

	WAUKEGAN POLICE DEPARTMENT GENERAL ORDER – OPER.05 Subject: USE OF FORCE	
	Effective: September 7, 2017	Revised: March 22, 2017
		Revised: March 18, 2008/June 15, 2015
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PURPOSE

The purpose of this order is to establish specific guidelines concerning the use of force by all police officers. The authority to use force in securing compliance with the law is basic to the role of maintaining public order.

OPER.05 POLICY

It is the policy of the Waukegan Police Department to provide clear direction to police officers regarding the use of force in response to resistance encountered in the performance of their duties. The Department shall specify authorized weapons and the prerequisites for carrying them. Training shall be provided and each officer must demonstrate proficiency prior to being authorized to carry any weapons. The Department shall provide annual training regarding the use of force to ensure that officers recognize the legal, moral, and ethical responsibilities of the use of both deadly and non-deadly force. The Department shall review and analyze all incidents of the use of force by its officers at least annually.

DEFINITIONS

Carbine: A rifle that has a barrel length of 16” or less. The Waukegan Police Department issues AR-15 style carbines. In the State of Illinois, these weapons may only be owned by the police agency.

Deadly Force: That force which is intended or likely to cause death or great bodily harm. Illinois Compiled Statutes 720 ILCS 5/7-8 lists inclusions within the statute.

Great Bodily Harm: A bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of any bodily member or organ.

Less-Lethal Force: Any use of force other than that which is considered deadly force. This includes any physical effort used to control or restrain another, or to overcome the resistance of another.

Less-Lethal Weapon: A less-lethal weapon includes all authorized chemical sprays, batons (impact weapons), Tasers®, and chemical/impact munitions.

Reasonable Belief: When facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

Rifle: A long gun with a rifled barrel that has a barrel length of greater than 16”.

OPER.05.1 FORCE TO ACHIEVE LAWFUL OBJECTIVES

A. Authority to use Force

From time to time, a police officer will find the use of force necessary in order to discharge his duty to enforce the law or in order to protect himself or others. A police officer's authority to use any force, as well as the degree of force that he may employ, is governed by the United States Constitution, Illinois Statutes, case law, and Department policy.

B. All uses of force by officers will be judged by the "reasonable officer" standard without the benefit of 20/20 hindsight. Applications of force are to be determined by taking into account several variables, as follows:

1. Seriousness of the offense for which force is being considered.
2. The level of resistance being presented by the suspect or resisting subject.
3. The threat to officer(s) or others safety.

C. Warning Shots

Under no circumstances are warning shots permitted or authorized by the Waukegan Police Department.

OPER.05.2 STATUTORY AUTHORITY TO USE FORCE

A. Illinois Compiled Statutes 720 ILCS 5/7-5 defines the parameters of a police officer's use of force in making an arrest (including the use of deadly force), as follows:

1. A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force that he reasonably believes to be necessary to affect the arrest and of any force that he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest.
2. However, he 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 him/herself or another, or when he reasonably believes **both** that:
 - a. Such force is necessary to prevent the arrest from being defeated by resistance or escape; **and**
 - b. The person to be arrested has committed or attempted to commit a forcible felony involving the infliction or threatened infliction of great bodily harm, 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.

B. When **feasible, a police officer will give verbal warning before using deadly force or to prevent the escape of one who is fleeing. Tennessee v. Garner, 471 U.S.1, 105 S. Ct. 1694 (1985).**

