

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

RESPONSE TO AGRESSION

Reviewed by: Asst. Chief Clay Wheeler	Effective Date: June 15, 2004
Authorized by: Chief Brendan O. Heffner	Revision Date: December 27, 2017

PURPOSE

The purpose of this document is to establish a policy for the use of force by sworn personnel to affect an arrest or control a person. Proper use of force decisions based on reasonableness ensures due process for citizens as well as provides protection for the officer and Department.

This policy is based on the Pressure Point Control Tactics (PPCT) Defense and Arrest Tactics training as taught by PPCT certified instructors. The TASER and its use are based on training supplied by TASER and taught by TASER certified instructors.

POLICY

It is the policy of the Bloomington Police Department that: (1) officers shall use only that amount of force reasonably necessary to achieve a lawful objective; (2) officers should use only the amount of force reasonably required to overcome resistance being offered by an offender or person the officer is trying to control; (3) force applied by a police officer should never be used in a punitive manner; (4) medical treatment shall be arranged for any person who has an unusual reaction to, or who requests medical attention resulting from, force applied by a police officer; (5) all instances where the officer's use of force exceeds his issuance of verbal directions, other than a weaponless defense technique or control hold applied for the purpose of handcuffing or escorts that do not result in injury or a complaint of injury, shall be officially reported; and (6) supervisors and administrators will regularly monitor the use of force by police officers.

Subject to considerations set forth in the previous paragraph, an officer is legally justified in the use of force necessary to (1) protect the life or safety of individuals, including the officer; (2) make an arrest based on probable cause; (3) prevent individuals from unlawfully interfering with lawful police actions, such as searches; (4) detain an individual for the purpose of confirming or dispelling an officer's articulable suspicion that a crime has just been committed, is in the process of being committed, or is about to be committed; (5) search an individual to confirm or dispel the possibility that a detained individual may have a weapon on his or her person; (6) protect public or private property; or (7) lawfully disperse groups of individuals which threaten the safety of persons or property.

DEFINITIONS

PPCT Management System - a system of verbalization skills coupled with physical alternatives for defense, control, and arrest of subjects.

Reasonable Force - a physical act by a police officer in the performance of duty when it is used to accomplish a legitimate law enforcement goal and the level of force used is reasonable considering all the facts and circumstances known to the officer at the time of the incident.

Resistance/Control Continuum - a guide for using force in confrontational or arrest situations. It defines subject's Levels of Resistance to control and the officer's Levels of Control.

OC and OC Spray - a chemical agent comprised of oleoresin capsicum.

ECD, TASER - electronic control devices that use propelled wires or direct contact to conduct energy to affect the sensory and motor functions of the nervous system. A less lethal force weapon used by trained personnel that causes Neuromuscular Incapacitation (NIM) to control a combative or potentially combative subject. The use of this device is intended to incapacitate, with a minimal potential for causing death or great bodily harm.

Drive Stun - the use of the TASER or electronic control device on a subject without firing of the propelled wires. Used in this capacity the TASER is a pain compliance tool only. It does not affect motor functions.

Objective Reasonableness Standard - the standard established by the U.S. Supreme Court in *Graham v. Connor* asserts that reasonableness must be judged by the "totality of the circumstances," from the perspective of a reasonable officer at the scene. Three elements of the standard are:

1. The severity of the alleged crime at issue;
2. Whether the suspect poses an immediate threat to the safety of officers and/or others; and
3. Whether the suspect is actively resisting or attempting to evade arrest by flight.

Reasonably Believes - an ordinary, prudent and reasonably intelligent police officer believes that a certain fact situation exists and such belief is reasonable under the circumstances known to the officer at the time the officer acted.

Great Bodily Harm - bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or any other serious bodily injury.

Non-Deadly Force - an amount of force that under normal circumstances might cause bodily harm but would not be expected to result in great bodily harm or death.

Deadly Force - the intentional use of a firearm or other instrument, the use of which would result in a high probability of death. Force likely to cause death or great bodily harm.

