



# ELGIN POLICE DEPARTMENT

151 Douglas Avenue Elgin, Illinois 60120



**Effective Date:**  
04/10/03

## STANDARD OPERATING PROCEDURE

**Revised Date:**  
11/17/25

**Chief of police:**

## Response to Resistance, 1.3

### Cross Reference:

SOP 1.5 Investigation of Deadly Force & Serious Incidents  
SOP 17.5, Agency Owned Property  
SOP 42.2 Responding to Persons with Mental Illness  
SOP 46.2 Special Weapons and Tactics Team  
SOP 72.2 Holding Facility: Security, Control & Humane Conditions

[720 ILCS 5/2-19](#)

[720 ILCS 5/7-5](#)

[720 ILCS 5/7-5.5](#)

[720 ILCS 5/7-8](#)

### Policy Sections:

- 1.3.1 Response to Resistance
- 1.3.2 Deadly Force
- 1.3.3 Duty to Intervene
- 1.3.4 Warning Shots
- 1.3.5 Use of Authorized Less Lethal Weapons
- 1.3.6 Duty to Render Aid
- 1.3.7 Reporting Requirements when Force is Used
- 1.3.8 Administrative Review of Response to Resistance
- 1.3.9 Monthly Reporting to the Illinois State Police & FBI National Database
- 1.3.10 Procedures Pertaining to Deadly Force/Firearms Discharge
- 1.3.11 Authorized Firearms
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- 1.3.14 Care and Maintenance of Duty Weapons
- 1.3.15 Security of Duty Handguns
- 1.3.16 Displaying, Loading and Inspection of Duty Handguns
- 1.3.17 Off-Duty Handguns
- 1.3.18 Response to Resistance/Less Lethal Weapons Training
- 1.3.19 Firearms Proficiency/Qualifications
- 1.3.20 Firearms Proficiency/Qualifications for Qualified Retired Police officers
- 1.3.21 Retired Officer Self-Purchase of Duty Firearm
- 1.3.22 Policy Distribution

### PURPOSE

The purpose of this policy is to establish specific guidelines concerning the use of force by authorized personnel of the department.

### POLICY STATEMENT

It is the policy of the department that police officers hold the highest regard for the sanctity of human life, dignity, and liberty of all persons. The department recognizes that there are circumstances where individuals will not comply with the law unless compelled or controlled by the use of force. To accomplish lawful objectives, police officers shall use the level of force that is proportionate and objectively reasonable. When time permits and the scene is safe, police officers should also consider de-escalation strategies to bring the situation under control. Police officers will not unreasonably endanger themselves or another person to conform to the restrictions set forth in this policy. In all situations, police officers must remain cognizant that their authority is derived from the law and the use of physical force is a serious responsibility which shall be exercised judiciously. Unreasonable use of force degrades the legitimacy of that authority.

Furthermore, the department provides training in use of force and de-escalation strategies to ensure personnel are aware of the legal, moral and ethical considerations concerning response to resistance situations. The department also specifies which weapons are authorized and ensures employees undergo training and demonstrate proficiency prior to being authorized to carry any weapon(s).

### DEFINITIONS

**Active Aggression:** Includes physical action/assault against the police officer or another person with less than deadly force which includes, but is not limited to advancing, challenging, punching, kicking, grabbing and wrestling.

**Anterior Pelvis:** Commonly referred to as the groin area.

**Cartridge:** A gas-powered cartridge produced by the manufacturer, which is used to propel the TASER probes.

**Chokehold:** Applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air.- This does not include any hold involving contact with the neck that is not intended to reduce the intake of air, Illinois statute 720 ILCS 5/7-5.5.

**Crisis Negotiations Unit:** Team of specially trained police officers who are tasked with resolving critical incidents that exceed the capabilities of first responders and/or investigative units through the use of negotiation skills.

**Color of Law:** Includes acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of Illinois statute 720 ILCS 5/7-16 include police officers, prison guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

**Collaborative Crisis Services Unit (CCSU):** Unit responsible for conducting follow-up visits for individuals who could benefit from mental or behavioral health services. The unit utilizes community resources, including the department's Social Services Unit, to connect individuals with appropriate services. The unit has three primary areas of focus: mental and behavioral health, substance use disorder services, and homelessness issues.

**Deadly Force Assault:** Any force used against a police officer and/or another person which the police officer believes may result in great bodily harm or the loss of human life.

**Deadly Force:** The Illinois Compiled Statutes state in Illinois statute 720 ILCS 5/7-5, that a police officer is justified in using deadly force only when the police officer reasonably believes that such force is necessary to prevent death or great bodily harm to the police officer or other person. Deadly force is any force used by an officer that may result in great bodily harm or the loss of human life which includes: (1) the firing of a firearm in the direction of any person, even though no intent exists to kill or inflict great bodily harm and (2) the firing of a firearm at a vehicle in which any person is riding ( Illinois statute 720 ILCS 5/7-8) or any force applied in any manner by any means, by any member of the department, that could reasonably be expected to cause death or great bodily harm. However, a member's discharge of a firearm using ammunition designed to disable or control an individual without creating the likelihood of death or great bodily harm shall not be considered force likely to cause death or great bodily harm within the meaning of the above mentioned statute.

**De-escalation:** Actions used by police officers when safe and feasible, without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force and to increase the likelihood of voluntary compliance.

**Defensive Resistance:** Any action by a subject that attempts to prevent a police officer from gaining control of the subject which includes but is not limited to: pulling/pushing away to defeat the escort position. It is not an attack on the police officer, but a physical act designed to prevent the police officer from gaining control.

**Directed Fire:** A limited technique in which deadly force is aimed at a specific known threat in order to stop incoming fire from the threat; this is limited to police officers who have received law enforcement training in this tactic.

**Drive Stun:** Contact made by pressing the front of the TASER into the body of a subject. The drive stun causes significant localized pain in the area touched by the TASER but does not have a significant effect on the central nervous system.

**Duty to Intervene:** Means an obligation to intervene to prevent harm from occurring that arises when an officer is present and has reason to know that excessive force is being used or that any constitutional violation has been committed by a law enforcement official, and the police officer has a realistic opportunity to intervene. This applies equally to supervisory and nonsupervisory police officers.

**Emergency Services Detail:** The use of SWAT officers in the resolution of violent or armed emotionally distressed persons (ESD).

**Emotionally Distressed Persons:** A person who appears to be mentally ill or demonstrates emotional instability and is conducting themselves in a manner in which a police officer believes is likely to result in serious injury to themselves or others.

**Great Bodily Harm (aka serious bodily injury):** Bodily injury which creates a substantial risk of death or which is likely to cause serious permanent disfigurement or loss, or extended impairment of the function of any body part or organ.