OPER.05.3 TRAINING AND PROFICIENCY

- A. The Department shall conduct a minimum of two (2) mandatory firearm-training sessions each calendar year for every sworn officer. One of the training sessions will be firearm qualifications. The second training session will be either firearm qualifications or a shooting skills/tactics course approved by the Training Officer and the Chief of Police or his designee. Officers carrying carbines/rifles shall qualify with those weapons at least once each calendar year.
- B. Firearm qualifications shall be conducted by State certified firearm instructors.
- C. All sworn officers will attend all assigned firearms qualification sessions.
- D. In order to demonstrate proficiency, officers must:
 - 1. Achieve at least minimum qualifying scores on a prescribed course.
 - 2. Demonstrate safe-handling procedures for the use of authorized weapons.
- E. Officers carrying secondary or off-duty handguns must qualify each calendar year on the prescribed course of fire with each handgun carried.
- F. Officers are required to demonstrate proficiency once each calendar year with less-lethal weapons for which they are authorized to carry. All qualifications with less-lethal weapons must be conducted with an instructor certified with the less-lethal weapons being utilized.
- G. Remedial training by instructors approved by the Department shall be provided to officers who fail to qualify with any weapon prior to allowing the officer to continue to carry said weapon in the performance of their duties.
 - 1. No officer will be allowed to perform police functions without having first demonstrated, through qualifications, proficiency in the weapons (s)he is assigned.
 - 2. If remedial training with a handgun is ineffective and the officer is still unable to qualify, the officer may be relieved of police powers by the Chief of Police.
 - 3. Officers who have been on an extended leave or suffered an injury for which they have been absent or performing light-duty in excess of six months, either of which may affect their use of a weapon, must demonstrate proficiency and qualify with authorized weapons prior to returning to duty.
- H. All duty weapons will be inspected by a firearms instructor during qualifications. Unsafe, modified, or malfunctioning weapons shall be immediately taken out of service and the Training Officer notified.
- I. Each calendar year, all sworn personnel will be required to attend Use of Force training as part of their employment as a police officer in the City of Waukegan.

OPER.05.4 DEPARTMENTAL RESPONSE TO POLICE USE OF DEADLY FORCE

- A. Investigation of the Incident
 - 1. The Department will conduct an objective and thorough investigation whenever an officer from this Department is involved in any shooting incident, intentional or

accidental, or any other use of force that results in death or great bodily harm to any person, including an officer. In order to avoid any sense of impropriety, the investigation shall be conducted by the Illinois State Police Public Integrity Unit.

2. The Illinois State Police Public Integrity Unit will conduct the criminal investigation to discover all relevant evidence and circumstances surrounding the incident. Information resulting from the criminal investigation may be used in the administrative investigation. Charges relating to the original incident suspect(s) will be filed by the Waukegan Police Department upon conclusion of the ISP investigation.
3. An administrative investigation shall be conducted by the Office of Professional Standards to discover all relevant evidence for a determination of compliance with Department rules, policy, and procedure. Information resulting from an administrative investigation shall not be used for the purpose of any criminal investigation.

B. Response to the Scene of an Incident

In incidents where an officer uses force involving death or great bodily harm, the on-duty Command Officer shall respond to the scene and oversee the preliminary investigation. The on-duty Command Officer shall ensure the following steps are taken:

1. First aid and medical assistance has been provided.
2. Transportation of the involved officer to the hospital of his/her choice by the personnel of his/her choice.
3. The scene is secured and protected for forensic processing.
4. The Chief and Deputy Chiefs of Police, and the Patrol Commander, will be notified.
5. Upon the approval of the Chief of Police, an outside investigative entity will be notified.
6. The Chief or a Deputy Chief of Police will notify the President of the labor union of which the involved officer is a member or represented by.
7. In situations involving the discharge of a firearm, the firearm shall be taken from the involved officer as soon as practicable and secured pending the arrival of the investigative entity's forensic team. A replacement firearm will be issued to the involved officer as soon as practicable.
8. Conduct a preliminary investigation, which will require the involved officer(s) to provide immediate investigative information that shall consist of:
 - a. Determine if the officer or others are injured and provide for the appropriate medical attention.
 - b. Account for suspect(s). If nobody is in custody, obtain descriptions and broadcast the description.
 - c. Determine the direction of gunfire. Account for rounds fired. Determine if stray rounds may have caused additional injuries.

- d. Locate and preserve any potential evidence.
 - e. Locate any potential witnesses. This should include any that may have left the scene.
 - f. A detailed canvass conducted of all witnesses and persons present. All subjects will be identified and their statements will be documented.
9. The on-duty Command Officer shall ensure that the investigative entity is fully briefed prior to turning the scene over for further investigation.