Officer-involved Death - means any death of an individual that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a law enforcement officer while the officer is on duty, or otherwise acting within the scope of his or her employment, or while the officer is off duty, but performing activities that are within the scope of his or her law enforcement duties. Officer-involved death includes any death resulting from a motor vehicle accident, if the law enforcement officer was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or attempt to apprehend. (As defined Section 1-10 Illinois Public Act 099-0352).

LEVELS OF RESISTANCE

1. Verbal: Non-Compliance - any verbal response indicating subject unwillingness to obey commands of detainment, arrest, or to stop unlawful or dangerous behavior. Verbal Non-Compliance may come in the form of a quiet statement such as, "No I will not put my hands behind my back", to threatening verbal statements directed at the officer.
2. Resistance: Passive - any type of resistance where the subject does not attempt to defeat the officer's attempt to touch or control him/her but he/she still will not voluntarily comply with verbal and physical attempts of control. (E.g. dead weight, does not react to verbal commands, etc.)
3. Resistance: Defensive - any action by a subject that attempts to prevent an officer from gaining control of the subject. (E.g. pulling/pushing away to defeat the escort position, attempts to flee on foot.)
4. Active Aggression: Empty Hand - physical assaults/actions against the officer or another person with less than deadly force (e.g. advancing, challenging, punching, kicking, grabbing, wrestling, etc.)
5. Active Aggression: Weapon - physical assaults/actions against the officer or another person with less than deadly force while armed with a weapon.
6. Active Aggression: Deadly Force - any force used against an officer and/or another person that may result in great bodily harm or loss of human life.

LEVELS OF CONTROL

1. Officer Presence - behavior is modified by the fact that an officer is observing.
2. Verbal Direction - an officer's ability to communicate is used to gain cooperation.
3. Empty Hand Control
 - a. Soft Empty Hand Control - techniques posing a minimal or nonexistent possibility of injury primarily used to control lower levels of resistance.
 - b. Oleoresin Capsicum spray (OC), TASER (Drive Stun Mode) - chemical and electrical devices used to overcome a subject's increased resistance to control.
 - c. Hard Empty Hand Control, punch, kick, strike, and TASER (Probe Deployment Mode) - techniques posing a greater probability of injury used to control higher levels of defensive resistance, active aggression or aggravated active aggression.

4. Intermediate Weapons Control - use of impact weapons to strike a subject to overcome high levels of resistance or the use of police K-9 to subdue a subject.
5. Deadly Force - force likely to cause death or great bodily harm, the most serious level of control as defined in 720 ILCS 5/7-8.

PROCEDURE

GENERAL GUIDELINES

1. If a technique or tool is ineffective, an officer should switch to another technique or tool.
2. Officers shall not continue to use more force than necessary to maintain control once a person has stopped resisting and control of the person has been established.
3. Once control has been established, the officer shall be responsible for monitoring the person's condition and welfare. Unless circumstances dictate otherwise, all persons arrested will be handcuffed, searched, and transported in a police vehicle.
4. If an officer intentionally or accidentally used force listed in the Resistance/Control Continuum as Soft Empty Hand Techniques or greater (other than a weaponless defense technique or control hold applied for the purpose of handcuffing or escorts that do not result in injury or a complaint of injury), the officer shall notify his supervisor, and complete an Offense report and a Response to Aggression report, documenting the incident. If the use of force involves a conducted energy weapon, an internal use memory download must be completed. This download will be saved in the Response to Aggression TASER Download folder (F:/TASER Data/Response to Aggression TASER Downloads/Current Year). The file shall be saved by using the following manner: Officer last name, First initial of first name, Date (ex. Smith, A 12-31-2015).
5. An officer shall not brandish, display, or threaten the use of a force option, including OC spray, conducted energy weapon, impact weapon or firearm unless they can reasonably conclude its use may become justified or anticipated. Officers may give warning of imminent use of the TASER and include an arc display where practical and safe to do so in situations where they reasonably conclude its use may become justified or anticipated.
6. Information known to an officer at the time of an incident, including a person's prior conduct, statements and history or assaultive behavior, may be considered in his decision to use Oleoresin Capsicum (OC) spray, conducted energy weapons, and intermediate/impact weapons.
7. If force is used and an injury requiring emergency medical treatment (beyond first-aid) or hospital admittance occurs to the suspect, officer, or any other person, the officer's direct supervisor shall be notified as soon as practically possible. If the direct supervisor is unable to respond, another field supervisor or command officer shall be contacted.
8. It is the first line supervisor's responsibility and ultimately the division commander's to assure that the following items are complete:
 - a. Response to Aggression form is filled out accurately and electronically submitted in a timely manner, preferably by the end of the Officer's tour of duty.
 - b. Each form is reviewed for accuracy.
 - c. Associated reports are approved when properly completed.

