principal except as otherwise provided in the power of attorney or as required under subsection (c).

(f) An agent that violates this Act is liable to the principal or the principal's successors in interest for the amount required (i) to restore the value of the principal's property to what it would have been had the violation not occurred, and (ii) to reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf. This subsection does not limit any other applicable legal or equitable remedies.

(Source: P.A. 96-1195, eff. 7/1/11.)

support services, referral of criminal conduct to law enforcement in accordance with Department guidelines, and provision of case work and follow-up services on substantiated cases. In the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report on an emergency basis in accordance with guidelines established by the Department by administrative rule and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. A provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends.

(d) Upon sufficient appropriations to implement a statewide program, the Department shall implement a program, based on the recommendations of the Elder Self-Neglect Steering Committee, for

- (i) responding to reports of possible self-neglect,
- (ii) protecting the autonomy, rights, privacy, and privileges of adults during investigations of possible self-neglect and consequential judicial proceedings regarding competency,
- (iii) collecting and sharing relevant information and data among the Department, provider agencies, regional administrative agencies, and relevant seniors,
- (iv) developing working agreements between provider agencies and law enforcement, where practicable, and
- (v) developing procedures for collecting data regarding incidents of self-neglect.

Sec. 3.5. Other responsibilities.

The Department shall also be responsible for the following activities, contingent upon adequate funding:

- (a) promotion of a wide range of endeavors for the purpose of preventing elder abuse, neglect, financial exploitation, and self-neglect in both domestic and institutional settings,

including, but not limited to, promotion of public and professional education to increase awareness of elder abuse, neglect, financial exploitation, and self-neglect, to increase reports, and to improve response by various legal, financial, social, and health systems;

(b) coordination of efforts with other agencies, councils, and like entities, to include but not be limited to, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training and Standards Board, the State Triad, the Criminal Justice Information Authority, the Departments of Public Health, Healthcare and Family Services, and Human Services, the Illinois Family Violence Coordinating Council, the Violence Prevention Authority, and other entities which may impact awareness of, and response to, elder abuse, neglect, financial exploitation, and self-neglect;

(c) collection and analysis of data;

(d) monitoring of the performance of regional administrative agencies and elder abuse provider agencies;

(e) promotion of prevention activities;

(f) establishing and coordinating an aggressive training program on the unique nature of elder abuse cases with other agencies, councils and like entities, to include but not be limited to, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training and Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the State Departments of Public Health, Healthcare and Family Services, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority and other entities that may impact awareness of and response to elder abuse, neglect, financial exploitation, and self-neglect;

(g) solicitation of financial institutions for the purpose of making information available to the general public warning of financial exploitation of the elderly and related financial fraud or abuse, including such information and warnings available through

The Power of Attorney Act of 1987:

(755 ILCS 45/2-7 and 3.3)

Sec. 2-7 Duty - standard of care - record-keeping - exoneration

(a) The agent shall be under no duty to exercise the powers granted by the agency or to assume control of or responsibility for any of the principal's property, care or affairs, regardless of the principal's physical or mental condition. Whenever a power is exercised, the agent shall act in good faith for the benefit of the principal using due care, competence, and diligence in accordance with the terms of the agency and shall be liable for negligent exercise. An agent who acts with due care for the benefit of the principal shall not be liable or limited merely because the agent also benefits from the act, has individual or conflicting interests in relation to the property, care or affairs of the principal or acts in a different manner with respect to the agency and the agent's individual interests. The agent shall not be affected by any amendment or termination of the agency until the agent has actual knowledge thereof. The agent shall not be liable for any loss due to error of judgment nor for the act or default of any other person.

(b) An agent that has accepted appointment must act in accordance with the principal's expectations to the extent actually known to the agent and otherwise in the principal's best interests.

(c) An agent shall keep a record of all receipts, disbursements, and significant actions taken under the authority of the agency and shall provide a copy of this record when requested to do so by:

(i) the principal, a guardian, another fiduciary acting on behalf of the principal, and, after the death of the principal, the personal representative or successors in interest of the principal's estate;

(2) *You have the right to be represented by a lawyer, either one that you retain, or one appointed by the Judge.*

(3) *You have the right to ask for a jury of six persons to hear your case.*

(4) *You have the right to present evidence to the court and to confront and cross-examine witnesses.*

(5) *You have the right to ask the Judge to appoint an independent expert to examine you and give an opinion about your need for a guardian.*

(6) *You have the right to ask that the court hearing be closed to the public.*

(7) *You have the right to tell the court whom you prefer to have for your guardian.*

You do not have to attend the court hearing if you do not want to be there. If you do not attend, the Judge may appoint a guardian if the Judge finds that a guardian would be of benefit to you. The hearing will not be postponed or canceled if you do not attend.

IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE PERSON NAMED IN THE GUARDIANSHIP PETITION TO BE YOUR GUARDIAN. IF YOU DO NOT WANT A GUARDIAN OR IF YOU HAVE ANY OTHER PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND TELL THE JUDGE.

Service of summons and the petition may be made by a private person 18 years of age or over who is not a party to the action.

(f) Notice of the time and place of the hearing shall be given by the petitioner by mail or in person to those persons, including the proposed guardian, whose names and addresses appear in the petition and who do not waive notice, not less than 14 days before the hearing.

signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution; and

(g-1) developing by joint rulemaking with the Department of Financial and Professional Regulation minimum training standards which shall be used by financial institutions for their current and new employees with direct customer contact; the Department of Financial and Professional Regulation shall retain sole visitation and enforcement authority under this subsection (g-1); the Department of Financial and Professional Regulation shall provide bi-annual reports to the Department setting forth aggregate statistics on the training programs required under this subsection (g-1); and

(h) coordinating efforts with utility and electric companies to send notices in utility bills to explain to persons 60 years of age or older their rights regarding telemarketing and home repair fraud.

Sec. 4. Reports of abuse or neglect.

(a) Any person who suspects the abuse, neglect, financial exploitation, or self-neglect of an eligible adult may report this suspicion to an agency designated to receive such reports under this Act or to the Department.

(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of dysfunction is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, board and care home, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with

the provisions of this Act and may also notify the person in charge of the institution, facility, board and care home, or agency or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, board and care home, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.

(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act

agency is the petitioner, pursuant to Section 9 of the Elder Abuse and Neglect Act, or where the Department of Human Services Office of Inspector General is the petitioner, consistent with Section 45 of the Abuse of Adults with Disabilities Intervention Act, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the elder abuse provider agency, or the Department of Human Services Office of Inspector General.

(d) The hearing may be held at such convenient place as the court directs, including at a facility in which the respondent resides.

(e) Unless he is the petitioner, the respondent shall be personally served with a copy of the petition and a summons not less than 14 days before the hearing. The summons shall be printed in large, bold type and shall include the following notice:

NOTICE OF RIGHTS OF RESPONDENT

You have been named as a respondent in a guardianship petition asking that you be declared a disabled person. If the court grants the petition, a guardian will be appointed for you. A copy of the guardianship petition is attached for your convenience.

The date and time of the hearing are:

The place where the hearing will occur is:

The Judge's name and phone number is:

If a guardian is appointed for you, the guardian may be given the right to make all important decisions for you, such as where you may live, what medical treatment you may receive, what places you may visit, and who may visit you. A guardian may also be given the right to control and manage your money and other property, including your home, if you own one. You may lose the right to make these decisions for yourself.

You have the following legal rights:

(1) You have the right to be present at the court hearing.

because of mental deterioration, depending on the type of disability that is alleged. The guardian ad litem shall personally observe the respondent prior to the hearing and shall inform him orally and in writing of the contents of the petition and of his rights under Section 11a-11. The guardian ad litem shall also attempt to elicit the respondent's position concerning the adjudication of disability, the proposed guardian, a proposed change in residential placement, changes in care that might result from the guardianship, and other areas of inquiry deemed appropriate by the court. At or before the hearing, the guardian ad litem shall file a written report detailing his or her observations of the respondent, the responses of the respondent to any of the inquiries detailed in this Section, the opinion of the guardian ad litem or other professionals with whom the guardian ad litem consulted concerning the appropriateness of guardianship, and any other material issue discovered by the guardian ad litem. The guardian ad litem shall appear at the hearing and testify as to any issues presented in his or her report.

(b) The court (1) may appoint counsel for the respondent, if the court finds that the interests of the respondent will be best served by the appointment, and (2) shall appoint counsel upon respondent's request or if the respondent takes a position adverse to that of the guardian ad litem. The respondent shall be permitted to obtain the appointment of counsel either at the hearing or by any written or oral request communicated to the court prior to the hearing. The summons shall inform the respondent of this right to obtain appointed counsel. The court may allow counsel for the respondent reasonable compensation.

(c) If the respondent is unable to pay the fee of the guardian ad litem or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent's estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where an elder abuse provider

shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, or financial exploitation, or self-neglect shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order.

(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A) (22) of Section 23 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 22 of the Illinois Dental Practice Act. Any optometrist who willfully fails to report as required by this Act shall be referred to the Department of Financial and Professional Regulation for action in accordance with paragraph (15) of subsection (a) of Section 24 of the Illinois Optometric Practice Act of 1987. Any other mandated reporter required by this Act to report suspected abuse, neglect, or financial exploitation who willfully fails to report the same is guilty of Class A misdemeanor.

Sec. 4.1. Employer discrimination.

No employer shall discharge, demote or suspend, or threaten to discharge, demote or suspend, or in any manner discriminate against any employee who makes any good faith oral

or written report of suspected elder abuse, neglect, or financial exploitation or who is or will be a witness or testify in any investigation or proceeding concerning a report of suspected elder abuse, neglect, or financial exploitation.

Sec. 4.2. Testimony by mandated reporter and investigator.

Any mandated reporter who makes a report or any person who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such report, as to any evidence of abuse, neglect, or financial exploitation or the cause thereof. Any mandated reporter who is required to report a suspected case of abuse, neglect, or financial exploitation under Section 4 of this Act shall testify fully in any administrative hearing resulting from such report, as to any evidence of abuse, neglect, or financial exploitation or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged abuser or the eligible adult subject of the report under this Act and the person making or investigating the report.

Sec. 5. Procedure.

(a) A provider agency designated to receive reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act shall, upon receiving such a report, conduct a face-to-face assessment with respect to such report, in accord with established law and Department protocols, procedures, and policies. Face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect. In the absence of sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect, the designated elder abuse provider agency shall refer all reports of self-neglect to the appropriate agency or agencies as designated by the Department for any follow-up. The assessment shall include, but not be limited to, a visit to the residence of the eligible adult

If the holder is a financial institution, trust company, trustee, or similar entity or person, the holder shall not be liable for any distribution or release of the property, benefit, or other interest to the person convicted of a violation of Section 12-19, 12-21, or 17-56 of the Criminal Code of 1961 unless the holder knowingly distributes or releases the property, benefit, or other interest to the person so convicted after the first having received actual written notice of the conviction in sufficient time to act upon the notice.

The Department of Illinois State Police shall have access to State of Illinois databases containing information that may help in the identification or location of persons convicted of the offenses enumerated in the Section. Interagency agreements shall be implemented, consistent with security and procedures established by the State agency and consistent with the laws governing the confidentiality of the information in the databases. Information shall be used only for administration of this Section.

Sec. 11a-10. Procedures preliminary to hearing.

(a) Upon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days. The court shall appoint a guardian ad litem to report to the court concerning the respondent's best interests consistent with the provisions of this Section, except that the appointment of a guardian ad litem shall not be required when the court determines that such appointment is not necessary for the protection of the respondent or a reasonably informed decision on the petition. If the guardian ad litem is not a licensed attorney, he or she shall be qualified, by training or experience, to work with or advocate for the developmentally disabled, mentally ill, physically disabled, the elderly, or persons disabled because of mental deterioration, depending on the type of disability that is alleged in the petition. The court may allow the guardian ad litem reasonable compensation. The guardian ad litem may consult with a person who by training or experience is qualified to work with persons with a developmental disability, persons with mental illness, or physically disabled persons, or persons disabled

The Probate Act of 1975: (755 ILCS 5/2-6.6 new and 5/11A-10)

Sec. 2-6.6. Person convicted of certain offenses against the elderly or disabled.

A person who is convicted of a violation of Section 12-19, 12-21, or 17-56 of the Criminal Code of 1961 may not receive any property, benefit, or other interest by reason of the death of the victim of that offense, whether as heir, legatee, beneficiary, joint tenant, tenant by the entirety, survivor, appointee, or in any other capacity and whether the property, benefit, or other interest passes pursuant to any form of title registration, testamentary or nontestamentary instrument, intestacy, renunciation, or any other circumstance. The property, benefit, or other interest shall pass as if the person convicted of a violation of Section 12-19, 12-21, or 17-56 of the Criminal Code of 1961 died before the decedent; provided that with respect to joint tenancy property held in tenancy by the entirety, the interest possessed prior to the death of the person convicted may not be diminished by the application of this Section. Notwithstanding the foregoing, a person convicted of a violation of Section 12-19, 12-21, or 17-56 of the Criminal Code of 1961 shall be entitled to receive property, a benefit, or an interest in any capacity and under any circumstances described in this Section if it is demonstrated by clear and convincing evidence that the victim of that offense knew of the conviction and, subsequent to the conviction expressed or ratified his or her intent to transfer the property, benefit, or interest to the person convicted of a violation of Section 12-19, 12-21, or 17-56 of the Criminal Code of 1961 in any manner contemplated by this Section.

The holder of any property subject to the provisions of this Section is not liable for distributing or releasing the property to the person convicted of violating Section 12-19, 12-21, for 17-56 of the Criminal Code of 1961.

who is the subject of the report and may include interviews or consultations with service agencies or individuals who may have knowledge of the eligible adult's circumstances. If, after the assessment, the provider agency determines that the case is substantiated, it shall develop a service care plan for the eligible adult and may report its findings to the appropriate law enforcement agency in accord with established law and Department protocols, procedures, and policies. In developing the plan, the provider agency may consult with any other appropriate provider of services, and such providers shall be immune from civil or criminal liability on account of such acts. The plan shall include alternative suggested or recommended services which are appropriate to the needs of the eligible adult and which involve the least restriction of the eligible adult's activities commensurate with his or her needs. Only those services to which consent is provided in accordance with Section 9 of this Act shall be provided, contingent upon the availability of such services.

(b) A provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake or any time during the case. Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.

(c) If any person other than the alleged victim refuses to allow the provider agency to begin an investigation, interferes with the provider agency's ability to conduct an investigation, or refuses to give access to an eligible adult, the appropriate law enforcement agency must be consulted regarding the investigation.

Sec. 6. Time.

The Department shall by rule establish the period of time within which an assessment shall begin and within which a service care plan shall be implemented. Such rules shall provide for an expedited response to emergency situations.

Sec. 7. Review.

All services provided to an eligible adult shall be reviewed by the provider agency on at least a quarterly basis for up to one year to determine whether the service care plan should be continued or modified; except that the Department on Aging may, upon review, grant a waiver to extend the service care plan for up to one additional one-year period.

Sec. 8. Access to records.

(a) All records concerning reports of elder abuse, neglect, financial exploitation, or self-neglect and all records generated as a result of such reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. In accord with established law and Department protocols, procedures, and policies, access to such records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, financial exploitation, or self-neglect as contained in such records, shall be provided upon request to the following persons and for the following persons:

- (1) Department staff, provider agency staff, other aging network staff, and regional administrative agency staff, including staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency, in the furtherance of their responsibilities under this Act;
- (2) a law enforcement agency investigating known or suspected elder abuse, neglect, financial exploitation, or self-neglect. Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;
- (3) a physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may be abused, neglected, financially exploited, or self-neglected, or who has

The Code of Civil Procedure: (735 ILCS 5/Art. VIII, Part 27, Section 8-2701)

PART 27. ELDER ADULTS

Sec. 8-2701. Admissibility of Evidence; Out of Court Statements; Elder Abuse.

(a) An out of court statement made by an eligible adult, as defined in the Elder Abuse and Neglect Act, who has been diagnosed by a physician to suffer from (i) any form of dementia, developmental disability, or other form of mental incapacity or (ii) any physical infirmity which prevents the eligible adult's appearance in court, describing any act of elder abuse, neglect, or financial exploitation, or testimony by an eligible adult of an out of court statement made by the eligible adult that he or she complained of such acts to another, is admissible in any civil proceeding, if:

- (1) the court conducts a hearing outside the presence of the jury and finds that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and
- (2) the eligible adult either:
 - (A) testifies at the proceeding; or
 - (B) is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement.

(b) If a statement is admitted pursuant to this Section, the court shall instruct the jury that it is for the jury to determine the weight and credibility to be given to the statement and that, in making its determination, it shall consider the condition of the eligible adult, the nature of the statement, the circumstances under which the statement was made, and any other relevant factors.

(c) The proponent of the statement shall give the adverse party reasonable notice of an intention to offer the statement and the particulars of the statement.

(b) Such testimony shall only be admitted if:

(1) The court finds in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and

(2) The eligible adult either:

(A) testifies at the proceeding; or

(B) is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement.

(c) If a statement is admitted pursuant to this Section, the court shall instruct the jury that it is for the jury to determine the weight and credibility to be given the statement and that, in making the determination, it shall consider the condition of the eligible adult, the nature of the statement, the circumstances under which the statement was made, and any other relevant factors.

(d) The proponent of the statement shall give the adverse party reasonable notice of his or her intention to offer the statement and the particulars of the statement.

been referred to the Elder Abuse and Neglect Program;

(4) an eligible adult reported to be abused, neglected, financially exploited, or self-neglected, or such adult's authorized guardian or agent unless such guardian or agent is the abuser or the alleged abuser;

(4.5) an executor or administrator of the estate of an eligible adult who is deceased;

(5) in cases regarding elder abuse, neglect, or financial exploitation, a court or a guardian ad litem, upon its or his or her finding that access to such records may be necessary for the determination of an issue before the court. However, such access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it;

(5.5) in cases regarding self-neglect, a guardian ad litem;

(6) a grand jury, upon its determination that access to such records is necessary in the conduct of its official business;

(7) any person authorized by the Director, in writing, for audit or bona fide research purposes;

(8) a coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, neglect, financial exploitation, or self-neglect. The provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult;

(8.5) A coroner or medical examiner having proper jurisdiction, pursuant to a written agreement between a provider agency and the coroner or medical examiner, under which the provider agency may furnish to the office of the coroner or medical examiner a list of all eligible adults who may be at

imminent risk of death as a result of abuse, neglect, financial exploitation, or self-neglect; and

(9) Department of Professional Regulation staff and members of the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act by provider agency staff.

Sec. 9. Authority to consent to services.

(a) If an eligible adult consents to services being provided according to the case plan, such services shall be arranged to meet the adult's needs, based upon the availability of resources to provide such services. If an adult withdraws his or her consent or refuses to accept such services, the services shall not be provided.

(b) If it reasonably appears to the Department or other agency designated under this Act that a person is an eligible adult and lacks the capacity to consent to necessary services, including an assessment, the Department or other agency may seek the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such services, together with an order for an evaluation of the eligible adult's physical, psychological, and medical condition and decisional capacity.

(c) A guardian of the person of an eligible adult may consent to services being provided according to the case plan. If an eligible adult lacks capacity to consent to services, an agent having authority under a power of attorney may consent to services. If the guardian withdraws his or her consent or refuses to allow services to be provided to the eligible adult, the Department, an agency designated under this Act, or the office of the Attorney General may request a court order seeking appropriate remedies, and may in addition request removal of the guardian and appointment of a successor guardian or request removed of the agent and appointment of a guardian.

The Code of Criminal Procedure of 1963:

(725 ILCS 5/114-13.5 new)

Sec. 114-13.5. Evidence Deposition: Elder Abuse.

In a prosecution for abuse, neglect, or financial exploitation of an eligible adult as defined in the Elder Abuse and Neglect Act, the eligible adult may give testimony in the form of an evidence deposition and not be required to appear in court to testify.

(725 ILCS 5/115-10.3)

Sec. 10.3. Hearsay Exception Regarding Elder Adults.

(a) In a prosecution for a physical act, abuse, neglect, or financial exploitation perpetrated upon or against an eligible adult, as defined in the Elder Abuse and Neglect Act, who has been diagnosed by a physician to suffer from (i) any form of dementia, developmental disability, or other form of mental incapacity or (ii) any physical infirmity, including but not limited to prosecutions for violations of Sections 10-1, 10-2, 10-3, 10-3.1, 10-4, 11-11, 12-1, 12-2, 12-3, 12-3.05, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.5, 12-4.6, 12-4.7, 12-5, 12-6, 12-7.3, 12-7.4, 12-11, 12-11.1, 12-13, 12-14, 12-15, 12-16, 12-21, 16-1, 16-1.3, 17-1, 17-3, 18-1, 18-2, 18-3, 18-4, 18-5, 20-1.1, 24-1.2 and 33A-2, or subsection (b) of section 12-4.4a, of the Criminal Code of 1961, the following evidence shall be admitted as an exception to the hearsay rule:

(1) testimony by an eligible adult, of an out of court statement made by the eligible adult, that he or she complained of such act to another; and

(2) testimony of an out of court statement made by the eligible adult, describing any complaint of such act or matter or detail pertaining to any act which is an element of an offense which is the subject of a prosecution for a physical act, abuse, neglect, or financial exploitation perpetrated upon or against the eligible adult.

information deemed confidential or privileged or prohibited from disclosure by any other provision of law. Release of confidential communication between domestic violence advocates and a domestic violence victim shall follow subsection (d) of Section 227 of the Illinois Domestic Violence Act of 1986 which allows for the waiver of privilege afforded to guardians, executors, or administrators of the estate of the domestic violence victim. This provision relating to the release of confidential communication between domestic violence advocates and a domestic violence victim shall exclude adult protective service providers.

A coroner's or medical examiner's office may share with a review team medical records that have been made available to the coroner's or medical examiner's office in connection with that office's investigation of a death.

(e) A review team's recommendation in relation to a case discussed or reviewed by the review team, including, but not limited to, a recommendation concerning an investigation or prosecution in relation to such a case, may be disclosed by the review team upon the completion of its review and at the discretion of a majority of its members who reviewed the case.

(f) The Department, in consultation with coroners, medical examiners, and law enforcement agencies, shall use aggregate data gathered by review teams and review teams' recommendations to create an annual report and may use those data and recommendations to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for persons 60 years of age or older and their families. The Department or other State or county agency, in consultation with coroners, medical examiners, and law enforcement agencies, also may use aggregate data gathered by review teams to create a database of at-risk individuals.

(d) If an emergency exists and the Department or other agency designated under this Act reasonably believes that a person is an eligible adult and lacks the capacity to consent to necessary services, the Department or other agency may request an ex parte order from the circuit court of the county in which the petitioner or respondent resides or in which the alleged abuse, neglect, financial exploitation, or self-neglect occurred, authorizing an assessment of a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect or the provision of necessary services, or both, including relief available under the Illinois Domestic Violence Act of 1986 in accord with established law and Department protocols, procedures, and policies. Petitions filed under this subsection shall be treated as expedited proceedings.

(e) Within fifteen (15) days after the entry of the ex parte emergency order, the order shall expire or, if the need for assessment or services continues, the provider agency shall petition for the appointment of a guardian as provided in Article Xla of the Probate Act of 1975 for the purpose of consenting to such assessment or services or to protect the eligible adult from further harm.

(f) If the court enters an ex parte order under subsection (d) for an assessment of a report of alleged or suspected self-neglect, or for the provision of necessary services in connection with alleged or suspected self-neglect, or for both, the court, as soon as is practicable thereafter, shall appoint a guardian ad litem for the eligible adult who is the subject of the order, for the purpose of reviewing the reasonableness of the order. The guardian ad litem shall review the order and, if the guardian ad litem reasonably believes that the order is unreasonable, the guardian ad litem shall file a petition with the court stating the guardian ad litem's belief and requesting that the order be vacated.

Sec. 9.5. Commencement of action for ex parte authorization orders; filing fees; process.

(a) Actions for ex parte authorization orders are commenced:

(1) independently, by filing a petition for an ex parte authorization order in the circuit court;

(2) in conjunction with other civil proceedings, by filing a petition for an ex parte authorization order under the same case number as a guardianship proceeding under the Probate Act of 1975 where the eligible adult is the alleged disabled adult.

(b) No fee shall be charged by the clerk for filing petitions or certifying orders. No fee shall be charged by a sheriff for service by the sheriff of a petition, rule, motion, or order in an action commenced under this Section.

(c) Any action for an ex parte authorization order commenced independently is a distinct cause of action and requires that a separate summons be issued and served. Service of summons is not required prior to entry of emergency ex parte authorization orders.

(d) Summons may be served by a private person over 18 years of age and not a party to the action. The return by that private person shall be by affidavit. The summons may be served by a sheriff or other law enforcement officer, and if summons is placed for service by the sheriff, it shall be made at the earliest time practicable and shall take precedence over other summonses except those of a similar emergency nature.

Sec. 10. Rules.

The Department shall adopt such rules and regulations as it deems necessary to implement this Act.

Sec. 11. Annual reports.

The Department shall file with the Governor and the General Assembly, within 270 days after the end of each fiscal year, a report concerning its implementation of this Act during such fiscal year, together with any recommendations for future implementation.

(ii) if requested by the deceased's attending physician,
(iii) upon referral by a health care provider, or

(iv) constituting an open or closed case from a senior protective services agency, law enforcement agency, or State's Attorney's office that involves alleged or suspected abuse, neglect, or financial exploitation. A team may also review other cases of deaths of persons 60 years of age or older if the alleged abuse or neglect occurred while the person was residing in a domestic living situation.

A review team shall meet not less than 6 times a year to discuss cases for its possible review. Each review team, with the advice and consent of the Department, shall establish criteria to be used by review teams in discussing cases of alleged, suspected, or substantiated abuse or neglect for review.

(d) Any document or oral or written communication shared within or produced by a review team relating to a case discussed or reviewed by the review team is confidential and is not subject to disclosure to or discoverable by another party.

Any document or oral or written communication provided to a review team by an individual or entity, and created by that individual or entity solely for the use of the review team, is confidential and is not subject to disclosure to or discoverable by another party.

Each entity or individual represented on an elder abuse fatality review team may share with other members of the team information in the entity's or individual's possession concerning the decedent who is the subject of the review or concerning any person who was in contact with the decedent, as well as any other information deemed by the entity or individual to be pertinent to the review. Any such information shared by an entity or individual with other members of a team is confidential. The intent of this paragraph is to permit the disclosure to members of a team of any

Sec. 14. Volunteer corps.

Qualified volunteers may be used for the purpose of increasing public awareness and providing companion-type services, as prescribed by rule, to eligible adults. A qualified volunteer must undergo training as prescribed by the Department by rule, and must adhere to all confidentiality requirements as required by law.

Sec. 15. Elder abuse fatality review teams.

(a) In this Section, “review team” means a regional interagency elder abuse fatality review team established under this Section.

(b) The Department, or any other State or county agency with Department approval, may establish regional interagency elder abuse fatality review teams

(i) to assist local agencies in identifying and reviewing suspicious deaths of elderly victims of alleged, suspected, or substantiated abuse or neglect in domestic living situations and

(ii) to facilitate communications between officials responsible for autopsies and inquests and persons involved in reporting or investigating alleged or suspected cases of abuse, neglect, or financial exploitation of persons 60 years of age or older. Each such team shall be composed of representatives of entities and individuals including, but not limited to, the Department on Aging, coroners or medical examiners (or both), State’s Attorneys, local police departments, forensic units, and providers of services for persons 60 years of age or older in domestic living situations.