**Hard Empty Hand Control:** Designed to control active aggression but may be used to control defensive resistance when lower forms of control have failed or when the police officer believes lower forms of control will fail.

**Integrating Communications, Assessment, and Tactics (ICAT):** Training that is designed for situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis. The training program is anchored by the Critical Decision-Making Model that helps police officers assess situations, make safe and effective decisions, and document and learn from their actions. The training incorporates different skill sets into a unified training approach that emphasizes scenario-based exercises, as well as lecture and case study opportunities.

**Less Lethal Weapon:** The application/use of any weapon/object that is not part of the human body to control resistance or an assault. These weapons have the potential to be lethal and includes the following type of weapons, but are not limited to: chemical agents, impact weapons or emergency/improvised impact weapons or electrical weapon devices such as TASERS.

**Imminent Threat:** Based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or great bodily harm to the police officer or another person. An imminent harm 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 on that, from appearances, must be instantly confronted and addressed.

**Long Gun:** A rifle, carbine (shortened barrel rifle) or sub-machine gun.

**Objectively Reasonable:** Term used by the courts to ascertain whether the actions of an officer were reasonable in light of the facts and circumstances confronting him/her without regard for his/her underlying intent or motivation.

**Officer Presence:** The identification of the police officer's authority, either by the uniformed presence or the verbal identification of being a police officer.

**Passive Resistance:** Any type of resistance where the subject does not attempt to defeat the police officer's attempt to touch or control him/her, but the subject will not voluntarily comply with verbal or physical attempts of control which includes but is not limited to dead weight and negative reaction to verbal commands.

**Physical Force:** Any force involving the use of holds or defensive tactics outside of that force needed to effect normal arrestee handcuffing or escorting.

**Probable Cause:** In reference to the use of deadly force, means facts and circumstances known to the police officer which would warrant a prudent and cautious person with the knowledge, training, and experience of the police officer, to believe that a suspect has committed a crime involving the infliction or threatened infliction of great bodily harm.

**Probes:** Small, barb-like projectiles fired from the TASER which are connected to the TASER by wires and used to attach the subject to the electrical signal.

**Psychological Intimidation:** Nonverbal cues indicating a subject's attitude, appearance and physical readiness. This may include, but is not limited to blank stare, clenching of fist(s), tightening of jaw muscles, etc. The subject may comply with verbal attempts at control but displays visual nonverbal cues that indicates potential physical resistance.

**Reasonable Belief:** Under Illinois law, reasonable belief means that the person concerned, acting as a reasonable person, believes that the described facts exist, Illinois statute 720 ILCS 5/2-19.

**Restraint 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, Illinois statute 720 ILCS 5/7-5.5.

**Soft Empty Hand Control:** Designed to control passive or defensive resistance. They are used when verbal direction/commands are not effective and there is noncompliance.

**Special Weapons and Tactics Team:** Team of police officers who are recruited, selected, trained, equipped and tasked with resolving critical incidents that exceed the capabilities of first responders and/or investigative units.

**TASER:** The only department authorized conductive electrical weapon (CEW) designed to disrupt a subject's neuro-muscular system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and temporarily override an individual's voluntary motor responses. This electrical impulse causes an uncontrollable contraction of the muscle tissue, allowing the TASER to cause temporary physical debilitation to a person. This can occur regardless of pain tolerance or mental focus, but police officers must be aware that no technology is guaranteed to stop a violent and persistent offender.

**Totality of the Circumstances:** All facts known to the police officer at the time, or that would be known to a reasonable officer in the same situation, including the conduct of the officer and the subject leading up to the use of deadly force.

**Vascular Neck Restraint:** Applying pressure to the carotid neck arteries with the intent to reduce or prevent blood flow to the brain.

**Verbal Direction:** Commands of direction or arrest.

**Verbal Non-compliance:** Any verbal response indicating the subject's unwillingness to obey command of detainment, arrest or to stop unlawful or dangerous behavior. Verbal non-compliance may come in the form of a quiet statement that refuses to comply with order to threatening verbal statements directed at the police officer.

## **PROCEDURES**

### **1.3.1 RESPONSE TO RESISTANCE**

- A. The decision by a police officer to use force shall be evaluated carefully and thoroughly in a manner that reflects the gravity of that authority and the serious consequences of the use of force to ensure that the use of force is consistent with law and department policy.
- B. When reasonable under the totality of the circumstances, police officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, communicate and coordinate a response during those situations that do not pose an immediate threat. Police officers should consider using de-escalation strategies and request the use of other

resources such as supervisory support, the Emergency Services Detail, police officers trained in crisis intervention, and the Crisis Negotiations Unit (CNU) when appropriate. However, a situation may require police officers to exercise control of a violent or resisting subject to make an arrest, or to protect the police officer and others from harm as de-escalation strategies may be ineffective.

- C. When feasible, during interaction with subjects, police officers should identify themselves prior to the use of force, use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force. Police officers may withdraw to a position that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of force options.
- D. Police officers shall utilize de-escalation in a manner that avoids unduly jeopardizing their own safety or the safety of others.
- E. The Illinois Compiled Statutes states in Illinois statute 720 ILCS 5/7-5, a police officer or any person whom he/she has summoned or directed to assist him/her need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He/she is justified in the use of any force which he reasonably believes, based on the totality of the circumstances, to be necessary to defend himself or another from bodily harm while making the arrest.
- F. In utilizing the force continuum, police officers will determine the most effective and safest level of force necessary to mitigate the threat and shall ensure that the force used is proportional to the threat and objectively reasonable based on the totality of the circumstances for each situation. It is not intended that any suspect should ever be allowed to be the first to exercise force, thus gaining an advantage in a physical confrontation. Nothing in this directive restricts the police officer's use of discretion in the field.
- G. All options in the force continuum are immediately available if a lower force level would not be adequate or if it was attempted and found to be ineffective in handling a situation. The use of force shall terminate when it is safe to do so and when it is objectively reasonable that the subject is fully under control by the police officer. The force continuum, in order of increasing severity, is summarized as follows:
  - 1. Subject(s) Behavior: *Psychological Intimidation*  
Officer(s) Response: *Officer Presence*
  - 2. Subject(s) Behavior: *Verbal Non-compliant*  
Officer(s) Response: *Verbal Direction*
  - 3. Subject(s) Behavior: *Passive Resistance*  
Officer(s) Response: *Soft Empty Hand Techniques*
  - 4. Subject(s) Behavior: *Defensive Resistance*  
Officer(s) Response: *Hard Empty Hand Techniques/Pepperball Launcher*
  - 5. Subject(s) Behavior: *Active Aggression*  
Officer(s) Response: *Intermediate Weapons*
  - 6. Subject(s) Behavior: *Deadly Force Assaults*  
Officer(s) Response: *Deadly Force*
- H. Factors to consider in determining the necessary and objectively reasonable level of force to be employed are addressed in the United States Supreme Court Case, *Graham v. Connor 490 U.S. 386*. These factors include, but are not limited to:
  - 1. The severity of the crime.
  - 2. Whether the suspect poses an immediate threat to the safety of the police officers or others.