- d. TASER incidents: assure that a download of the TASER used has been completed by a qualified supervisor and saved in the Response to Aggression TASER Download file.
 - e. Above information is immediately electronically approved and forwarded to the Shift Commander or Division Commander. Sergeants will also place any comments regarding the incident in the Supervisor Commends section prior to approving.
9. The Shift Commander or Division Commander will review the Response to Aggression form and electronically forward it to the Assistant Chief of Operations. Shift Commander or Division Commanders will place any comments regarding the incident in the Supervisor Comments section prior to approving.
 10. Response to Aggression forms will be reviewed monthly by the Office of Professional Standards.
 11. Reports shall not contain "boilerplate" or "pat" language (e.g. "furtive movement", "fight stance", or "assisted to the ground", etc.) without descriptive or explanatory details of the action.
 12. Supervisors should attempt to identify Department or individual training and tactical issues. Only if needed, or applicable, the supervisor would then make recommendations in the Response to Aggression report. Supervisors are not expected to use hindsight to second guess actions and should not be pressured to recommend training simply to complete the form or investigation. The supervisor's comments or narrative on the Response to Aggression Form should include if the actions of the officer were consistent with or were in contrast to policy.
 13. Supervisor approval of the Response to Aggression form and/or supplemental reports is to document the supervisor has reviewed the items to make sure they are complete and accurate, as reported to the supervisor. The approval is not meant to imply approval of the tactics or force used. Further, Command Review and Assistant Chief Review to not mean to imply approval of the tactics or force used.
 14. Department issued Oleoresin Capsicum Spray (OC) and TASER are required pieces of equipment that will be worn on the officer's belt when working a patrol shift or uniformed detail outside of the police department. Plain clothes personnel not working in an undercover capacity shall be required to carry either OC or a TASER in a situations that would require them to wear Body Armor under Rules and Regulations Rule 13-11.

OLEORESIN CAPSICUM SPRAY (OC)

1. Officers who have been trained and certified in the use of OC shall carry only BPD approved products.
2. OC products are designed to give the officer an advantage when forced to take physical control of a person, or in crowd control situation to eliminate the need for officers to physically engage the crowd. Ideally, the OC product shall be administered at a distance prior to an officer having to engage in physical contact with the person. OC products may be reasonably utilized whenever a person is threatening to actively resist or is actively resisting an officer and/or the person poses an articulable threat of harm to an officer or another person. OC may be used in response to passive resistance **only** when that subject's resistance poses a reasonable articulable threat to themselves or others.
3. Department personnel who use OC against a person shall ensure the person exposed to the OC is decontaminated as soon as practical after the person is under control.

Decontamination should be done at the jail, police department, or other controlled setting whenever possible.