(c) A review team shall review cases of deaths of persons 60 years of age or older in domestic living situations

(i) involving blunt force trauma or an undetermined manner or suspicious cause of death,

Sec. 12. (Repealed)

Sec. 13. Access.

(a) In accord with established law and Department protocols, procedures, and policies, the designated provider agencies shall have access to eligible adults who have been reported or found to be victims of abuse, neglect, financial exploitation, or self-neglect in order to assess the validity of the report, assess other needs of the eligible adult, and provide services in accordance with this Act.

(b) Where access to an eligible adult is denied, the Office of the Attorney General, the Department, or the provider agency may petition the court for an order to require appropriate access where:

(1) a caregiver or third party has interfered with the assessment or service plan, or

(2) the agency has reason to believe that the eligible adult is denying access because of coercion, extortion, or justifiable fear of future abuse, neglect, or financial exploitation.

(c) The petition for an order requiring appropriate access shall be afforded an expedited hearing in the circuit court.

(d) If the provider agency has substantiated financial exploitation against an eligible adult, and has documented a reasonable belief that the eligible adult will be irreparably harmed as a result of the financial exploitation, the Office of the Attorney General, the Department, or the provider agency may petition for an order freezing the assets of the eligible adult. The petition shall be filed in the county or counties in which the assets are located. The court’s order shall prohibit the sale, gifting, transfer, or wasting of the assets of the eligible adult, both real and personal, owned by, or vested in, the eligible adult, without the expressed permission of the court. The petition to freeze the assets of the eligible adult shall be afforded an expedited hearing in the circuit court.

Sec. 13.5. Commencement of action for access; filing fees; process; notice; duration of orders.

(a) Actions for orders seeking access to an eligible adult or freezing assets of an eligible adult are commenced:

- (1) independently, by filing a petition for access to an eligible adult or freezing the assets of an eligible adult in circuit court;
- (2) in conjunction with other civil proceedings, by filing a petition for access to an eligible adult or freezing the assets of an eligible adult under the same case number as another civil proceeding involving the parties, including, but not limited to:
 - (i) a guardianship proceeding under the Probate Act of 1975;
 - (ii) a proceeding for involuntary commitment under the Mental Health and Developmental Disabilities Code;
 - (iii) any other proceeding, provided that the eligible adult or the respondent is a party to the subject of that proceeding.

(b) No fee shall be charged by the clerk for filing petitions or certifying orders. No fee shall be charged by a sheriff for service by the sheriff of such a petition, rule, motion or order in an action commenced under this Section.

(c) Any action for an order for access to an eligible adult or freezing assets of an eligible adult, whether commenced independently or in conjunction with another proceeding, is a distinct cause of action and requires that a separate summons be issued and served, except that in pending cases the following methods may be used:

- (1) Delivery of the summons to respondent personally in open court in pending civil or criminal cases.
- (2) Mailing to the defendant, or, if represented, to

the defendant's attorney of record in the civil cases in which the defendant has filed a general appearance. The summons shall be in the form prescribed by subsection (d) of Supreme Court Rule 101, except that it shall require the respondent to answer or appear within seven days. Attachments to the summons or notice shall include the petition for access to an eligible adult or freezing assets of an eligible adult and supporting affidavits, if any, and any emergency order for access to an eligible adult or freezing assets of an eligible adult that has been issued.

(d) Summons may be served by a private person over 18 years of age and not a party to the action. The return by that private person shall be by affidavit. The summons may be served by a sheriff or other law enforcement officer, and if summons is placed for service by the sheriff, it shall be made at the earliest time practicable and shall take precedence over other summonses except those of a similar emergency nature.

(e) Except as otherwise provided in this Section, notice of hearings on petitions or motions shall be served in accordance with Supreme Court Rules 11 and 12 unless notice is excused by the Code of Civil Procedure, Supreme Court Rules, or local rules, as now or hereafter amended.

(f) Original notice of a hearing on a petition for access to an eligible adult or freezing assets of an eligible adult may be given, and the documents served, in accordance with Supreme Court Rules 11 and 12. When, however, an emergency order is sought in such a case of an ex parte application, the notice rules set forth in Section 11-101 of the Code of Civil Procedure shall apply.

(g) An order entered in accordance with Sections 13 and 13.5 shall be valid for a fixed period of time, not to exceed two (2) years.

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Give your baby a chance.

Kelli's Story

My name is Kelli and I found out I was pregnant when I was a freshman in high school. I was so scared that I hid my pregnancy from my family and friends. I worried that people would reject me or be angry with me if they found out I was pregnant. I was wrong.

I delivered my baby by myself. Because I was still too frightened to talk to anyone and ask for help, I made a terrible mistake that I can never take back. I left my newborn on a neighbor's porch. My baby died there, and my life will never be the same. I don't want the same thing to happen to you and your baby.

Please, if you are pregnant, talk to a parent, a teacher, a parent of your friend or other adult that you trust. I know that talking about your pregnancy is difficult, but there are people who can help you.

If you are unable to keep your child, please give him or her a chance to grow up. The law in Illinois allows you to leave your unharmed newborn baby, up to 30 days old, at a staffed police or fire station, hospital or emergency care facility. Your baby will be given a health exam and medical care, and then adopted by a loving family.

For confidential information or help, please call 1-888-510-2229

For confidential information or help, please contact:

1-888-510-2229 (Toll-free)

**or visit the Save Abandoned Babies Foundation at:
www.SaveAbandonedBabies.org**

For information about adoption, contact:

**Illinois Adoption Registry
Toll-Free • 1-877-323-5299**

<http://dph.illinois.gov/adoption/brochure.pdf>

How you can help

- Do an awareness project for your school community service requirement.
- Encourage your organization, school, or club to write a story about the law.
- Health classes are now required to teach this law. See if your school is in compliance.
- Check that your police, fire and hospitals display the required Safe Haven sign.
- Have an idea to help? Want to volunteer? Contact info@SaveAbandonedBabies.org.
- After you read this brochure, pass it on.

**Tell a friend. Talk about it.
You might save a life.**



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CFS 1050-74, Rev. 4/18

No Shame. No Blame. No Names.



Illinois has a safe place for your newborn.

*No one knew you were pregnant.
No one knows about your baby.
You can't take care of your baby.
What are you going to do?*

An unwanted pregnancy can be a traumatic experience. You may have overwhelming feelings of isolation, fear, or shame that could lead to irrational thoughts or acts, such as unsafely abandoning your baby.

Each year in Illinois, there are disturbing reports of newborn babies found in dumpsters and other unsafe places. Under the Illinois Abandoned Newborn Infant Protection Act, unharmed infants **30 days old or younger** can be handed to staff at a safe haven. No questions asked. You don't have to give your name. The police will not be called. Your baby will get medical care and be adopted.

A link to the entire act can be found at www.DCFS.illinois.gov. Click on *Safe Kids* and then on *Baby Safe Haven Law Information*.

Where are safe havens?

In Illinois, safe havens for newborns are:



- Staffed fire stations
- Staffed police stations
- Hospitals
- Emergency care facilities

Look for this sign to identify safe havens in your community.

What does the law do?

The law is intended to provide an alternative to the parents of newborn infants to relinquish their unharmed infants to staff in safe havens while remaining anonymous and avoiding civil or criminal liability. It is recognized that establishing a traditional adoption plan through a private or public adoption agency or choosing to parent the child is a preferable parenting plan to abandonment or relinquishment of an infant. However, the purpose of this law is to reduce the risk of harm to a newborn by a parent who may be under undue stress.

What happens at a safe haven?

Newborns can be handed to personnel at a hospital, emergency care facility, staffed police station or staffed fire station. Staff members at emergency care facilities, fire stations and police stations will make arrangements for transportation of the infant to the nearest hospital.

Hospital personnel will conduct a physical examination of the newborn infant and provide any needed medical care. The hospital is deemed to have temporary protective custody of the newborn until the infant is discharged to an adoption agency.

If you wish, you can fill out forms to provide medical information about your newborn that will help healthcare workers taking care of your baby.

The forms may be filled out at the safe haven location, or you can take the forms with you and return them by mail. You can also download the forms from www.saveabandonedbabies.org or www.DCFS.illinois.gov. Click on *Safe Kids* and then on *Baby Safe Haven Law Information*. All of the information that you provide remains confidential. You do not need to give your name.

Parental rights

There is a presumption that by relinquishing a newborn infant at a safe haven, the infant's parent consents to the termination of his or her parental rights with respect to the infant.

Consider adoption

Every child deserves a safe, loving, permanent home. You can help provide this by making an adoption plan, even before giving birth. Several public and private agencies in Illinois provide services to those who choose to allow their child to be adopted. Agency staff carefully interview and check the backgrounds of prospective adoptive parents to make sure that they:

- Have no criminal or child abuse history
- Have room in their home for a child
- Can support the child financially
- Can provide a loving, safe home

For information about adoption, please call the Illinois Adoption Registry: 1-877-323-5299 (toll-free in Illinois) or <http://dph.illinois.gov/adoption/brochure.pdf>

Offense Incident OI Report 2022.pdf



OFFENSE / INCIDENT REPORT

FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

1. Case Report Number

☐ AOA ☐ Delayed ☐ Juvenile ☐ Telephone

Occurrence Information (Boxes 2 thru 10)																																							
2. Offense / Incident					3. Classification					4. UCR Code		5. Date and Time		6. Beat		7. Unit Assigned																							
8. Address/Location										9. Nearest Cross Streets					10. Type of Place																								
Identifier Codes:										C - Complainant		A - Arrestee		V - Victim		W - Witness		G - Guardian		MP - Missing Person		PN - Person Notified																	
										S - Suspect		O - Offender		J - Juvenile		SP - Spouse		P - Parent		MJ - Missing Juvenile		OT - Other (Specify In Narrative)																	
<input type="checkbox"/> DNA	Code	11. Name (Last, First, M.I.) (Business Name)										12. Sex	13. Race	14. DOB (MM/DD/YY)		15. DL/ID #/STATE																							
	16. Address										17. Email Address					18. Phone Number(s)																							
	19. Sobriety		20. Injured		21. Treated At		22. Treated By		23. Medical Examiner Notified		Time Notified																												
	HBD <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No								<input type="checkbox"/> DNA		Hrs																										
<input type="checkbox"/> DNA	24. Person(s) Involved																																						
	Code	Name (Last, First, M.I.)				Sex	Race	Date of Birth		Address				Phone/Email																									
	DL/ID #/STATE:										<input type="checkbox"/> DNA																												
	DL/ID #/STATE:										<input type="checkbox"/> DNA																												
<input type="checkbox"/> DNA	25. Suspect or Missing Person Description																																						
	Code	Age	Ht.	Wt	Build	Hair Style	Color	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number Associates/Places Known to Frequent, or Other Pertinent Information																													
26. Weapon(s) used by Suspect										27. Property Recovered					28. Evidence Taken by R/O					29. Body Camera Footage		30. Photographs		31. Police Use of Force															
<input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> UNK <input type="checkbox"/> DNA										<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No																	
(Describe in Narrative)										Inventory Number(s):					Inventory Number(s):																								
Message Number										Warrant Number					LEADS Number																								
<input type="checkbox"/> ISPERN <input type="checkbox"/> Type 3										<input type="checkbox"/> DNA					<input type="checkbox"/> DNA					<input type="checkbox"/> DNA																			
<input type="checkbox"/> DNA	32. Arrestee(s)																																						
	Code	Name (Last, First, M.I.)				Charges (Section)				Charges (Description)				AB Number																									
<input type="checkbox"/> DNA	33. Vehicle Information																																						
	Code	Color	Year	Make	Model	Body Style		License No.		State	Year Exp.		Vehicle Identification Number (V.I.N.)				Towed		Hold																				
Code										Distinguishing Damage/Characteristics					Insured By:					Code										Distinguishing Damage/Characteristics					Insured By:				
34. Name/Star No. of Investigator Notified										Time Notified		35. Name/Star No. of Investigator on Scene										Time Arrived		36. Name/Star No. of Supervisor on Scene										Time Arrived					
<input type="checkbox"/> DNA										Hrs		<input type="checkbox"/> DNA										Hrs		<input type="checkbox"/> DNA										Hrs					
37. Reporting Officer Name/Star No. (Print)										38. Assigned By					39. Date and Time Assigned					40. Date and Time Report Approved																			
										<input type="checkbox"/> CC Dispatch <input type="checkbox"/> Supervisor																													
										<input type="checkbox"/> On View <input type="checkbox"/> Citizen																													
41. Reporting Officer's Signature										42. Date and Time Arrived					43. Date and Time Report Completed					44. Supervisor Approving (Signature/Star No.)																			
										Hrs					Hrs																								

Case Report Number

45. Narrative

Case Report Number

☐ **Continuation Page**

Mobile_Data_Terminal_Use.pdf

Mobile Data Terminal Use

413.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Cook County Radio Dispatch Center.

413.2 POLICY

Forest Preserves of Cook County Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

413.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system.

413.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to the on-duty supervisor.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's assigned identification information.

Prior to removing their MDT from their assigned vehicle, members are required to "Power Off" their MDT via their open MDT screen by; selecting the "Start button", then selecting the "Power button" and then selecting "Shut Down". Members shall then remove their assigned MDT from their vehicle and secure their MDT in their assigned department locker which will then be locked, at the end of each tour of duty.

Forest Preserves of Cook County Police Department

Policy

Mobile Data Terminal Use

413.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

- (a) When in motion the MDT shall be in a secured and locked position.
- (b) The vehicle operator shall not enter information into the MDT while the vehicle is in motion. In no case shall the operator attempt to send or review lengthy messages while the vehicle is in motion.

413.5 DOCUMENTATION OF ACTIVITY

All calls for service shall be assigned by a Cook County Radio Dispatcher and shall be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be documented by a dispatcher.
- (c) Whenever security or confidentiality concerns exist and the activity or contact is not initiated by voice, the member shall document it via the MDT.

413.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, in service) shall be disseminated via Cook County Radio transmission.

Members responding to in-progress calls shall advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

413.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer and on-duty supervisor shall respond.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

413.6 EQUIPMENT CONSIDERATIONS

Forest Preserves of Cook County Police Department

Policy

Mobile Data Terminal Use

413.6.1 MALFUNCTIONING

Members will not use malfunctioning MDTs. Whenever a member discovers that an MDT is not operating properly, they shall immediately notify an on-duty supervisor and the Cook County Radio Dispatch Center. It shall be the responsibility of the dispatcher to document all the information that will then be transmitted verbally over the radio.

413.6.2 BOMB CALLS

When investigating reports of possible bombs, members shall not communicate on their MDTs and must turn off their MDT immediately. Radio frequency emitted by the MDT could cause some devices to detonate.

413.7 OFFICER RESPONSIBILITIES

All officers shall be assigned an MDT and shall:

- (a) Be required to LOG ON and LOG OFF at the beginning and end of each tour of duty. Each Officer shall only use their assigned identification information. Under no circumstances shall any officer utilize another officer's identification information.
- (b) Ensure their assigned MDT is properly cared for and maintained.
- (c) Ensure that any dissemination of LEADS and/or NCIC data is in compliance with the rules, regulations and policies of the LEADS and/or NCIC governing bodies.
- (d) Be cognizant that all LEADS/NCIC information is confidential and shall only be used for official law enforcement purposes. Only LEADS certified personnel are allowed to access MDTs.
- (e) Be responsible for ensuring the security of the MDT at all times.
- (f) Notify Cook County Radio Dispatch via radio transmission, upon first initiation on all traffic stops. Officers shall notify Cook County Radio Dispatch of their location and all status changes.
- (g) Notify Cook county Radio Dispatch via radio transmission of all field interrogations and provide the location, number of subjects and all status changes.
- (h) If operational and safety concerns allow, officers may run name checks and vehicle checks on their MDT.
- (i) Secure their MDT by "Powering Off" their MDT, when an unauthorized person may have access to the terminal (e.g., vehicle service).
- (j) "Power Off" and remove their assigned MDT from their vehicle at the end of each tour of duty.
- (k) Secure their assigned MDT in their department assigned locker and ensure that their locker is locked when the MDT is stored inside and unattended.

413.8 SUPERVISOR RESPONSIBILITY

On-Duty Supervisors shall:

Forest Preserves of Cook County Police Department

Policy

Mobile Data Terminal Use

- (a) Ensure that officers under the scope of responsibility, operate and utilize their MDT in accordance with this policy.
- (b) Take immediate corrective action or when instructed to do so, investigative action, if an officer is observed or has been reported to be, improperly handling, operating or in any way damaging an MDT.
- (c) Conduct monthly inspections of MDTs assigned to officers under their scope of responsibility to ensure there is no damage to the MDT and that the docking stations in all vehicles, are in proper working order.
- (d) Prepare a monthly communication to the MDT Coordinator as to the status of the MDTs and docking stations assigned to officers and vehicles under their scope of responsibility.

413.9 MDT COORDINATOR

The MDT Coordinator shall:

- (a) Assign officers their department issued MDT and issue a Confirmation Receipt Form, to be completed by the officer, for the MDT assigned to them.
- (b) Maintain a log of:
 - 1. MDTs assigned to personnel
 - 2. MDTs that have yet to be assigned
 - 3. MDTs in repair status
- (c) Coordinate and issue temporary-replacement MDTs via an on-duty sergeant to officers requiring repair of their assigned MDT.
- (d) Coordinate all training of personnel on the use of MDTs and this policy.
- (e) Disseminate to sergeants that, all officers are required to “Power Off” their assigned MDT at the end of each tour of duty, so that all required updates to MDTs are received and remain in compliance.
- (f) Prepare a monthly communication to the Chief of Police or authorized designee as to the status of department issued and inventoried MDTs and equipment (e.g. docking stations).
- (g) Maintain a spreadsheet log of all department issued MDTs and associated equipment.
- (h) Ensure that all MDTs and associated equipment are entered into the Asset Tiger inventory data base and updated as required.
- (i) Supervise and assign duties to the MDT Coordinator designee.

413.10 TRAINING

Only officers who have received department approved training in the use and maintenance of MDTs and associated equipment and are in compliance with their biennial LEADS certification, shall be authorized to operate an MDT.

Supplementary Report 2022.pdf



SUPPLEMENTARY REPORT

FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

1. Case Report Number

2. Date and Time	3. Unit Assigned
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4. Offense / Incident	5. Classification	6. Reclassified <input type="checkbox"/> Yes <input type="checkbox"/> No
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7. Address/Location	8. Nearest Cross Streets	9. Beat of Occurrence
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Original Occurrence Date Time		Incident Reported Date Time		Status	If Case Cleared, How	Further Police Action:
				[] CLEARED [] PENDING [] UNFOUNDED [] FILED	[] ARREST & PROSECUTION [] EXCEPTIONAL, EXPLAIN: _____	[] Yes [] No

Identifier Codes:	C - Complainant S - Suspect	A- Arrestee O - Offender	V - Victim J - Juvenile	W - Witness SP - Spouse	G - Guardian P - Parent	MP - Missing Person MJ - Missing Juvenile	PN - Person Notified OT - Other (Specify In Narrative)
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Code	10. Name (Last, First, M.I.) (Business Name)	11. Sex	12. Race	13. DOB (MM/DD/YY)	14. Phone Number(s)

15. Address	16. Email Address
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17. Narrative:			

☐ Continued on Reverse Side

18. Reporting Officer Name/Star No. (Print)	19. Assigned By <input type="checkbox"/> CC Dispatch <input type="checkbox"/> Supervisor <input type="checkbox"/> On View <input type="checkbox"/> Citizen	20. Date and Time Assigned Hrs	21. Date and Time Report Approved Hrs
22. Reporting Officer's Signature	23. Date and Time Arrived Hrs	24. Date and Time Report Completed Hrs	25. Supervisor Approving (Signature/Star No.)

Case Report Number

Continued Narrative:

Case Report Number

☐ **Continuation Page**

1050-74-s_sab_brochure_spanish_2010.pdf

Dale una oportunidad a tu bebé.

La Historia de Kelli

Mi nombre es Kelli y descubrí que estaba embarazada cuando estaba en el primer año de la escuela de secundaria. Tenía tanto miedo que escondí mi embarazo de mi familia y de mis amigos. Me preocupaba de que la gente me iba a rechazar o ponerse furiosa conmigo si descubrían que estaba embarazada. Yo estaba equivocada.

Yo di a luz a mi bebé sola. Porque todavía me sentía muy atemorizada y no quería hablar con nadie para pedir ayuda, cometí un error horrible que nunca podré corregir. Yo dejé a mi bebé recién nacido en el porche de un vecino. Mi bebé murió allí y mi vida nunca más será igual. Yo no quiero que esto te pase a ti y a tu bebé.

Por favor, si estás embarazada, habla con tus padres, un maestro, los padres de un amigo u otro adulto en quien puedas confiar. Sé que hablar acerca de tu embarazo es difícil, pero hay gente que te puede ayudar.

Si no quieres quedarte con tu niño, por favor dale la oportunidad de crecer. La ley en Illinois te permite dejar a tu bebé sano y recién nacido en una estación de policía con personal o en una estación de bomberos o en locales de cuidado médico de urgencias. A los bebés de hasta 30 días de nacidos se les hará un examen de salud y se les proveerá cuidado médico y entonces serán adoptados por una familia buena y cariñosa.

Para obtener información confidencial o ayuda, por favor llama al 1-888-510-2229

Para información confidencial o ayuda, por favor ponte en contacto con:

1-888-510-2229
Línea gratis

o visita la Fundación para Salvar a los
Bebés Abandonados:
www.SaveAbandonedBabies.org

Para información acerca de
adopción, ponte en contacto con:
Illinois Adoption Registry
Línea gratis • 1-877-323-5299

<http://dph.illinois.gov/adoption/brochure.pdf>

¿Cómo puedes ayudar?

- Haz un proyecto de conciencia por su requisito de trabajo comunitario de la escuela.
- Alienta a tu organización, escuela, o club a escribir una historia acerca de la ley.
- Clases de salud ahora requieren enseñar esta ley. Mira si tu escuela está cumpliendo.
- Comprueba que tu estación de policía, bomberos y hospitales muestran el aviso requerido de refugio seguro.
- ¿Tienes ideas de como ayudar? ¿Quieres ser un voluntario? Contacta a info@SaveAbandonedBabies.org.
- Después de leer este folleto, pásalo a otros.

Dile a una amiga. Habla de esto.
Puedes salvar una vida.



Impreso por autoridad del Estado de Illinois
DCFS #547 - Abril 2018 - 3,000 Copias
CFS 1050-74/S, Rev. 4/18

Sin Vergüenza.
Sin Culpa.
Sin Nombres.



Illinois tiene un
lugar seguro para
tu recién nacido.

*Nadie sabía que estabas embarazada.
Nadie sabe acerca de tu bebé.
No puedes cuidar a tu bebé.
¿Qué vas a hacer?*

Un embarazo no deseado puede ser una experiencia traumática. Puede que te sientas abrumada por la soledad, el miedo o la vergüenza lo cual puede resultar en que tus pensamientos se vuelvan irracionales o que cometas actos irracionales tal como el de abandonar a tu bebé en un lugar que no sea seguro.

Todos los años en Illinois, se reciben informes perturbadores acerca de bebés que son encontrados en la basura o en otros lugares que no son seguros. De acuerdo con la Ley de Protección para Bebés Recién Nacidos Abandonados, bebés ileso **menos de 30 días** de edad pueden ser entregados al personal de un refugio seguro. Sin cuestiones. No tienes que dar tu nombre. No se llamará a la policía. Tu bebé obtendrá cuidado médico y será adoptado. Puede encontrar un enlace a la acta completa en www.DCFS.illinois.gov. Haga clic en *Safe Kids* y luego en *Baby Safe Haven Law Information*.

¿Qué son refugios seguros?

En Illinois, refugios seguros para los recién nacidos son:



- Las estaciones de bomberos con personal
- Las estaciones de policía con personal
- Los hospitales
- Los locales de cuidado médico de emergencia

Busca este aviso para identificar refugios seguros en tu comunidad.

¿Qué es lo que la ley hace?

La ley intenta proporcionar una alternativa a los padres de los bebés recién nacidos para que dejen a sus bebés con el personal en refugios seguros al tiempo que permanecen anónimos y evitan obligaciones civiles o criminales. Se reconoce que el establecer un plan de adopción tradicional a través de una agencia de adopción pública o privada, o elegir el ser padre/madre del bebé es un plan preferible al abandono o renuncia de un bebé. Sin embargo, el propósito de esta ley es reducir el riesgo de daño a un recién nacido por un padre/madre que puede estar bajo estrés excesivo.

¿Qué sucede en un refugio seguro?

Los recién nacidos pueden traerse y dejarse en un hospital, un local de cuidado médico de emergencia, una estación de policía con personal o en una estación de bomberos con personal. Miembros del personal en los locales de cuidados de urgencias, estaciones de bomberos y policía harán arreglos para el transporte del bebé al hospital más cercano.

El personal del hospital conducirá un examen físico al bebé recién nacido y proporcionará cualquier cuidado médico necesario. Se considera que el hospital tiene la custodia de protección temporal del bebé recién nacido hasta que el bebé es entregado a una agencia de adopción.

Si deseas, puedes llenar los formularios para proveer información médica acerca de tu bebé recién nacido, lo cual ayudará a los trabajadores de cuidado médico encargados de cuidar a tu bebé.

Los formularios pueden llenarse en el refugio seguro. También puede descargar los formularios de www.saveabandonedbabies.org o www.DCFS.illinois.gov. Haga clic en *Safe Kids* y luego en *Baby Safe Haven Law Information*. Toda la información que das es confidencial. No necesitas dar tu nombre.

Derechos de los padres

Existe una presunción de que al dejar a un bebé recién nacido en un refugio seguro, los padres del bebé consienten a la terminación de sus derechos como padres con respecto al bebé.

Considera la adopción

Todo niño merece un hogar seguro, amoroso y permanente. Tu puedes ayudar a proveer esto haciendo planes para que tu bebé sea adoptado, aún antes de tenerlo. Varias agencias públicas y privadas en Illinois proveen servicios para aquéllos que escogen dejar que su niño sea adoptado. Los miembros del personal de la agencia entrevistan cuidadosamente a los posibles padres adoptivos y revisan a fondo sus antecedentes para asegurarse de que ellos:

- No tengan un historial criminal o de abuso de niños
- Tengan espacio en su hogar para el niño
- Puedan mantener al niño desde un punto de vista financiero
- Puedan proveer un hogar seguro y amoroso

Para información acerca de la adopción, por favor llama al Registro de Adopción de Illinois: 1-877-323-5299 (gratis en Illinois) o <http://dph.illinois.gov/adoption/brochure.pdf>

Understanding Elder Abuse.pdf

Understanding Elder Abuse

Fact Sheet

2016

Elder abuse is an intentional act or failure to act that causes or creates a risk of harm to an older adult. An older adult is someone age 60 or older. The abuse occurs at the hands of a caregiver or a person the elder trusts. Six frequently recognized types of elder abuse include:

- **Physical**—This occurs when an elder experiences illness, pain, or injury as a result of the intentional use of physical force and includes acts such as hitting, kicking, pushing, slapping, and burning.
- **Sexual**—This involves forced or unwanted sexual interaction of any kind with an older adult. This may include unwanted sexual contact or penetration or non-contact acts such as sexual harassment.
- **Emotional or Psychological**—This refers to verbal or nonverbal behaviors that inflict anguish, mental pain, fear, or distress on an older adult. Examples include name calling, humiliating, destroying property, or not letting the older adult see friends and family.
- **Neglect**—This is the failure to meet an older adult's basic needs. These needs include food, water, shelter, clothing, hygiene, and essential medical care.
- **Financial**—This is illegally or improperly using an elder's money, benefits, belongings, property, or assets for the benefit of someone other than the older adult. Examples include taking money from an older adult's account without proper authority, unauthorized credit card use, and changing a will without permission.