3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.
  4. The suspect's access to weapons, use or threatened or perceived use of a weapon.
  5. The influence of drugs/alcohol or the mental capacity of the subject.
  6. The time available to a police officer to make a decision.
  7. The comparative strength of the police officer in relation to the suspect such as size and numbers, etc.
  8. The availability of police officers/resources to de-escalate the situation.
  9. The environmental factors and/or other circumstances.
  10. History of violence or criminal acts by subject.
- I. Whenever possible, supervisors shall respond to all use of force incidents. In situations where a supervisor has not responded, the police officer shall notify the supervisor when the scene is secure.
- J. Pursuant to Illinois statute 720 ILCS 5/7-5.5, a police officer or other person acting under the color of law shall not:
1. Use a chokehold or restraint above the shoulders with risk of asphyxiation in the performance of his or her duties unless deadly force is justified.
  2. Use a chokehold or restraint above the shoulders with risk of asphyxiation or any lesser contact with the throat or neck area of another in order to prevent the destruction of evidence by ingestion.
- K. Police officers shall not use vascular neck restraints or similar tactics in the performance of their duties unless deadly force is justified.
- L. Police officers or any other person acting under the color of law shall not use force as punishment or retaliation, Illinois statute 720 ILCS 5/7-5.5.

### **1.3.2 DEADLY FORCE**

- A. Deadly force is that degree of force which is likely to create a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm.
1. The department respects the value of human life; however, a police officer is justified in using force likely to cause death or great bodily harm only when:
    - a. The police officer reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to the police officer or such other person.
    - b. Such force is necessary to prevent the arrest from being defeated by resistance or escape and the police officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another.
    - c. The person to be arrested committed or attempted forcible felony which involves the infliction of great bodily harm or is attempting to escape by use of a deadly weapon or otherwise indicates he/she will endanger human life or inflict great bodily harm unless arrested without delay.

- B. In determining whether deadly force is reasonably necessary, police officers shall evaluate each situation in light of the totality of the circumstances of each case including but not limited to the proximity in time of the use of force to the commission of a forcible felony, and the reasonable feasibility of safely apprehending a subject at a later time, and shall use other available resources and techniques, if reasonably safe and feasible to a reasonable police officer.
- C. Police officers shall, to the best of their ability, prevent the unnecessary loss of life. In this regard, they shall:
1. Use deadly weapons in such a manner as not to endanger innocent bystanders or fellow police officers.
  2. Make reasonable efforts to identify themselves as police officers and give warning of the imminent use of deadly force prior to such use.
  3. Not fire into buildings or through doors, windows, or other openings unless the person being fired at is visible, except in situations where directed fire is warranted.
  4. Move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. Shots fired at or from a moving vehicle are rarely effective. A police officer should only discharge a firearm at a moving vehicle or its occupants when the police officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the police officer or others.
  5. Not shoot at any part of a vehicle in attempt to disable the vehicle.
- D. A police officer is not justified in using force likely to cause death or great bodily harm when there is no longer an imminent threat of death or great bodily harm to the police officer or another and when:
1. Based on the danger that the person poses to himself or herself if a reasonable police officer would believe the person does not pose an imminent threat of death or great bodily harm to the police officer or to another person. In situations where police officers are confronted with a person suspected of having a mental illness or a mental health crisis police officers should consider requesting additional resources and follow the procedures outlined in Standard Operating Procedure 42.5 Responding to Persons with Mental Illness.
  2. The person is suspected of committing a property offense, unless the offense is an act of terrorism or when deadly force is authorized by law.
  3. The person is attempting to escape unless, based on the totality of the circumstances, deadly force is necessary to prevent death or great bodily harm to the police officer or to another person.
- E. Directed fire, as defined in this policy, is deadly force and is used to stop incoming fire from a known threat. This tactic may only be used by police officers that have received law enforcement training in this approach. Refer to Standard Operating Procedure 46.2 Special Weapons and Tactics Team for more information.
- F. Refer to Standard Operating Procedure 72.2 Holding Facility: Security, Control and Human Conditions for information on reporting in custody deaths to the Illinois Criminal Justice Authority.

### **1.3.3 DUTY TO INTERVENE**

- A. A police officer or any other person acting under the color of law shall have an affirmative duty to intervene to prevent or stop another police officer in his/her presence from using any unauthorized force or force that is clearly outside what is objectively reasonable under the circumstances shall,

when appropriate, safely intervene to prevent the use of such force, if any, without regard for the chain of command.

- B. The police officer or any person acting under the color of law who intervenes as required by this policy shall without unnecessary delay report their intervention to their supervisor or the on-duty supervisor.
- C. The intervention may be verbal, or if necessary, physical.
- D. Duty to intervene includes intervening with actions of police officers from other jurisdictions either when they are assisting on an incident in Elgin or when an Elgin police officer is assisting in another jurisdiction.
- E. Employees are expected to intervene within the scope of their authority and training.
- F. The police officer's report on the intervention must include the date, time and place of occurrence; the identity if known, and description of the participants; and a description of the intervention actions taken and whether they were successful. In no event shall the report be submitted more than five days after the incident.
- G. Personnel shall not discipline or retaliate in any way against a police officer for intervening or for reporting unconstitutional or unlawful conduct, or for failing to follow what the police officer reasonably believes is an unconstitutional or unlawful directive.

#### **1.3.4 WARNING SHOTS**

Police officers shall not fire warning shots or discharge their firearm indiscriminately into a crowd.

#### **1.3.5 USE OF AUTHORIZED LESS LETHAL WEAPONS**

- A. Authorized personnel may use less lethal weapons only in those instances where previous alternatives have been deemed ineffective, inappropriate, or have been tried and failed.
- B. Authorized less lethal weapons must be approved by the Training Division and command staff.
- C. Personnel must receive training prior to being authorized to carry any weapon.
- D. Flashlights are for illumination purposes only. Their use as a weapon is prohibited, except in emergency circumstances.
- E. Use of batons.
  - 1. The use of these weapons are authorized for defensive purposes. The department issues several brands of expandable and non-expanding batons with differing lengths, as approved by the Training Division.
  - 2. Batons may be used by all trained police officers to subdue a violently resisting subject, assist in the police officer's defense or assist in the defense of another person in accordance with department training.
  - 3. The baton may also be used as a barricade or repelling device in crowd control situations, or as a temporary restraining device.
  - 4. Animal control and community service officers, trained in the use of a baton, may utilize the baton as a bite stick to control animals.