DECONTAMINATION

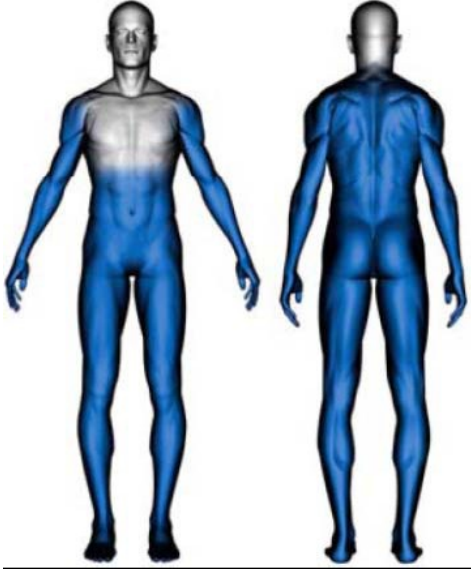
1. The person exposed should be given access to fresh air and the exposed area flushed with cold water.
2. The exposed person should be monitored for any unusual reactions. Medical aid shall be summoned for any person showing unusual reactions to OC exposure.
3. Sabre Red decontamination products issued by the department are designed and solely intended to reduce recovery time for officers and other emergency personnel who may have incidental exposure to OC spray. The use of Sabre Red decontamination products is a multiple step process not intended for suspect exposure. Sabre Red decontamination products may only be used as recommended by the manufacturer and consistent with training procedures.

TASER OR ELECTRONIC CONTROL DEVICE (ECD)

1. A TASER may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer or the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself, such as self-inflicted injury or a suicide attempt. Passive resistance without posing an articulable threat of harm to officers or others does not permit the use of a TASER.
2. When a TASER is deployed during an incident, assisting officers shall assess potential threat to the deploying officer and provide appropriate cover, up to and including the use of lethal force (i.e. "lethal cover") if necessary. Lethal cover shall be required in all cases where the use of deadly force is justified.
3. Tactical considerations prior to deploying a TASER include: subjects running, subject in an elevated position, subjects operating a vehicle or machinery, flammable or explosive environment, obviously pregnant women, and subject in or near water (drowning risk). The officer must also consider for many of the prior mentioned items the surface the person is running on or elevated above. For example is the surface grass or concrete?
4. An officer should consider the nature of the offense of a fleeing subject. While the third prong of *Graham v. Connor* is obviously being met, as the subject is resisting by fleeing the officer must also consider the two other prongs to justify the amount of force used; that being the severity of the alleged crime at issue and whether the suspect poses a threat to the safety of officers and/or others. The use of a TASER on a fleeing suspect for an offense that has no risk toward officers or others under most circumstances is prohibited.
5. Deploying the TASER on a person who is handcuffed shall be avoided, unless the suspect is a continued active threat to themselves and/or others, and other compliance techniques have been attempted and have failed. Officers then may consider using the TASER in Drive Stun mode which is a pain compliance technique.
6. In controlled situations where an officer is able to safely consider the use of the TASER as a Drive Stun, opposed to firing the probes, the officer should elect to do so; that is if the technique is a safe and effective tactic to use for all those involved at the time. At no time should an officer put himself or others at risk to perform a drive stun as opposed to firing the probes.

7. Each time a TASER is cycled or used on a subject it is considered a separate use of force and must be documented on the Response to Aggression form. A separate Response to Aggression form does not need to be completed; however, each cycle or use does need to be justified and documented in the officer's report.

The blue highlighted area in the target man represents the preferred target area.



8. The recommended point of aim of an Electronic Control Device or TASER is lower-center of mass for front shots, so to avoid chest shots when possible, thus reducing the risk of a head/eye shot in a dynamic situation. Close-spread TASER discharges to the front of the body are more effective when at least one probe is in the major muscles of the pelvic triangle or thigh region. Back shots remain the preferred area when practical.
9. The TASER, if worn on the officer's belt, **WILL** be carried on the officer's weak hand side. Officers **shall not** carry the TASER on gun hand side so the TASER is not confused with the gun/firearm.
10. Department personnel who use a TASER against a person shall ensure the person is monitored for injury as soon as practical after the person is under control.
11. If the probes are imbedded in sensitive tissue areas (i.e. neck, face, eyes, groin, or the breast of a female), officers shall arrange transport to a medical facility for removal. If the probes are imbedded in other non-sensitive areas, a trained officer may remove them according to the trained procedures.
12. After the probes have been removed they shall be handled as a biohazard and packaged according to the trained procedure. The package shall be placed in evidence.
13. The officer completing the Response to Aggression form shall list the serial number of the deployed TASER and document the appropriate method(s) of usage on the form. The deployment information shall be downloaded, inspected, and/or repaired by a certified TASER Armorer and/or appointed TASER instructor. A print out of the download will be attached to the report. The TASER download will be saved in the Response to Aggression TASER Download folder on the F: drive.
14. All TASERs shall have the internal memory downloaded by a certified TASER armorer and/or appointed certified TASER instructor and inspected and/or repaired by a certified TASER Armorer at least annually. An annual TASER download/inspection form and all