Why is elder abuse a public health problem?

Elder abuse is a serious problem in the United States. There is a lack of data, but past research found that:

- In 2008, one in 10 elders reported emotional, physical, or sexual abuse or potential neglect in the past year.¹

Many cases are not reported because elders are afraid or unable to tell police, friends, or family about the

violence. Victims often have to decide whether to tell someone they are being hurt or continue being abused by someone they depend upon or care for deeply.



How does elder abuse affect health?

Elder abuse can have several physical and emotional effects on an older adult. Many victims suffer physical injuries. Some are minor, like cuts, scratches, bruises, and welts. Others are more serious and can cause lasting disabilities. These include head injuries, broken bones, constant physical pain, and soreness. Physical injuries can also lead to premature death and make existing health problems worse.^{2,3,4,5}

Elder abuse can have emotional effects as well. Victims are often fearful and anxious. They may have problems with trust and be wary around others.²



Who is at risk for perpetrating elder abuse?

Several factors can increase the risk that someone will hurt an older adult. However, having these risk factors does not always mean violence will occur.

Some of the risk factors for hurting an older adult include:

- Using drugs or alcohol, especially drinking heavily
- High levels of stress and low or ineffective coping resources
- Lack of social support
- High emotional or financial dependence on the older adult
- Lack of training in taking care of older adult
- Depression

Understanding Elder Abuse



How can we prevent elder abuse?

The goal is to stop elder abuse before it starts. While not much research has been done, there are several important things we can do to prevent it:

- Listen to older adults and their caregivers to understand their challenges and provide support.
- Report abuse or suspected abuse to Adult Protective Services.
- Educate oneself and others about how to recognize and report elder abuse.
- Learn how the signs of elder abuse differ from the normal aging process.
- Check in often on older adults who may have few friends and family members.
- Provide over-burdened caregivers with emotional and instrumental supports such as help from friends, family, or local relief care groups; adult day care programs; counselling; or outlets intended to promote emotional well-being.
- Where prudent and possible involve more people than just family, formal caregivers, and guardians in health care or financial matters.
- Encourage and assist persons (either caregivers or older adults) having problems with drug or alcohol abuse in getting help.



How does CDC approach elder abuse?

CDC uses a 4-step approach to address public health problems like elder abuse.

Step 1: Define the problem

Before we can prevent elder abuse, we need to know how big the problem is, where it is, and whom it affects. CDC learns about a problem by gathering and studying data. These data are critical because they help decision makers send resources where they are needed most.

Step 2: Identify risk and protective factors

It is not enough to know that elder abuse is affecting a certain group in a certain area. We also need to know why abuse occurs. CDC conducts and supports research to answer this question. We can then develop programs to reduce or get rid of risk factors and increase protective factors.

Step 3: Develop and test prevention strategies

Using information gathered in research, CDC develops and evaluates strategies to prevent violence.

Step 4: Ensure widespread adoption

In this final step, CDC shares the best prevention strategies. CDC may also provide funding or technical help so communities can adopt these strategies.



Where can I learn more?

Elder Abuse Helplines and Hotlines

Call 1-800-677-1116

Always dial 911 or local police during emergencies.

National Center on Elder Abuse

www.ncea.aoa.gov

National Institute on Aging

www.nia.nih.gov

National Institute of Justice

www.ojp.usdoj.gov/nij/topics/crime/elder-abuse/welcome.htm

For more information on elder abuse, visit www.cdc.gov/violenceprevention.



References

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2. Anetzberger, G. *The Clinical Management of Elder Abuse*. New York: Hawthorne Press, 2004.
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ConfirmationofTransferofSexualAssaultReport.pdf

Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction

Within 24 hours of receiving a sexual assault report of an incident in your jurisdiction from another law enforcement agency, you must provide that agency with the following information.

Law Enforcement Agency That Received the Initial Sexual Assault Report

Initial Agency Name: _____ **Case Number:** _____

Initial Agency Contact Name: _____

Title: _____ **Phone:** _____ **Fax:** _____

Email: _____

Date Transferred: _____ **Time Transferred:** _____

Confirmation of Receipt of Sexual Assault Report to be completed by Law Enforcement Agency with Jurisdiction Receiving Report

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Person Receiving Report: _____

Title of Person Receiving Report: _____

Date Received: _____ **Time Received:** _____

Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Contact Person: _____

Title: _____ **Phone:** _____

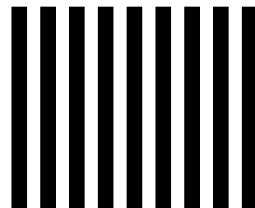
Email: _____ **Fax:** _____

**This written confirmation shall be delivered in person or via fax or email to
the law enforcement agency that received the initial report.**

**cfs_1050-74-1-
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Doble aquí

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STATE OF IL DEPT OF CHILDREN & FAMILY SERVICES
410 S 11TH ST
SPRINGFIELD IL 62703-9903



Recursos adicionales

Departamento de Servicios para Niños y Familias de Illinois

www2.illinois.gov/DCFS

Oficina de Defensa para Niños y Servicios para Familias: 800-232-3798 (lunes a viernes 8:30 a.m. - 5 p.m.)

Línea de ayuda: 800-252-2873 (las 24 horas)

Save Abandoned Babies Foundation

www.saveabandonedbabies.org
312-440-0229

Departamento de Servicios Humanos de Illinois

www.dhs.state.il.us

Línea de ayuda: 800-843-6154 (TTY 800-447-6404)

Midwest Adoption Center

www.macadopt.org
847-298-9096

Registro de Adopciones de Illinois y Programa de Intercambio Información Médica (IARMIE)

www.idph.state.il.us/vitalrecords/index.htm
877-323-5299 (sin costo) o 217-557-5159

El programa IARMIE permite que los padres biológicos divulguen o prohíban la divulgación de sus datos de identificación. La información confidencial puede divulgarse a las personas registradas únicamente luego de que por lo menos dos partes participantes en la adopción hayan llenado formularios de consentimiento explícito para el intercambio de dichos datos. Para registrarte en IARMIE debes proporcionar su nombre y una fotocopia de una identificación emitida por el estado; sin embargo, esta información será mantenida como confidencial si así lo deseas. El Departamento de Salud Pública también ofrece los formularios para registrarse con IARMIE.

A través del Programa de Intercambio Información Médica se pueden intercambiar datos de salud vitales, únicamente si usted y su hijo adoptivo adulto (o padres adoptivos de su hijo, si el niño es menor de 21) se registran voluntariamente y están de acuerdo en hacerlo.

Impreso bajo la Autoridad del Estado de Illinois
DCFS #342 • Noviembre 2019 • 600 copias
CFS 1050-74-1-S • rev. 11/2019

la ayuda esta aquí



y “aquí” es cualquier lugar donde vea este letrero.

Es posible que tenga temor y se sienta sola, sin embargo, hay opciones disponibles.

¡Ha llegado al lugar donde puede recibir ayuda!

En este folleto se detallan sus derechos y lo que pasará después.

Illinois Department of
DCFS
Children & Family Services



Muchas gracias por haber traído a su bebé a un refugio seguro (Safe Haven). Acaba de tomar una decisión muy difícil, que al mismo tiempo es la más responsable. Su bebé será adoptado por una familia que está esperando tener la oportunidad de amarlo y cuidarlo. Le pedimos que nos proporcione algunos antecedentes en este momento. Con esto ayudará a que su bebé tenga un futuro saludable, y puede hacerlo en forma anónima. No se preocupe si no sabe todas las respuestas, sin embargo, cualquier dato que pueda aportar será de gran ayuda tanto para su bebé como para su familia adoptiva.

La ley de Illinois (325 ILCS 2/1-70) indica que:

- Puede entregar a su hijo recién nacido sano y salvo, que tenga hasta 30 días de nacido, y
- Puede hacerlo sin necesidad de contestar preguntas de cualquier tipo, y
- Conservar su anonimato y protegerse en contra de un posible proceso judicial.
- Puede entregar a su hijo en cualquier hospital, estación de policía o bomberos u oficina del alguacil con personal, y
- Si deja a su bebé con una persona en los sitios ya mencionados se le llevará a un hospital cercano y será examinado por un médico.
- Si deja a su bebé con una persona en un refugio seguro se asumirá (desde el punto de vista legal) que usted es la madre biológica del niño, que estás renunciando a la patria potestad y entregando al bebé para que sea adoptado.

Se hará una verificación para asegurar que el niño no haya sido reportado como extraviado. El Departamento de Servicios para Niños y Familias de Illinois (DCFS) se pondrá en contacto con una agencia de adopción del estado, que colocará al bebé con una familia adoptiva. La agencia de adopción irá a la corte para que se le nombre como tutor legal del bebé hasta que se concrete la adopción. Los derechos legales de los padres biológicos del niño serán revocados durante los procedimientos para la adopción.

Si deja a su bebé en una estación de policía o bomberos, o en la oficina del alguacil, y regresa en las siguientes 72 horas, dicha instalación tiene la obligación de informarte el nombre y ubicación del hospital al que se llevó a su bebé. Si cambia de opinión luego de dejar a su bebé en un refugio seguro (Safe Haven) llame al DCFS al 800-252-2873.

- Al llamar al DCFS debe solicitar el nombre de la agencia de adopción con la que se colocó a su bebé, y averiguar dónde se están llevando a cabo los procedimientos para la adopción.
- Si quiere a su hijo de vuelta debe solicitarle a la corte que le devuelva la custodia. Esto tiene que hacerse antes de que la corte revoque la patria potestad.
- Tiene un periodo de tiempo limitado antes de que se cancele la patria potestad. La corte puede cancelar la patria potestad 60 días después de haber entregado a su bebé.
- Si hace la petición ante la corte para recuperar a su hijo antes de que se le retire la patria potestad, la corte podría poner en suspenso la adopción hasta por 60 días más y requerir:
 - o pruebas genéticas para verificar que el bebé sea hijo suyo, y
 - o que el DCFS lleve a cabo una investigación y estudio del hogar, con recomendaciones para la corte
- Si no intenta recuperar a su hijo antes de que se le revoque la patria potestad se le prohibirá que haga cualquier intento en ese sentido en el futuro, incluyendo el tratar de que se restauren sus derechos como madre.

Conteste estas preguntas y devuelva este formulario por correo a: DCFS State Central Register, 406 East Monroe Street, Station 30, Springfield, IL 62701. No es necesario proporcionar su nombre, a menos que decida hacerlo. Puede contestar algunas preguntas, y dejar otras en blanco. Cualquier información que proporcione será de gran ayuda. Si proporciona datos que le identifiquen, éstos se mantendrán confidenciales. Este es un proceso anónimo, seguro y legal. Es posible que en el futuro usted y su hijo (o sus padres adoptivos, si tiene menos de 21 años) quieran intercambiar información en forma anónima, o estar en contacto. Si proporciona información que le identifique por este medio no se le proporcionará a nadie más sin contar con su autorización.

Fecha en que llevó al bebé a un refugio seguro:

Ubicación del refugio seguro: _____

Edad de la madre: _____ Edad del padre: _____

Raza y origen étnico de la madre: _____

Raza y origen étnico del padre: _____

Fecha de nacimiento del bebé: _____

¿El bebé fue prematuro? ☐ Sí ☐ No

Describa cualquier problema que haya tenido usted en el embarazo y el parto _____

¿Dónde nació el bebé (ciudad/estado)? _____

¿Consumó/usó cualquiera de estas sustancias durante el embarazo?

☐ Cigarillos: ¿Cuántos y en qué momento durante el embarazo? _____

☐ Alcohol: ¿Qué cantidad y en qué momento durante el embarazo? _____

☐ Drogas/Medicamentos: ¿Cuáles y en qué momento durante el embarazo? _____

¿Recibí cualquier cuidado prenatal? De ser así, explica: _____

¿Tiene más hijos? ☐ Sí ☐ No
De ser así, ¿cuántos años tienen? _____

Parientes sanguíneos: Se refiere a la madre, padre, hermana, hermano, abuelos, tías, tíos, sobrinas, sobrinos o primos del bebé. Indique marcando con un círculo si alguno de los parientes sanguíneos del bebé tiene cualquiera de las siguientes condiciones médicas:

Alergias	Enfermedades Mentales	Asma
Cáncer	Distrofia Muscular	Convulsiones
Diabetes	Enfermedades del Corazón	Depresión
Síndrome de Down	Presión Alta	Otras: _____

Si le gustaría escribirle una carta a su hijo y/o a su familia adoptiva puede usar el espacio que aparece a continuación o una página separada. **Puede hacerlo incluso si no quiere proporcionar información que le identifique.** _____

Datos de contacto opcionales:

Fecha de hoy: _____

Nombre de la madre: _____

Domicilio postal: _____

Estado: _____ Código postal: _____

Dirección de e-mail: _____

Teléfono: _____

Número de seguro social: _____

Fecha de nacimiento de la madre: _____

Nombre del padre: _____

Domicilio postal: _____

Estado: _____ Código postal: _____

Dirección de e-mail: _____

Teléfono: _____

Número de seguro social: _____

Fecha de nacimiento del padre: _____



StorageandFutureTestingofSexualAssaultEvidence.pdf

STORAGE AND FUTURE TESTING OF SEXUAL ASSAULT EVIDENCE*

A consent form to test the sexual assault evidence collected today must be signed before law enforcement can send this evidence to a laboratory to be tested. You have indicated that you do NOT want to sign the consent for testing at this time.

If you are an adult, this evidence will be stored by law enforcement for ten (10) years from today's date, _____.

If you are under 18 years of age, this evidence will be stored until your 28th birthday.

You may request to be notified prior to the destruction of the evidence at the end of the storage period. This evidence will be stored at the law enforcement agency list below.

A consent form for the testing of this evidence may be signed at any time during the storage period. This can be done by contacting the law enforcement agency listed below or by working with an advocate from a rape crisis center.

Law Enforcement Agency
Address
Phone Number
Report Number

Rape Crisis Center
Address
Phone Number

*This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.

*This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.

VESSA_FS.pdf



Illinois Department of Labor

Victims' Economic Security and Safety Act

The Victims' Economic Security and Safety Act ("VESSA") provides an employee who is a victim of domestic or sexual violence, or who has a family or household member who is a victim of domestic or sexual violence, with up to twelve (12) weeks of unpaid leave per any twelve (12) month period to address issues arising from domestic or sexual violence.

VESSA provides that an employee working for an employer with at least 1, but not more than 14 employees, shall be entitled to a total of **4** workweeks of leave during any 12-month period. Employees working for an employer with at least 15, but not more than 49 employees, shall be entitled to a total of **8** workweeks of leave during any 12-month period. Employees working for an employer with at least 50 employees are entitled to a total of **12** workweeks of leave during any 12-month period. The total number of workweeks to which an employee is entitled shall not decrease during the relevant 12-month period.

An employee may take VESSA leave to:

1. Seek **medical attention** for, or recovery from, physical or psychological injuries caused by domestic or sexual violence to the employee or employee's family or household member;
2. Obtain **victim services** for the employee or employee's family or household member;
3. Obtain psychological or other **counseling** for the employee or the employee's family or household member;
4. Participate in **safety planning**, including temporary or permanent relocation or other actions to increase the safety of the victim from future domestic or sexual violence; or
5. Seek **legal assistance** to ensure the health and safety of the victim, including participating in court proceedings related to the violence.

VESSA leave may be taken intermittently or on a reduced work schedule.

Notice and Certification Requirements

The employee shall provide the employer with at least 48 hours' advance notice of the employee's intention to take leave, except in such cases where it is not practicable to provide such notice. If an unscheduled absence occurs, the employer may not take action against the employee if the employee, upon request of the employer and within a reasonable period after the absence provides certification.

Employers may require certification that VESSA leave is to be taken for one of the purposes enumerated above and that the employee or employee's family or household member is a victim of domestic or sexual violence. An employee may satisfy such a certification requirement by providing a sworn statement of the employee, and upon obtaining such documents the employee shall provide:

- Documentation from a victim services organization, attorney, member of the clergy, or medical or other professional from whom the employee or the employee's family or household member has sought assistance;
- A police or court record; or

- Other corroborating evidence.

Employers must maintain the confidentiality of all information pertaining to the use of VESSA leave, notice of an employee's intention to take VESSA leave, and certification provided by the employee.

Required Posting

Employers must post a notice in their workplace summarizing the requirements under the Act. Copies of this notice may be acquired by contacting the Illinois Department of Labor or by downloading the notice from the agency's home page (<http://www.state.il.us/agency/idol>).

Jurisdiction

VESSA applies to employers with 15 or more employees, the State of Illinois, and any unit of local government or school district.

Prohibitions

Employers are prohibited from interfering with, restraining, or denying an employee's attempt to exercise any rights under the Act. Specifically, employers are prohibited from discharging, constructively discharging, harassing or otherwise discriminating against any employee with respect to compensation, terms, conditions, or privileges of employment, or retaliating against an employee in any form or manner.

Enforcement

The Illinois Department of Labor administers and enforces the provisions of this Act. The Department has the power to conduct investigations in connection with the administration and enforcement of this Act. Any employee who believes his or her rights under this Act have been violated may, within three (3) years after the alleged violation occurs, file a complaint with the Department.

Penalties

If an employer is found to have violated the Act, the Department may require the employer to:

- Pay damages equal to the amount of wages, salary, employment benefits, public assistance, or other compensation denied or lost with interest;
- Provide equitable relief, including but not limited to, reinstatement, promotion and reasonable accommodations; and
- Pay reasonable attorney's fees, expert witness fees, and other costs of the action.

Any employer who has been ordered by the Director of Labor or the court to pay damages and who fails to do so within 30 days after the order is entered is liable to pay a penalty of 1% per calendar day to the employee for each day of delay in paying the damages to the employee.

For more information, contact:

Illinois Department of Labor
160 North LaSalle Street, Suite C-1300
Chicago, Illinois 60601
(312) 793-6797

<https://www2.illinois.gov/idol/>

1050-74_sab_brochure_polish_2010.pdf

Daj swojemu dziecku szansę.

Historia Kelli

Mam na imię Kelli. Zaszłam w ciążę w pierwszej klasie liceum. Byłam tak przerażona, że nie powiedziałam o niej ani mojej rodzinie ani znajomym. Obawiałam się odrzucenia i tego, że inni będą na mnie źli, gdy odkryją prawdę. Myliłam się.

Dziecko urodziłam sama. Ponieważ nadal za bardzo bałam się porozmawiać o tym z kimkolwiek i poprosić o pomoc, popełniłam okropny błąd, którego już nigdy nie cofnę. Zostawiłam moje dziecko na ganku u sąsiada, gdzie zmarło. Moje życie już nigdy nie będzie takie same. Nie chcę, aby to samo przydarzyło się Tobie i Twojemu dziecku.

Proszę, jeśli jesteś w ciąży, porozmawiaj o tym z którymś ze swoich rodziców, nauczycielem, rodzicami twoich znajomych lub innym dorosłym, któremu ufasz. Wiem, że rozmowa o ciąży nie należy do łatwych, ale są ludzie, którzy mogą Ci pomóc.

Jeśli nie możesz zatrzymać dziecka, daj mu szansę dorosnąć. Prawo w stanie Illinois pozwala zostawić dziecko w wieku do 30 dni na posterunku policji, w straży pożarnej, szpitalu czy ośrodku pomocy doraźnej. Twoje dziecko zostanie przebadane i otrzyma opiekę medyczną, a później trafi do kochającej rodziny adopcyjnej.

**Aby uzyskać informacje poufne lub
pomoc zadzwoń pod numer
1-888-510-2229**

Aby uzyskać informacje poufne lub pomoc zadzwoń pod numer:

1-888-510-2229 (bezpłatny)

**lub wejdź na stronę Save Abandoned
Babies Foundation:
www.SaveAbandonedBabies.org**

**Informacje o adopcji uzyskasz
kontaktując się z:**

**Illinois Adoption Registry
(Urząd Adopcyjny Stanu Illinois)
Bezpłatny numer • 1-877-323-5299**

<http://dph.illinois.gov/adoption/brochure.pdf>

Jak możesz pomóc

- Przeprowadź akcję edukacyjną w ramach szkolnej działalności na rzecz społeczności lokalnej.
- Spróbuj przekonać organizację, szkołę lub klub, do których należysz, by coś napisały o tych przepisach.
- Przepisy te powinny zostać omówione na zajęciach z wiedzy o zdrowiu. Sprawdź czy Twoja szkoła się do tego stosuje.
- Sprawdź, czy na posterunku policji, w straży pożarnej czy szpitalu wystawiono wymagany znak Save Haven (Bezpieczne Schronienie).
- Wiesz jak pomóc? Chcesz zostać wolontariuszem? Napisz do nas na adres: Contact info@SaveAbandonedBabies.org.
- Po przeczytaniu tej broszury, przekaz ją dalej.

**Powiedz o tym znajomym. Opowiadaj o tym.
Możesz uratować komuś życie.**



Wydrukowane przez władze Stanu Illinois
DCFS #548 – kwiecień 2018 – 1000 kopii
CFS 1050-74-P, Rev. 4/18

**Bez wstydu.
Bez winy.
Bez nazwisk.**



**W Stanie Illinois
znajdziesz
bezpieczne miejsce
dla swojego
noworodka.**

**Nikt nie wiedział, że jesteś w ciąży.
Nikt nie wie o Twoim dziecku.
Nie możesz zaopiekować się
Twoim dzieckiem. Co zrobisz?**

Niechciana ciąża może być traumatycznym przeżyciem. Często przytłacza Cię poczucie izolacji, strachu lub wstydu, które może doprowadzić do irracjonalnych myśli lub czynów, takich jak porzucenie dziecka w niebezpiecznym miejscu.

Co roku w stanie Illinois słyszymy o niepokojących porzuceniach dzieci na śmietnikach i w innych niebezpiecznych miejscach. Zgodnie z Illinois Abandoned Newborn Infant Protection Act (Ustawa o ochronie porzuconych noworodków w Stanie Illinois), noworodki w **wieku do 30 dni** można pozostawić w bezpiecznym schronieniu (safe haven). Bez jakichkolwiek pytań. Nie musisz podawać swojego nazwiska. Nikt nie wezwie policji. Twoje dziecko otrzyma opiekę medyczną i zostanie adoptowane.

Link do całego dokumentu znajduje się na stronie www.DCFS.illinois.gov. Naciśnij na *Safe Kids*, a następnie na *Baby Safe Haven Law Information*.

Gdzie znajdują się bezpieczne schronienia?

W Stanie Illinois bezpieczne schronienia można znaleźć:



- na posterunkach straży pożarnej z załogą
- na posterunkach policji z załogą
- w szpitalach
- w ośrodkach pomocy doraźnej

Bezpieczne schronienia łatwo rozpoznać po tym znaku.

Jaka jest rola przepisów?

Przepisy mają dać alternatywę rodzicom noworodków zrzeczenia się dzieci na rzecz pracowników bezpiecznych schronień, a zarazem zachowania anonimowości i uniknięcia odpowiedzialności cywilnej i karnej. Utworzenie tradycyjnego planu adopcji we współpracy z prywatną lub publiczną agencją adopcyjną lub decyzja o zostaniu rodzicem dziecka jest lepszym planem rodzicielskim niż porzucenie lub zrzeczenie się noworodka. Celem tych przepisów jest zmniejszenie ryzyka wyrządzenia krzywdy dziecku przez rodzica, który może być narażony na nadmierny stres.

Co się dzieje w bezpiecznym schronieniu?

Noworodki można przekazać pracownikom szpitala, ośrodków pomocy doraźnej, posterunków straży pożarnej z załogą i posterunków policji z załogą. Pracownicy straży pożarnej, posterunków policji i ośrodków pomocy doraźnej przetransportują noworodka do najbliższego szpitala.

Pracownicy szpitala przeprowadzą badanie medyczne noworodka i zapewnią potrzebną opiekę medyczną. Szpital otrzyma tymczasowe prawo do opieki nad noworodkiem, zanim zostanie on przekazany agencji adopcyjnej.

Na życzenie można wypełnić formularz o zdrowiu noworodka, który pomoże pracownikom służby zdrowia w opiece nad dzieckiem. Formularz można wypełnić w bezpiecznym schronieniu lub zabrać

ze sobą do domu i wysłać pocztą. Możesz również pobrać te formularze ze strony www.saveabandonedbabies.org lub www.DCFS.illinois.gov. Naciśnij na *Safe Kids*, a następnie na *Baby Safe Haven Law Information*. Wszystkie podane przez Ciebie informacje są poufne. Nie musisz podawać imienia i nazwiska.

Prawa rodzicielskie

Zakładamy, że zostawiając noworodka w bezpiecznym schronieniu, rodzic dziecka zrzeka się praw rodzicielskich do noworodka.

Pomyśl o adopcji

Każdemu dziecku należy się bezpieczny, kochający i stały dom. Możesz mu w tym pomóc tworząc plan adopcyjny nawet przed jego narodzeniem. Kilka publicznych i prywatnych instytucji w stanie Illinois świadczy usługi tym, którzy wybrali adopcję dla swojego dziecka. Pracownicy agencji przeprowadzą szczegółowy wywiad i sprawdzą historię potencjalnych rodziców adopcyjnych, przekonując się tym samym, że:

- nie mają przeszłości kryminalnej lub nie wykorzystywali dzieci seksualnie
- mają w domu przestrzeń potrzebną dziecku
- są w stanie utrzymywać dziecko finansowo
- mogą dać mu kochający i bezpieczny dom

Informacje na temat adopcji można uzyskać dzwoniąc do Illinois Adoption Registry (Urzędu Adopcyjnego Stanu Illinois): 1-877-323-5299 (bezpłatny w Illinois) lub na stronie <http://dph.illinois.gov/adoption/brochure.pdf>

Chicagos-Response-to-Domestic-Violence.pdf

What is the role of the State's Attorney's Office?

The Cook County State's Attorney's Office created a Domestic Violence Division to focus exclusively on domestic violence related crimes.

- Prosecutes criminal cases of domestic violence
- Staff of specially trained prosecutors, investigators and victim-witness specialists
- Provides a consistent and coordinated response through vertical prosecution on identified cases.

What is Evidence-Based Prosecution?

The preferred way to prosecute a domestic violence case is with the input of the abused person. Prosecutors and investigators always try to obtain the cooperation of the victim. However, many victims choose not to testify against the abuser. When the facts are strong enough to win the case without the testimony of the victim, an evidence-based prosecution may be used if it fulfills the goals of treating the victim with dignity and ensuring her/his safety.

How does an Order of Protection Work?