C. Treatment of Involved Officer

1. The officer's weapon shall be collected by a command officer or his/her designated evidence technician. The weapon will be treated as evidence.
2. The officer shall be removed from the scene as soon as possible.
 - a. The officer will be transported via ambulance to a treatment facility of the officer's choice. If the officer refuses to go in an ambulance, he/she may ride in the front seat of any available police vehicle.
 - b. In either situation, another police officer (preferably a friend) of the officer's choice shall accompany or transport the involved officer to the hospital for examination and remain with him/her until relieved.
 - c. The involved officer shall not be taken to same hospital as the offender unless a life-threatening emergency exists.
 - d. Each law enforcement officer who is involved in an officer-involved shooting must submit to drug and alcohol testing; and the drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting but no later than the end of the involved officer's shift or tour of duty.
3. The involved officer shall not clean, remove or alter clothing so that potential evidence would be destroyed until authorized by a member of the investigative entity. This does not preclude the removal of clothing by attending medical personnel. In such incidences, an Evidence Technician shall collect the removed clothing and turn it over to the investigative entity as evidence.
4. A reasonable recovery time shall be afforded to the involved officer before any questioning, except for limited questioning deemed critical to the on-scene investigation.
5. During the recovery time, the officer may contact family members, legal counsel, and union representatives.
6. When appropriate, a formal investigative interview shall be conducted by the assigned investigative entity.
7. Any contact with the involved officer's family shall be made only with the officer's knowledge and consent.
 - a. The family shall be contacted, in person when possible, and be advised of the procedures to be followed. A liaison within the Department will be

established for the family to contact and obtain information on the status of the investigation.

- b. If the involved officer is injured and hospitalized, arrangements shall be made to transport the officer's spouse and/or other immediate family members to the hospital.

D. Investigation Division Responsibilities

An Investigations Division Supervisor will be notified of all incidents of police use of force or other officer actions that result in death or great bodily harm.

1. The Criminal Investigations Division Supervisor may assign investigators to respond to and assist the assigned investigative entity if deemed necessary or requested.
2. The responsibility of the on-scene and follow-up investigation rests with the assigned investigative entity.

E. Post-Incident Procedures

Involved officers shall be placed on leave with pay for a period of time as determined by the Chief of Police.

1. Reassignment or placement on leave does not imply the guilt or innocence of the officer.
2. While on leave, the involved officer shall remain available to the case investigators.
3. While on leave, the involved officer shall not discuss the incident with anyone except:
 - a. The States Attorney's Office.
 - b. Law enforcement personnel assigned to the investigation.
 - c. Private attorney.
 - d. Mental health professionals.
 - e. Clergy.
 - f. Immediate family.
 - g. Union representative(s) of his/her choice.
4. Employees directly involved in the incident shall be required to attend a post-incident debriefing session with an approved service provider as soon as practicable after the incident.
 - a. Information exchanged in sessions with an approved service provider will remain confidential under the doctor-patient communications privilege.
 - b. The mental health provider shall provide the Department with a recommendation as to the officer's ability and readiness to resume duty.

- c. An officer involved in a use of force incident resulting in death will be required to attend follow-up counseling at two weeks, six months, and one year, post-incident. Officers involved in use of force causing great bodily harm will be offered counseling.
- d. The Chief may order additional counseling for employees exhibiting any symptoms of post-traumatic stress.

OPER.05.5 USE OF LESS-LETHAL WEAPONS

Only less-lethal weapons and ammunition authorized by the Department shall be used by Department personnel in their law enforcement responsibilities. The use of the following less-lethal weapons is restricted as indicated below.

A. Oleoresin Capsicum Spray (OC)

- 1. OC spray will only be used when an individual exhibits behavior, indicating intent to actively resist or attack an officer, or when an officer is preventing injury to himself or another person. Mere passive resistance or verbal argument against being arrested does not justify the use of oleoresin capsicum spray. The use of OC spray against resistance is not regarded as use of force that would result in great bodily harm.
- 2. Decontamination will be rendered to individuals who have been sprayed with OC. The appropriate level of assistance includes:
 - a. Exposure to fresh air
 - b. Flushing exposed areas with cool water
 - c. Washing with soap and water
 - d. Medical treatment when necessary
 - e. Universal precautions will apply when rendering decontamination and personal protection equipment will be utilized when appropriate
- 3. Sworn personnel will be allowed to carry Department approved OC spray projectors only after satisfactory completion of formal training by a certified instructor.
 - a. Training and recertification shall be conducted in accordance with manufacturer's guidelines or

prevailing industry best practices.

