Chicago Police Department

General Order G03-02

DE-ESCALATION, RESPONSE TO RESISTANCE, AND USE OF FORCE

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I. PURPOSE

This directive sets forth Department policy regarding sworn members' and detention aides' de-escalation, response to resistance, and use of force.

II. DEPARTMENT POLICY

A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. 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. 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. Department members will act:

1. with a high degree of ethics, professionalism, and respect for the public.

2. in a manner that promotes trust between the Department and the communities that it serves.

C. **Core Principles.** The Chicago Police Department seeks to gain the voluntary compliance of persons, when consistent with personal safety. The Department expects its members to develop and display the skills and abilities to act in a manner to eliminate the need to use force and resolve situations without resorting to force. Department members will only resort to the use of force when required under the circumstances to serve a lawful purpose.

1. *All Department members will act in accordance with the Constitution of the United States of America, including the Fourth Amendment, and will comply with the law and Department policy.*

2. *All Department members will treat all persons with courtesy and dignity which is inherently due every person and will act, speak, and conduct themselves in a courteous, respectful, and professional manner.*

3. *Department members will not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner. Department members will refrain from using language or taking action intended to taunt or denigrate an individual, including using racist or derogatory language.*

D. **De-escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.

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NOTE: For example, when a zone of safety cannot be established, a person is at immediate risk of physical harm, or there is an immediate need for a Department member to accomplish lawful objectives that cannot be achieved through force mitigation.

1. The use of de-escalation techniques will include continually assessing the situation, considering individualized factors such as:

   a. the person's age, disability, or physical condition (e.g., known, suspected, or perceived behavioral or mental health conditions; intellectual, developmental, psychiatric, or physical disability; vision, hearing, or neurological impairment).

   b. the risk posed by the person.

   c. if the person is restrained, injured, or in crisis.

2. Department members will modify 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. Examples of de-escalation techniques include but are not limited to:

   a. providing a warning and exercising persuasion and advice 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 person (e.g., establishing a zone of safety).

   c. requesting additional personnel to respond or make use of specialized units or equipment including *Designated Crisis Intervention Team (CIT)* officers, as necessary and appropriate.

E. **Assessing Uses of Force.** The Chicago 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 use of force required in a particular situation.

1. These decisions must therefore be judged based on the totality of the circumstances, *including*:

   a. *all the facts* known by the member at the time *or that would be known to a reasonable Department member in the same situation*,

   b. from the perspective of a reasonable Department member on the scene, in the same or similar circumstances, and

   c. not with the benefit of 20/20 hindsight.

   NOTE: *Totality of the circumstances may include the conduct of the Department member and the person leading up to the use of deadly force (720 ILCS 5/7-5(h)(3))*.

2. Department members involved in a use of force incident will make an independent assessment and decision to use force based on the totality of the circumstances and whether such force is objectively reasonable, necessary, and proportional. Department members will be individually responsible for articulating the specific details that justify their use of force.

3. Nothing in this policy:

   a. requires members to take actions, or fail to take actions, that unreasonably endanger themselves or others.

   b. precludes the legally mandated oversight or assessment of a Department member's use of force consistent with the procedures established in this policy.

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F. Whenever a use of force incident results in a potentially life-threatening injury or death, Department members will refer to *G03-06,* "Firearm Discharge and Officer-Involved Death Incident Response and Investigation" for additional notifications, response procedures, and investigative responsibilities.

III. 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 person's compliance.

B. **Use of Force: Objectively Reasonable, Necessary, and Proportional.** Department members may only use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to *provide for* the safety of *any person or Department member*, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.

1. Objectively reasonable. The main issue in evaluating every use of force is whether the amount of force used by the member was objectively reasonable in light of the totality of the circumstances faced by the member on the scene. Reasonableness is not capable of precise definition or mechanical application. Factors to be considered by the member may include, but are not limited to:

   a. whether the person is posing an imminent threat to the member or others.

   b. the risk of harm *or level of threat to the sworn member, the person, another person, or property*.

   c. *the level of* resistance presented by the person.

   d. the person's proximity or access to weapons.

   e. whether de-escalation techniques can be employed or would be effective.

   f. the availability of other resources.

2. Necessary. Department members will use the minimum amount of force needed to provide for the safety of any person or Department member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape. Department members will continually assess *the incident based on the totality of the circumstances and will determine:*

   a. *if any use of force is necessary.*

   b. whether alternatives may be employed, including the use of de-escalation techniques, other response options, and the availability of other resources.

   c. *the necessity of any force used.*

3. Proportional. Department members will use only the force that is proportional to the threat, actions, and level of resistance offered by a person. This may include using greater force or a different type of force than that used by the person. 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 person offers less resistance, however, the member will decrease the amount or type of force accordingly.

C. **Prohibitions.**

1. The use of excessive force, unwarranted physical force, or unlawful force by a Department member is prohibited and will not be tolerated.