the information shall be reviewed by the Assistant Chief of Operations or Office of Professional Standards or designee. Random checks of TASER internal use memory shall be made at the discretion of the Assistant Chief of Operations or designee.

15. Where more than one officer involved in an incident uses force, each officer will complete a separate Response to Aggression form.
16. It is the first line supervisor's responsibility, and ultimately the division commander's, to assure that the following items are completed:
 - a. Response to Aggression form is filled out accurately and in a timely manner.
 - b. Each form is reviewed for accuracy and approved by a supervisor.
 - c. Associated reports are approved when properly completed.
 - d. Assure that a download of the TASER used has been completed by a qualified supervisor and saved in the Response to Aggression TASER Download folder. The supervisor should review the TASER download to make sure there are no abnormalities when compared to the officer's reporting of the incident. Any abnormalities should be reported in the supervisor's comments of the Response to Aggression form.
 - e. Above information is immediately forwarded to the Shift Commander or Division Commander.
17. The Shift Commander or Division Commander will review and approve, if appropriate, the Response to Aggression form and forward it to the Assistant Chief of Operations.
18. Response to Aggression forms will be reviewed monthly by the Office of Professional Standards.
19. Trained officers shall complete a refresher course and a written examination every year concerning the use of the TASER.

INTERMEDIATE WEAPONS/IMPACT WEAPON (straight baton, expandable baton, K9 bite)

1. Uniformed officers shall be required to have a BPD approved impact weapon available to them while on duty.
2. The use of authorized batons is permitted against an actively aggressive person when the officer reasonably believes that lesser force option would be ineffective or would subject the officer or others to bodily harm.

CHEMICAL MUNITIONS

Use of chemical munitions will be limited to SWAT members under the direction of the SWAT Commander and/or his designee. Use of these munitions will be in accordance with the requirements of this policy that only lawful and necessary force be used. The use of chemical munitions shall be documented in the offense report of the incident leading to the use of SWAT personnel.

DISTRACTION DEVICES

Use of distraction devices will be limited to SWAT members under the direction of the SWAT Commander and/or his designee. Use of these munitions will be in accordance with the requirements of this policy that only lawful and necessary force be used. The use of Distraction Devices shall be documented in a departmental Response to Aggression form as well as the offense report of the incident leading to the use of SWAT personnel.

1. Only SWAT personnel certified as Distraction Device Instructors shall arm and render safe all Distraction Devices used by SWAT.

2. Only certified SWAT personnel trained in the use of Distraction Devices shall be allowed to deploy such devices.
3. A fire extinguisher shall be readily available for use of any pre-planned Distraction Device deployment.

DEADLY FORCE

1. The use of deadly force is permissible only as provided in Illinois Compiled Statutes, Chapter 720, Article 7. Subsection 7-5(a) provides in part that an officer "is justified in using force likely to cause death or great bodily harm ONLY when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes BOTH that: (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; AND (2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay." [emphasis added]
2. Before using a firearm and when feasible, police officers shall identify themselves and issue a verbal challenge.
3. The Shoulder pin technique taught by PPCT should only be used in situations where the use of deadly force is necessary.
4. Chokeholds are not taught by BPD or PPCT. Illinois law prohibits the use of a chokehold unless deadly force is justified. Statue 720 ILCS 5/7-5.5 further prohibits the use of a chokehold, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion.