- b. Each officer's certificate of satisfactory completion and subsequent recertifications will be maintained in the officer's training file.
4. All officers who carry OC spray must carry it in a Department approved carrying case attached to their duty belt or outer vest carrier.
5. Officers who are qualified and carry a conducted electrical weapon on their duty belt, are not required to carry OC spray or may carry the smaller, 1.8-ounce canister.
6. Any non-training use of OC spray requires immediate notification of a supervisor and a written report as indicated in the reporting section of this Order. Use of force reporting is not necessary when OC has been deployed against an animal to prevent injury to an officer or others.

B. Conducted Electrical Weapon (CEW)

1. A conducted electrical weapon (CEW) is a less-lethal option that must be carried by officers who have completed a CEW certification course. The use of a CEW is not regarded as a use of force that would result in great bodily harm. It may be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from harming themselves or others.
 - a. Officers must carry the CEW in a Department-approved holster on their person.
 - b. Officers are prohibited from carrying their CEW on their strong side and using their strong hand to draw. Officers may wear the CEW on their strong side and cross-draw with their off-hand.
2. The CEW is prohibited from being used:
 - a. Against a suspect exhibiting passive resistance.
 - b. In a punitive manner.
 - c. In any environment where an officer is aware that a potentially flammable, volatile, or explosive material is present (including, but not limited to OC spray with a volatile propellant, gasoline, natural gas, propane, or a clandestine drug lab).

Note: The OC issued to Waukegan Police Department Officers is non-flammable. However, OC issued to other agencies that may be on scene could be flammable.
 - d. In any environment where the subject is in an elevated position or in other circumstances where a fall may cause serious injury or death.
3. Special considerations prior to the deployment of a CEW
 - a. An individual's ability to stay afloat and above the surface of water is greatly impaired by the CEW. In the event the subject is submerged in water, there must be a plan in place to recover the subject from the water prior to the deployment of the CEW.

- b. Officers should attempt to avoid deployment of a CEW in the area immediately surrounding the heart on the anterior (front) side of a suspect. The preferred location is posterior (rear) or the lower abdomen.
 - c. Sensitive areas should be avoided when possible. These areas include head, genitals, and breast.
 - d. Deployment should be avoided on a handcuffed/secured prisoner, unless they are actively resisting or exhibiting physically aggressive behavior, and/or to prevent individuals from harming themselves or others.
 - e. Generally, a CEW should not be used against a pregnant woman, young children, and visibly frail persons unless exigent circumstances exist.
4. When an officer uses a CEW to take a subject into custody the following steps shall be taken:
- a. Subjects should be secured (handcuffed) as soon as possible while disabled by CEW power in order to minimize the number of deployment cycles and to minimize injury to officer(s) or themselves.
 - i. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.
 - ii. The officer should monitor the subject's breathing patterns after any CEW deployment.
 - b. Communications shall be notified as soon as possible.
 - c. The officer shall notify a supervisor as soon as possible.
 - d. Paramedics will be called to monitor the subject's vital signs at the earliest feasible time.
 - e. The CEW probes shall be removed as soon as possible by an officer who has successfully completed a Department approved CEW certification course or medical personnel, keeping in mind blood-borne pathogen concerns.
 - i. CEW probes that have struck the face, groin, or female breasts shall only be removed by fire/rescue or medical personnel.
 - ii. Officers should inspect the probes after removal to ensure that the entire probe and probe barbs have been removed. In the event that a probe or probe barb has broken off, the subject should be provided with the appropriate medical attention to facilitate the removal of the object.
 - iii. CEW probes that have made contact with a subject's body shall be considered biohazards.
 - iv. The officer shall visually examine the point of contact to determine if injury was sustained.