2. Department members are prohibited from using force based on bias or any other protected characteristic as outlined in *G02-04,* "Prohibitions Regarding Racial Profiling and Other Bias-Based Policing," including bias against a person's race, *ethnicity*, color, sex, *gender*, gender identity, sexual orientation, age, religion, disability, national origin, ancestry, marital status, parental status, military *discharge* status, financial status, *lawful* source of income, credit history, criminal record, criminal history, immigration status, or homeless status.

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3. Force used as punishment or retaliation (e.g., force used to punish or retaliate for fleeing, resisting arrest, or insulting a Department member) is prohibited.

4. Force used in response to a person's lawful exercise of First Amendment rights (e.g., protected speech, lawful demonstrations, observing or filming police activity, or criticizing a Department member or conduct) is prohibited.

NOTE: First Amendment rights are not absolute and are subject to reasonable time, place, manner restrictions. Further guidance on *the Department's response to noncompliant groups or crowds engaged in a First Amendment assembly* may be found in *G02-02,* "First Amendment Rights."

D. **Additional procedures and prohibitions.**

1. For further procedures on de-escalation, the principles of Force Mitigation, and when force is authorized, Department members will refer to *G03-02-01,* "Response to Resistance and Force Options."

2. For further procedures on when Department weapons are authorized and prohibitions on weapon use, Department members will refer to:

a. *G03-02-03,* "Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures."

b. *G03-02-04,*"Taser Use Incidents."

c. *G03-02-05,* "Oleoresin Capsicum (OC) Devices And Other Chemical Agent Use Incidents."

d. *G03-02-06,* "Canine Use Incidents."

e. *G03-02-07,* "Baton Use Incidents."

IV. USE OF DEADLY FORCE

Use of Deadly 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 person's head or neck with an impact weapon.

4. *the* application of a chokehold *(applying any direct pressure to the throat, windpipe, or airway of another).*

5. *the application of a* carotid artery restraint *(techniques that compress the blood vessels in the neck to inhibit or restrict blood flow to carotid arteries)*.

6. *the application of other restraints above the shoulders with risk of positional asphyxiation (use of a technique used to restrain a person above the shoulders, including the neck or head, in a position which interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person).*

B. Definition of Imminent Threat. A threat is imminent when it is objectively reasonable to believe that:

1. the person's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and

2. the person has the means or instruments to cause death or great bodily harm; and

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3. the person has the opportunity and ability to cause death or great bodily harm.

NOTE: *An imminent threat is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed (720 ILCS 5/7-5(h)(2))*.

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. Prohibitions:

1. Department members will not use deadly force:

a. on a fleeing person unless the person poses an imminent threat, as defined above.

b. against a person who is a threat only to himself, herself, or property.

2. **The Chicago Police Department prohibits its members from using chokeholds *or other restraints above the shoulders with risk of positional asphyxiation***, with the sole exception being as an act of last resort, when necessary to protect against an imminent threat to life.

3. **The Chicago Police Department prohibits its members from using carotid artery restraints,** with the sole exception being as an act of last resort, when necessary to protect against an imminent threat to life.

4. **The Chicago Police Department prohibits its members from using** carotid artery restraints, chokeholds, or *other restraint above the shoulders with risk of positional asphyxiation* as a takedown technique or to prevent the destruction of evidence by ingestion.

V. MEDICAL ATTENTION

A. Once the scene is safe and as soon as practical, whenever a person is injured, complains of injury, or requests medical attention, Department members:

1. will immediately request appropriate medical aid for the injured person, including contacting emergency medical services (EMS) from the Chicago Fire Department via the Office of Emergency Management and Communications (OEMC).

2. *must provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART), to injured persons until medical professionals arrive on scene.*

B. Members will treat injured persons, whether another officer, a member of the public, or a person *against whom force was used*, with dignity and respect.

C. If the scene is safe and the person in custody is secure, Department members will not interfere with emergency medical personnel when providing treatment to injured persons.

D. *Consistent with S11-10-03, "*In-Service Training*," all sworn Department members will receive Law Enforcement Medical and Rescue Training (LEMART).*

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1. *Department members that have successfully completed the required LEMART course will be equipped with and are authorized to carry the Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK) pouch with the minimum required contents outlined in U06-02-15,* "Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK)."

2. *Consistent with U04-04,* "Issuance and Replacement of First Aid Kits," *the Department will replenish the required contents of the IFAK or MFAK used by sworn Department members involved in an incident that requires the direct rendering of on-scene medical aid.*

VI. ACCOUNTABILITY

A. **Ensure Compliance.** All Department members are obligated to ensure compliance by themselves and other members with Department regulations, policies, and the law. Consistent with *G08-01,* "Complaint and Disciplinary System," Department members will be held accountable for using force that violates law, this directive, or other Department policy. Department members are reminded that:

1. discipline, up to and including separation from the Department, may be administered for any misconduct or violation of policy.

2. *if the nature or circumstances of an incident do not warrant formal disciplinary action, Department supervisors retain the flexibility, authority, and discretion to issue reprimands to offending Department members for infractions to achieve the goal of correcting adverse behavior.*

B. **Retaliation Prohibited.** Consistent with *G08-05,* "Prohibition of Retaliation," the Department prohibits any form of retaliation, interference, intimidation, or coercion against a Department member *or any member of the public* for:

1. reporting misconduct, including a use of force that is allegedly in violation of this directive, or

2. cooperating with any complaint or misconduct investigation.