An order of protection, issued by a judge, specifies the level of contact or non-contact, if any, that a party may have with another. Failure to comply with criminally enforceable remedies of an order of protection will result in an arrest. Such criminally enforceable remedies include:

- Prohibiting abuse, neglect, or exploitation;
- Granting exclusive possession of residence;
- Prohibiting contact by the abuser, sometimes called a “stay-away order”;
- Prohibiting the abuser from entering a residence while under the influence of alcohol or drugs; and
- Prohibiting the abuser from possessing a gun.

Obtaining an Order of Protection

Residents of Chicago may obtain Orders of Protection at Domestic Violence Court located at 555 W. Harrison, on the 1st Floor. For additional information call (312) 325-9200.

What Courtroom?	When?	What's Necessary?
In a Criminal Courtroom with charges attached	8:30a.m. - 1:30p.m. Monday - Friday	Victim is required to make a case report with a police officer and complaints have been filed or will be filed at the time the order of protection is obtained.
In a Civil Courtroom with NO criminal charge attached	8:30a.m. - 3:00p.m. Monday - Friday	

What resources are available to help victims?

The City of Chicago Domestic Violence Help Line:

1-877-TO-END-DV

1-877-863-6338 or

1-877-863-6339 (TTY)

The City of Chicago Domestic Violence Help Line offers a variety of domestic violence referrals to victims, based on their individual needs. The Help Line is toll-free, confidential, multi-lingual and available 24 hours a day, 7 days a week. Trained staff members known as VIRAs (Victim Information and Referral Advocates) provide support, information and referrals for shelter, legal services and counseling.

What Can You Do?

- If you or someone you know is in immediate danger, CALL 9-1-1
- Contact the Domestic Violence Program to schedule a presentation on domestic violence for your community, neighbors, co-workers or faith-based group
- Join your local Domestic Violence Subcommittee. Each of Chicago's twenty-five police districts has a Domestic Violence Subcommittee that works to educate their community on domestic violence issues by planning and scheduling outreach events and trainings. The Subcommittees are made up of domestic violence service agencies, faith groups, community groups, police personnel, and concerned citizens. Call your local Community Policing Office today and get involved in addressing domestic violence in your community.

The Internet

For more information, and to link with your local Community Policing Office, visit the Chicago Police Department Link at:

www.chicagopolice.org and www.cityofchicago.org/police



For more information or to schedule presentations contact the Domestic Violence Operations Coordinator at: (312) 745-6340 or fax a request to (312) 745-6856.



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domestic violence

CHICAGO POLICE DEPARTMENT

Chicago's Response to Domestic Violence



City of Chicago Domestic Violence Help Line

1-877-863-6338

If you or someone you know is in immediate danger, CALL 9-1-1

Taking on Domestic Violence in Chicago

Domestic violence is a unique crime in that the offender often lives in the same home as the victim. Historically, domestic violence was considered a private family matter and police intervention often consisted of advising the abuser to “cool off” or to “take a walk.” Beginning in the 1970s, this attitude began to change and now domestic violence is recognized as a serious crime against the individual and society. As such, Chicago Police Department members treat domestic violence incidents in the same professional manner as all other crimes and requests for police service - by providing immediate, effective assistance and protection for victims and witnesses.

Strengthening Our Response

The Chicago Police Department seeks to reduce the incidence and severity of domestic violence in our communities through a coordinated partnership involving law enforcement, domestic violence service providers, prosecutors and the community. This cooperative endeavor, known as the “Chicago Response” protocol, involves the Chicago Police Department, the Cook County State's Attorney's Office, and the Mayor's Office on Domestic Violence. By strengthening our response, we are increasing our ability not only to respond effectively to these crimes, but also to work on the prevention of domestic violence. The Chicago Police Department's (CPD) response has extended beyond the first responding officer, involving a coordinated effort between various CPD units, external organizations, and City agencies. This effort includes:

- District based Domestic Violence Liaison Officers
- District Advisory Council (DAC) Subcommittees on Domestic Violence
- Domestic Violence Detectives
- Domestic Violence Operations Coordinator
- City of Chicago's Domestic Violence Help Line
- Domestic Incident Notice

All of our efforts are designed to send a clear message to victims and their abusers that these crimes will not be tolerated. With a strong message, societal attitudes toward domestic violence will continue to change, so that domestic violence is viewed as the crime it is, not as a private family matter.

The Illinois Domestic Violence Act (IDVA)

The Illinois Domestic Violence Act (IDVA) was enacted in 1982, amended in 1986 and again in 1993. It provides special protection under the law for victims of domestic violence.

Who is protected by the Illinois Domestic Violence Act (IDVA)?

- Spouses/former spouses
- Parents
- Children/stepchildren
- Other persons related by blood or by present or prior marriage
- Persons who share or formerly shared a common dwelling
- Persons who have or allegedly have a blood relationship through a child
- Persons of the same sex or opposite sex who have or have had a dating or engagement relationship
- Persons with disabilities and their personal assistants or caregivers

The Chicago Police Department's Domestic Violence Response Team

In addition to the police officer who initially responds to a call for service, the Chicago Police Department has established a team of other officers and community members to assist the victims of domestic violence and ensure effective enforcement of domestic violence laws.

Domestic Violence Liaison Officer (DVLO)

- The DVLO is the key to a coordinated police/community response to domestic violence.
- A sworn officer assigned in each of Chicago's twenty-five police districts.
 - Works out of the Community Policing Office and facilitates police/community domestic violence partnerships and problem solving at the district level.
 - Keeps abreast of changes in domestic violence laws and serves as a district-based resource on domestic violence issues for field officers and the community.

The District Advisory Council (DAC) Domestic Violence Subcommittee

- This subcommittee provides the foundation by which the police/community partnership can come together and begin targeted problem solving on the issue of domestic violence as it exists within the district.
- The Domestic Violence Liaison Officer serves as the district representative.
 - City-wide, there are presently 25 DAC Subcommittees on domestic violence.

Domestic Violence Detectives

The Detective Division is responsible for the follow-up investigation of all domestic related crimes. In each of the five Chicago Police Department's Detective Division Areas, the Special Victim's Unit (SVU) is charged with strengthening that Division's response to domestic violence and to identify those victims who are at greatest risk for family violence.

Domestic Violence Operations Coordinator (DVOC)

- The DVOC is a supervisory member who heads the Department's Domestic Violence Program and who is:
- Charged with improving the Department's response to victims of domestic violence
 - Manages a comprehensive, uniform intervention strategy;
 - Collaborates with other City, criminal justice and community-based agencies; and,
 - Assists in the development of training curricula and materials for the Department.

The Chief Operations Research Analyst for Domestic Violence

The Chief Operations Research Analyst (CORA) is a grant funded position. This position primarily provides domestic violence data to the Chicago Police Department for use in a variety of reports, both internal and external, and also provides data and analyses for policy discussions affecting the Department's response to domestic violence. External requests for domestic violence statistics also are processed by the CORA and do not contain any victim identifying information. The CORA participates in various Chicago Police Department and inter-agency efforts to analyze, respond to, and reduce domestic violence.

Domestic Violence Training Technician

The Training Technician similarly is a grant-funded position which provides community outreach on domestic violence issues at beat meetings and local community groups. The technician provides trainings both in English and Spanish and can arrange for presentations in other languages.

What must the Police Officer do?

- Under the Illinois Domestic Violence Act, the responding officers (the officers assigned to answer the call for service) must take certain actions. These include:
- Arresting the abuser where appropriate;
 - Advising the victim of the importance of seeking medical attention and preserving evidence;
 - Arranging or providing the victim and any dependents with transportation to a medical facility or place of safety;
 - Making a police report of any allegation or incident of abuse;
 - Inventorying any weapons used to commit the abuse;
 - Informing the victim of the right to request that a criminal proceeding be initiated where appropriate;
 - Providing the victim the officer's name and star number and information about available relief, including referral to an accessible service agency.

Domestic Incident Notice (DIN)

The Domestic Incident Notice is a Chicago Police Department form that provides victims of domestic violence with the following information: a summary of their rights under the Illinois Domestic Violence Act; procedures and legal remedies available to them; information on how to obtain an order of protection and how to contact the Domestic Violence Help Line. It also provides the victims with a Records Division or RD number (if a report is taken) and the names and star numbers of the responding officers. The Domestic Incident Notice is also available in Spanish, Polish and Braille.

Will the abuser be arrested?

For domestic violence crimes, as in all situations, arrests are only made when there is probable cause to make the arrest. Probable cause exists when facts and circumstances are sufficient to lead a reasonable person to believe that a crime is or has occurred,

The Chicago Police Department has a mandatory arrest policy for two violations: Violation of an Order of Protection and Violation of Bail Bond. When a person is arrested for any domestic-related crime, one of the conditions of his release from custody (i.e., bail bond) is to remain away from the residence and the victim for 72 hours. Failure to comply will result in an arrest.

How does the Police Officer determine the “predominant aggressor”?

- As in all preliminary investigations, the responding officer will examine the totality of the circumstances in order to determine which party is the predominant aggressor. Among the indications the officer will scrutinize are:
- The severity and extent of injuries suffered;
 - Whether there are self-defense wounds, such as bite marks or scratches, visible on the predominant aggressor;
 - Any history of domestic violence between the parties involved;
 - Other physical evidence on the scene (broken furniture, weapons, etc.); and,
 - Statements from witnesses.

DOL VESSA 2021.pdf



Department of Labor IDOL

State of Illinois

Victims' Economic Security and Safety Act (VESSA)

Required Posting for Employers

VESSA provides employees who are victims of domestic violence, sexual violence, or gender violence, and employees who have a family or household member who is a victim of such violence, with unpaid, job-guaranteed leave; reasonable accommodations; and protections from discrimination and retaliation.

This time may be used if the employee or the employee's family or household member is:

- experiencing an incident of domestic violence, sexual violence, or gender violence,
- is recovering from the violence;
- is seeking or receiving medical help, legal assistance (including participation in legal proceedings), counseling, safety planning, or other assistance;
- temporarily or permanently relocating; or
- to take other actions to increase the safety of the victim from future domestic, sexual, or gender violence, or to ensure economic security.

NOTICE – Employees must provide the employer with at least 48 hours prior notice, unless providing advance notice is not practicable. If an employee is unable to provide advance notice, an employee must provide notice when an employee is able to do so, within a reasonable period of time after the absence.

CERTIFICATION – An employer may require the employee to provide certification of the domestic, sexual, or gender violence and that leave is to address the violence. Certification may include a sworn statement of the employee and other documentation such as a letter from a victims' services organization, a court record, or any other corroborating evidence, but only if that documentation is in the possession of the employee. All information related to domestic, sexual, or gender violence is to be kept in the strictest confidence by the employer.

DURATION OF LEAVE – VESSA provides that employees working for an employer with at least 1 employee, but no more than 14 employees, are entitled to a total of 4 workweeks of unpaid leave during any 12-month period. Employees working for an employer with at least 15, but no more than 49 employees, are entitled to a total of 8 workweeks of unpaid leave during any 12-month period. And employees working for an employer with at least 50 employees are entitled to a total of 12 workweeks of unpaid leave during any 12-month period.

Leave permitted during a 12-month period under the act based on number of employees:

Number of employees	Leave permitted
1-14 employees	4 weeks
15-49 employees	8 weeks
50 or more employees	12 weeks

Leave may be taken consecutively, intermittently, or on a reduced work schedule basis.

For information on filing a complaint please call: 312-793-6797

or visit the website: <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/vessa.aspx>

ACCOMMODATIONS – VESSA provides that employees are entitled to reasonable accommodations to address the needs of the victim(s). Accommodations include, but are not limited to, an adjustment to the job structure, workplace facility, work requirements, or telephone number, seating assignment, or physical security of the work area.

DISCRIMINATION AND RETALIATION – VESSA prohibits employers from discriminating, retaliating, or otherwise treating an employee or job applicant unfavorably if the individual involved:

- Is or is perceived to be a victim of domestic, sexual, or gender violence;
- Attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court or administrative proceeding relating to domestic, sexual, or gender violence;
- Requested or took VESSA leave for any reason;
- Requested an accommodation, regardless of whether the accommodation was granted;
- The workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic, sexual, or gender violence against the individual or the individual's family or household member; or
- Exercised any other rights under VESSA.

labor.illinois.gov • DOL.Questions@Illinois.gov

Lincoln Tower Plaza
524 South 2nd Street, Suite 400
Springfield, Illinois 62701
(217) 782-6206
Fax: (217) 782-0596

Michael A Bilandic Building
160 North LaSalle, Suite C-1300
Chicago, Illinois 60601-3150
(312) 793-2800
Fax: (312) 793-5257

Regional Office Building
2309 West Main Street, Suite 115
Marion, Illinois 62959
(618) 993-7090
Fax: (618) 993-7258

Crime Victims_Services Brochure_1021.pdf


A Message from
ILLINOIS ATTORNEY GENERAL
KWAME RAOUL

The Attorney General's Office helps victims of violent crime navigate the inevitable challenges and trauma that can compound the impact of a crime. The important services we provide to crime victims can also play a critical role in violence prevention. We have recently changed our name to include this recognition. The Violence Prevention and Crime Victim Services Division fills many important gaps that, in the aftermath, can be difficult to even see when you or a loved one has been harmed.

Through the office's Compensation Program, victims can access financial reimbursement to offset certain eligible expenses that arise from the crime. Domestic violence survivors turn to this office to secure an alternate mailing address as an added safety measure. Our office can help victims stay informed about changes in an offender's case status and receive support when navigating the criminal justice system. The office also provides grant funds to community organizations that combat crime and serve victims.

Violent crime is not bound by county lines or income brackets—it has the potential to affect anyone. There is no hierarchy of hurt. Our programs and services are anchored in a victim-centered approach that recognizes the underlying impact of trauma. We are here to support and help victims heal and move toward restoration. Please contact the Attorney General's Office if you or someone you love is having difficulty coping with the impact of a violent crime and feel that any of the services described here could help make things better.

Sincerely,



Kwame Raoul
Illinois Attorney General



KWAME RAOUL
ILLINOIS ATTORNEY GENERAL

Main Page

<http://illinoisattorneygeneral.gov/victims.html>

Violence Prevention and Crime Victim Services
Office of the Attorney General
100 West Randolph Street, 13th Floor
Chicago, IL 60601

Crime Victims Assistance Line

1-800-228-3368
1-877-398-1130 (TTY)

**Violent Crime Victim Assistance (VCVA)
Program**

<http://www.illinoisattorneygeneral.gov/victims/vcva.html>

Illinois Address Confidentiality Program (ACP)

acp@ilag.gov
1-844-916-0295 (Toll-Free)
1-877-398-1130 (TTY)

Illinois VINE

www.vinelink.com
1-866-5-NOTIFY (Voice)
1-877-502-2423 (TTY)

Sexual Assault Nurse Examiner (SANE) Program

sane@ilag.gov
1-866-376-7215

Outreach and Education Activities

1-800-228-3368

www.IllinoisAttorneyGeneral.gov

VIOLENCE PREVENTION AND CRIME VICTIM SERVICES



**Crime changes
things in ways you
might not expect**



We offer resources to help regain peace of mind.

Illinois Crime Victims Compensation Program

The Illinois Crime Victims Compensation Program provides direct financial assistance up to \$27,000 (\$45,000 eff. 8/7/22) to victims of violent crime who meet certain eligibility requirements.

Eligible expenses include:

- Accessibility and Usability of Property
- Crime-Scene Clean Up
- Funeral/Burial Expenses
- Loss of Earnings
- Medical, Hospital and Dental Expenses
- Mental Health Counseling Expenses
- Relocation Costs
- Replacement Costs
- Tuition Expenses

If you or someone you love has been impacted by a violent crime, please call our toll-free Crime Victims Assistance Line for more information.

You can also apply for compensation online at www.illinoisattorneygeneral.gov/victims/cvonlineapplication.html.

Violent Crime Victim Assistance (VCVA) Program

The VCVA Program provides grant funding for agencies and organizations who provide victim and witness services and victim advocacy. The VCVA fund is supported by fees from convicted offenders.

Illinois Address Confidentiality Program (ACP)

The ACP Program provides survivors of domestic violence, sexual assault, stalking, human trafficking, and their household members, with a substitute address to use as their home and work addresses, instead of the address where they actually live. The ACP Substitute Address helps prevent abusers from locating survivors, but is not a substitute for a comprehensive safety plan. For more information visit <http://www.illinoisattorneygeneral.gov/victims/addressconfidentiality.html>.

Illinois VINE (Victim Information and Notification Everyday) System

The Illinois VINE system provides up-to-date information on the custody and/or case status of an offender. Victims can register for an automatic notification of a change in a case or custody status of an inmate, create a Watch list, and access victim service providers through Illinois VINE. Notifications are available by email, text message, phone call, or through the VINE application for mobile devices. For more information visit www.vinelink.com.

Statewide Victim Assistance Program

The Statewide Victim Assistance Program provides assistance to victims, witnesses, and service providers across Illinois. The Office of the Attorney General provides support to crime victims and witnesses who are involved in cases that are being prosecuted by the Office of the Illinois Attorney General.

Sexual Assault Nurse Examiner (SANE) Program

The SANE program trains registered nurses and other professionals who treat and assist sexual assault patients to reduce re-traumatization of victims, improve the quality of forensic evidence collection, which in turn increases prosecution rates of offenders.

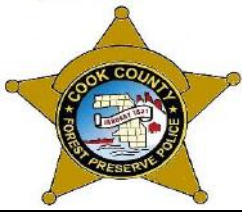
To register for a SANE training or to inquire about upcoming trainings, please contact: Conference Registration Line: 1-866-376-7215 or SANE@atg.state.il.us.



Outreach and Education Activities

Violence Prevention and Crime Victim Services staff participates in outreach activities to inform victims about the services provided by the Attorney General's Office. The Division also coordinates educational opportunities to help build the capacity of advocates, vendors and criminal justice system professionals. For more information, please contact 1-800-228-3368 and ask for the Outreach Specialist.

Crime Scene Sign In Sheet 2022.pdf



CRIME SCENE SIGN IN SHEET
FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT
DEPARTMENT OF LAW ENFORCEMENT

Case Report (CR)#:	Incident Type:	Date:
Location:	Cross Streets:	Area:
Chain of Crime Sign in Sheet:		
Officer 1/Star #: Time:	Officer 2 /Star #: Time:	Officer 3 /Star #: Time: Additional:

Rank/Title	Name (Print)/ Star #	Command/Department	Time Arrived
1			
2			
3			
4			
5			
6			
7			
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Law_Enforcement_Sexual_Assault_Response_Policy- ComprehensiveGuidelines.pdf

The following Revised Comprehensive Guidelines reflect an evidence-based, trauma-informed, victim-centered approach to responding to and investigating sexual assault and sexual abuse, including responding to victims who are under 13 years of age at the time the sexual assault or sexual abuse occurred. Under the Sexual Assault Incident Procedure Act, all Illinois law enforcement agencies must develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse that are consistent with these Revised Comprehensive Guidelines by January 1, 2021.

Pursuant to 725 ILCS 203/15(a), every law enforcement agency shall develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse consistent with these guidelines by January 1, 2021.

PURPOSE AND SCOPE

The trauma of sexual assault and sexual abuse often leads to significant emotional, physical, and economic consequences for the victim. The diminished ability of victims to recover from their sexual assault or sexual abuse has been directly linked to the response of others to their trauma. The response of law enforcement can directly impact a victim's ability to heal as well as his or her willingness to actively participate in the investigation by law enforcement.

Victim participation is critical to the successful identification and prosecution of sexual offenders, which can prevent new victimization. For this reason, improving the response of the criminal justice system to victims of sexual assault and sexual abuse is critical to protecting public safety.

I. POLICY

Each law enforcement agency will:

1. Treat sexual assault and sexual abuse as criminal conduct.
2. Respond to calls for assistance without unnecessary delay.
3. Take all reasonable steps to prevent further retraumatization of sexual assault victims and to ensure referrals for follow-up services are provided to victims and witnesses.

II. AUTHORITY

1. 55 ILCS 80/3, Child Advocacy Advisory Board
2. 210 ILCS 30/4
3. 320 ILCS 20/4, Reports of abuse or neglect
4. 325 ILCS 5/4, Persons required to report; privileged communications; transmitting false report
5. 410 ILCS 70/1a, Definitions
6. 410 ILCS 70/5(a), Minimum requirements for medical forensic services provided to sexual assault survivors by hospitals and approved pediatric health care facilities.
7. 410 ILCS 70/6.5, Written consent to the release of sexual assault evidence for testing
8. 720 ILCS 5/11-1.10(f-g), General provisions concerning offenses described in Sections 11-1.20 through 11-1.60
9. 720 ILCS 5/11-1.20, Criminal sexual assault
10. 720 ILCS 5/11-1.30, Aggravated criminal sexual assault
11. 720 ILCS 5/11-1.50, Criminal sexual abuse
12. 720 ILCS 5/11-1.40, Predatory criminal sexual assault of a child
13. 720 ILCS 5/11-1.60, Aggravated criminal sexual abuse
14. 720 ILCS 5/11-1.70, Defenses with respect to offenses described in Sections 11-1.20 through 11-1.60
15. 725 ILCS 120/4, Rights of crime victims
16. 725 ILCS 120/4.5, Procedures to implement the rights of crime victims
17. 725 ILCS 200/1, Lie detector tests
18. 725 ILCS 202/10, Submission of evidence
19. 725 ILCS 203/1 *et seq.*, Sexual Assault Incident Procedure Act
20. 740 ILCS 45/5.1(b)

21. 77 Ill. Adm. Code 545.60(e)(1), Treatment of sexual assault survivors
22. ISP 6-713 (1/19), Consent to Toxicology

III. DEFINITIONS

1. "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused will not constitute consent. The manner of dress of the victim at the time of the offense will not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct. [720 ILCS 5/11-1.70]
2. "Evidence-based, trauma-informed, victim-centered" means policies, procedures, programs, and practices that have been demonstrated to minimize retraumatization associated with the criminal justice process by recognizing the presence of trauma symptoms and acknowledging the role that trauma has played in a sexual assault or sexual abuse victim's life and focusing on the needs and concerns of a victim to ensure compassionate and sensitive delivery of services in a nonjudgmental manner. [725 ILCS 203/10]
3. "Law enforcement agency having jurisdiction" means the law enforcement agency in the jurisdiction where an alleged sexual assault or sexual abuse occurred. [725 ILCS 203/10]
4. "Sexual assault evidence" means evidence collected in connection with a sexual assault or sexual abuse investigation, including, but not limited to, evidence collected using the Illinois State Police Sexual Assault Evidence Collection Kit as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act or a urine sample collected when there is reasonable cause to believe that a person has consumed a controlled substance without his or her consent. [410 ILCS 70/1a; 725 ILCS 203/10]
5. "Sexual assault or sexual abuse" is defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act. An act of nonconsensual sexual conduct or sexual penetration, as defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012. [725 ILCS 203/10]

IV. PROCEDURES

1. **Dispatch/Call Taker Response** [725 ILCS 203/15(b)(1)]
 - a. Assess immediate safety of victim and need for emergency medical services.
 - b. Gather vital information for responding officers.
 - c. Provide information to the victim on preserving evidence.
 - d. Provide a trauma-informed response to victims in accordance with standards established by the Office of the Statewide 9-1-1 Administrator pursuant to 20 ILCS 2605/2605-53(a)(1).
2. **Initial Responding Officer Duties** [725 ILCS 203/15(b)(2)]
 - a. Contact victim as soon as possible and address safety concerns.
 - b. Assess need for medical forensic services and summon emergency medical assistance if needed or offer to provide or arrange for transportation if needed. [725 ILCS 203/25(a)(2)]

- Medical forensic evidence collection must be offered by the hospital to the victim for a minimum of 7 days after the assault. [77 Ill. Adm. Code 545.60(e)(1)] Beginning January 1, 2022, medical forensic services must be provided by a qualified medical provider [410 ILCS 70/5(a)] Utilization of a hospital with a qualified medical provide is encouraged prior to January 1, 2022, if available.
- c. Provide victim or third-party reporter with the following information and document in the narrative of the report that the information was provided.
 - i. “Mandatory Notice for Survivors of Sexual Assault Form” P.A. 99-0801 – Form A. See Appendix. [725 ILCS 203/25(a)(1)]
 - ii. Statement of Crime Victims’ Rights. [725 ILCS 120/4(b)] See Appendix.
 - d. Assist victim.
 - i. Offer to provide or arrange accessible transportation for the victim to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency civil no contact order under the Civil No Contact Order Act or an order of protection under the Illinois Domestic Violence Act of 1986 after the close of court business hours, if a judge is available. [725 ILCS 203/25(a)(3)]
 - ii. Contact agency social worker or victim advocate, if available.
 - e. Assess for drug- or alcohol-facilitated sexual assault. If suspected, it is recommended that urine is collected from the victim as soon as possible. However, urine collection should be offered up to 120 hours (5 days) after the assault. See Section 6.
 - f. Notify investigating officer, if other than the responding officer. [725 ILCS 203/20(g)]
 - g. Ensure evidence collection, crime scene processing, and chain of custody. See Section 6.
 - h. Conduct preliminary/initial victim interview. [725 ILCS 203/15(b)(7)]
 - i. Determine primary language of victim and translation needs. If interview is conducted at a hospital, you may request interpretive services from the hospital. [725 ILCS 203/25(c)]
 - ii. Victim will not be required to submit to an interview. [725 ILCS 203/20(e)]
 - iii. Secure a private location, if possible.
 - iv. Accommodate the victim’s request for a person, advocate, or attorney for the purpose of support or consultation, if possible.
 - v. Utilize evidence-based, trauma-informed, victim-centered interview questions and techniques.
 - vi. Utilize a Children’s Advocacy Center for a forensic interview of a child victim, when available, in accordance with the Children’s Advocacy Center’s written operational protocol as required by Section 3(c) of the Children’s Advocacy Center Act. [55 ILCS 80/3(c)]
 - vii. Take into consideration concerns or needs of specific communities/populations. See Section 9.
 - i. Fulfill mandatory reporting requirements.
 - i. Report suspected abuse or neglect of any child immediately to the Department of Children and Family Services. [325 ILCS 5/4]
 - ii. Report sexual assault or abuse, which has occurred within the previous 12 months, of an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation, who because of a disability or other condition or impairment is unable to seek assistance for himself or herself. The officer will report this suspicion, within 24 hours, to a local social service agency designated to receive such reports or the Department on Aging. [320 ILCS 20/4]

- iii. Report any long-term care facility resident subjected to abuse or neglect, with whom the officer has had direct contact, immediately to the Department of Public Health. [210 ILCS 30/4]
 - j. Complete written report. [725 ILCS 203/15(b)(5)]
 - i. A law enforcement officer will complete a written report upon receiving a report of sexual assault or sexual abuse, regardless of the jurisdiction where the offense occurred. [725 ILCS 203/20] See Section 3.
 - ii. If the incident occurred in another jurisdiction, a copy of the written report will be sent to the law enforcement agency having jurisdiction in person or via fax or email within 24 hours of receiving the reported information. “Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction Form” P.A. 99-0801 – Form D may be used. See Appendix. [725 ILCS 203/20(c)] The initial agency should receive confirmation of receipt from the receiving agency within 24 hours. P.A. 99-0801 – Form D may be used. If confirmation is not received, follow up with the law enforcement agency having jurisdiction. [725 ILCS 203/20(d)]
- 3. Mandatory Report Writing [725 ILCS 203/15(b)(5)]**
- a. Reporting methods. [725 ILCS 203/15(b)(6)] A written report must be completed when receiving information about a sexual assault or sexual abuse from the following:
 - i. A victim. [725 ILCS 203/20(b)(1)]
 - ii. Hospital or medical personnel. [725 ILCS 203/20(b)(7)]
 - iii. A witness. [725 ILCS 203/20(b)(6)]
 - iv. A third-party reporter who has the consent of the victim. [725 ILCS 203/22]
 - (a) Document the name and contact information of the third-party reporter in the report.
 - (b) Document the reporter’s affirmation that they are reporting with the consent of the victim.
 - b. Documentation of facts in the report.
 - i. Information required by 725 ILCS 203/20(b), if known, whether provided at the time of the initial report or obtained through investigation. [725 ILCS 203/20(b)]
 - ii. Any aggravating factors present. [720 ILCS 5/11-1.30; 11-1.40; 11-1.60]
 - iii. Document signs of physical and psychological trauma to the victim.
 - iv. Document the victim’s subtle and overt actions indicating consent or lack of consent. Silence should not be construed as consent.
 - v. As accurately as possible, use the victim’s, witness’s, and/or suspect’s own words in written reports. Do not sanitize or clean up the language used by the victim.
- 4. Duties of Officers Investigating Sexual Assault and Sexual Abuse [725 ILCS 203/15(b)(3)]**
- By January 1, 2019, all investigations of sexual assault and sexual abuse will be assigned to an officer who has completed training in evidence-based, trauma-informed, victim-centered investigations. [725 ILCS 203/20(g)]
- a. Interview victim.
 - i. Utilize evidence-based, trauma-informed, victim-centered interview questions and techniques, including allowing a victim to complete at least 2 full sleep cycles before an in-depth interview, when possible.