F. Use of Oleoresin Capsicum (OC)

1. While on-duty and in uniform, personnel who are trained in the use of OC shall carry OC on their person. Sabre Red brand OC consisting of 1.33% major capsaicinoids and 10% oleoresin capsicum is authorized for department use. Personnel should periodically inspect their OC for operational readiness. The Chief of Police may authorize an exemption to carry OC for those who work in administrative positions.
2. Some potential uses of OC include, but are not limited to:
  - a. Effect an arrest.
  - b. Dealing with subjects that are combative, resisting control or whose conduct presents a potential threat to themselves or another person, whether or not a subject is ultimately arrested.
  - c. Control of animals that present a potential risk to the safety of the employee and others.
3. The following procedures apply to the use of OC:
  - a. Prior to the use of OC police officers shall issue a verbal warning in a sufficient manner to ensure the order is heard and repeated if necessary to allow compliance with the order unless providing such time and space would unduly place the police officer or another person at risk of death or great bodily harm.
  - b. Whenever any person is exposed to OC, that person shall be given the opportunity to go through decontamination as soon as practical.
  - c. Subjects exposed to OC who are being held in custody, shall be observed and inspected for a period of not less than thirty (30) minutes. Personnel exposing the subject to OC shall ensure said observation occurs.
4. The following restrictions apply to the use of OC:
  - a. Do not use in the vicinity of infants. The formula may cause damage to the respiratory system of infants because infants are particularly sensitive to vapors.
  - b. The use of OC in situations involving confined areas and crowded business establishments is discouraged.
  - c. OC should not be discharged directly into the face or eyes of a person from distances of three feet or less, unless the situation presents an extreme hazard to the police officer or some other person is in immediate danger of bodily harm.
  - d. The prolonged discharge of OC into a person's face who does not respond to the normal application of OC should be avoided.
  - e. The use of OC spray will not be immediately deployed where a person or group of persons are participating in a passive non-violent protest or demonstration, unless there is an imminent threat to the police officer or another person and the use is objectively reasonable, necessary and proportional.
    1. Prior to the use of OC, police officers shall issue an order to disperse in a sufficient manner to allow for the order to be heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order unless providing such time and space would unduly place a police officer or another person at risk of death or great bodily harm.

G. Use of Pepperball Launchers.

1. Pepperball launchers shall only be utilized by personnel who have received training and have qualified with the weapon.
2. The Tippmann 98 model manufactured by Tippman and the FTC model manufactured by Pepperball are authorized for department use.
3. If assigned, pepperball launchers shall be checked out at the beginning of each shift. Personnel utilizing the launcher shall perform a basic inspection and ensure that the air tank has at least 2200 PSI of air. Pepperball launchers that are deemed unsafe for use shall be put out of service and submitted to the range master to be repaired or replaced.
4. Pepperball launchers shall be transported in a case and secured in a locked trunk or other secured area in vehicles without a trunk.
5. Pepperball launchers shall be returned to the storage area at the end of the police officer's shift. Personnel shall ensure the air source for the launcher is fully charged and the pepper balls are contained within the portable storage unit in the case and not in the launcher hopper.
6. Pepperball launchers may be used for the defense of police officers and others, control of violently resisting or aggressive suspects, suspects with deadly weapons, violent or aggressive animals or prevent the destruction of evidence.
7. Pepperball launchers will not be immediately deployed where a person or group of persons are participating in a passive non-violent protest or demonstration, unless there is an imminent threat to the police officer or another person and the use is objectively reasonable, necessary and proportional. In these situations, when safe, police officers should attempt to obtain permission from a supervisor prior to the use of the pepperball launcher.
8. Personnel shall give an appropriate warning prior to launching pepperballs, except in cases where the safety of police officers or citizens prohibits such a warning.
9. When pepperball launchers are used in situations where the suspect(s) is/are utilizing a deadly weapon, at least one back up police officer shall be prepared for possible deployment of their firearm, as authorized in section 1.3.2.
10. Pepperballs shall not be targeted to the head, neck, groin, anterior pelvis or back of any person except where deadly force is authorized.
11. Personnel shall assist subjects that have been struck with pepperballs as outlined in section 1.3.6. The employee shall attempt to remove OC powder from the affected subject by brushing the powder from the skin or clothing. If water or other solutions are used for the decontamination of a subject, care should be given not to allow the solution to get excess powder into the eyes or mucus membranes.
12. Areas contaminated with pepperball OC powder shall be washed with soap and water or similar cleaning solution.
13. The range master shall ensure that the pepperball systems are inspected at least bi-annually and are responsible for ensuring these items are documented within the department's inventory control system.

H. Use of Less Lethal Impact Projectiles.

1. Less lethal impact projectiles are primarily designed for use against subjects who appear to pose a threat of death or serious bodily injury to themselves or others.
2. Less lethal impact projectiles shall only be used by those police officers that have been trained to use this weapon. The following brands are authorized for department use:
  - a. CTS Impact Munitions
  - b. Defense Technology 40mm LMT
  - c. Penn Arms 40 mm
  - d. Defense Technology Exact Impact 40mm Sponge Round projectile
3. Police officers authorized to deploy impact projectiles shall receive the designated training, obtain certification, and qualify annually. Training shall be designed to simulate actual deployment situations and conditions to enhance police officer discretion and judgement in using impact projectiles in accordance with this policy.
4. Impact projectiles shall be directed at subject target areas based upon the circumstances at hand, established safety priorities, the exigency of the situation, and the level of force that is objectively reasonable. They shall not target the head, neck, groin, anterior pelvis or back.
5. Subjects who are struck with a projectile should be restrained as necessary and transported to a medical facility for an examination.

I. Use of the TASER.

1. TASERS shall only be utilized by police officers who have completed the department's TASER training program. Axon 7 TASERS are authorized for department use.
2. Authorized personnel shall only utilize department issued TASER and TASER cartridges.
3. Only a properly functioning and charged TASER may be carried.
4. The TASER shall not be displayed or used in an unnecessary or unprofessional manner.
5. The TASER may be used to display the TASER "test arc" or for "painting" the subject with the unit's laser to gain compliance of a subject where physical resistance, assault and/or violence is reasonably anticipated.
6. The TASER shall be carried in a specially designed holster. Police officers electing to carry the TASER on their protective vest shall ensure the holster and holster supports match the police officer's vest. The TASER shall be carried in a fully loaded condition.
7. When not in use, the TASER shall be properly secured and will only be removed from the holster or other secured location when it is to be checked, discharged or taken in/out of service. The TASER should not be subjected to prolonged heat, cold or moisture.
8. Personnel are prohibited from carrying a TASER off-duty.