- f. Evidence Technicians will take photographs, when practicable, of the affected area and must only do so with consent from the suspect.
 - g. Photographs shall be submitted into Evidence.
 - h. Any unauthorized or accidental use of a CEW requires immediate notification to a supervisor and an e-mail, via the chain of command, detailing the incident to the Office of Professional Standards.
5. The CEW can also be used in the form of a "drive stun," where its' fixed probes make contact with a subject. In the event that it is utilized in such a manner, the officer shall follow the same deployment guidelines as indicated above.
 6. Whenever a CEW has been deployed the following is required:
 - a. A Waukegan Police Department incident report will be generated.
 - b. A Waukegan Police Department Use of Force Report in Blue Team will be completed.
 - c. The CEW will immediately be taken out of service and a deployment notification will be made to the CEW Maintenance Group advising the CEW number and incident report number.
 - d. A Use of Force report is not necessary when using the CEW against an animal that poses a risk to the safety of the officer or others. However, a case report will be generated in these instances.
 7. Only Department issued and maintained CEWs, CEW cartridges, and accessories maybe used.
 8. Sworn officers will be allowed to carry Department approved and issued CEWs, only after completion of formal training by a certified instructor.
 9. No changes, alterations, modifications, or substitutions shall be made to the CEW systems.
 10. Distribution
 - a. All CEWs will be distributed from and returned to the storage area before and after each shift. Authorized personnel will be issued a CEW at the beginning of their shift by a shift supervisor. A distribution log will be maintained in the Patrol Division documenting the date, unit number and to whom the unit was assigned. Completed logs will be forwarded to the Patrol Commander.
 - b. No CEW will be issued without a charge of 20% or above.
 - c. All CEWs will be checked for proper functioning (spark test) prior to shift deployment, following the procedures instructed in training in a pre-designated "spark-test" area within the station.
 11. In the event a CEW is found to be malfunctioning, the problem will be documented and the unit will be designated as inoperable. The unit and documentation will be forwarded to the CEW Maintenance Group.

C. Police Baton

1. The baton shall be used only when reasonable to overcome resistance by an arrestee or to defend against an assault by any person.
2. Police officers will only be allowed to carry Department approved batons after satisfactory completion of formal training by a certified instructor.
3. Officers assigned to the Patrol Division are required to carry a Department approved baton. Batons will not be altered in any way.

D. Handcuffs, Knives, Flashlights, etc.

Officers do not receive training in the use of these items as weapons and they are not intended to be used as primary lethal or less-lethal weapons. However, circumstances may be encountered that justify their use as weapons of opportunity. The use of these items as weapons is only acceptable if they are deployed as secondary weapons and their use is considered reasonable in response to the level of resistance encountered. Officers using these weapons should be able to justify their use as opposed to those weapons issued to them.

E. Blackjacks, saps, weighted gloves, metal knuckles, and switchblade knives are prohibited for duty use and they are not authorized to be carried while on-duty.

F. Control Techniques

1. Chokeholds, which are designed to reduce or stop the intake of air, shall not be used unless it is necessary in a situation where deadly force is necessary.
2. Chokeholds or any lesser contact with the throat or neck area shall not be utilized to prevent the destruction of evidence by ingestion.
3. Pressure points, escort controls, and other tactics sanctioned by the Illinois Law Enforcement Training and Standards Board and for which an officer has been trained are authorized when necessary.

G. Police Department Vehicles

1. There is a high potential for great bodily harm to a fleeing suspect from being struck by a squad car.
2. The use of a vehicle in any manner other than to parallel the suspect may be considered deadly force.
3. If the situation dictates the use of deadly force, the police vehicle could be used.

OPER.05.6 MEDICAL AID AFTER USE OF LETHAL/LESS-LETHAL WEAPONS

If, after the application of force, personnel observe injury or the suspect complains of an injury, immediate medical attention will be sought.