- ii. Determine the primary language of the victim and any translation needs. If an interview is conducted at a hospital, you may request interpretive services from the hospital. [725 ILCS 203/25(c)]
- iii. Victim will not be required to submit to an interview. [725 ILCS 203/20(e)]
- iv. Victim will not be asked or required to submit to a polygraph examination or any form of a mechanical or electrical lie detector test. [725 ILCS 200/1]
- v. Take into consideration the concerns or needs of specific communities/populations. See Section 9.
- vi. Secure a private location, if possible.
- vii. Accommodate the victim's request for a person, advocate, or attorney to be present in the interview for the purpose of support or consultation, if possible.
- viii. Provide guidance regarding drug- or alcohol-facilitated sexual assault considerations. See Section 6.
- b. Collaborate with Children's Advocacy Center, if available, when the victim is under the age of 18.
- c. Identify and interview individuals with information relevant to the sexual assault or sexual abuse. [725 ILCS 203/15(b)(12)]
- d. Investigate and interview possible suspects, focusing on suspect conduct, behavior, and statements made before, during, and after the assault. [725 ILCS 203/15(b)(10)]
- e. Arrange for suspect medical forensic exam, if appropriate. A search warrant or suspect consent will be needed to collect any evidence from the body of the suspect, to take photographs of the body of the suspect, or to collect clothing or other evidence. [725 ILCS 203/15(b)(11)]

5. Supervisor Duties [725 ILCS 203/15(b)(4)]

Supervisors will ensure that officers responding to and investigating sexual assault and sexual abuse utilize evidence-based, trauma-informed, victim-centered policies, procedures, programs, and practices. Supervisors will ensure responding and investigating officer training requirements are met.

6. Evidence Collection, Crime Scene Processing, and Chain of Custody [725 ILCS 203/15(b)(8)]

- a. A law enforcement officer from the agency having jurisdiction will take possession of sexual assault evidence collected by hospital personnel within 5 days of the completion of the medical forensic exam and shall document the possession of the evidence in the report. [725 ILCS 203/30(a); 725 ILCS 203/30(b)]
- b. If a victim declines to consent to testing the evidence, the evidence will be stored for a minimum of 10 years from completion of the medical forensic exam or 10 years from the victim's 18th birthday, whichever is longer, to give the victim time to consent to testing. [725 ILCS 203/30(d)]
 - i. The agency will provide the following information to the victim or their designee pursuant to the agency's protocol. "Storage and Future Testing of Sexual Assault Evidence Form" P.A. 99-0801 – Form C may be used. [725 ILCS 203/30(e)]
 - (a) Storage location of evidence. [725 ILCS 203/30(e)(1)]
 - (b) How to provide consent for testing at a later date. [725 ILCS 203/30(d)]
 - (i) At law enforcement agency having jurisdiction.
 - (ii) By working with a sexual assault advocate.
 - (iii) Through verbal consent with follow-up verification.

- (c) Contact information for law enforcement agency having jurisdiction. [725 ILCS 203/30(e)(3)]
 - (d) Contact information for local rape crisis center. [725 ILCS 203/30(e)(4)]
- ii. The agency will develop a protocol to ensure that victims who want to be notified or have a designee notified prior to the end of the storage period for sexual assault evidence are provided notice. [725 ILCS 203/30(f)]
- iii. If the agency adopts a policy that exceeds the required storage policy, the victim or victim's designee must be notified of the extended storage policy. [725 ILCS 203/30(g)]
- c. If a victim consents to testing the sexual assault evidence:
 - i. Submit the evidence for testing within 10 days of receipt of the consent pursuant to the Sexual Assault Evidence Submission Act and document the submission in the report. [725 ILCS 202/10; 725 ILCS 203/30(b)] No law enforcement agency having jurisdiction may refuse or fail to send sexual assault evidence for testing that the victim has consented to be tested. [725 ILCS 203/30(c)]
 - ii. Provide the victim or victim's designee with written information informing the victim of his or her right to request information regarding the submission and results of the testing. "Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Form" P.A. 99-0801 – Form B may be used. [725 ILCS 203/35] See Appendix.
- d. If a victim under the age of 13, or their parent or guardian, consents to a medical forensic exam and evidence collection, a law enforcement officer may sign the written consent to have the sexual assault evidence released for testing. [410 ILCS 70/6.5(a)(2)]
- e. Drug- and alcohol-facilitated sexual assault.
 - i. If there is reasonable cause to believe that a person has been delivered a controlled substance or alcohol without his or her consent, the law enforcement officer will advise the victim about seeking medical treatment and preserving evidence. [720 ILCS 5/11-1.10(f)] An officer will not require that a urine sample be provided.
 - ii. If a drug- or alcohol-facilitated sexual assault is suspected, it is recommended that urine is collected from the victim as soon as possible. However, urine collection should be offered up to 120 hours (5 days) after the assault. The urine sample must be refrigerated.
 - iii. No sample analysis may be performed unless the victim returns a signed written consent form after the sample is collected. [720 ILCS 5/11-1.10(g)] The victim has 10 ~~five~~ years after the sample was collected to consent to testing. [725 ILCS 203/30(d)]
 - iv. If samples are taken by the hospital for medical purposes, the officer may not request that the hospital test a victim's blood or urine without consent of the victim.
 - v. With victim consent, any urine samples collected should be sent to an Illinois State Police Forensic Science Laboratory or other appropriate laboratory (Northeastern Illinois Regional Crime Laboratory or DuPage County Forensic Science Center) for analysis.
 - vi. If a victim under the age of 13, a law enforcement officer may sign the written consent to have the toxicology evidence collected and released for testing. [ISP 6-713 (1/19)]

7. Victims' Rights and Victim Notification [725 ILCS 203/15(b)(16); (17)]

- a. Victims have rights provided by the Illinois Constitution, the Rights of Crime Victims and Witnesses Act, and the Crime Victims Compensation Act. Law enforcement agencies must provide the Statement of Crime Victims' Rights to victims within 48 hours of initial contact. See Appendix A. [725 ILCS 120/4(b)]

- b. Agencies will provide information concerning the availability of crime victim compensation and advise the victim to contact the Attorney General's office for more information and to file a claim. [740 ILCS 45/5.1(b)]
- c. Agencies will advise the victim of the right to information regarding the status of the investigation from the law enforcement agency having jurisdiction unless disclosure of such information would unreasonably interfere with the investigation. [725 ILCS 120/4.5(a)]
- d. Victims have the right to request information regarding the submission and testing of forensic evidence. [725 ILCS 203/35]
 - i. Upon the request of the victim who has consented to the testing of sexual assault evidence, provide the following information in writing:
 - (a) the date the sexual assault evidence was sent to an Illinois State Police Forensic Science Laboratory or other appropriate laboratory (Northeastern Illinois Regional Crime Laboratory or DuPage County Forensic Science Center), within 7 days of submitting the evidence to a laboratory;
 - (b) test results provided to the law enforcement agency by the laboratory, within 7 days of receipt of the results by the agency, including, but not limited to whether:
 - (i) a DNA profile was obtained from the testing of the sexual assault evidence from the victim's case;
 - (ii) the DNA profile developed from the sexual assault evidence has been searched against the DNA Index System or any state or federal DNA database;
 - (iii) an association was made to an individual whose DNA profile is consistent with the sexual assault evidence DNA profile, provided that disclosure would not impede or compromise an ongoing investigation; and
 - (iv) any drugs were detected in a urine or blood sample analyzed for drug-facilitated sexual assault and information about any drugs detected.
 - ii. When a victim has signed a consent form to test sexual assault evidence, provide the victim with written information informing the victim of his or her right to request this information. "Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Form" P.A. 99-0801 – Form B may be used. [725 ILCS 203/35] See Appendix.

8. Working with the Prosecutor [725 ILCS 203/15(b)(15)]

Develop a relationship with the county state's attorney's office to create procedures for investigations, arrests, and prosecution decisions.

9. Consideration for Specific Populations/Communities [725 ILCS 203/15(b)(18)]

- a. Each agency should commit to making sure all officers have the best training and skills necessary to provide services to every community. Each community must feel that their needs are understood and respected or their confidence in law enforcement personnel to meet these needs may be diminished. Lack of confidence in law enforcement can adversely impact cooperation in reporting and providing information regarding sexual assault and sexual abuse.
- b. Resources regarding specific populations/communities can be found at http://www.illinoisattorneygeneral.gov/victims/improvingresponsetosa_il.html.

10. Agency Partnerships with Victim Advocates and Sexual Assault Response Teams (SARTs)

[725 ILCS 203/15(b)(13); (14)] Agencies are encouraged to partner with community organizations and advocates to create a more supportive atmosphere for victims throughout the reporting and investigation process.

Adapted from the International Association of Chiefs of Police, National Law Enforcement Leadership Initiative on Violence Against Women, *Sexual Assault Response and Investigation Policy and Training Content Development Guidelines*, 2015.

APPENDIX

Sexual Assault Incident Procedure Act – Policy Requirements

(725 ILCS 203/15)

Sec. 15. Sexual assault incident policies.

(a) On or before January 1, 2018, every law enforcement agency shall develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse consistent with the guidelines developed under subsection (b) of this Section. In developing these policies, each law enforcement agency is encouraged to consult with other law enforcement agencies, sexual assault advocates, and sexual assault nurse examiners with expertise in recognizing and handling sexual assault and sexual abuse incidents. These policies must include mandatory sexual assault and sexual abuse response training as required in Section 10.19 of the Illinois Police Training Act and Sections 2605-53 and 2605-98 of the Department of State Police Law of the Civil Administrative Code of Illinois.

(a-5) On or before January 1, 2021, every law enforcement agency shall revise and implement its written policies regarding procedures for incidents of sexual assault or sexual abuse consistent with the guideline revisions developed under subsection (b-5) of this Section.

(b) On or before July 1, 2017, the Office of the Attorney General, in consultation with the Illinois Law Enforcement Training Standards Board and the Department of State Police, shall develop and make available to each law enforcement agency, comprehensive guidelines for creation of a law enforcement agency policy on evidence-based, trauma-informed, victim-centered sexual assault and sexual abuse response and investigation.

These guidelines shall include, but not be limited to the following:

- (1) dispatcher or call taker response;
- (2) responding officer duties;
- (3) duties of officers investigating sexual assaults and sexual abuse;
- (4) supervisor duties;
- (5) report writing;
- (6) reporting methods;
- (7) victim interviews;
- (8) evidence collection;
- (9) sexual assault medical forensic examinations;
- (10) suspect interviews;
- (11) suspect forensic exams;
- (12) witness interviews;
- (13) sexual assault response and resource teams, if applicable;
- (14) working with victim advocates;
- (15) working with prosecutors;
- (16) victims' rights;
- (17) victim notification; and
- (18) consideration for specific populations or communities.

(b-5) On or before January 1, 2020, the Office of the Attorney General, in consultation with the Illinois Law Enforcement Training Standards Board and the Department of State Police, shall revise the comprehensive guidelines developed under subsection (b) to include responding to victims who are under 13 years of age at the time the sexual assault or sexual abuse occurred. (Source: P.A. 99-801, eff. 1-1-17; 100-201, eff. 8-18-17.)

MANDATORY NOTICE FOR SURVIVORS OF SEXUAL ASSAULT*

MEDICAL AND FORENSIC SERVICES

Survivors of sexual assault should seek medical attention as soon as possible. You may request transportation to the hospital.

Services Available

If you request medical forensic services, the hospital must offer a general medical exam, treat injuries, evaluate the need for medications, and collect forensic evidence. Upon request, a hospital must perform a forensic exam and complete an evidence kit for a minimum of 7 days after the assault regardless of your age.

Any evidence collected during the medical forensic exam will not be used to prosecute you for any offense related to the use of alcohol, cannabis, or a controlled substance.

Evidence Preservation

You may not be sure whether or not you want to participate in the criminal justice process right now, but it is important to know that critical evidence may be lost if you change clothes; bathe, shower or douche; use the restroom; eat; smoke; or brush teeth or gargle, depending on the nature of the attack.

The sooner the medical forensic exam is performed, the more evidence is available for collection.

Storage of Evidence

If evidence is collected from you, but you are unsure about allowing law enforcement to test the evidence, the evidence will be stored for ten years or, if you are under the age of 18, until your 28th birthday. You can consent to test the evidence at any time during this period.

You will NOT be billed for any services provided in the emergency room. In addition, if you are eligible, the hospital will give you a voucher for 90 days of follow-up care.

HOSPITAL INFORMATION

The nearby hospital below provides emergency medical and forensic services for sexual assault survivors:

Hospital Name
Hospital Address

This hospital employs a Sexual Assault Nurse Examiner: Yes / No / Unknown (Circle One)

CIVIL NO CONTACT ORDERS / ORDERS OF PROTECTION

Survivors of sexual assault may petition for a Civil No Contact Order (CNCO) or an Order of Protection (OP) that can order the offender to:

- Stay away from you and away from specific locations, such as your residence, your work, and your school
- Have no contact with you

The CNCO or OP can be obtained in civil court at a local courthouse. You will not pay a fee for requesting the order. While you can obtain a CNCO or OP on your own, it is best done with the assistance of an advocate or attorney. If the courthouse is closed but a judge is available, you may request that the officer provide or arrange transportation to the judge.

You may be able to obtain sexual assault support services for free. These services include advocacy, counseling, assistance with information about the medical forensic exam, understanding the criminal justice system, and obtaining a Civil No Contact Order or an Order of Protection. You are encouraged to contact:

Rape Crisis Center Name	Hotline Number
-------------------------	----------------

RESPONDING LAW ENFORCEMENT AGENCY

Responding Officer's Name	Star/Badge Number
Responding Law Enforcement Agency Name	Agency Phone Number
Report Number	Date

LAW ENFORCEMENT AGENCY WHICH WILL COMPLETE INVESTIGATION

Law Enforcement Agency Name
Law Enforcement Agency Address
Law Enforcement Agency Phone Number

MANDATORY NOTICE OF VICTIM'S RIGHT TO INFORMATION REGARDING SEXUAL ASSAULT EVIDENCE TESTING*

You have consented to the testing of sexual assault evidence collected in your case.

This law enforcement agency must provide you with the following information regarding the testing of the evidence, at your request. You may designate another person to receive this information on your behalf.

You are entitled to the following information:

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory by this agency. If you request this information, it must be provided to you within seven (7) days of the transfer of the evidence to a lab by this law enforcement agency.
2. Test results provided to this agency by the laboratory, including, but not limited to:
 - DNA test results, and
 - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If you request this information, it must be provided to you within seven (7) days of this law enforcement agency receiving the results from the laboratory.

Requesting the Information

You may submit a request for this information at this time or by contacting this law enforcement agency at the address or phone number below at a later date.

Law Enforcement Agency	
Address	
Phone Number	Email (if available)
Report Number	

You or your designee must keep the law enforcement agency informed of the name, address, phone number and email of the person to whom information should be provided and any changes to that information.

* This form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate pursuant to 725 ILCS 203/35(c). This requirement is effective January 1, 2017.

STORAGE AND FUTURE TESTING OF SEXUAL ASSAULT EVIDENCE*

A consent form to test the sexual assault evidence collected today must be signed before law enforcement can send this evidence to a laboratory to be tested. You have indicated that you do NOT want to sign the consent for testing at this time.

If you are an adult, this evidence will be stored by law enforcement for ten (10) years from today's date, _____.

If you are under 18 years of age, this evidence will be stored until your 28th birthday.

You may request to be notified prior to the destruction of the evidence at the end of the storage period. This evidence will be stored at the law enforcement agency list below.

A consent form for the testing of this evidence may be signed at any time during the storage period. This can be done by contacting the law enforcement agency listed below or by working with an advocate from a rape crisis center.

Law Enforcement Agency
Address
Phone Number
Report Number

Rape Crisis Center
Address
Phone Number

*This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.

Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction

Within 24 hours of receiving a sexual assault report of an incident in your jurisdiction from another law enforcement agency, you must provide that agency with the following information.

Law Enforcement Agency That Received the Initial Sexual Assault Report

Initial Agency Name: _____ **Case Number:** _____

Initial Agency Contact Name: _____

Title: _____ **Phone:** _____ **Fax:** _____

Email: _____

Date Transferred: _____ **Time Transferred:** _____

Confirmation of Receipt of Sexual Assault Report to be completed by Law Enforcement Agency with Jurisdiction Receiving Report

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Person Receiving Report: _____

Title of Person Receiving Report: _____

Date Received: _____ **Time Received:** _____

Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Contact Person: _____

Title: _____ **Phone:** _____

Email: _____ **Fax:** _____

**This written confirmation shall be delivered in person or via fax or email to
the law enforcement agency that received the initial report.**

STATEMENT OF CRIME VICTIMS' RIGHTS

This form is available only in PDF format at
<http://www.illinoisattorneygeneral.gov/victims/Marsys%20Rights.pdf>

Illinois Domestic Violence Act Referral Agencies in English and Spanish.pdf

Illinois Domestic Violence Act Referral Agencies	
Aurora Police Department Domestic Violence Reduction Unit	630-256-5530
Mutual Ground Hotline (Kane & Kendall) Domestic Violence Sexual Assault	630-897-8989 630-897-0080 630-897-8383
Family Shelter Service (Dupage Co) Hot Line 24 Hrs.	630-469-5650
Guardian Angel Community Services Ground Works (Will & Grundy) Domestic Violence Shelter	815-729-1228
Family Counseling Service 70 S. River St. Aurora, IL	630-844-2662
Gateway Foundation Community Counseling Service 400 Mercy Ln, Aurora, IL	630-966-7400 877-505-4673
Mercy Center Behavioral Health 1325 N. Highland Av, Aurora, IL	630-801-2657
Fox Valley Crisis Line	630-966-9393
Breaking Free	630-897-1003
Alcoholics Anonymous	630-859-2444
Senior Services Inc. (Aurora)	630-897-4035
Elder Abuse Hotline	800-942-1724
Child Abuse Hotline	800-252-2873
Prairie State Legal Services	800-942-4612
The Association for Individual Development 1230 N. Highland Av., Aurora, IL	630-859-1291

Acto de Violencia Domestica de Illinois Agencias para Referidos	
Departamento de Policia de Aurora Unidad de Reduccion de Violencia Domestica	630-256-5530
Linea Directa Mutual Ground (Kane & Kendall) Violencia Domestica Asalto Sexual	630-897-8989 630-897-0080 630-897-8383
Servicio de Refugio para Familias (Dupage) Linea Directa 24 Hrs.	630-469-5650
Guardian Angel Community Services Ground Works (Will y Grundy) Refugio de Violencia Domestica	815-729-1228
Servicio de Consejeria Familiar 70 S. River St. Aurora, IL	630-844-2662
Gateway Foundation Centro Comunitario de Consejeria 400 Mercy Ln, Aurora, IL	630-966-7400 877-505-4673
Centro de Salud de Comportamiento Mercy 1325 N. Highland Av, Aurora, IL	630-801-2657
Linea de Crisis Fox Valley	630-966-9393
Breaking Free	630-897-1003
Alcoholicos Anonimos	630-859-2444
Servicios para Personas Mayores (Aurora)	630-897-4035
Linea Directa de Abuso de Ancianos	800-942-1724
Linea Directa de Abuso de Menores	800-252-2873
Servicios Legales de Prairie State	800-942-4612
Asociacion para el Mejoramiento Individual 1230 N. Highland Av., Aurora, IL	630-859-1291

Notice of Victims Right to Information Regarding Sexual Assault Evidence Testing

MANDATORY NOTICE OF VICTIM'S RIGHT TO INFORMATION REGARDING SEXUAL ASSAULT EVIDENCE TESTING*

You have consented to the testing of sexual assault evidence collected in your case.

This law enforcement agency must provide you with the following information regarding the testing of the evidence, at your request. You may designate another person to receive this information on your behalf.

You are entitled to the following information:

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory by this agency. If you request this information, it must be provided to you within seven (7) days of the transfer of the evidence to a lab by this law enforcement agency.
2. Test results provided to this agency by the laboratory, including, but not limited to:
 - DNA test results, and
 - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If you request this information, it must be provided to you within seven (7) days of this law enforcement agency receiving the results from the laboratory.

Requesting the Information

You may submit a request for this information at this time or by contacting this law enforcement agency at the address or phone number below at a later date.

Law Enforcement Agency	
Address	
Phone Number	Email (if available)
Report Number	

You or your designee must keep the law enforcement agency informed of the name, address, phone number and email of the person to whom information should be provided and any changes to that information.

* This form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate pursuant to 725 ILCS 203/35(c). This requirement is effective January 1, 2017.

Continuation Sheet OI 2022.pdf



CONTINUATION SHEET

FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

1. Case Report Number

2. Page Number

OF

3. Offense

4. Classification

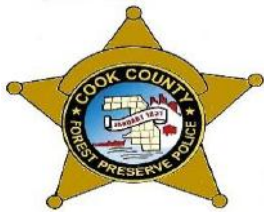
Continued Narrative:

Case Report Number

5. Reporting Officer Name/Star No. (Print)

6. Reporting Officer's Signature

Death Investigation Worksheet 2022.pdf



DEATH INVESTIGATION WORKSHEET

FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

DEPARTMENT OF LAW ENFORCEMENT

Officers records only. Not to be turned in with OI. This is to assist with report writing.

CR #:		Date Reported:		Time Assigned:		Time Arrived:		Location:	
Decedent Information									
Name:					DOB:		DL/ID #:		
Sex	Race	Age	Ht	Wt	Hair	Eyes	Scars/Marks/Tattoos/Clothing Description/Other:		
Address:					Phone:		Other Info:		
Scene Information									
Who discovered decedent (Name):			Relationship to decedent:			His/Her Address:		Phone:	
First Aid Administered:			<input type="checkbox"/> Yes <input type="checkbox"/> No		By Who:				
Signs of Violence/Self Harm:			<input type="checkbox"/> Yes <input type="checkbox"/> No		Explain: (Weapons on Scene, Apparent Self Harm)				
Visible Wounds:			<input type="checkbox"/> Yes <input type="checkbox"/> No		Explain:				
Drugs/Medication Present:			<input type="checkbox"/> Yes <input type="checkbox"/> No		Explain:				
Evidence on Scene:			<input type="checkbox"/> Weapons <input type="checkbox"/> Notes/Letters <input type="checkbox"/> Personal Items			Inventory Tag #:			
Supervisor on Scene Name/Badge #:					Time Notified:		Time Arrived:		
Fire Department Name:			Run #:		Unit(s) #:		Paramedic Name:		
Investigator Notified Name/Badge #:					Time Notified:		Time Arrived:		CR#
Evidence Technician Name/Badge #:					Time Notified:		Time Arrived:		CR#
Medical Examiner TX: 312-666-0200			Time Notified:		Who called:		Spoke to:		ME Case#
Medical Examiner Investigator on Scene:			(Name/Star#):			Time Arrived:			
<input type="checkbox"/> Yes <input type="checkbox"/> No									
Date/Time Pronounced:		Location Pronounced:				By:			
		<input type="checkbox"/> On Scene <input type="checkbox"/> Hospital: Name _____ Dr _____				<input type="checkbox"/> Obvious <input type="checkbox"/> In Person <input type="checkbox"/> Telemetry <input type="checkbox"/> Other: _____			
Decedent Removed From Scene By:		Time Notified:		Time Arrived:		Time Body Removed:		Taken To:	

1 ALOHA LN., HINSDALE, IL 60523 (708) 771-1001 FPDCC.COM

DEATH INVESTIGATION WORKSHEET

Vehicle Information					
Death Occurring In a Vehicle: <input type="checkbox"/> Yes <input type="checkbox"/> No		Vehicle on Scene: <input type="checkbox"/> Yes <input type="checkbox"/> No		MVI Completed <input type="checkbox"/>	
Vehicle Owner:	License Plate #:	State/Year:	Color:	Make:	Model:
Vehicle Towed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Towed By:	Released to and relationship:		Date:	Time:
Miscellaneous Information					
Relative/Friend Notified (Name):				Phone:	
Marital Status:	Spouse Name:		Children (Names, DOB/Age):		
Decedent Last Seen Alive Date:		Decedent Last Seen Alive Time:		Decedent Last Seen Alive By Whom:	
Decedent Last Seen Alive Location:		Decedent Last Seen Alive Circumstances:			
Medical History of Decedent (Medication, Illnesses, Etc.):					
Family Doctor:		Address:		Phone:	
Additional Comments:					

**Vehicle-Equipment Incident
Damage Report Mar 2022.pdf**

Forest Preserve District of Cook County

Vehicle & Equipment Incident/Damage Report



Date of Occurrence: _____

Time of Occurrence: _____

Driver/Operator's Name: _____ Employee #: _____

Driver/Operator's Job Title: _____

Work Location: _____

Supervisor Contacted: _____

Supervisor's Job Title: _____

Police Report # (if applicable): _____

Description of vehicle or equipment (color/make/model): _____

FPDCC Unit #: _____ License Plate #: _____ Mileage/Hours: _____

Area of damage on vehicle or equipment: _____

Exact location or incident/damage (approx. address, intersection, and/or grove):

Any personnel injured? YES NO (if "Yes", indicate below):

_____	_____	YES	NO
(Name)	(Phone Number)	(Medical Treatment)	

_____	_____	YES	NO
(Name)	(Phone Number)	(Medical Treatment)	

Any non-Forest Preserve employees injured? YES NO

Damage to property other than vehicle/equipment (i.e. fence, building) YES NO

(If "Yes", explain):

Are there witnesses? YES NO (if "Yes", indicate below):

_____	_____	_____
(Name)	(Address)	(Phone Number)

_____	_____	_____
(Name)	(Address)	(Phone Number)

Weather Conditions: _____ Temperature: _____

Road Conditions, if applicable: _____

DRIVER/OPERATOR FEEDBACK

(Use additional sheets and draw a map if necessary)



Describe fully how the incident/damage occurred:

THE UNDERSIGNED CERTIFIES AND AFFIRMS THAT THE FACTS AND MATTERS CONTAINED HEREIN ARE TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND THAT ANY KNOWING OR INTENTIONAL SUBMISSION OF FALSE OR MISLEADING INFORMATION MAY RESULT IN SUSPENSION OR TERMINATION.