J. TASER Accountability.

1. The commander for operations shall designate a sworn supervisor to serve as the department's TASER coordinator. The TASER coordinator shall report to the commander for operations on issues pertaining to the department's TASER program.
2. The TASER coordinator shall maintain a record of all issued TASER and TASER cartridges to include the make, model and serial numbers within the department's inventory control system.
3. TASER cartridges must be replaced prior to their expiration date. All expired cartridges shall be forwarded to the TASER coordinator.
4. Prior to their shift, police officers carrying a TASER shall "arc test" and inspect the CEW in accordance with the manufacturer's recommendations and training.
  - a. Expiration dates must be checked on cartridges and batteries should be charged every thirty days or when the battery level is at 20%.
  - b. TASERS that are not functioning or deemed to be unsafe for use shall be taken out of service and reported to the TASER coordinator to be repaired or replaced.

K. TASER Deployment.

1. Trained police officers may utilize the TASER against subjects who demonstrate a threat towards others, display active aggression or are resisting the police officer and the risk associated with closing in on the subject to take control make other options or alternatives unsafe.
2. The TASER may also be deployed in situations where a person poses an immediate threat to self and de-escalation and unarmed tactics have been exhausted, would be ineffective, or unsafe given the circumstances known to the police officer at that time.
3. Mere passive resistance does not permit use of the TASER absent words or actions showing intent to actively resist or cause harm to self, the police officer or others.
4. TASERS are most effective at overcoming resistance and assisting police officers with subject control when used in probe mode, which is the preferred deployment technique, when practical.
5. Use of the drive stun is prohibited, except in exigent circumstances or when the police officer needs to achieve neuromuscular incapacitation (NMI).
6. Fleeing should not be the sole justification for using a TASER against a subject. Personnel shall consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use the TASER.
7. TASERS shall not be used against subjects in the use of a vehicle such as an automobile, truck, motorcycle, ATV, bicycle or scooter, unless exigent circumstances exist.
8. When possible, have back-up present to effect physical apprehension or use other force options as appropriate and necessitated by the situation. The suspect should be restrained under power, if practical.
9. Police officers shall not simultaneously activate their TASER against the same subject, unless the first activation did not strike the subject's body or was otherwise ineffective.

10. The TASER should not be deployed at distances beyond 15 feet due to separation distance between the probes.
11. When reasonable and tactically appropriate, the police officer should notify others on the scene that use of the TASER is imminent. The use of verbal commands and a warning shall be provided to the suspect that he/she will be shot with the TASER. If the suspect does not comply with the police officer's orders, point the laser sight at the suspect before firing.
12. When practical, use cover and distance to ensure police officer safety.
13. The police officer deploying the TASER must keep their hands away from the front of the weapon (discharge area) at all times.
14. To reduce the risk of injury, whenever possible:
  - a. Police officers shall not discharge the TASER in a manner that targets the head, chest, neck, groin or anterior pelvis.
  - b. Avoid sensitive areas. When practicable, avoid intentionally targeting the CEW on sensitive areas of the body such as the face, eyes, head, throat, chest area (area of the heart), breast, groin, genitals, or known pre-existing injury areas.
15. Initial activation of the TASER should consist of one standard cycle, five seconds, and then evaluate the situation to determine if subsequent cycles are necessary. Police officers should consider that exposure to the TASER for longer than 15 seconds, whether due to multiple applications or continuous cycling, may increase the risk of death or serious injury. Subsequent activations should be independently justifiable, and the risks should be weighed against other force options.
16. In certain circumstances, the risks of foreseeable direct or secondary injuries are elevated. These are known as elevated TASER application risk factors. In such cases, a police officer's justification(s) for TASER application/use shall be evaluated. Such risk factors can only be given consideration when the factors are reasonably perceived by the police officers. These include:
  - a. **Presence of flammable liquids/fumes or explosive environments:** The discharge of the TASER may ignite flammable liquids/fumes. A TASER deployed at subjects who are reasonably perceived by the police officer(s) to have recently come into contact with flammable liquids/fumes, or in environments where flammable liquids/fumes are known to be present, may result in secondary injuries/burns. However, the totality of the circumstances may justify the use of a TASER.
  - b. **Elevated positions:** Police officers should exercise caution when considering the use of a TASER on a subject who is in or on an elevated position where a fall from that elevation resulting from the TASER application is reasonably foreseeable.
  - c. **Person operating a moving vehicle or machinery:** The use of a TASER on a person operating a moving vehicle (car, truck, motorcycle, ATV, bicycle or scooter) or machinery could result in severe secondary consequences. Therefore, any application of a TASER on a person operating a moving vehicle or machinery is likely to require elevated justification(s) for using a TASER.
  - d. **Visibly pregnant female:** Use of a TASER on a visibly pregnant female may cause unintended injury to the fetus. Therefore, police officers deploying a TASER on a female that they reasonably believe to be pregnant, greater justification for the TASER application will be required. However, police officers are not prohibited from using a TASER on a pregnant female.

- e. **Deep bodies of water:** If a person could foreseeably fall into a deep body of water due to application of a TASER, police officers need to have elevated justification for the TASER application.
  - f. **Elderly persons/young children/visibly frail persons:** Use of a TASER on persons in this category may cause a more serious injury. Police officers shall evaluate whether use of the TASER is reasonable, based upon the totality of the situation. In some cases, other control techniques may be more appropriate as determined by the subject's threat level to others.
  - g. **Handcuffed subjects:** Police officers should not deploy the TASER against a handcuffed subject, unless it is necessary to prevent them from causing serious bodily harm to themselves or others and when lesser attempts of control have been ineffective.
  - h. **Non-standard repeated TASER applications:** The use of a TASER on a person results in some degree of physical exertion or stress. Repeated TASER discharges could result in additional exertion and stress. An incident where a person receives multiple TASER discharges may require elevated justification.
17. When warranted, TASERS may be used against aggressive animals if the police officer has reasonable belief that the animal is going to attack.

L. Post TASER Deployment.

- 1. Appropriate post-incident action should be taken to care for the injured, to apprehend suspects and to secure and protect the scene.
- 2. A TASER should not be left unattended except in exigent circumstances.
- 3. All accidental discharges shall be immediately reported to a supervisor who shall forward a memorandum to the TASER coordinator outlining the circumstances of the accidental discharge. The TASER coordinator shall determine if remedial training, removal of the TASER or if discipline shall be instituted.
- 4. Once the subject is restrained, the probes shall be removed in accordance with training.
- 5. After the probes are removed, photographs of the probe impact sites, and other related injuries shall be taken. In some instances, due to the sensitive nature of an impact site, photographs may not be taken, such as when the probes impacted the genitals or female's breasts.
- 6. Emergency medical care is recommended for the following:
  - a. Subjects exhibiting any kind of medical distress.
  - b. Subjects who are hit in a sensitive area such as the face, head, genitals and female breasts.
  - c. Subjects from whom police officers have difficulty in removing the probes due to probe-barb separation.
  - d. Subjects who do not appear to be fully recovered within 10 minutes after being hit.