OPER.05.7 REPORT ON USE OF FORCE

- A. Immediate notification to an on-duty supervisor, a written report, and an electronic Use of Force Report in the Blue Team software are required of an officer, whether on or off duty, in any of the following instances:
1. Any officer who discharges a firearm or CEW for other than training or recreational (hunting, skeet, etc.) purposes must submit a written report regarding the incident.
 2. Any action by an officer that results in, or is alleged to have resulted in, the injury or death of another person.
 3. Any non-training application of force by an officer using less-lethal weapons.
 4. Application of physical force.
 5. Any force administered that has the potential to cause injury, regardless of whether an arrest is made.
 6. This order does not require reporting the pointing of weapons or using weaponless, hand-to-hand control techniques that have no reasonable chance of producing injuries when used as an escort tactic or to prevent injury to a suspect (i.e., shielding head, pushing feet into vehicle, etc.).
 7. In the event an officer discharges his firearm to terminate the threat of a vicious animal, a use of force report is not necessary. However, a case report shall be created and forwarded to the Office of Professional Standards for review.
 8. Accidental or negligent firearm discharges do not need to be reported as uses of force. The investigating supervisor shall determine if there are any injuries or property damage and obtain medical assistance for any injuries. The investigating supervisor shall create a report in the Blue Team software and forward it to the Office of Professional Standards for review.
- B. For the purposes of this directive, Incident Reports, Supplemental Reports, and Use of Force Reports are required from the officer unless the officer is incapacitated.
1. A written report will be submitted prior to the end of the officer's tour of duty or, in the case of an off-duty officer, within 24 hours of the incident.
 2. If the officer is incapacitated, he/she shall generate a Use of Force Report at the earliest, medically appropriate time.
- C. Upon notification, a supervisor shall conduct an investigation into the use of force. The investigation will include statements from witnesses, employees, and any other individuals involved. When completed, the investigation shall be documented in an investigative report along with any supplemental memoranda, and forwarded to the Office of Professional Standards. The reviewing supervisor shall indicate within his/her report an opinion of whether the use of force was within policy.

OPER.05.8 REVIEWING USE OF FORCE

- A. A Use of Force Review Committee, consisting of members appointed by the Chief of Police, and who have a working knowledge of laws pertaining to law enforcement use of force, will review all incidents involving the use of force.

- B. The Office of Professional Standards will present the documented uses of force and related video or photographic evidence to the Use of Force Review Committee for review.
- C. After reviewing uses of force, the Use of Force Review Committee shall determine whether the use of force was consistent with Department policy and document the results of the review in the Use of Force Database kept by the Office of Professional Standards.
- D. Upon completion of review by the Use of Force Review Committee, the involved officers will be notified of the committee's determination.

OPER.05.9 AUTHORIZED FIREARMS

Only weapons and ammunition authorized by the Department shall be used by officers in the execution of their duties. This applies to weapons and ammunition carried both on-duty and as secondary weapons.

- A. Duty Handgun
 - 1. Sworn officers shall be issued a Department owned handgun, ammunition, holster, and weapon light. Officers may choose to carry an approved handgun from the approved firearms list published by Special Order.
 - 2. The issued handgun and accessories shall be returned to the Training Officer upon termination or separation from employment or upon order of the Chief of Police or his designee.
- B. Self-Purchased Duty Handgun
 - 1. Sworn officers may purchase, qualify with, and carry a Department-approved alternate handgun from the approved list published via Special Order.
 - 2. The officer shall bear all costs associated with the purchase, use, and maintenance of the handgun and related equipment. Holsters must be one of the holsters listed in the approved duty holster list published by Special Order.
 - 3. Any officer who chooses to purchase and carry an alternate duty handgun will return their Department issued handgun to the Training Officer upon successful completion of required training, familiarization, and qualification under the supervision of an approved range officer designated by the Chief of Police.
 - 4. Officers are permitted to carry a handgun with a weapon-mounted flashlight system. Weapon-mounted flashlights shall not be used in instances where the use of a firearm is not anticipated.
- C. Carbines

Department owned carbines may be carried by sworn officers under the following conditions:

 - 1. The officer has qualified, received Departmental training or NEMRT training equivalent to the Department's 16-hour AR-15 Operator Course, and has been authorized to carry a carbine by the Chief of Police or his designee.
 - 2. Carbines shall only be deployed with Department authorized ammunition, distributed by the Training Officer.

3. Carbines will be assigned by the Training Division after consultation with the Patrol Commander and/or the Chief of Police.
4. Carbines shall be emptied and made safe prior to storage.
5. Carbines shall be secured in a rack or stored cased in a locked trunk.
6. Carbines will be transported with the selector lever on safe. Carbines will have a chamber-blocking device inserted into the ejection port. A fully loaded magazine may be inserted into the magazine well only if a chamber-blocking device is inserted first or if preparing the weapon to fire.
7. Carbines shall only be deployed when:
 - a. A high probability for the use of a deadly weapon exists.
 - b. A suspect has been reported to be wearing body armor.
 - c. A rapid deployment or active shooter situation exists.
 - d. An officer is positioned on a perimeter in a high-risk situation.
 - e. An officer is authorized by a supervisor.
8. Carbines shall be fully cleaned after being fired. Any maintenance problems shall immediately be brought to the attention of the Training Officer and the weapon will be taken out of service.
9. No modifications to the rate of fire or the trigger shall be made to any carbine unless authorized by the Chief of Police.
10. Any carbine stored within the station shall not have ammunition chambered and will be stored with a chamber-blocking device inserted.