SIGNATURE OR DRIVER/OPERATOR

TITLE

DATE

SUPERVISOR FEEDBACK



Was this form filled out on the date of the incident/damage? YES NO

(If "No", please explain):

Was a post-incident drug & alcohol test administered? YES NO

Supervisor Explanation:

Explain any unsafe conditions or unsafe acts:

Supervisor's Statement:

SIGNATURE

TITLE

DATE

Supervisor Attachment Requirements

- (1) Attach employee Pre-Inspection Trip Sheet.
- (2) Attach Pre-Inspection Trip Sheet that was last completed prior to the time the current incident occurred.
- (3) Attach and send pictures of the incident/damage to fpdcc.irb@cookcountyil.gov within 24 hours. Several pictures should be taken from up close, at a distance, and in good lighting. Include a photo of the site to show conditions. Hold phone upright, use high quality settings, and include any relevant pictures that explain the incident and site.
- (4) Please be advised that the damages vehicle/equipment is required to be brought into the Central Garage the next business day.

IN CASE OF COLLISION/ACCIDENT



1. **IMMEDIATELY DIAL 911 IF THERE ARE ANY INJURIES.**
2. If there are no injuries and the incident involves a non-Forest Preserve District of Cook County (FPDCC) employee or other property not belonging to the FPDCC, contact the FPDCC Police non-emergency phone number at (708) 771-1000 to have Police dispatches to fill out an Illinois Motorist Report.
3. Contact your supervisor and provide the following:
 - a. Unit #
 - b. License Plate #
 - c. Incident/Accident Location
 - d. Does the unit need to be towed?
4. Supervisors should ensure the following is done:
 - a. If required, call ALIA Drug Testing immediately at (708) 320-2334 or (773) 386-8652 (24 hrs/7 days a week), as detailed in the FPDCC's Drug & Alcohol Policy.
 - b. Have employee completely fill out a Vehicle & Equipment Incident/Damage Report.
 - c. If the vehicle requires towing, call:

Joseph Zenaty (312) 859-3082
or
Ricky Phiri (708) 522-3625
5. Post-incident drug testing is to be conducted by ALIA Drug Testing in the field or nearest indoor FPDCC facility.
6. The employee's supervisor or another employee not involved in the incident is to drive the equipment back to the Division or designated facility.
7. When applicable, completely fill out the Vehicle & Equipment Incident/Damage Report and have your supervisor provide a supervisor statement and signature.
8. Make no comment or statement regarding the incident except to police or a representative of the FPDCC.
9. Submit Vehicle & Equipment Incident/Damage Report to fpdcc.irb@cookcountyil.gov email, as completed on the day of the incident. Include pictures of any and all damage to the vehicle/equipment at the incident site with the file name format shown below. All documentation/photos should be submitted electronically, in addition to bringing the vehicle/equipment to the Central Garage for inspection by no later than the very next business day with the work order requesting the post incident inspection.
 - a. File Format Name Incident, Date, Unit#, Name of Driver/Operator

Incident 20200301 Unit 0001 John Smith

Incident 20200301 Unit 0001 John Smith Pic1

Incident 20200301 Unit 0001 John Smith Pic2

<--Scanned Document

<-- Electronic Picture

**Older Adults and Elder Abuse
factsheet-elder-abuse-508.pdf**



Older Adults and Elder Abuse

As they age, older adults may need assistance from others with getting to and from medical appointments, managing their finances, preparing meals, personal care and performing other activities that enable them to continue living in their homes and communities. Unfortunately, increasing numbers of older adults experience abuse from the very people they trust to provide them with this much-needed assistance.

According to the National Center on Elder Abuse (NCEA), elder abuse most often occurs when older adults are mistreated by someone with whom they have a trusting relationship—most often a spouse, sibling, child, friend or caregiver. In institutional settings like nursing homes, assisted living facilities and hospitals, elder abuse can occur when older adults are mistreated by someone who has a legal or contractual obligation to provide them with care or protection.

While it can be difficult to quantify the precise number of individuals who experience elder abuse, the National Center on Elder Abuse cites research indicating that approximately one in 10 older adults have experienced some form of elder abuse. However, for many reasons, elder abuse is under reported. NCEA also cites a survey conducted in New York showing that for every case of case of elder abuse that is reported to authorities, 24 cases go unreported.



Types of Elder Abuse

While there are many types of elder abuse, they all have one thing in common: the mistreatment of an older adult that most often occurs by a person with whom they have a trusting relationship. NCEA provides the following definitions for some of the most common forms of elder abuse.

- **Physical abuse:** Inflicting, or threatening to inflict, physical pain, bodily harm, injury or depriving the older adult of a basic need.
- **Emotional abuse:** Inflicting mental pain, anguish or distress through verbal or nonverbal acts.
- **Neglect:** Refusal or failure by those responsible to provide food, shelter, health care or protection.
- **Self-Neglect:** Neglect of one's own care through hoarding; poor hygiene; failure to take essential medications; failure to provide one's self with adequate food, nutrition or other basic needs.
- **Abandonment:** The desertion by anyone who has assumed the responsibility for care or custody.
- **Sexual:** Non-consensual sexual contact of any kind; coercion to witness sexual behaviors.
- **Exploitation:** Illegal taking, misuse or concealment of funds, property or assets.

How to Spot Elder Abuse

Although recognizing elder abuse can be difficult, NCEA has identified the following warning signs that may be an indication that further attention and action is needed.

An older adult may be experiencing elder abuse if it appears that they:

- are socially isolated or cut off from contact with friends and/or loved ones;
- are confused or depressed;
- are undernourished or dehydrated;
- appear dirty or have unexplained bruises or bed sores;
- are not receiving care for health problems—eyesight, dental, hearing, incontinence;
- are abusing drugs or alcohol; and
- have trouble sleeping;

For other signs of elder abuse, visit <https://www.nia.nih.gov/health/elder-abuse#signs>.

Ways to Prevent Elder Abuse

Education is critical to preventing elder abuse. In addition, older adults can reduce their risk of experiencing elder abuse through the following:

- staying engaged in their communities;
- not providing personal information, such as Social Security numbers, over the phone;
- reviewing their wills periodically—and ensuring that a living will or advance directive is in place—to protect their wishes; and
- working with a financial adviser before making large purchases or investments.

For other ways to prevent elder abuse, visit <http://www.asaging.org/elder-abuse-prevention-resources>.

What to Do If You Suspect Elder Abuse

As with other forms of abuse, older adults who have experienced abuse tend to blame themselves. If you observe any of the warning signs mentioned earlier and are concerned that an older adult shows signs of abuse, take the following actions:

- **Talk to the person you suspect is being abused.**
NCEA recommends asking if elder abuse has occurred, whether the older adult is afraid of anyone or if they are being harmed by anyone. It is important to remind them that it is not their fault.
- **Contact 911.** If it appears that an older adult is in immediate danger due to suspected elder abuse, contact the police right away.

- **Contact Adult Protective Services.** Each state's Adult Protective Services office has the authority to conduct an investigation of any suspected cases of elder abuse.
- **Contact your state's Long-Term Care Ombudsman.** For older adults residing in a licensed nursing home or assisted living facility, a state's Long-Term Care Ombudsman will act as an advocate for suspected victims of elder abuse and can provide information about the appropriate licensing, monitoring and regulatory agencies.
- **Call the Eldercare Locator.** *The Eldercare Locator's trained staff can connect older adults and concerned caregivers with local reporting organizations.*

RESOURCES

Adult Protective Services

www.napsa-now.org/get-help/help-in-your-area

Adult Protective Services (APS) is a social services program provided by states and local governments for older adults and individuals with disabilities who are in need of assistance. APS investigates cases of abuse, neglect or exploitation, working closely with a variety of allied professionals such as physicians, nurses, paramedics, firefighters and law enforcement officers. APS programs vary from state to state in respect to populations served, services provided and scope.

National Long-Term Care Ombudsman Resource Center (202) 332-2275

www.ltombudsman.org

Long-term care ombudsmen are advocates for residents of nursing homes, board and care homes and assisted living facilities. Ombudsmen provide information about how to find a long-term care facility, how to ensure quality care and are trained to resolve problems and assist with complaints.

Critical Conversations Series

Older Adults and Elder Abuse is part of the Eldercare Locator's Critical Conversations series of fact sheets, which address emerging topics and important issues impacting the health and well-being of older adults.

This project was supported, in part, by grant number 901R0002, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, DC 20201. Grantees undertaking projects under government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official Administration for Community Living policy.

Elder Justice Initiative's Victim Connect Hotline

1 (855) 4-VICTIM (1-855-484-2846)

The Elder Justice Initiative's Victim Connect Hotline connect callers to specialists who help victims of elder abuse navigate through the criminal justice system by providing support, assessing needs, developing a safety plan, connecting them to resources and identifying gaps in service.

National Center on Elder Abuse

1 (855) 500-3537

Monday–Friday, 8:30 a.m.–5 p.m. PT

www.ncea.acl.gov

The NCEA provides the latest information regarding research, training, best practices, news and resources on elder abuse, neglect and exploitation to professionals and the public.

Eldercare Locator

1 (800) 677-1116

Monday–Friday, 9:00 a.m. – 8:00 p.m. ET

www.eldercare.acl.gov

Launched in 1991, the Eldercare Locator is the only national information and referral resource to provide support to consumers across the spectrum of issues affecting older Americans. The Locator was established and is funded by the U.S. Administration on Aging, part of Administration for Community Living, and is administered by the National Association of Area Agencies on Aging (n4a).



Connecting You to Community Services



Administration for Community Living



advocacy | action | answers on aging

sab_2_sided_card_polish_2010.pdf

*Bez wstydu.
Bez winy.
Bez nazwisk.*



*Istnieje sposób na bezpieczne
zrzeczenie się noworodka.*

**Illinois Abandoned Newborn
Infant Protection Act
(Ustawa o ochronie porzuconych
noworodków w Stanie Illinois)**

**Natychmiastową pomoc uzyskasz
pod numerem 888-510-BABY**

**Save Abandoned Babies
Foundation®**
SaveAbandonedBabies.org

IDCIES
Illinois Department of Children & Family Services
www.state.il.us/dcf

Jeśli któraś z Twoich znajomych jest w ciąży i nie wie, co zrobić albo sama spodziewasz się dziecka, którego nie jesteś w stanie zatrzymać, nie wpadaj w panikę. Pomoc jest w zasięgu ręki.

Niechciana ciąża może być traumatycznym przeżyciem. Często przytłacza Cię poczucie izolacji, strachu lub wstydu, które może doprowadzić do irracjonalnych myśli lub czynów, takich jak porzucenie dziecka w niebezpiecznym miejscu.

Gdzie znajdziesz bezpieczne schronienia (Safe Havens)?

W Stanie Illinois specjalne bezpieczne miejsca dla noworodków znajdują się:

- na posterunkach straży pożarnej z załogą
- na posterunkach policji z załogą
- w szpitalach
- w ośrodkach pomocy doraźnej

Jaka jest rola przepisów?

Dzięki przepisom noworodki nie są porzucane w niebezpiecznym miejscu. Zgodnie z nimi nie można ścigać sądowo rodziców za porzucenie noworodka, jeśli nie wyrządzą krzywdy swojemu dziecku i przekaza go w ciągu 30 dni od narodzenia jednemu z pracowników bezpiecznego schronienia (Safe Haven). Dają one zdesperowanemu rodzicowi sensowną alternatywę.

Co się dzieje w bezpiecznym schronieniu?

Nowonarodzone dziecko można zostawić w każdym szpitalu, ośrodku pomocy doraźnej, na posterunku policji z załogą czy na posterunku straży pożarnej z załogą – nikt nie zada żadnych pytań. Dodatkowo każdy rodzic otrzyma komplet informacji. Dziecko zaś trafi do szpitala, gdzie przeprowadzone zostanie badanie lekarskie, a później trafi do wcześniej sprawdzonej agencji adopcyjnej.

Prawa rodzicielskie

Rodzice biologiczni powinni zdawać sobie sprawę, że dobrowolnie zrzekają się praw rodzicielskich do noworodka, dzięki czemu można go bezpośrednio oddać do adopcji.

**Illinois Domestic Violence Act
State Information in English.pdf**

Illinois Domestic Violence Act Victim Information

from the Office of Illinois Attorney General Lisa Madigan

Domestic Violence is a crime. Any person who hits, chokes, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member has broken Illinois domestic violence law. Under Illinois law **family or household member** are defined as:

- * Family members related by blood or marriage;
- * People who are married or used to be married;
- * People who share or used to share a home, apartment, or other dwelling
- * People who have or say they have a child in common;
- * People who have or say they have a blood relationship through a child;
- * People who are dating or used to date, including same sex couples, and
- * People with disabilities and their personal assistants.

Orders of Protection

An order of protection is a court order which restricts someone who has abused a family or household member. An order of protection may:

- * Prohibit abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, etc.)
- * Order abuser out of a shared home or residence;
- * Order abuser out of that home while they are using drugs or alcohol;
- * Order abuser to stay away from you and other persons protected by the order and keep abuser from your work, school, or other specif locations;
- * Require abuser to attend counseling;
- * Require abuser to turn weapons over to local law enforcement; and/or
- * Prohibit abuser from other actions.

To Obtain an Order of Protection, You Can:

- * Contact a domestic violence program for help completing the forms.
- * Ask your attorney to file in civil court.
- * Request an order with your divorce.
- * Request an order during a criminal prosecution.
- * Go to your local Circuit Court Clerk's Office and get papers to seek an order of protection for yourself

Law Enforcement Response

Law Enforcement should try to prevent further abuse by:

- * Arresting the abuser when appropriate and completing a police report;
- * Driving you to a medical facility, shelter or safe place or arranging for transportation to a safe place;
- * Accompanying you back to your home to get belongings; and
- * Telling you about the importance of saving evidence, such as damaged clothing or property, and taking photographs of injuries or damage.

Criminal Prosecutions

If an arrest wasn't made and you wish to seek criminal charges against your abuser, bring all relevant information, including the police report number and this form, to your local State's Attorney. You may want to contact a local Domestic Violence Program so they can help you through the system.

If Abuser Contacts You After An Arrest

If the abuser was charged with a crime and you or another victim is a family or household member, that abuser probably was ordered not to contact you for at least 72 hours. If the abuser does contact you soon after an arrest, you should call the police because the abuser can be charged with an additional crime, violation of bail bond.

Violation Of An Order Of Protection

You should also call police if the abuser disregards a part of the order of protection, because that is another crime, violation of an order or protection.

Where You Can Get Help And Advice

- * National Domestic Violence Hotline 800-799-SAFE
- * Chicagoland Domestic Violence Help Line 877-863-6338 (Chicago)
- * Chicago Rape Crisis Hotline 888-293-2080 (Chicago Area)
- * Local Domestic Violence Program - APD DVRU Unit 630-256-5530

Form available from the Office of Illinois Attorney General Lisa Madigan website at www.IllinoisAttorneyGeneral.gov/women/idva.pdf.

Officer's Name _____ Star# _____ Date _____

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***Sin vergüenza.
Sin culpa.
Sin nombres.***



***Ahora existe una manera para
entregar en forma segura a su
hijo recién nacido sano y salvo.***

**Ley de Protección para Bebés
Recién Nacidos Abandonados
de Illinois**

**Para recibir asistencia
inmediata llame al
888-510-BABY**

**Save Abandoned Babies
Foundation®**
SaveAbandonedBabies.org

IDCIES
Illinois Department of Children & Family Services
www.state.il.us/dcf

Si usted o alguien a quien conoce está embarazada y desesperada no hay por qué caer en pánico, hay ayuda disponible.

Un embarazo no deseado puede ser una experiencia traumática, y es posible que tenga abrumadores sentimientos de aislamiento, miedo o vergüenza que podrían provocar pensamientos o actos irracionales, como abandonar al bebé en forma insegura.

¿Qué es un refugio seguro ("Safe Heaven")?

En Illinois se cuenta con lugares seguros para entregar a un recién nacido, y son:

- Estaciones de bomberos con personal
- Estaciones de policía con personal
- Hospitales
- Instalaciones para cuidados de emergencia

¿Qué hace la ley?

La ley protege a los bebés ante el abandono en situaciones inseguras. Indica que los padres que no lastiman a sus bebés no pueden ser acusados de abandono, siempre y cuando entreguen a sus hijos de hasta 30 días de nacidos al personal de un refugio seguro. Con esto se ofrece una alternativa responsable a los padres que están desesperados.

¿Qué pasa en un refugio seguro?

Los recién nacidos pueden llevarse a cualquier hospital, instalación para cuidados de emergencia o estación de policía o bomberos con personal - no se hará pregunta o averiguación alguna. Al padre se le entrega un paquete con información. El bebé entonces es llevado a un hospital para un chequeo médico, y luego se le coloca en una agencia de adopción previamente aprobada.

Derechos de los padres

Los padres biológicos deben tener en cuenta que estarán renunciando voluntariamente a la patria potestad de sus hijos, con lo que los menores inmediatamente quedan disponibles para ser adoptados.

www.SaveAbandonedBabies.org

illinois-victimsupdated-4815pdf.pdf

ILLINOIS VICTIMS' RIGHTS LAWS¹

Constitution

Article I, § 8.1 – Crime Victim's Rights

(a) Crime victims, as defined by law, shall have the following rights:

- (1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.
- (2) The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.
- (3) The right to timely notification of all court proceedings.
- (4) The right to communicate with the prosecution.
- (5) The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea, or sentencing.
- (6) The right to be notified of the conviction, the sentence, the imprisonment, and the release of the accused.
- (7) The right to timely disposition of the case following the arrest of the accused.

¹ Not intended to be exhaustive.

(8) The right to be reasonably protected from the accused throughout the criminal justice process.

(9) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.

(10) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.

(11) The right to have present at all court proceedings, subject to the rules of evidence, an advocate and other support person of the victim's choice.

(12) The right to restitution.

(b) The victim has standing to assert the rights enumerated in subsection (a) in any court exercising jurisdiction over the case. The court shall promptly rule on a victim's request. The victim does not have party status. The accused does not have standing to assert the rights of a victim. The court shall not appoint an attorney for the victim under this Section. Nothing in this Section shall be construed to alter the powers, duties, and responsibilities of the prosecuting attorney.

(c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(d) Nothing in this Section or any law enacted under this Section creates a cause of action in equity or at law for compensation, attorney's fees, or damages against the State, a political subdivision of the State, an officer, employee, or agent of the State or of any political subdivision of the State, or an officer or employee of the court.

(e) Nothing in this Section or any law enacted under this Section shall be construed as creating (1) a basis for vacating a conviction or (2) a ground for any relief requested by the defendant.

Statutes

Chapter 725, Act 120 – Rights of Crime Victims and Witnesses Act 120/1 – Short title

Short title. This Article I may be cited as the Rights of Crime Victims and Witnesses Act.

120/2 – Purpose

The purpose of this Act is to implement, preserve and protect the rights guaranteed to crime victims by Article I, Section 8.1 of the Illinois Constitution to ensure that crime victims are treated with fairness and respect for their dignity and privacy throughout the criminal justice system and to increase the effectiveness of the criminal justice system by affording certain basic rights and considerations to the witnesses of violent crime who are essential to prosecution.

120/3 – Definitions

The terms used in this Act, unless the context clearly requires otherwise, shall have the following meanings:

- (a) "Crime victim" means (1) a person physically injured in this State as a result of a violent crime perpetrated or attempted against that person or (2) a person who suffers injury to or loss of property as a result of a violent crime perpetrated or attempted against that person or (3) a single representative who may be the spouse, parent, child or sibling of a person killed as a result of a violent crime perpetrated against the person killed or the spouse, parent, child or sibling of any person granted rights under this Act who is physically or mentally incapable of exercising such rights, except where the spouse, parent, child or sibling is also the defendant or prisoner or (4) any person against whom a violent crime has been committed or (5) any person who has suffered personal injury as a result of a violation of Section 11-501 of the Illinois Vehicle Code, or of a similar provision of a local ordinance, or of Section 9-3 of the Criminal Code of 1961, as amended;
- (b) "Witness" means any person who personally observed the commission of a violent crime and who will testify on behalf of the State of Illinois in the criminal prosecution of the violent crime;
- (c) "Violent Crime" means any felony in which force or threat of force was used against the victim, or any offense involving sexual exploitation, sexual conduct or sexual penetration, domestic battery, violation of an order of protection, stalking, or any misdemeanor which results in death or great bodily harm to the victim or any violation of Section 9-3 of the Criminal Code of 1961, or Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, if the violation resulted in personal injury or death, and includes any action committed by a juvenile that would be a violent crime if committed by an adult. For the purposes of this paragraph, "personal injury" shall include any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene;
- (d) "Sentencing Hearing" means any hearing where a sentence is imposed by the court on a convicted defendant and includes hearings conducted pursuant to Sections 5-6-4, 5-6-4.1, 5-7-2 and 5-7-7 of the Unified Code of Corrections except those cases in which both parties have agreed to the imposition of a specific sentence.

- (e) "Court proceedings" includes the preliminary hearing, any hearing the effect of which may be the release of the defendant from custody or to alter the conditions of bond, the trial, sentencing hearing, notice of appeal, any modification of sentence, probation revocation hearings or parole hearings.
- (f) "Concerned citizen" includes relatives of the victim, friends of the victim, witnesses to the crime, or any other person associated with the victim or prisoner.

120/4 – Rights of crime victims

(a) Crime victims shall have the following rights:

- (1) The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- (2) The right to notification of court proceedings.
- (3) The right to communicate with the prosecution.
- (4) The right to make a statement to the court at sentencing.
- (5) The right to information about the conviction, sentence, imprisonment and release of the accused.
- (6) The right to the timely disposition of the case following the arrest of the accused.
- (7) The right to be reasonably protected from the accused through the criminal justice process.
- (8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
- (9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.
- (10) The right to restitution.

- (b) A statement and explanation of the rights of crime victims set forth in paragraph (a) of this Section shall be given to a crime victim at the initial contact with the criminal justice system by the appropriate authorities and shall be conspicuously posted in all court facilities.

120/4.5. Procedures to implement the rights of crime victims

§ 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

- (a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.
- (a-5) When law enforcement authorities re-open a closed case to resume investigating, they shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.
- (b) The office of the State's Attorney:
 - (1) shall provide notice of the filing of information, the return of an indictment by which a prosecution for any violent crime is commenced, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;
 - (2) shall provide notice of the date, time, and place of trial;
 - (3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;
 - (3.5) or victim advocate personnel shall provide information about available victim services, including referrals to programs, counselors, and agencies that assist a victim to deal with trauma, loss, and grief;
 - (4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;
 - (5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;
 - (6) shall provide information whenever possible, of a secure waiting area during court proceedings that does not require victims to be in close proximity to defendant or juveniles accused of a violent crime, and their families and friends;
 - (7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings and, in compliance with the federal Americans with Disabilities Act of 1990, the right to communications access through a sign language interpreter or by other means;
 - (8) in the case of the death of a person, which death occurred in the same transaction or occurrence in which acts occurred for which a defendant is charged with an offense, shall notify the spouse, parent, child or sibling of the decedent of the date of the trial of the person or persons allegedly responsible for the death;
 - (9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders

filed thereafter in the case, in the same manner as if the victim were a named party in the case;

- (10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section;
 - (11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law; and
 - (12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section.
- (c) At the written request of the crime victim, the office of the State's Attorney shall:
- (1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an unnecessary appearance in court;
 - (2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;
 - (3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;
 - (4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;
 - (5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;
 - (6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;
 - (7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

- (8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.
- (d)(1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority.
- (2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections,¹ the victim may request to be notified by the releasing authority of the defendant's furloughs, temporary release, or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.
- (3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim.
- (4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 30 days prior to the parole interview and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole interview or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections.² The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.³
- (5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified Code of Corrections.

- (6) At the written request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole was prosecuted, the Prisoner Review Board shall notify the victim and the State's Attorney of the county where the person seeking parole was prosecuted of the death of the prisoner if the prisoner died while on parole or mandatory supervised release.
- (7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.
- (8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.
- (e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.
- (f) To permit a victim of a violent crime to provide information to the Prisoner Review Board for consideration by the Board at a parole hearing of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence, the Board shall establish a toll-free number that may be accessed by the victim of a violent crime to present that information to the Board.

120/5 – Rights of Witnesses

- (a) Witnesses as defined in subsection (b) of Section 3 of this Act shall have the following rights:
 - (1) to be notified by the Office of the State's Attorney of all court proceedings at which the witness' presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance in court, where possible;
 - (2) to be provided with appropriate employer intercession services by the Office of the State's Attorney or the victim advocate personnel to ensure that employers of witnesses

will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

- (3) to be provided, whenever possible, a secure waiting area during court proceedings that does not require witnesses to be in close proximity to defendants and their families and friends;
- (4) to be provided with notice by the Office of the State's Attorney, where necessary, of the right to have a translator present whenever the witness' presence is required.

(b) At the written request of the witness, the witness shall:

- (1) receive notice from the office of the State's Attorney of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time, and place of any hearing concerning the petition for post-conviction review; whenever possible, notice of the hearing on the petition shall be given in advance;
- (2) receive notice by the releasing authority of the defendant's discharge from State custody if the defendant was committed to the Department of Human Services under Section 5-2-4 or any other provision of the Unified Code of Corrections;
- (3) receive notice from the Prisoner Review Board of the prisoner's escape from State custody, after the Board has been notified of the escape by the Department of Corrections; when the escapee is apprehended, the Department of Corrections shall immediately notify the Prisoner Review Board and the Board shall notify the witness;
- (4) receive notice from the Prisoner Review Board of the prisoner's release on parole, electronic detention, work release or mandatory supervised release and of the prisoner's final discharge from parole, electronic detention, work release, or mandatory supervised release.

120/6. Rights to present victim impact statement

§ 6. Rights to present victim impact statement.

(a) In any case where a defendant has been convicted of a violent crime or a juvenile has been adjudicated a delinquent for a violent crime and a victim of the violent crime or the victim's spouse, guardian, parent, grandparent, or other immediate family or household member is present in the courtroom at the time of the sentencing or the disposition hearing, the victim or his or her representative shall have the right and the victim's spouse, guardian, parent, grandparent, and other immediate family or household member upon his, her, or their request may be permitted by the court to address the court regarding the impact that the defendant's criminal conduct or the juvenile's delinquent conduct has had upon them and the victim. The court has discretion to determine the number of oral presentations of victim impact statements. Any impact statement must have been prepared in writing in conjunction with the Office of the State's Attorney prior to the initial hearing or sentencing, before it can be presented orally or in writing at the sentencing hearing. In conjunction with the Office of the State's Attorney, a victim impact statement that is presented orally may be done so by the victim or the victim's spouse, guardian, parent, grandparent, or other immediate family or household member or his, her, or their representative.

At the sentencing hearing, the prosecution may introduce that evidence either in its case in chief or in rebuttal. The court shall consider any impact statement admitted along with all other appropriate factors in determining the sentence of the defendant or disposition of such juvenile.

(a-1) In any case where a defendant has been convicted of a violation of any statute, ordinance, or regulation relating to the operation or use of motor vehicles, the use of streets and highways by pedestrians or the operation of any other wheeled or tracked vehicle, except parking violations, if the violation resulted in great bodily harm or death, the person who suffered great bodily harm, the injured person's representative, or the representative of a deceased person shall be entitled to notice of the sentencing hearing. "Representative" includes the spouse, guardian, grandparent, or other immediate family or household member of an injured or deceased person. If the injured person, the injured person's representative, or a representative of a deceased person is present in the courtroom at the time of sentencing, the injured person or his or her representative and a representative of the deceased person shall have the right to address the court regarding the impact that the defendant's criminal conduct has had upon them. If more than one representative of an injured or deceased person is present in the courtroom at the time of sentencing, the court has discretion to permit one or more of the representatives to present an oral impact statement. Any impact statement must have been prepared in writing in conjunction with the Office of the State's Attorney prior to the initial hearing or sentencing, before it can be presented orally or in writing at the sentencing hearing. In conjunction with the Office of the State's Attorney, an impact statement that is presented orally may be done so by the injured person or the representative of an injured or deceased person. At the sentencing hearing, the prosecution may introduce that evidence either in its case in chief or in rebuttal. The court shall consider any impact statement admitted along with all other appropriate factors in determining the sentence of the defendant.

(a-5) In any case where a defendant has been found not guilty by reason of insanity of a violent crime and a hearing has been ordered by the court under the Mental Health and Developmental Disabilities Code to determine if the defendant is:

- (1) in need of mental health services on an inpatient basis;
- (2) in need of mental health services on an outpatient basis; or
- (3) not in need of mental health services and a victim of the violent crime or the victim's spouse, guardian, parent, grandparent, or other immediate family or household member is present in the courtroom at the time of the initial commitment hearing, the victim or his or her representative shall have the right and the victim's spouse, guardian, parent, grandparent, and other immediate family or household members upon their request may be permitted by the court to address the court regarding the impact that the defendant's criminal conduct has had upon them and the victim. The court has discretion to determine the number of oral presentations of victim impact statements. Any impact statement must have been prepared in writing in conjunction with the Office of the State's Attorney prior to the initial commitment hearing, before it may be presented orally or in writing at the commitment hearing. In conjunction with the Office of the State's Attorney, a victim impact statement that is presented orally may be presented so by the victim or the victim's spouse, guardian, parent, grandparent, or other immediate family or household member or his or her representative. At the initial commitment hearing, the State's Attorney may introduce the statement either in its case in chief or in rebuttal. The court may only consider the impact statement along with all other appropriate factors in determining the:
 - (1) threat of serious physical harm poised by the respondent to himself or herself, or to another person;

- (2) location of inpatient or outpatient mental health services ordered by the court, but only after complying with all other applicable administrative, rule, and statutory requirements;
- (3) maximum period of commitment for inpatient mental health services; and
- (4) conditions of release for outpatient mental health services ordered by the court.

(b) The crime victim has the right to prepare a victim impact statement and present it to the Office of the State's Attorney at any time during the proceedings. Any written victim impact statement submitted to the Office of the State's Attorney shall be considered by the court during its consideration of aggravation and mitigation in plea proceedings under Supreme Court Rule 402.

(c) This Section shall apply to any victims of a violent crime during any dispositional hearing under Section 5-705 of the Juvenile Court Act of 19871 which takes place pursuant to an adjudication or trial or plea of delinquency for any such offense.

120/7 – Responsibilities of victims and witnesses

Responsibilities of victims and witnesses. Victims and witnesses shall have the following responsibilities to aid in the prosecution of violent crime.

- (a) To make a timely report of the violent crime;
- (b) To cooperate with law enforcement authorities throughout the investigation, prosecution, and trial;
- (c) To testify at trial;
- (d) To notify law enforcement authorities of any change of address.

120/8 – Privately operated crime victim and witness notification service

Privately operated crime victim and witness notification service. A county sheriff with the approval of the county board in counties with 3,000,000 or fewer inhabitants, or a county department of corrections with the approval of the county board of commissioners and under the direction of the sheriff in counties with more than 3,000,000 inhabitants, and the office of the State's Attorney with the approval of the respective county board or county board of commissioners may contract with a private entity to operate a crime victim and witness notification service. The county sheriff, the county department of corrections, and the State's Attorney shall make available to the private entity the information to implement the notification procedure in a timely manner. The private entity shall immediately deliver the notification information to the requesting crime victim or witness according to the requirements of this Act for certain offenses determined by the county board upon the release or discharge of a defendant or prisoner in county custody. The release of information to the private entity to implement the contract shall be limited to the extent necessary to comply with the provisions of this Act.

120/8.5 – Statewide victim and witness notification system

Statewide victim and witness notification system.

- (a) The Attorney General may establish a crime victim and witness notification system to assist public officials in carrying out their duties to notify and inform crime victims and witnesses under Section 4.5 of this Act as the Attorney General specifies by rule. The system shall download necessary information from participating officials into its computers, where it shall be maintained, updated, and automatically transmitted to victims and witnesses by telephone, computer, or written notice.
- (b) The Illinois Department of Corrections, the Department of Human Services, and the Prisoner Review Board shall cooperate with the Attorney General in the implementation of this Section and shall provide information as necessary to the effective operation of the system.
- (c) State's attorneys, circuit court clerks, and local law enforcement and correctional authorities may enter into agreements with the Attorney General for participation in the system. The Attorney General may provide those who elect to participate with the equipment, software, or training necessary to bring their offices into the system.
- (d) The provision of information to crime victims and witnesses through the Attorney General's notification system satisfies a given State or local official's corresponding obligation under Section 4.5 to provide the information.
- (e) The Attorney General may provide for telephonic, electronic, or other public access to the database established under this Section.
- (f) The Attorney General shall adopt rules as necessary to implement this Section. The rules shall include, but not be limited to, provisions for the scope and operation of any system the Attorney General may establish and procedures, requirements, and standards for entering into agreements to participate in the system and to receive equipment, software, or training.
- (g) There is established in the Office of the Attorney General a Crime Victim and Witness Notification Advisory Committee consisting of those victims advocates, sheriffs, State's Attorneys, circuit court clerks, Illinois Department of Corrections, and Prisoner Review Board employees that the Attorney General chooses to appoint. The Attorney General shall designate one member to chair the Committee.
 - (1) The Committee shall consult with and advise the Attorney General as to the exercise of the Attorney General's authority under this Section, including, but not limited to:
 - (i) the design, scope, and operation of the notification system;
 - (ii) the content of any rules adopted to implement this Section;
 - (iii) the procurement of hardware, software, and support for the system, including choice of supplier or operator; and

- (iv) the acceptance of agreements with and the award of equipment, software, or training to officials that seek to participate in the system.
- (2) The Committee shall review the status and operation of the system and report any findings and recommendations for changes to the Attorney General and the General Assembly by November 1 of each year.
- (3) The members of the Committee shall receive no compensation for their services as members of the Committee, but may be reimbursed for their actual expenses incurred in serving on the Committee.

120/9 – Scope of Act [Effective June 1, 2006]

This Act does not limit any rights or responsibilities otherwise enjoyed by or imposed upon victims or witnesses of violent crime, nor does it grant any person a cause of action for damages or attorneys fees. Any act of omission or commission by any law enforcement officer, circuit court clerk, or State's Attorney, by the Attorney General, Prisoner Review Board, Department of Corrections, the Department of Juvenile Justice, Department of Human Services, or other State agency, or private entity under contract pursuant to Section 8, or by any employee of any State agency or private entity under contract pursuant to Section 8 acting in good faith in rendering crime victim's assistance or otherwise enforcing this Act shall not impose civil liability upon the individual or entity or his or her supervisor or employer. Nothing in this Act shall create a basis for vacating a conviction or a ground for appellate relief in any criminal case. Failure of the crime victim to receive notice as required, however, shall not deprive the court of the power to act regarding the proceeding before it; nor shall any such failure grant the defendant the right to seek a continuance.

MandatoryNoticeforSurvivorsofSexualAssault.pdf

MANDATORY NOTICE FOR SURVIVORS OF SEXUAL ASSAULT*

MEDICAL AND FORENSIC SERVICES

Survivors of sexual assault should seek medical attention as soon as possible. You may request transportation to the hospital.

Services Available

If you request medical forensic services, the hospital must offer a general medical exam, treat injuries, evaluate the need for medications, and collect forensic evidence. Upon request, a hospital must perform a forensic exam and complete an evidence kit up to 7 days after the assault regardless of your age.

Evidence Preservation

You may not be sure whether or not you want to participate in the criminal justice process right now, but it is important to know that critical evidence may be lost if you change clothes; bathe, shower or douche; use the restroom; eat; smoke; or brush teeth or gargle, depending on the nature of the attack.

The sooner the medical forensic exam is performed, the more evidence is available for collection.

Storage of Evidence

If evidence is collected from you, but you are unsure about allowing law enforcement to test the evidence, the evidence will be stored for 10 years or, if you are under the age of 18, until your 28th birthday. You can consent to test the evidence at any time during this period.

You will NOT be billed for any services provided in the emergency room. In addition, if you are eligible, the hospital will give you a voucher for 90 days of follow-up care.

HOSPITAL INFORMATION

The nearby hospital below provides emergency medical and forensic services for sexual assault survivors:

Hospital Name
Hospital Address

This hospital employs a Sexual Assault Nurse Examiner: Yes / No / Unknown (Circle One)

*This form must be provided by the responding law enforcement agency at time of initial contact pursuant to 725 ILCS 203/25(a). This requirement is effective January 1, 2017.

CIVIL NO CONTACT ORDERS / ORDERS OF PROTECTION

Survivors of sexual assault may petition for a Civil No Contact Order (CNCO) or an Order of Protection (OP) that can order the offender to:

- Stay away from you and away from specific locations, such as your residence, your work, and your school
- Have no contact with you

The CNCO or OP can be obtained in civil court at a local courthouse. You will not pay a fee for requesting the order. While you can obtain a CNCO or OP on your own, it is best done with the assistance of an advocate or attorney. If the courthouse is closed but a judge is available, you may request that the officer provide or arrange transportation to the judge.

You may be able to obtain sexual assault support services for free. These services include advocacy, counseling, assistance with information about the medical forensic exam, understanding the criminal justice system, and obtaining a Civil No Contact Order or an Order of Protection. You are encouraged to contact:

Rape Crisis Center Name	Hotline Number
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RESPONDING LAW ENFORCEMENT AGENCY

Responding Officer's Name	Star/Badge Number
Responding Law Enforcement Agency Name	Agency Phone Number
Report Number	Date

LAW ENFORCEMENT AGENCY WHICH WILL COMPLETE INVESTIGATION

Law Enforcement Agency Name
Law Enforcement Agency Address
Law Enforcement Agency Phone Number

Motor Vehicle Incident MVI Report 2022.pdf



MOTOR VEHICLE INCIDENT REPORT

FOREST PRESERVES OF COOK COUNTY POLICE DEPARTMENT

										1. CASE REPORT NUMBER			
SCENE	2. OFFENSE / INCIDENT ABANDONED <input type="checkbox"/> ADMIN TOW <input type="checkbox"/> RECOVERY <input type="checkbox"/> REGULAR TOW <input type="checkbox"/> THEFT <input type="checkbox"/>					3. TYPE OF VEHICLE		4. UCR CODE		5. BEAT OF OCC.			
	6. ADDRESS OF OCCURRENCE					7. TOWNSHIP OR CITY			8. UNIT ASSIGNED				
	9. TYPE OF LOCATION OR PREMISE WHERE INCIDENT OCCURRED				10. DATE OF OCCURRENCE (DAY-MO-YR)			11. TIME OF OCCURRENCE HRS		12. UNFOUNDED <input type="checkbox"/> (Explain in Narrative)			
	13. DNA <input type="checkbox"/> UNK <input type="checkbox"/>		14. PERSON WHO REPORTED INCIDENT		HOME ADDRESS			PHONE		EMAIL			
15. UNK <input type="checkbox"/>	16. VEHICLE OWNER: LAST NAME, FIRST, M.I.		HOME ADDRESS			PHONE		EMAIL					
17. DNA <input type="checkbox"/> UNK <input type="checkbox"/>	18. DRIVER'S LAST NAME, FIRST, M.I.		HOME ADDRESS			PHONE		EMAIL					
VEHICLE DESCRIPTION	19. DNA <input type="checkbox"/>		20. COLOR / COLOR		YEAR	MAKE	MODEL	BODY STYLE	21. VEHICLE IDENTIFICATION NUMBER				
	22. LICENSE NUMBER		23. STATE OF ISSUE		EXPIRATION DATE (MM/YY) /		ATTACHED YES <input type="checkbox"/> NO <input type="checkbox"/>		24. VEH. STICKER NUMBER		ISSUED BY	YEAR ISSUED	
	25. ADDITIONAL IDENTIFYING MARKS												
	26. (A) DOORS LOCKED YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(B) KEYS IN VEH. YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(C) RADIO IN VEH. YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(D) BATTERY IN VEH. YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(E) SPARE TIRE YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(F) TRUNK LOCKED YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>		(G) RUNNING CONDITION YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>
	27. PARTS MISSING OR OBVIOUSLY DAMAGED												
VEHICLE TOW	28. DNA <input type="checkbox"/>		29. LOCATION TOWED TO				30. AUTHORIZED BY C.C.F.P.D. <input type="checkbox"/> OWNER <input type="checkbox"/>		31. DATE AND TIME OF TOW (DAY-MO-YR) HRS				
	32. NAME OF TOWING SERVICE								33. BUSINESS PHONE				
	34. ADDRESS OF TOWING SERVICE								35. VEHICLE ELIGIBLE FOR RELEASE (WITH PROOF OF INSURANCE) YES <input type="checkbox"/> NO <input type="checkbox"/>				
	36. REASON FOR TOWING VEHICLE ACCIDENT <input type="checkbox"/> TRAFFIC HAZARD <input type="checkbox"/> OTHER <input type="checkbox"/>								37. TOW DRIVERS NAME				
VEHICLE THEFT	38. DNA <input type="checkbox"/>		39. DATE AND TIME VEHICLE LAST SEEN (DAY-MO-YR) HRS				40. PERSONAL PROPERTY IN VEHICLE YES <input type="checkbox"/> (Describe Briefly in Narrative) NO <input type="checkbox"/> UNK <input type="checkbox"/>			41. C.C.F.P.D. MESSAGE NUMBER			
	42. NAME OF PERSON LAST DRIVING VEHICLE				HOME ADDRESS				PHONE		EMAIL		
	43. LIEN HOLDER (FINANCED BY WHAT LENDER)				ADDRESS				BUSINESS PHONE				
	44. INSURANCE COMPANY				POLICY NUMBER				BUSINESS PHONE				
VEHICLE RECOVERY	45. DNA <input type="checkbox"/>		46. ADDRESS WHERE VEHICLE STOLEN FROM <input type="checkbox"/> LOCAL <input type="checkbox"/> FOREIGN					47. DATE AND TIME THEFT OCCURRED (DAY-MO-YR) HRS					
	48. L.E.A.D.S. CLEARANCE AUTHORIZED (If no, explain in narrative) <input type="checkbox"/> YES <input type="checkbox"/> NO			CCFPD MESSAGE NUMBER			49. DESCRIBE EXACT METHOD OF THEFT						
	50. MOTOR WARM <input type="checkbox"/> YES <input type="checkbox"/> NO		51. MILEAGE		52. DESCRIBE EVIDENCE OF STRIPPING								
PROPERTY INVENTORY	53. PERSONAL PROPERTY IN VEHICLE <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, PROPERTY INVENTORY NUMBER(S)			BRIEFLY DESCRIBE PROPERTY						
	54. PHYSICAL EVIDENCE IN VEHICLE <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, PROPERTY INVENTORY NUMBER(S)			BRIEFLY DESCRIBE PROPERTY						
POLICE PERSONNEL	55. REPORTING OFFICER'S NAME (PRINT)				STAR #		OFFICER'S SIGNATURE						
	56. ASSIGNED BY <input type="checkbox"/> CC <input type="checkbox"/> SUPERVISOR <input type="checkbox"/> ON VIEW <input type="checkbox"/> CITIZEN		DATE & TIME ASSIGNED (Day-Mo-Yr) HRS			DATE & TIME ARRIVED (Day-Mo-Yr) HRS			DATE & TIME COMPLETED (Day-Mo-Yr) HRS				
	57. SUPERVISOR APPROVING NAME (PRINT)			STAR #		SUPERVISOR APPROVING (SIGNATURE)			DATE & TIME APPROVED (Day-Mo-Yr) HRS				

CASE REPORT NUMBER

NARRATIVE (Do not duplicate or repeat other side information - for explanation/additional information only)

CASE REPORT NUMBER

☐ Continuation Page

il_dv_english.pdf

Illinois Domestic Violence Act Victim Information

from the Office of Illinois Attorney General Lisa Madigan

Domestic violence is a crime. Any person who hits, chokes, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member has broken Illinois domestic violence law.

Under Illinois law **family or household members** are defined as:

- family members related by blood or marriage;
- people who are married or used to be married;
- people who share or used to share a home, apartment, or other dwelling;
- people who have or say they have a child in common;
- people who have or say they have a blood relationship through a child;
- people who are dating or used to date, including same sex couples; and
- people with disabilities and their personal assistants.

Orders of Protection

An order of protection is a court order which restricts someone who has abused a family or household member. An order of protection may:

- prohibit abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, etc.);
- order abuser out of a shared home or residence;
- order abuser out of that home while they are using drugs or alcohol;
- order abuser to stay away from you and other persons protected by the order and keep abuser from your work, school, or other specific locations;
- prohibit abuser from taking or hiding children, give you temporary custody, or require the abuser to bring the child to court;
- require abuser to attend counseling;
- require abuser to turn weapons over to local law enforcement; and/or
- prohibit abuser from other actions.

To Obtain an Order of Protection, You Can:

- Contact a domestic violence program for help completing the forms.
- Ask your attorney to file in civil court.
- Request an order with your divorce.
- Request an order during a criminal prosecution.
- Go to your local circuit court clerk's office and get papers to seek an order of protection for yourself.

Law Enforcement Response

Law enforcement should try to prevent further abuse by:

- arresting the abuser when appropriate and completing a police report;
- driving you to a medical facility, shelter or safe place or arranging for transportation to a safe place;
- accompanying you back to your home to get belongings; and
- telling you about the importance of saving evidence, such as damaged clothing or property, and taking photographs of injuries or damage.

Criminal Prosecutions

If an arrest wasn't made and you wish to seek criminal charges against your abuser, bring all relevant information, including the police report number and this form, to your local state's attorney. You may want to contact a local domestic violence program so they can help you through the system.

If Abuser Contacts You After an Arrest

If the abuser was charged with a crime and you or another victim is a family or household member, that abuser probably was ordered not to contact you for at least 72 hours. If the abuser does contact you soon after an arrest, you should call the police because the abuser can be charged with an additional crime: violation of bail bond.

Violation of an Order of Protection

You should also call police if the abuser disregards a part of the order of protection, because that is another crime: violation of an order of protection. If arrested for this crime, your abuser may be required to have a risk assessment evaluation and wear an electronic monitoring device.

Where You Can Get Help and Advice:

Illinois Domestic Violence Help Line: 1-877-863-6338

Local Domestic Violence Program: 1-309-827-7070

Form available from the Office of Illinois Attorney General Lisa Madigan Web site at <http://www.IllinoisAttorneyGeneral.gov/women/idva.pdf>.

Officer's Name	Star / Badge #	Date
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IL_DV_Tearsheet_Spanish.pdf

Información para Víctimas Sobre la Ley de Illinois Contra la Violencia Doméstica

de la Oficina de la Procuradora de Illinois Kwame Raoul

La violencia doméstica es un delito. Cualquier persona que golpea, estrangula, patear, amenaza, acosa, o interfiere con la libertad personal de otro miembro de la familia o de la casa ha violado la ley. De acuerdo con la ley de Illinois **los miembros de la familia o de la casa** se definen como:

- personas que son familia directa o por matrimonio;
- personas que están o estaban casadas;
- personas que comparten o han compartido un mismo hogar;
- personas que han tenido o dicen que tienen un hijo en común;
- personas que tienen o dicen que tienen consanguinidad a través de un hijo;
- personas que salen juntas o salían juntas, incluso las parejas del mismo sexo; y
- personas con incapacidades y sus asistentes personales.

Ordenes de Protección

Una orden de protección es una orden de la corte que impone restricciones a alguien que ha abusado a un miembro de la familia o del hogar. Una orden de protección puede:

- prohibir que un abusador continúe con sus amenazas y abusos (el abuso incluye abuso físico, acoso, intimidación, interferencia con la libertad personal, la privación deliberada, etc.);
- ordenar que el abusador salga del hogar compartido;
- ordenar que el abusador salga del hogar mientras continua tomando drogas o alcohol;
- ordenar que el abusador no se acerque a Usted y a otras personas que están protegidas bajo la orden y asegura que el abusador no visite su trabajo, escuela, o otros lugares específicos;
- prohibir que el abusador se lleve los hijos, dándole a Usted custodia provisional, o requerir que el abusador lleve el hijo a la corte;
- requerir que el abusador se someta a consejería;
- requerir que el abusador entregue sus armas a la policía local; y/o
- prohibir que el abusador tome otras acciones.

Para obtener una Orden de Protección Usted puede:

- Contactar a un programa contra la violencia doméstica para ayuda en completar las formas;
- Pedirle a su abogado que le someta una petición en una corte civil;
- Solicitar una Orden junto con su petición de divorcio;
- Solicitar una Orden en el transcurso de una demanda criminal; o
- Ir a la oficina de la secretaría del circuito local y pedir la papelería necesaria.

Lo que oficiales de ley deben hacer

Los oficiales de la ley deben tratar de prevenir abuso adicional, de manera que:

- Detengan al abusador cuando sea apropiado y llenar el reporte de policía;
- La lleven a un lugar de servicio médico, refugio o seguro o hacer arreglos de transportación a un lugar seguro;
- Acompañar a Usted a casa para recoger sus cosas; y
- Hablar con Usted de la importancia de guardar evidencia, como ropa o propiedades dañadas, y tomar fotos de sus heridas o del daño.

Cargos criminales

Si no se ha hecho un arresto y Usted desea presentar cargos criminales contra el abusador, llévele al fiscal local toda la información pertinente, incluyendo el número del reporte de policía. Le puede ayudar que primero se contacte con un programa local contra la violencia doméstica para que ellos le puedan apoyar en el proceso.

Si el abusador se pone en contacto con usted después de un arresto

Cuando a una persona se le acusa de una ofensa criminal y la víctima es un “miembro de la familia o de la casa,” se le prohíbe al abusador de tener contacto o comunicación con la víctima y entrar o quedarse en la residencia de la víctima por un mínimo de 72 horas. Si el acusado/abusador viola estas restricciones, se debe llamar a la policía inmediatamente. Al acusado se le pueden imponer otros cargos por no cumplir con las condiciones de la fianza.

Violación de una Orden de Protección

También debe de llamar a la policía si el abusador ignora una restricción de la Orden de Protección porque eso es otro crimen que se conoce como: violación de una orden de protección. Si se arresta a la persona por este crimen, se le puede requerir que se le haga una evaluación de riesgo al abusador y que use un aparato electrónico para monitorearlo.

Usted puede conseguir ayuda e información

Línea de ayuda en Illinois para la Violencia Doméstica: 1-877-863-6338

Programa de asistencia local para la violencia doméstica: _____

Esta forma está disponible en la red en:

http://www.IllinoisAttorneyGeneral.gov/women/idva_esp.pdf

Officer's Name	Star/Badge #	Date
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ISP 2-649 Clear and Present Danger.pdf



Illinois State Police Clear and Present Danger Reporting Instructions for Law Enforcement Officials and School Administrators

The **Person Determined to Pose a Clear and Present Danger** form shall be used by law enforcement officials and school administrators to report individuals determined to pose a clear and present danger pursuant to 20 Il. Admin. Code 1230.120. The form must be submitted within 24 hours of the determination to the Illinois State Police Firearms Services Bureau in Springfield, Illinois. This reporting duty is separate from any requests for assistance made to a law enforcement agency. **For immediate police assistance, School Administrators must still contact their local law enforcement agency or call 911.**

Who must Report? Pursuant to 430 ILCS 65/8.1(d)(2) and 430 ILCS 66/105,

- Law enforcement Officials
- School Administrators - principals and chief administrative officers (or their designees) of public and private: elementary and secondary schools, community colleges, colleges, and universities.

What do I Report?

- When a student or other person demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions or other behaviors they may be determined to pose a clear and present danger.
- The reporting law enforcement official, school administrator, or their designee must complete **Person Determined to Pose a Clear and Present Danger** form in its entirety and sign it. Specific behaviors and statements leading to the determination must be included in the form's narrative section. Dates and times of occurrence, as well as the names and contact information of any witnesses, should also be included. Additional supporting documentation should be referenced in the narrative section and submitted along with the form.

How do I report?

- The completed form and attachments must be faxed to the Illinois State Police, FOID Enforcement at **217-782-9139** within 24 hours of determining the student poses a clear and present danger.
- The Illinois State Police, Firearms Services Bureau may be contacted at **217-782-3700**, Monday - Friday, 8:30 a.m. to 5:00 p.m., to answer questions or confirm receipt of a submission.
- If you need emergency assistance from the Firearms Services Bureau beyond normal business hours, contact the Illinois State Police, Statewide Terrorism and Intelligence Center at **877-455-7842**.

What else should I know?

- This reporting process is intended to prevent individuals determined to pose a clear and present danger from having access to firearms or firearm ammunition by revoking the individuals FOID Card.
- Clear and present danger reporting shall be made consistent with the Family Educational Rights and Privacy Act (34 CFR § 99.36) to assist the Department with protecting the health and safety of the public by denying persons, who present a clear and present danger, from having lawful access to weapons. School administrators should consider consulting with their legal counsel prior to adopting clear and present danger reporting policies.
- A principal or chief administrative officer, or designee of a principal or chief administrative officer, making the determination and reporting "Clear and Present Danger" shall not be held criminally, civilly, or professionally liable, except for willful or wanton misconduct. (430 ILCS 66/110)



Illinois State Police

Person Determined to Pose a Clear and Present Danger

It is the duty of law enforcement officials and school administrator to report to the Department of State Police when a student or other person is determined to pose a clear and present danger to themselves, or to others, **within 24 hours** of the determination. 20 Il. Admin. Code 1230.120.