- e. Subjects who are vulnerable due to a medical condition known to the police officer present, such as women who are pregnant, persons with pacemakers, those suffering from debilitating illnesses.
  - f. At the request of subjects that were affected by the use of the TASER.
7. All deployed cartridges, probes and wires shall be handled as a biohazard and disposed of in a suitable container at the police department, fire department or hospital.
  8. Subjects should be regularly monitored, while in police custody, following TASER deployment.
  9. As soon as reasonably practical, the deployed TASER battery shall be returned to a docking station to upload the TASER data into Evidence.com.

### **1.3.6 DUTY TO RENDER AID**

- A. After any use of force application, police officers must, as soon as reasonably practical determine if a person is injured, whether it is the result of the use of force or otherwise and render medial aid and assistance consistent with training and request emergency medical assistance if necessary.
- B. Render medical aid and assistance includes, but is not limited to:
  1. Performing emergency life-saving procedures such as cardiopulmonary resuscitation or the administration of an automated external defibrillator.
  2. The making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that treatment is necessary, or such carrying is requested by the injured person.
- C. If aid is required, police officers shall not, when reasonable to administer aid, knowingly and willingly refuse to render aid as defined by state or federal law. A police officer does not violate this duty if the failure to render aid is due to circumstances such as lack of appropriate specialized training, lack of resources or equipment, or both, or if it is unsafe or impracticable to render aid.
- D. The extent of such aid should take the following factors into account:
  1. The suspect's continued ability to inflict harm on the police officer.
  2. The security of the scene.
  3. The possible presence of blood borne pathogens.
- E. For information on medical assistance due to use of a TASER, refer to section 1.3.5 (L) and for less lethal impact projectiles, refer to section 1.3.5 (H).

### **1.3.7 REPORTING REQUIREMENTS WHEN FORCE IS USED**

- A. Personnel shall notify their supervisor or on-duty supervisor, when practical, anytime force was used.
- B. Personnel shall complete a written report and a response to resistance report form whenever any of the following activities have occurred, except during department authorized training activities:
  1. Take action that results in or is alleged to have resulted in injury or death of another person.
  2. Apply force through the use of lethal or less lethal weapons, except for the use of force exclusively involving a sick, injured or dangerous animal.

3. Apply physical force as defined in the definitions section of this directive.
  4. Point a firearm or pepperball launcher at any person or occupied vehicle.
  5. Send a canine with specific instructions for the purpose of apprehending a suspect or anytime a canine bites a suspect.
  6. Draw a baton, TASER or firearm to gain the compliance of the resisting person and other show of force situations as specified on the response to resistance form.
  7. Discharge of a firearm; however, the police officer discharging the firearm shall not complete the response to resistance report form. Refer to Standard Operating Procedure 1.5 Investigation of Deadly Force and Serious Incidents for more information.
- C. The circumstances shall be fully documented and explained in the incident report.
- D. All response to resistance report forms and required documentation shall be submitted electronically to the employee's supervisor prior to the end of his/her shift, unless waived until a later time by a shift supervisor.

### **1.3.8 ADMINISTRATIVE REVIEW OF RESPONSE TO RESISTANCE**

- A. Response to resistance report forms and supporting documents shall be reviewed through the employee's chain of command, to include the TASER coordinator when appropriate. Supervisors shall be cognizant that a police officer's decision to use force shall be evaluated from the perspective of a reasonable police officer in the same situation, based on the totality of the circumstances known to or perceived by the police officer at the time of the decision, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when police officers may be forced to make quick judgements about using force.
- B. All show and use of force will be reviewed through the chain of command to the deputy chief.
- C. The administrative review shall include but is not limited to a review of video recordings, Response to Resistance Report Form, and police reports associated with the incident. The review may also encompass an evaluation of training needs, policy updates, equipment issues and disciplinary or corrective measures.
- D. Personnel responsible for conducting use of force investigations receive training commensurate with the types and levels of investigations to be conducted. Refer to Standard Operating Procedure 1.5 Investigation of Deadly Force and Serious Incidents to view information pertaining to those tasked with investigating a deadly force incident.
- E. The police department utilizes the use of force committee to provide an additional review of response to resistance documentation. The deputy chief appoints a supervisor to serve as the committee's chairperson. The committee meets on a quarterly basis. When appropriate, the committee shall make recommendations concerning corrective or adverse actions, to include non-disciplinary actions such as training or tactical improvements.
- F. The police department provides statistical data on use of force activities through the transparency site which is updated on a quarterly basis and accessible to employees and the community. The department's Annual Report also contains use of force statistical data which is also accessible via the transparency site.
- G. On a monthly basis, the investigations commander shall ensure use of force information is submitted to the Federal Bureau of Investigation (FBI) National Use of Force Database.

### **1.3.9 MONTHLY REPORTING TO THE ILLINOIS STATE POLICE & FBI NATIONAL DATABASE**

The investigations commander is responsible for ensuring monthly reporting on the use of force to the Illinois State Police and the FBI National Database when the use of force resulted in the death or serious bodily injury of a person or the discharge of a firearm at or in the direction of a person. This applies to information known at the time of submittal and updates will be provided upon conclusion of all facts known.

### **1.3.10 PROCEDURES PERTAINING TO DEADLY FORCE/FIREARMS DISCHARGE**

Refer to Standard Operating Procedure 1.5 Investigation of Deadly Force and Serious Incidents for information on the department's protocol following a deadly force/firearms discharge incident.

### **1.3.11 AUTHORIZED FIREARMS**

#### **A. Duty Handgun.**

1. Only authorized police officers may carry firearms. The make and model of the regular duty handgun, including those used by police officers of the SWAT Team or other specialized assignment shall be approved by the range master and when applicable, the SWAT commander. The Glock 9mm and .45 caliber are authorized for department use with the following additional requirements for both uniformed and non-uniformed police officers:
  - a. Double single or double action only handguns.
  - b. Police officers specifically authorized by the range master shall be authorized to carry single action handguns. Generally, this authorization will only be extended to members of the SWAT Team.
  - c. The barrel length shall be a minimum of 3.5 inches and a maximum of 6 inches.
  - d. Police officers in possession of the .40 caliber are authorized to continue its use until they are no longer available.
  - e. The handgun trigger pull must be in accordance with the manufacturer's specifications.
  - f. These handguns may have factory sights or night sights.
  - g. Any modifications to the handgun, other than the addition of authorized sights and red dot sights (RDS), shall be approved by the range master or designee.
2. The range master shall maintain an inventory of handguns issued to police officers which is located within the department's inventory control system. The inventory shall be reviewed annually; cross reference SOP 17.5, Agency Owned Property.
3. Upon termination, separation or by order of the Chief of Police, an issued handgun shall be returned immediately to the range master.
4. No modifications shall be made to any duty handgun unless authorized by the range master.