VII. DUTY TO INTERVENE AND REPORT

A. **Intervention, Supervisory Intervention, Notifying Superiors.**

1. A Department member who directly observes a use of force and identifies the force as excessive or otherwise in violation of this directive will act to intervene on the person's behalf. Such action may include, but is not limited to, verbally or physically intervening to try to stop the violation. If the member is a supervisor, he or she will issue a direct order to stop the violation.

2. Consistent with *G08-01,* "Complaint and Disciplinary System," any Department member who observes misconduct or becomes aware of information alleging misconduct, including an identified excessive use of force, a reportable use of force incident that was not reported, or a use of force that is otherwise in violation of this directive, will immediately notify his or her supervisor.

B. **Written Reporting Obligation.** Consistent with *G08-01,* "Complaint and Disciplinary System:"

1. Department members who have knowledge of the use of force against a person in violation of this directive *or who intervened with excessive force or force otherwise in violation of this directive will prepare a To-From-Subject Report to the member's commanding officer and submit it to* a supervisor before reporting off duty on the day the member becomes aware of the misconduct *or intervened*.

a. *This To-From-Subject Report will contain all the facts and information relating to the incident received, known, or observed, any actions taken by the member, and the Log Number, if known.*

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b. *If the reporting Department member intervened with excessive force or force otherwise in violation of this directive, this To-From-Subject Report will also include the date, time, and place of the occurrence; the identity, if known, and description of the participants; and a description of the intervention actions taken and whether they were successful. (720 ILCS 5/7-16)*

c. *Department members may contact a supervisor in the Bureau of Internal Affairs (BIA) to request an alternative reporting method when the accused is within the member's chain of command.*

2. Department supervisors who have knowledge or receive allegations of a use of force against a person in violation of this directive that is subject to the Log Number process will report the information to the Civilian Office of Police Accountability (COPA), *consistent with G08-01-02,* "Complaint Initiation and Log Number Investigation Assignment," including forwarding a report outlining all the information available at the time the allegation was received.

C. **Accuracy and Candor.** Department members will be responsible at all times:

1. for truthfully and completely:

a. reporting each reportable use of force incident consistent with *G03-02-02,* "Incidents Requiring the Completion of a Tactical Response Report."

b. 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.

D. *The Department will not discipline or retaliate against a member for intervening as required by this directive or for reporting excessive force or force otherwise in violation of this directive.*

VIII. DEPARTMENT MEMBER BILL OF RIGHTS

Use of Force investigations remain bound by the involved members' respective collective bargaining agreement(s) and *G08-01-05,* "Department Member Bill of Rights."

IX. POLICY REVIEW

A. Consistent with *G01-06,* "Commission on Accreditation for Law Enforcement Agencies (CALEA)," the Department will conduct an annual review of its use of force policies in compliance with the CALEA accreditation requirements.

B. On a biennial basis, the Department will conduct a comprehensive review of its use of force policies to assess whether the policies:

1. *provide clear and effective guidance and direction to Department members,*

2. *are consistent with the Department's vision, mission, core values, objectives, and practices,*

3. meet the requirements of the consent decree (pursuant to State of Illinois v. City of Chicago, Case No. 17-cv-6260), incorporate identified best practices,

4. address observed trends and practices, as necessary, and

5. reflect developments in applicable law.

C. *The Department will:*

1. *establish and maintain clear channels through which community members can provide input regarding the use of force policies and propose revisions or additions to those policies.*

2. *regularly review the input received, including during the biennial review process.*

D. *When reviewing and revising this policy, the Department will:*

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1. *provide a meaningful opportunity for review and comment by the public and Department members, and*

2. *seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.*

X. USE OF FORCE TRAINING

A. At a minimum, Department members will receive 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. 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.

NOTE: *During the refresher training, the instructor will observe and verify that the Department member's impact weapon and personal OC device are Department-approved.*

4. refer to:

a. *U04-02,* "Department Approved Weapons and Ammunition" for specific administrative and operational functions of Department-authorized weapons.

b. *S11-03-01,* "Annual Prescribed Weapon Qualification Program And Taser Recertification" for specific procedures and requirements for firearms qualification and Taser recertification.

(Items identified by *italics/double underline* have been added or revised.)

Fred L. Waller
Interim Superintendent of Police

T22-094 MWK/TSS

ADDENDA:

1. G03-02-01 - Response to Resistance and Force Options
2. G03-02-02 - Incidents Requiring the Completion of a Tactical Response Report
3. G03-02-03 - Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures
4. G03-02-04 - Taser Use Incidents
5. G03-02-05 - Oleoresin Capsicum (OC) Devices And Other Chemical Agent Use Incidents
6. G03-02-06 - Canine Use Incidents
7. G03-02-07 - Baton Use Incidents
8. G03-02-08 - Department Review of Use of Force

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