D. Self-Purchased Rifles

1. Officers authorized by the Chief of Police or his designee to carry a carbine or self-purchased rifle may do so for use on-duty. The purchased rifle must be functionally similar to the Department owned carbines and approved by the Training Officer.
2. Officers carrying a self-purchased rifle must have received Departmental training or NEMRT training equivalent to the Department's 16-hour AR-15 Operator Course.
3. Officers carrying a self-purchased rifle must provide the make, model, and serial number to the Training Officer and qualify with the rifle prior to carrying it during the officer's tour of duty.
4. Only Department-authorized ammunition will be used in self-purchased rifles.
5. The officer shall bear all costs associated with the use and maintenance of the officer-owned rifle and related equipment.
6. Any rifle stored within the station shall not have ammunition chambered and will

be stored with a chamber-blocking device inserted.

- E. The Department will conduct mandatory long gun (carbine and rifle) qualifications once each calendar year for all officers authorized to carry these weapons.
 - 1. Long gun qualifications will be conducted by firearms instructors certified in the type of weapon for which an officer is qualifying.
 - 2. Officers are required to demonstrate proficiency during the qualifications by achieving a passing score on the Department qualification course.
 - 3. Officers are also required to demonstrate safe handling procedures for all long guns issued/owned for duty use during qualifications.

- F. Secondary Handguns
 - 1. Sworn officers may purchase, qualify with, and carry a secondary handgun for duty use only after the officer has demonstrated proficiency in handling and firing the weapon.
 - 2. Secondary handguns must be concealed and secured from accidental discharge, loss, or removal.
 - 3. Secondary handguns are to be loaded with Department approved ammunition.
 - 4. Officers are required to supply their own practice and qualification ammunition for secondary handguns.
 - 5. Secondary handguns are authorized as back-up weapons in those instances where an officer's primary weapon is lost or will not function. Whenever an officer is authorized to draw any handgun, the first choice shall be the duty handgun. This does not restrict any officer from using a secondary handgun as a first choice when justifiable circumstances exist.

- G. All firearms approved for carry shall be inspected by Department authorized firearms instructors during weapons qualifications. The inspection will be documented on the qualifications course sheet and forwarded to the Training Officer.

OPER.05.10 CARRYING OF HANDGUNS

- A. Officers shall carry the Department handgun, or approved handgun, while on duty, except as follows:
 - 1. When the officer is in the booking/jail area.
 - 2. When the officer is in any cell or interview room and a prisoner/suspect is present.
 - 3. When the presence of a handgun might jeopardize the outcome of a covert operation or investigation.
 - 4. Any other circumstances for which, in the opinion of supervisory personnel, render the requirement impractical.
 - 5. Special exceptions as deemed appropriate by the Chief of Police.

- B. Handguns are to be holstered and secure when carried on-duty, unless removed from their holster in the course of an officer's official duties.
- C. Handguns shall be carried fully loaded with a round in the chamber and a fully loaded magazine in the magazine well.

OPER.05.11 CARE AND MAINTENANCE OF DUTY HANDGUNS

- A. Officers shall regularly inspect their weapons to ensure that they are in proper working order, clean and free of signs of corrosion or deterioration.
- B. No officer shall carry any weapon that has been modified in any way without authorization from the Chief of Police or his designee.
- C. Officers are required to clean their weapons after practice or qualification. Cleaning of weapons must occur within 48-hours after a Department qualification or training. Weapons will be subject to inspection. Officers who practice on their own shall ensure that their duty and secondary weapons are cleaned prior to reporting for duty on their next scheduled workday.
- D. Duty weapons fired in deadly force situations, or by accident, will not be cleaned without authorization from the Chief of Police.
- E. Duty Weapons that are found to be unsafe or not functioning properly must be reported to a supervisor immediately. The weapon will be taken out of service and a replacement weapon issued. The supervisor shall notify the Training Officer of the weapon's defects.