This form must be completed in its entirety by the law enforcement official, principal, chief administrative officer, or their designee making the determination. **Clear and present danger reporting shall be used by the Department of State Police to identify persons who, if granted access to a firearm or firearm ammunition, pose an actual, imminent threat of substantial bodily harm to themselves or another person(s) that is articulable and significant or who will likely act in a manner dangerous to public interest.**

Completed forms and attachments should be faxed to the Illinois State Police, Firearm Services Bureau at **217/782-9139**. For questions or to confirm receipt of a fax, please call the Firearms Services Bureau, Monday through Friday, 8:30 a.m. to 5:00 p.m. at **217/782-3700**. For assistance from the Firearms Services Bureau beyond normal business hours, contact the Statewide Terrorism and Intelligence Center at **877/455-7842**. **If immediate police assistance is required, contact your local law enforcement agency or call 911.**

REPORTING OFFICIAL

Name of Reporting Official:	
Title of Reporting Official:	
Name of Law Enforcement Agency / School:	Address:
Contact Information:	
<hr/> <i>Phone</i>	<hr/> <i>Fax:</i>
<hr/> <i>Email</i>	
Signature of Reporting Official:	Date:

INDIVIDUAL POSING A CLEAR AND PRESENT DANGER

Individual's Name:	Date of Birth:
Individual's Home Address:	Individual's Campus Address (if applicable):
<hr/>	<hr/>
<hr/>	<hr/>
Individual's Parents or Guardians Names (if applicable):	
Individual's Contact Phone Number(s):	
<hr/>	

Person Determined to Pose a Clear and Present Danger

DETERMINATION OF CLEAR AND PRESENT DANGER

Provide a detailed narrative of the facts supporting the determination of "Clear and Present Danger." Include specific behaviors witnessed and statements made. Also include dates and times as well as any witnesses to the specific behaviors or statements. Any attachments or supporting documentation must be referenced in the narrative and submitted with this form.

The reporting official certifies that _____ poses a clear and present danger in that they
Individual's First Name, Middle Initial, Last Name
demonstrate threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behaviors, as determined by a school administrator or law enforcement official. (430 ILCS 65/1.1)

Signature of Reporting Official:

Date:

Notice: The Department shall make the final determination regarding whether a clear and present danger exists for purposes of revoking a FOID card pursuant to Section 8(f) of the Act. The Department shall maintain a record of those persons who are determined to present a clear and present danger for the purpose of denying or revoking a FOID card pursuant to Section 8(f) of the Act but shall not maintain a record of those persons who are not determined to present a clear and present danger for such purposes.

domv_tearsheet0605pol.pdf

Illinois Domestic Violence Act — Informacja dla Ofiar z Biura Prokuratora Generalnego Kwame Raoul

Przemoc Domowa jest przestępstwem. Każdy człowiek który uderza, dusi, kopie, grozi, dręczy lub napastuje członka rodziny lub domownika, łamie prawo stanu Illinois. Według prawa Illinois, **rodzina lub domownicy określani** są jako:

- krewni;
- małżonkowie lub byli małżonkowie;
- osoby które mieszkają lub mieszkali w jednym domu, mieszkaniu lub innym gospodarstwie;
- osoby które mają lub twierdzą, że mają wspólne dzieci;
- osoby które są lub twierdzą, że są spokrewnione przez dziecko;
- osoby które się spotykają lub spotykali, w tym pary tej samej płci;
- osoby niepełnosprawne oraz ich opiekunowie

Orders of Protection — Ochrona Prawna

Order of Protection, czyli postanowienie sądu, chroni ofiarę przemocy oraz ostrzega osobę, która skrzywdziła członka rodziny lub domownika. Order of protection może:

- zakazać przestępcy krzywdzić i zastraszać;
- rozkazać przestępcy wyprowadzić się z domu czy mieszkania;
- rozkazać przestępcy będącemu pod wpływem alkoholu bądź narkotyków opuścić dom;
- zakazać przestępcy kontaktu z ofiarą oraz innymi osobami, które chroni postanowienie, także w miejscu pracy, szkole i innych wyszczególnionych miejscach;
- zabronić przestępcy uprowadzania lub ukrywania dzieci, poprzez przyznanie Ci tymczasowej opieki nad dzieckiem lub wymóg wobec przestępcy, by przyprowadził dziecko do sądu;
- zasądzić pomoc terapeutyczną przestępcy;
- nakazać, by przestępca oddał broń przedstawicielom prawa;
- zakazać przestępcy innych działań.

Aby otrzymać Order of Protection, należy:

- Kontaktować się z programem dla ofiar przestępstw domowych w celu otrzymania pomocy w wypełnieniu aplikacji.
- Skonsultować się z adwokatem w celu założenia sprawy w sądzie cywilnym.
- Prosić o postanowienie przy sprawie rozwodowej.
- Prosić o postanowienie podczas sprawy z oskarżenia kryminalnego.

Reakcja Przedstawicieli Prawa

Przedstawiciele prawa powinni skutecznie zapobiegać przestępstwom domowym poprzez:

- aresztowanie przestępcy w odpowiednim momencie oraz spisać raport policyjny;
- zwieźć Cię do szpitala lub innej placówki opieki medycznej bądź bardziej bezpiecznego miejsca;
- towarzyszyć Ci w drodze powrotnej do domu w celu odzyskania Twojej własności;
- przypomnieć Ci o istocie zebranych dowodów, np. zniszczone ubrania lub rzeczy, zdjęcia obrażeń i szkód.

Oskarżenia Kryminalne

Jeżeli nie aresztowano oprawcy, a ofiara życzy sobie rozpocząć sprawę kryminalną przeciwko przestępcy, trzeba dostarczyć do lokalnego biura Prokuratora Kryminalnego (State's Attorney) wszelkie istotne informacje i/lub dokumenty wraz z numerem raportu policyjnego. Należy też skontaktować się z lokalnym programem przemocy domowej w celu uzyskania pomocy w załatwianiu formalności związanych z procesem.

Co robić, gdy przestępca kontaktuje się z Tobą po opuszczeniu aresztu.

Jeżeli przestępca ma zasądzony wyrok kryminalny i Ty lub inna ofiara jest członkiem rodziny lub domownikiem, oprawca prawdopodobnie ma zakaz kontaktowania się z Wami przez co najmniej 72 godziny. Jeżeli przestępca kontaktuje się z Wami w tym czasie, należy zgłosić to na policji. Wówczas przestępca otrzyma dodatkową karę za złamanie zakazu kontaktowania się w zasądzonym czasie.

Przekroczenie Order of Protection.

Gdy przestępca lekceważy Order of Protection, należy zgłosić to na policję. Przekroczenie prawa będzie karane. Jeżeli przestępca jest aresztowany za dane przekroczenie, może podlegać pod proces ewaluacyjny w celu oceny zagrożenia oraz może mieć nakazane noszenie elektronicznego urządzenia monitorującego.

Gdzie można otrzymać pomoc i poradę:

Illinois Domestic Violence Help Line: 1-877-863-6338

Lokalny program dla ofiar przestępstw domowych: _____

Druk jest dostępny ze strony internetowej Biura Prokuratora Generalnego Kwame Raoul: http://www.IllinoisAttorneyGeneral.gov/women/idva_pol.pdf

Imię i nazwisko policjanta	Numer odzanki	Data
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**save_abandoned_babies_no-
shame_info_card_1up.pdf**

If you or someone you know is pregnant and desperate, don't panic. Help is available.

An unwanted pregnancy can be a traumatic experience. You may have overwhelming feelings of isolation, fear, or shame that could lead to irrational thoughts or acts, such as unsafely abandoning your baby.

Where are Safe Havens?

In Illinois, these safe places for newborns are:

- Staffed fire stations
- Staffed police stations
- Hospitals
- Emergency care facilities
- Campus police stations

What does the law do?

The law saves babies from unsafe abandonment. It says that parents who do not harm their baby cannot be prosecuted if they hand their baby, up to 30 days old, to personnel at a Safe Haven. It gives a desperate parent a responsible alternative.

What happens at a Safe Haven?

Newborns can be brought to any hospital, emergency care facility, staffed police station or staffed fire station—no questions asked. A packet of information is offered to the parent. The baby is taken to a hospital for a check up, then placed with a pre-approved adoptive family.

Parental rights

Biological parents should be aware that they are voluntarily terminating their parental rights, which makes the infant available for immediate adoption.

www.SaveAbandonedBabies.org

***No Shame.
No Blame.
No Names.***



***Now there's a way to safely
relinquish your unharmed
newborn.***

**Illinois' Abandoned Newborn
Infant Protection Act**

**For help now,
call 888-510-BABY**



Illinois Department of
DCFS
Children & Family Services
www.DCFS.illinois.gov

Short_Form_Notification.pdf

**PROTECTIVE
ORDERS**

**SHORT FORM
NOTIFICATION**



KWAME RAOUL
ILLINOIS ATTORNEY GENERAL

Instructions for the Short Form Notification

The Short Form Notification (short form) shall be used to effectuate service of unserved Orders of Protection, Civil No Contact Orders and Stalking No Contact Orders upon respondents during traffic stops and other routine contact with state or local law enforcement officers, or while in custody of law enforcement or the Illinois Department of Corrections.

1. General instructions.

- You are authorized to detain the respondent for a reasonable period of time in order to complete the notification process. Filling out the short form notification should take no longer than issuing a speeding ticket and will therefore not entail any unlawful detention of a person who is not under arrest.
- Do not advise the respondent of the LEADS protective order entry until the short form notification is completed and ready to be served on the respondent.
- If you are taking the respondent into custody, you may complete short form notification at your agency.

2. Fill out the form using the information obtained from LEADS.

- Check the box identifying the type of order.
- Complete the identification and court sections at the top of the form. If hearing information is not available, write “not available” on the “Location” line.
- In the area for the remedies for the order being served, check all applicable remedies/restrictions. The numbers of remedies/restrictions on the short form correspond to the numbers in the LEADS information. Currently, LEADS information regarding Civil and Stalking No Contact Orders is located under Box 17 of Orders of Protection.
- Write the name of the county that issued the order in the space provided on the back of the Respondent’s Copy of the order.

3. Serve the completed form on the respondent and explain each condition. Read the “Notice to respondent.” Emphasize that the order is now in effect, the respondent may be subject to arrest for violating the order and the respondent is responsible for obtaining a full copy of the protective order. Inform the respondent that further explanation of his/her rights and obligations is printed on the back of the short form notification.

4. Complete the Affidavit of Service on the bottom of the second page. It is not necessary to sign before a notary.

5. Notification to LEADS.

- Notify the appropriate person at your agency to submit an “add on” record in LEADS indicating short form service.
- The “served date” field can only be completed by the originating law enforcement agency.

6. Distribution by officer serving the short form.

- Give the original (Respondent’s Copy) to the respondent.
- Bring the copy with the affidavit of service (Law Enforcement Copy) to the station. This copy is for your agency.
- When you return to the station, make two copies of the form and send them to the sheriff’s office where the order was issued.

7. Distribution by sheriff’s office.

- Follow LEADS protocol in updating the protective order entry.
- Send one of the copies to the court for inclusion in the court file within 48 hours of receipt.
- Questions concerning this short form notification may be directed to the Office of the Attorney General at 1-888-414-7678.

Short Form Notification

☐ Order of Protection ☐ Civil No Contact Order ☐ Stalking No Contact Order ☐ Fire Arms Protective Order

Date of Service: _____ Time: _____	A protective order was entered against you on _____ in _____
Respondent's Name (Person Served): _____	County Court File #: _____
Respondent's Date of Birth: _____	Protected Address: _____
Petitioner's Name (Person Protected): _____	_____
Other Protected Persons: _____	<input type="checkbox"/> A hearing is set on this matter. If you fail to appear, a default order may be entered against you. The hearing details: Date: _____ Time: _____
_____	Location: _____

The following are **some** of the restrictions placed on you. You must obtain a copy of the order for a complete list of restrictions. Instructions for obtaining the full order are on the back of this form.

Order of Protection	<ol style="list-style-type: none">1. <input type="checkbox"/> Do not further abuse, harass, intimidate, or harm the petitioner or other protected persons.2. <input type="checkbox"/> Do not enter the petitioner's residence.3. <input type="checkbox"/> Stay away from petitioner and protected persons at additional locations.5. <input type="checkbox"/> Petitioner has been given physical care and possession of child(ren).8. <input type="checkbox"/> Do not remove child(ren) or hide the child(ren) from the petitioner.9. <input type="checkbox"/> You must appear in court or <input type="checkbox"/> you must appear in court with the child(ren).10. <input type="checkbox"/> Petitioner has been granted possession of certain personal property.11. <input type="checkbox"/> Do not damage, destroy, conceal, or sell certain personal property.14. <input type="checkbox"/> Do not enter or remain in the residence while under the influence of drugs or alcohol.15. <input type="checkbox"/> Do not access child(ren)'s school, medical, or other records.17. <input type="checkbox"/> You are also ordered to _____ and <input type="checkbox"/> You shall not possess a firearm. (14.5)
Civil No Contact Order	<ol style="list-style-type: none">1. <input type="checkbox"/> You must stay at least _____ feet from petitioner and protected persons. You are prohibited from coming to _____.2. <input type="checkbox"/> Do not contact the petitioner or protected persons in any way.3. <input type="checkbox"/> Do not take, hide, or damage the property of the petitioner or protected persons.
Stalking No Contact Order	<ol style="list-style-type: none">1. <input type="checkbox"/> Do not threaten to commit or commit stalking.2. <input type="checkbox"/> Do not have contact with the petitioner or protected persons.3. <input type="checkbox"/> Do not come within _____ feet of petitioner's _____ residence _____ school _____ daycare or workplace.

Notice to respondent: You are subject to arrest and may be charged with a misdemeanor or a felony if you violate any of the terms of this order.

Respondent's current address: _____

Affidavit of Service

I certify that on the _____ day of _____ of 20____, in _____ County at _____ a./p. I personally served this notice and that I orally informed the person of the conditions checked and the enforcement notice listed.

Officer _____
Signature _____

Agency _____
Agency Report# _____

Short Form Notification Important Information for Respondent

This is a short form notification of a protective order and does not contain all the information you need to know about the order.

The petitioner may have requested additional relief not indicated on this form, such as child support, maintenance, financial reimbursement, and/or custody of children. A 2-year plenary order of protection may be entered by default for any of the remedies sought in the petition if you fail to appear on the specified hearing date or on any subsequent hearing date agreed to by the parties or set by the court.

The order is now enforceable. You must report to the office of the sheriff or the office of the circuit court in _____ County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order.

To obtain a copy of the full petition and protective order:

Go to the sheriff's office or Circuit Court Clerk in the county where the order was issued to obtain a copy of the full order and the petition. Be sure to bring this form and proper identification (driver's license or state ID) with you to obtain a copy of the full order. The full order explains in more detail what the judge has ordered. The petition contains the allegations made by the petitioner. **Failing to obtain the full order does not protect you from arrest if you violate any of the terms of the order. Violation of the order can result in misdemeanor or felony charges against you.**

If this order is an Order of Protection issued under the Illinois Domestic Violence Act, any Firearm Owner's Identification Card issued to you has been revoked. You may also be subject to federal penalties for possessing, transporting, or accepting a firearm or ammunition under the Gun Control Act (18 U.S.C. § 922 9(g)(8)).

Law enforcement agency: please write or stamp addresses here.

Sheriff's Office

Circuit Court Clerk

Respondent's Copy Short Form Notification

Provided by the Office of the Illinois Attorney General.
Printed by authority of the State of Illinois. This material is available in alternate format upon request.

DVBrochure.pdf

Know the warning signs of Domestic Violence

Does your partner:

- Keep track of your schedule and whereabouts?
- Control you by being bossy or demanding?
- Blame others, especially you, for his/her unhappiness?
- Accuse you of flirting or cheating?
- Constantly criticize you?
- Control all the money?
- Humiliate you in front of others (including making “jokes” at your expense)?
- Threaten to hurt you, your children, or your pets?
- Use violence or intimidation to stop you from spending time with friends and family?
- Use violence or intimidation to stop you from working or going to school?
- Force you to have sex, or demand sexual acts that make you uncomfortable?
- Push, hit, slap, punch, kick, strangle, or bite you or your children?



KWAME RAOUL
ILLINOIS ATTORNEY GENERAL

Where You Can Get Help and Advice:

National Domestic Violence Hotline
1-800-799-SAFE

Illinois Domestic Violence Helpline
1-877-863-6338 (Chicago area)
1-877-863-6339 (TTY)

You can also obtain the Illinois Domestic Violence Act Victim Information form from the Attorney General's Web site at
www.IllinoisAttorneyGeneral.gov/women/idva.pdf

www.IllinoisAttorneyGeneral.gov

Domestic Violence



Abuse includes physical abuse, harassment and intimidation.

KWAME RAOUL
ILLINOIS ATTORNEY GENERAL

Do you know someone who is being abused?

Domestic Violence is a Crime

Any person who hits, strangles, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member has broken Illinois domestic violence law.

Under Illinois law, family or household members are defined as:

- family members related by blood or marriage;
- people who are married or were married;
- people who share or used to share a home;
- people who have or say they have a child in common or say they have a blood relation through a child;
- people who are dating or used to date; and
- people with disabilities and their personal assistants.

Orders of Protection

An order of protection is a court order that restricts someone who has abused a family or household member. An order of protection may:

- prohibit the abuser from continuing threats and abuse;
- order the abuser out of a shared home or residence;
- order the abuser out of a shared home while they are using drugs or alcohol;
- order the abuser to stay away from you and others protected by the order and keep the abuser from your work, school, or other specific locations;
- require the abuser to attend counseling;

- prohibit the abuser from taking or hiding children, give you temporary custody, or require the abuser to bring the children to court;
- require the abuser to turn weapons over to local law enforcement; and/or
- prohibit the abuser from other actions.

To Obtain an Order of Protection

To obtain an Order of Protection, you can:

- Contact a domestic violence program for assistance.
- Ask an attorney to file in civil court.
- Request an order with your divorce.
- Request an order during a criminal prosecution.
- Go to your local circuit court clerk's office and get papers to seek an order of protection for yourself.

Law Enforcement Response

Law enforcement should try to prevent further abuse by:

- arresting the abuser when appropriate and completing a police report;
- driving you to a medical facility, shelter, or safe place, or arranging for transportation to a safe place;
- accompanying you back to your home to get belongings; and
- tell you the importance of saving evidence, such as emails, text messages, damaged clothing or property, and taking photographs of injuries or damages.

Criminal Prosecutions

If you wish to seek criminal charges against your abuser, contact local law enforcement and be sure to bring all relevant information, including the police report, to your local state's attorney. You may want to contact a local domestic violence program so they can help you through the criminal legal system.

If the Abuser Contacts You After an Arrest

If the abuser was charged with a crime and you or another victim is a family or household member, that abuser probably was ordered not to contact you for at least 72 hours. If the abuser does contact you soon after an arrest, you should call the police because the abuser can be charged with the additional crime.

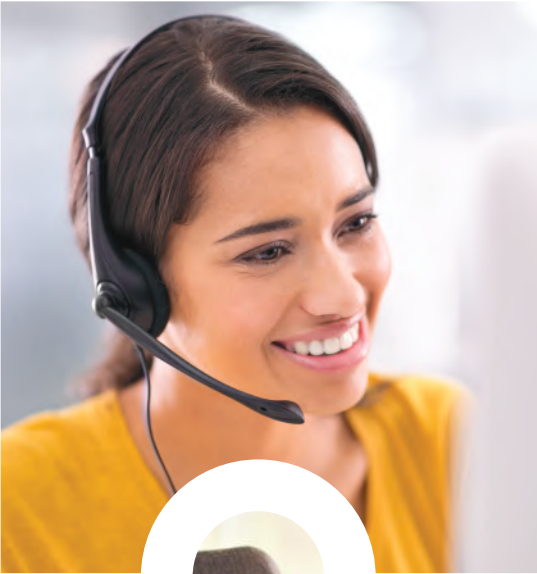
Violation of an Order of Protection

You should also call police if the abuser disregards a part of the order of protection, because that is another crime: violation of an order of protection.



Elder Care Locator-Connections-Eng.pdf

Connecting Older Adults and Their Caregivers to Local Resources



1 (800) 677-1116 • www.eldercare.acl.gov

- ➞ Do you need help finding a ride to a doctor's appointment?
- ➞ Do you need healthy meals delivered to your home?
- ➞ Do you need assistance to remain safely in your home?
- ➞ Are you a caregiver for a friend or family member and not sure where to turn for help?
- ➞ Would you like to find ways to stay engaged and active in your community?
- ➞ Do you need help with understanding Medicare?
- ➞ Are you worried that a loved one is experiencing elder abuse?
- ➞ Are you over age 55 and seeking employment?

One call or click to the Eldercare Locator connects older adults and their caregivers to local resources that can help them continue living in their homes and communities for as long as possible. By connecting callers to local resources—Area Agencies on Aging, Aging and Disability Resource Centers, Title VI Native American aging programs, State Health Insurance Assistance Programs and more—the Eldercare Locator helps older adults and their caregivers access much-needed services, locally.

Note that programs and services may vary depending on location.

**The Eldercare Locator
connects you
to local resources
that can help!**

**www.eldercare.acl.gov
1 (800) 677-1116**

Monday-Friday
9:00 am – 8:00 pm ET

The Eldercare Locator connects older adults and their caregivers to resources that can help them...

Continue Living at Home

- **Transportation:** Assistance with finding rides to medical appointments, the grocery store and other important destinations
- **Nutrition:** Programs that provide meals at home or in community settings
- **In-Home Services:** Assistance with light housework, personal care, medication management and more

Take Care of Themselves and Their Loved Ones

- **Adult Day Care:** Supervised social or medical care provided in a setting outside the home
- **Caregiver Support:** In-person support groups and training programs to support those who care for older adults
- **Respite Care:** Programs that allow caregivers to take a brief break from their caregiving duties

Ensure Their Homes Meet Their Changing Needs

- **Home Repair:** Programs to assist individuals with weatherizing their homes, plumbing and structural repairs
- **Home Modification:** Programs that assist individuals with the installation of grab bars, wheelchair ramps, stairway lifts and other age-friendly features
- **Housing Choices:** Assistance with information on local housing alternatives



Stay Involved in the Community

- **Wellness Programs:** Classes offered through community-based organizations that enhance well-being and health
- **Volunteer Services:** Programs that enable older adults to stay involved and give back to their communities while helping others
- **Senior Center Programs:** Programs that provide important social connections, including meals and recreational activities



Find Additional Resources

- **Elder Abuse:** Information on what steps to take if you suspect an older adult is being exploited, neglected or abused
- **Health Insurance Counseling:** Assistance with complicated questions related to an individual's Medicare options
- **Legal and Financial Programs:** Services that provide assistance on matters such as government program benefits, tenant rights, consumer issues and financial management
- **Employment Services:** Opportunities to explore training and employment options for older adults



When you call the Eldercare Locator at 1 (800) 677-1116, you can:

- Speak with an Information Specialist who can connect you to the right resource, which often is a local program that can offer assistance where you need it most—in your community.
- Learn about the federal, state and local programs designed to support people as they age, including home and community-based services, caregiver supports, benefits counseling and more.
- If needed, speak with a Spanish-speaking Information Specialist (*other languages also available*).

When you visit www.eldercare.acl.gov, you can:

- Tap information about resources in your community geared toward older adults and caregivers.
- Access brochures, fact sheets and other information for older adults and caregivers.
- Chat online with an Information Specialist.





Connecting You to Community Services

Eldercare Locator

1 (800) 677-1116

(Monday-Friday, 9:00 am – 8:00 pm ET)

www.eldercare.acl.gov

 www.facebook.com/eldercarelocator

 www.twitter.com/eldercareloc

Launched in 1991, the Eldercare Locator is the only national information and referral resource to provide support to consumers across the spectrum of issues affecting older Americans. The Locator was established and is funded by the U.S. Administration on Aging, part of the Administration for Community Living, and is administered by the National Association of Area Agencies on Aging (n4a).



advocacy | action | answers on aging



Administration for Community Living

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Abandoned_Newborn_Infant_Protection (1).pdf

Abandoned Newborn Infant Protection

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper managing of incidents of newborn infant abandonment according to the Abandoned Newborn Infant Protection Act (325 ILCS 2/10).

323.2 ACCEPTANCE

Officers must accept a newborn infant relinquished at the Department (325 ILCS 2/20 (c)). The State of Illinois defines a newborn infant as a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished (325 ILCS 2/10). Although a person relinquishing a newborn infant retains the right to limited immunity and anonymity, officers should request the person's personal information. Absent any other information, officers should attempt to obtain any known medical information about the newborn infant. Any information obtained should be documented in the report and, if appropriate, transmitted to the hospital or medical facility to which the newborn infant is taken.

If there is no evidence of abuse or neglect of the newborn infant, the relinquishing person has the right to remain anonymous and leave the premises at any time without being pursued or followed. The act of relinquishing a newborn infant does not, in and of itself, constitute a basis for a finding of abuse, neglect or abandonment. If there is suspected abuse or neglect that is not based solely on the newborn infant's relinquishment, the relinquishing person no longer has the right to remain anonymous (325 ILCS 2/30).

323.3 MEDICAL CONSIDERATIONS

After accepting a relinquished newborn infant the officer will request paramedics for a medical evaluation and transportation to the nearest hospital (325 ILCS 2/20 (c)). If the infant is not being transported by the paramedics, the officer will see that transportation of the infant to the nearest hospital is accomplished as soon as transportation can be arranged. Newborn infants will not be transported in a department vehicle equipped with a prisoner screen or in any department vehicle without the appropriate child safety restraint and/or which does not allow for the proper placement of such child safety restraint.

323.4 NOTICE TO RELINQUISHING PERSON

When accepting a newborn infant, officers will offer the relinquishing person an information packet prepared and maintained by the Department for this purpose (325 ILCS 2/35). If possible, the employee will also inform the relinquishing person of the following:

- His/her acceptance of the information is completely voluntary.
- Registration with the Illinois Adoption Registry and Medical Information Exchange is voluntary.
- He/she will remain anonymous if they complete a Denial of Information Exchange.

Forest Preserves of Cook County Police Department

Policy

Abandoned Newborn Infant Protection

- He/she has the option to provide medical information only and still remain anonymous.
- By relinquishing the child anonymously, he/she will have to petition the court of jurisdiction if he/she desires to prevent the termination of parental rights and regain custody of the child.

323.4.1 SUPERVISOR NOTIFICATION

When accepting a newborn infant, officers will notify their immediate supervisor as soon as practical.

323.4.2 DOCUMENTATION

When accepting a newborn infant, officers will generate a report and document all pertinent information.

323.5 RIGHT OF PARENT TO RETURN

If the parent of a relinquished newborn infant returns to reclaim the infant within 72 hours after relinquishing the infant at the Department, an officer must inform the parent of the name and location of the hospital where the infant was transported (325 ILCS 2/20 (c)).

323.6 INFORMATION DISCLOSURE

Employees will not publicly disclose any information concerning the relinquishment of a newborn infant and the individuals involved, except as otherwise provided by law (325 ILCS 2/37).

323.7 INVESTIGATIVE RESPONSIBILITIES

Neither a child protective investigation nor a criminal investigation should be initiated solely because a newborn infant is relinquished (325 ILCS 2/25 (c)).

After accepting a newborn infant, or upon being contacted to assist in regards to a newborn infant relinquished elsewhere, the handling employee should take the necessary steps to ensure that the infant is not a missing child.

If there is suspected child abuse or neglect that is not based solely on the newborn infant's relinquishment, as mandated reporters under the Abused and Neglected Child Reporting Act officers shall report their observations (325 ILCS 2/25(b)). In this instance, officers shall begin their criminal investigation.

323.8 REQUIRED SIGNAGE

The Administration Division Chief will ensure that an appropriate sign is posted in a conspicuous place on the exterior of the police facility informing persons that a newborn infant may be relinquished at the facility. The sign and its placement will comply with the prescribed specifications to ensure statewide uniformity (325 ILCS 2/22).

INDEX / TOPICS