GUIDELINES FOR USE OF DEADLY FORCE

1. Warning shots are generally prohibited.
2. Generally, firing into buildings or through doors, windows or other openings is forbidden when the person lawfully fired at is not clearly visible.
3. Firing at or in the direction of a vehicle or person is prohibited when the likelihood of serious injury to an innocent person outweighs the police purpose served.

POINTING OF FIREARM OR TASER (ELECTRONIC CONTROL DEVICE)

If an officer points a firearm or displays a TASER at a person in the course of duty and does not discharge the firearm or TASER, the officer will complete a Response to Aggression report.

REQUIRED NOTIFICATION OF ACCIDENTAL OR INTENTIONAL DISCHARGE OF FIREARM OR TASER

1. Whenever an officer is responsible for an accidental or intentional discharge of a TASER or firearm while on or off duty (other than during firearms or TASER training, hunting or participation in sporting or recreational events), or the accidental or intentional use of deadly force by any means, the following notifications and reports shall be made:
 - a. Discharge of a firearm used on or directed against a person -- the officer shall orally inform the on-duty supervisor or the Communications Center as soon as possible. The Communications Center shall immediately notify the on-duty supervisor. The supervisor will then notify the Assistant Chief of Operations. The officer, unless incapacitated, shall complete a written offense report detailing the incident and a

Response to Aggression form as soon as practicable. "As soon as practicable" shall include, if needed, time for the officer to decompress following a traumatic event. If the incident occurred while the officer was off-duty, these reports will be completed at the direction of the on-duty supervisor notified.

- b. Used against an animal -- prior to discharging a firearm against an animal, the officer shall notify his/her supervisor and the Communications Center if possible; when discharging a TASER against an animal, the officer shall notify his/her supervisor and the Communications Center as soon as practical after the discharge.
 - c. Accidental discharge without injury involving a firearm or TASER -- the officer shall immediately notify the on-duty supervisor and complete an interoffice memorandum to the Assistant Chief of Administration regarding the circumstances of the incident. An internal use memory download of the TASER must accompany the memorandum.
2. The Assistant Chief of Administration shall review each incident to determine if the circumstances of the incident warrant an investigation into the officer's use of force.

INVESTIGATION OF USE OF FORCE INVOLVING INJURY OR COMPLAINT OF INJURY

When notified of a use of force, or allegation of use of force, in which an injury requiring emergency medical treatment (beyond first-aid) or hospital admittance occurs to the suspect, officer, or any other person, the supervisor will respond to the scene to assess the situation and take reasonable steps to ensure evidence is preserved and information is secured.

1. In the event the officer's direct supervisor is involved in the use of force incident, the supervisor involved in the use of force incident will contact another on-duty supervisor to respond to the scene. Whenever possible this supervisor should be of higher rank or seniority than the supervisor involved in the incident. If a higher ranking supervisor is contacted and the incident details are not contentious, use of force extreme, or injury substantial, the supervisor, if reasonable to do so, may designate another supervisor to respond and investigate.
2. The investigating supervisor shall obtain a verbal account from involved personnel to help determine the general circumstances of the incident.
3. Whenever possible the investigating supervisor should attempt to obtain recorded statements from witnesses and suspects.
4. The investigating supervisor shall ensure photographs are taken of:
 - a. The physical condition of the suspect and involved personnel, to record the presence or lack of injuries;
 - b. The location of the use of force incident; and
 - c. Other relevant evidence.
 - d. If no photographs are taken, document the reason why photographs were not taken in the supervisor comment section of the Response to Aggression form.
5. The investigating supervisor shall ensure personnel that were involved in the incident, or witnessed the incident, complete a Supplemental Report. Personnel involved in a use of force incident shall complete and submit for review the appropriate Offense/Supplemental Report and Response to Aggression form **prior to the end of tour of duty**, unless extended by their supervisor or commander.
6. If any force investigation indicates misconduct, the supervisor or commander shall contact the Office of Professional Standards. The supervisor should document the date, time, and

method this notification was made in the supervisor comment section of the Response to Aggression form.