OPER.05.12 SECURITY OF HANDGUNS

- A. Officers are responsible for the security of their handguns.
- B. Adequately securing handguns to ensure their safety when not in use shall include any of the following procedures:
 - 1. Use of a trigger lock
 - 2. Placing the handgun in a locked storage container
 - 3. Locking the holstered handgun in their Department locker.

OPER.05.13 OFF-DUTY HANDGUNS

- A. The Waukegan Police Department does not require its sworn officers to carry a handgun while off-duty. Those sworn officers that choose to carry a handgun while off-duty must keep it concealed and have police credentials with them.
- B. Officers electing to carry a handgun off-duty, outside of the City of Waukegan, must do so in compliance with the laws applicable to the where the Officer is located.

OPER.05.16 SPECIALIZED FIREARMS

- A. Specialized firearms include all of the weapons listed below:

1. Less-Lethal Shotgun
2. 40 mm Delivery System
3. Pepperball Delivery System

B. Less-Lethal Shotguns

1. Less-lethal shotguns stored in the police facility will have no ammunition chambered or in the magazine tube and shall have the breach and chamber exposed.
2. Less-lethal shotguns, while being carried in the police facility, will have no ammunition chambered or in the magazine tube. The breach and the chamber will be exposed. The less-lethal shotgun will be carried muzzle up, by the stock or sling. The only exception is on the range, at the direction of a firearms instructor.
3. Only Department-issued ammunition will be used in less-lethal shotguns.
4. Officers will utilize an ammo butt cuff and/or ammo sling to carry ammunition.
5. Spare less-lethal shotgun ammunition will be stored in the Training Division and may be obtained from the Training Officer.
6. Less-lethal shotguns will be loaded, inspected, and unloaded by sworn personnel at the police vehicle or the range, exercising due caution, using the proper safety and loading procedures, and must be witnessed by another officer to ensure the loading of proper ammunition.
7. While locked in the police vehicle rack or stored in the trunk of a police vehicle, no ammunition will be chambered, the magazine tube will be fully loaded, the safety will be on, and the weapon will not be cocked.
8. Less-lethal shotguns will be removed from police vehicles by the person assigned the weapon at the end of each tour of duty.
9. Any damaged or non-functioning less-lethal shotgun will be reported to the Training Officer and immediately removed from service.
10. At no time is normal shotgun ammunition (slug or buckshot) allowed within the police facility, the range, squad cars, lockers, or duty bags.
11. Only Department-owned less-lethal shotguns are authorized for use.

C. 40mm Less-Lethal Delivery System

1. Only officers selected by the Chief of Police, who are trained and qualified in their use, are authorized to deploy the 40mm less-lethal delivery system.
2. Only 40mm less-lethal delivery system devices owned and issued by the Department will be used.
3. While in the police facility, the 40mm less-lethal delivery system will be stored in the equipment issue room or range armory.

4. 40mm less-lethal delivery systems stored in the police facility shall have no ammunition chambered.
5. Any damaged or non-functioning 40mm less-lethal delivery system will be reported to the Training Officer and immediately removed from service.

D. Pepperball Delivery System

1. Only officers selected by the Chief of Police, who are trained and qualified in their use, are authorized to deploy the Pepperball delivery system.
2. Only Pepperball delivery systems owned and issued by the Department will be used.
3. While in the police facility, the Pepperball delivery system will be stored in the equipment issue room or range armory.
4. Pepperball delivery systems stored in the police facility shall have no ammunition chambered.
5. Any damaged or non-functioning Pepperball delivery system will be reported to the Training Officer and immediately removed from service.

- E. All officers certified with less-lethal weapons, shall be recertified at least once each calendar year for those weapons they are authorized to carry.

OPER.05.17 ANNUAL ANALYSIS

Supervisory staff shall conduct an analysis of all use of force reports at the time of the incident. The Office of Professional Standards will review all uses of force on an annual basis and report to the Use of Force Committee any trends or patterns that reveal training or policy modification needs.

This order supersedes all previous written and unwritten policies of the Waukegan Police Department on the above subject.

By order of:



Wayne Walles
Chief of Police