#### **B. Self-Purchase Duty Handgun.**

1. Only authorized police officers may purchase, qualify with and carry an approved alternative handgun for duty use.
2. Approved alternative handguns must be in compliance with the requirements established in Section 1.3.11 (A).

3. The police officer shall bear all costs associated with the purchase, use and maintenance of the handgun and related equipment. All equipment shall conform to department guidelines.

C. Long Guns.

1. Department owned long guns may be carried by authorized police officers under the following conditions:
  - a. The police officer has qualified, receives training and has been authorized to carry the long gun.
  - b. The long gun barrel length must be at least 11 ½ inches up to 20 inches and the trigger pull must be in accordance with the manufacturer's recommendations.
  - c. Long guns shall only be deployed with department owned ammunition which has been authorized by the range master.
  - d. Long guns shall be secured in a rack or cased in a locked trunk.
  - e. Long guns shall be transported with the magazine fully loaded, no round in the chamber, and the safety in the on position.
  - f. Long guns shall only be deployed when police officers believe that there is a risk which reasonably justifies its use.
  - g. Long guns shall be fully cleaned after being discharged. Maintenance problems shall be immediately brought to the attention of a range officer and the weapon taken out of service.
  - h. No modification shall be made to any long gun unless authorized by the range master.
  - i. Long guns shall not be taken off the safe position unless the police officer is on target with justification to discharge the weapon.
2. The range master shall maintain an inventory of long guns issued to police officers which is located within the department's inventory control system. The inventory shall be reviewed annually; cross reference SOP 17.5, Agency Owned Property.

D. Self-Purchased Duty Long Guns.

1. Only authorized police officers authorized to carry long guns may purchase a department authorized long gun for use on-duty. The long gun must meet the specifications of the department issued long gun and approved by the range master.
2. Police officers carrying self-purchased long guns must have appropriate training and qualify annually.
3. Police officers carrying self-purchased long guns must provide complete identifying information including the serial number to the range master.
4. Only department authorized ammunition will be used in self purchased long guns.
5. The police officer shall bear all costs associated with the purchase, use, and maintenance of the long gun and related equipment.

6. Self purchased long guns will be carried as outlined in section 1.3.11.C.

E. Secondary Duty Handguns.

1. Any police officer wishing to carry a secondary duty handgun must meet the following requirements:
  - a. The handgun's make, model, caliber, barrel length and serial number must be registered with the department.
  - b. The handgun must be double action or double single, with a minimum caliber of .25 and a maximum of .45 caliber and have a barrel length not exceeding 4.25 inches.
2. Secondary duty handguns must be concealed and secured in a holster equipped with a safety strap.
3. Secondary duty handguns are to be loaded with bonded factory ammunition.
4. For practice and qualification, police officers carrying secondary handguns shall be required to supply ammunition at their own expense.
5. Secondary handguns are authorized as a back-up weapon for those instances where a police officer's primary handgun is unavailable or inaccessible.

**1.3.12 AUTHORIZED AMMUNITION**

- A. The types and specifications of authorized ammunition carried both on and off-duty, including ammunition used in specialized weapons by members of the SWAT Team or other specialized personnel, are approved by the range master and when applicable the SWAT commander.
- B. A bonded factory cartridge shall be the standard issued authorized ammunition for duty handguns carried by police officers. Speer Gold Dot ammunition is authorized for department issued and self-purchase handguns.
- C. Federal Tactical ammunition is authorized for department issued long guns.

**1.3.13 WEARING OF HANDGUNS**

- A. Police officers shall carry the department issued handgun or approved secondary duty handgun while on-duty, except as follows:
  1. When a police officer is within the lockup area.
  2. When the presence of such weapon might jeopardize the outcome of a covert operation or investigation.
  3. When other special circumstances prevail, which in the opinion of supervisory personnel, render execution of the requirement impractical or undesirable.
  4. Special exceptions as deemed appropriate by the Chief of Police.
- B. Duty handguns are to be holstered and secured when carried on-duty, unless they are being used by a police officer in the performance of duties.
- C. Ammunition shall be replaced bi-annually by the department.

- D. Duty handguns shall be fully loaded when carried meaning a round in the chamber and a fully loaded magazine in the weapon.

#### **1.3.14 CARE AND MAINTENANCE OF DUTY WEAPONS**

- A. Police officers shall regularly inspect weapons to ensure that they are in proper working order, clean and free of signs of corrosion or deterioration.
- B. Police officers needing repairs on any department issued weapon shall promptly report this information to their supervisor.
- C. Repairs to department issued weapons shall be performed only by a department approved armorer, the manufacturer or a factory authorized service location. In all cases, department armorers shall receive handguns or long guns and evaluate the best course of action.
- D. Police officers are to clean duty handguns after practice or qualification. Each duty handgun shall be cleaned within 48 hours after a department qualification and shall be subject to inspection by the range master or qualified weapons instructor. Police officers who practice on their own shall ensure that duty handguns are cleaned prior to reporting to duty on their next scheduled working day.
- E. Duty weapons deployed in deadly force situations or by accident shall not be cleaned without the specific authorization of the Chief of Police.
- F. Any firearm which is found to be unsafe or not functioning properly shall be immediately reported to a sworn supervisor. The weapon shall be taken out of service and, where appropriate, a replacement firearm issued. The supervisor shall notify the range master.

#### **1.3.15 SECURITY OF DUTY HANDGUNS**

- A. Police officers are responsible for the security of their duty handgun.
- B. Adequately securing duty handguns to ensure their safety when not in use shall include any of the following procedures:
  - 1. Use of a trigger lock.
  - 2. Locking a padlock or handcuff behind the handgun's trigger.
  - 3. Placing the handgun in a locked storage container.

#### **1.3.16 DISPLAYING, LOADING AND INSPECTION OF DUTY HANDGUNS**

- A. Police officers shall refrain from displaying any handgun or other weapon to anyone, except as requested by a supervisor or inspecting officer or in the performance of their official duties.
- B. All loading of semi-automatic handguns shall be done through the administrative loading technique. This consists of the following:
  - 1. Fully load a magazine.
  - 2. Point the muzzle of the handgun in a safe direction, either down range or into the sand or clearing barrel.
  - 3. With the slide locked to the rear, insert the loaded magazine into the handgun.
  - 4. With the support hand grasping the slide and not covering the ejection port or muzzle,

move the slide to the rear and release the slide, allowing the slide to close under spring tension, chambering a round.

5. With finger off the trigger, depress the magazine release and remove the magazine.
6. Insert a round into the magazine resulting in full capacity.
7. Re-insert the magazine into the handgun.
8. Never load a cartridge directly into the handgun's chamber without using a magazine.

### **1.3.17 OFF-DUTY HANDGUNS**

- A. The department does not require police officers to carry a handgun while off-duty. Police officers that choose to carry a handgun while off-duty must keep it concealed and have police credentials with them.
- B. Police officers electing to carry a handgun off-duty outside of the city of Elgin must do so in compliance with the laws of the state of Illinois, other states and federal statutes, whichever may apply.
- C. Police officers shall not carry any handgun off-duty while consuming or after having consumed alcoholic beverages, drugs or medication that has the propensity to impair their judgment.
- D. Police officers electing to carry an off-duty handgun must undergo initial qualification and qualify annually; the police officer shall also supply the ammunition.
- E. All firearms carried by police officers for law enforcement purposes must be registered with the range master.

### **1.3.18 RESPONSE TO RESISTANCE/LESS LETHAL WEAPONS TRAINING**

- A. Annually, the department shall conduct a mandatory response to resistance training session for designated personnel. Training shall include the following, but is not limited to:
  1. De-escalation tactics which support the department's emphasis on the sanctity of all human life which may include a refresher or updates on use of the following resources:
    - a. Crisis intervention strategies
    - b. Crisis Negotiations Unit
    - c. Collaborative Crisis Services Unit
    - d. Emergency Services Detail
    - e. ICAT (Integrating Communications, Assessment, and Tactics)
    - f. Special Weapons and Tactics Team
  2. A review of the laws concerning the use of authorized lethal weapons.
  3. The department's policy on response to resistance which includes use of force, the legal, moral and ethical considerations.
- B. The training shall also include a refresher on the following less lethal weapons.

1. Baton
  2. OC Spray
  3. Pepperball
  4. TASER
- C. Police officers that have been assigned a TASER shall be required to complete an annual re-certification conducted by a certified TASER instructor.
- D. As mentioned in section 1.3.5(H), the SWAT Team and designated police officers trains and qualifies with less lethal impact projectiles annually.
- E. All training is documented and conducted by a certified weapons or tactics instructor. Documentation is maintained by the Training Division.

### **1.3.19 FIREARMS PROFICIENCY/QUALIFICATIONS**

- A. The department shall conduct a minimum of one (1) mandatory firearm qualification session annually for each officer.
- B. Firearm qualifications shall be documented and monitored by a certified firearm instructor.
- C. Police officers shall attend all assigned firearms qualification sessions.
- D. In order to demonstrate proficiency, police officers must:
1. Achieve at least minimum qualifying scores on a prescribed course.
  2. Demonstrate safe handling procedures for the use of authorized weapons during proficiency training.
- E. Police officers carrying secondary or off-duty handguns must qualify annually on the prescribed course of fire with each handgun.
- F. Remedial training shall be provided police officers who fail to qualify prior to allowing the officer to continue to carry their firearm.
1. When remedial training is ineffective and the officer is still unable to qualify, the officer may be relieved of police powers by the chief of police.
  2. Police officers who have been on an extended leave or suffered an injury, either of which may affect the use of a firearm(s), must demonstrate proficiency with authorized firearm(s) prior to returning to duty.
  3. The chief of police shall determine the appropriate action to take in each case.
- G. During qualifications, firearms shall undergo a documented inspection by department authorized range police officers. Firearms shall be inspected for proper operation to ensure they meet with department specifications. All problems should be reported in writing to the range master.

### **1.3.20 FIREARMS PROFICIENCY/QUALIFICATIONS FOR QUALIFIED RETIRED POLICE OFFICERS**

- A. To qualify for concealed carry certification as a retired police officer, a retired police officer must meet the following guidelines:

1. The retired police officer must have retired in good standing.
  2. The retired police officer was authorized to perform law enforcement functions, prior to retirement, for which powers of arrest were granted by statute.
  3. The retired police officer was regularly employed as a law enforcement officer for an aggregate of 10 years or more before his or her retirement or retired from service with the Elgin Police Department (after completing any applicable probationary period of service) due to a service-connected disability as determined by the City of Elgin.
  4. During the most recent year, has met state firearms training and qualifications that are the same as the training and qualifications for active duty police officers.
  5. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
  6. Is not prohibited by federal law from carrying a firearm.
- B. "Good standing," as indicated above, shall be determined on an annual basis by the Chief of Police, in his or her sole discretion. The following circumstances must not be associated with the retired police officer's separation from the department in order to be considered to have retired "in good standing":
1. There was a determination made, or action initiated by the City of Elgin or the police department to remove, or proposing to remove, the officer from employment from the City of Elgin.
  2. The police officer was the subject of a pending psychological fitness for duty evaluation or had been found to be not fit for duty for psychological or psychiatric reasons.
- C. A qualified retired police officer shall undergo all of the aforementioned proficiency/qualification process annually; the criteria for passing shall be the same as for on-duty police officers, in line with the State of Illinois' and the Elgin Police Department's standards for training and qualification. Failure to successfully meet the aforementioned qualifications on an annual basis shall result in the revocation of the retired officer's certification.
- D. If the retired police officer qualified under the instruction of certified Elgin Police instructors, the police department will issue a photographic qualified retired police officer identification card, which shall be valid for one year. Said card certifies the holder is a qualified retired police officer but provides the holder with no law enforcement powers or authority.

#### **1.3.21 RETIRED OFFICER SELF-PURCHASE OF DUTY FIREARM**

- A. Any police officer retiring from the department in good standing as determined by the Chief of Police is eligible to self-purchase their department issued firearm.
- B. The department will inventory the police officer's firearm prior to the transfer to an authorized law enforcement firearm distributor in exchange for a department credit valued by the distributor thus completing the transfer of the firearm from the department to the authorized law enforcement distributor who possesses a valid Federal Firearms License (FFL). Notification, through use of the Asset Disposition Form, shall be made to the inventory control coordinator to ensure the firearm is removed from the department's inventory control system. [Access the Asset Disposition Form](#)
- C. The police officer must be legally eligible to purchase the firearm from the distributor based on their criteria, state and federal law.
- D. The law enforcement firearm distributor will establish the "buy back" price and any associated fees for the transfer of the firearm through their FFL and transfer the firearm to the individual retiring officer.

### **1.3.22 POLICY DISTRIBUTION**

- A. Prior to being authorized to carrying any type of weapon, personnel shall be issued a copy of this policy and complete the appropriate training.
- B. Documentation verifying the distribution of the department's response to resistance policy and all other records pertaining to the use of force shall be maintained.