7. If any force investigation indicates criminal misconduct, the supervisor shall contact the Assistant Chief of the Office of Professional Standards. The supervisor should document the date, time and method these notifications were made in the supervisor section comment of the Response to Aggression Form.
8. Medical treatment shall be arranged for any person who has an unusual reaction to, or who requests medical attention resulting from force applied by an officer.
9. Supervisors may be held accountable for the timely, accurate, and thorough documentation of all use of force incidents, to the best of their ability, regarding the information available to them at the time.
10. Reports shall not contain "boilerplate" or "pat" language (e.g. "furtive movement", "fight stance", or "assisted to the ground", etc.) without descriptive or explanatory details of the action.
11. Supervisors should make sure it is noted on the Response to Aggression Form if any video is available for any part of the incident.
 - a. If video is available said supervisor shall view the video as part of their investigation.
 - b. The supervisor shall document that they viewed the video if it is available.
 - c. If no video was available the supervisor shall document that no video was known to exist of the incident.
12. Supervisors should attempt to identify Department or individual training and tactical issues. Only if needed, or applicable, the supervisor would then make recommendations in the Response to Aggression report. Supervisors are not expected to use hindsight to second guess actions and should not be pressured to recommend training simply to complete the form or investigation. The supervisor's comments or narrative on the Response to Aggression Form should include if the actions of the officer were consistent with or were in contrast to policy.
13. Personnel may delay compliance with the provisions of this order if the scene is unstable, there is community unrest, or other conditions make immediate compliance impracticable. The protection of the Department personnel and the public, and the maintenance of public safety shall remain the priority. Further, a supervisor should remain cognizant that they can ask for assistance from capable officers, other supervisors on duty, or in rare situations, when necessary, calling in additional personnel. The approving supervisor or commander shall ensure the reason for the delay is documented in the supervisor comment section of the Response to Aggression report.

INVESTIGATION OF THE USE OF DEADLY FORCE OR OFFICER INVOLVED DEATH

The policy of the Bloomington Police Department is to request the Illinois State Police (ISP) investigate incidents wherein Bloomington Police Department members have used deadly force or there has been an "officer-involved death". The ranking officer on duty at the time of a police-involved incident in which deadly force was used or there has been an "officer-involved death" shall be responsible for contacting ISP for the purpose of conducting an investigation and notifying the Chief of Police or their designee.

Pursuant to 50 ILCS 727/1-25 an officer who during the performance of their official duties or in the line of duty, discharges their firearm resulting in injury or death of another, shall submit to drug and alcohol testing.

It is the policy of the Bloomington Police Department that the officer who fired their weapon resulting in injury or death to another will be taken to an area hospital as soon as practicable following the incident but before the officer's end of shift or tour of duty. The officer will be accompanied by command personnel who will stay with the officer and observe the collection of blood and urine samples.

The command officer will maintain possession and control of the samples until such time as the samples can be directly submitted to the Bloomington Police Department crime laboratory.

Personnel from the Bloomington Police Department may not assist in the investigation unless it is an "officer-involved death" that involves a motor vehicle collision. Under those circumstances a Bloomington Police employee who is certified by the Illinois Law Enforcement Training and Standards Board as a Crash Reconstruction Specialist, or similar training approved by the Illinois Law Enforcement Training and Standards Board may assist with the investigation if requested.

POLICY DISTRIBUTION AND TRAINING

1. A copy of the Response to Aggression policy, including all future amendments or revisions thereto, shall be distributed electronically to all sworn personnel.
2. The Firearms Coordinator shall conduct training of the appropriate use of deadly and non-deadly force by officers pursuant to the terms of this policy for all sworn personnel, at least annually, as part of the firearms training and qualification program.
3. Certified Distraction Device instructors shall conduct training to SWAT personnel in the appropriate use of Distraction Devices pursuant to the terms of this policy at least annually, as part of the training and qualification program.

FOR DEPARTMENTAL USE ONLY

This policy is for departmental use only and does not apply in any criminal or civil proceedings. The department policy should not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions.