



PRE-ELECTION UPDATE:

Response to Crowds, Protests, and Civil Disturbances

The City of Chicago and Chicago Police Department support safe and lawful First Amendment activity and the right to free speech and expression. In anticipation of Tuesday's election and potential increase in related First Amendment activity, the Chicago Police Department (CPD) has taken several measures to increase focus on constitutional policing when responding to large group gatherings, protests, and civil disturbance:

- On November 2, 2020, CPD is scheduled to issue Department Notice D20-08, *Reporting the Response to Crowds, Protests, And Civil Disturbances*. This policy is an interim update designed to ensure CPD is prepared for the possibility of demonstrations in the coming days. The policy outlines the use of force reporting requirements when CPD is deployed in response to crowds, protests, and civil disturbances.
- CPD has undergone updated department-wide refresher training on protest-related issues, such as First Amendment fundamentals, safety, crowd control measures, prevention of property destruction, video recording of officers and related matters.
- CPD members have been reminded that **all current policies**—including those related to use of force, using de-escalation techniques, mask and other COVID-19 protocols, and permissible First Amendment activity—**remain applicable when responding to a protest**.

The public is encouraged to review and familiarize themselves with CPD's policies, available on [CPD's Directives System](#), to help ensure safe and lawful interaction. Below, we highlight specific protest-related issues we encourage the public to consider.

When are CPD members permitted to use physical force against crowds?

- CPD members are only permitted to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to ensure the safety of a member or third person, stop an attack, make an arrest, control a person, or prevent escape.
- Although batons are considered less-lethal weapons, they can cause serious injury or death. Members are not permitted to use batons to intentionally strike a person in the head or neck except when deadly force is justified. Additional details on when the use of batons is permissible is detailed in General Order G03-02-07, *Baton Use Incidents*.
- Chemical agents (including Oleoresin Capsicum (OC) Devices) may only be used in certain circumstances.
- Additional details can be found in General Order G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*.



Will there be records of which CPD members responded to a protest?

- Field supervisors will be required to submit an ICS-211, *Incident Check-In Form* (CPD-11.301), prior to deployment. This form contains information such as the responding members' names, star numbers, deployment assignments, location and time of the incident, the size of the crowd, whether CPD officers were wearing body-worn cameras, whether there were injuries to civilians, any de-escalation efforts attempted, and more.
- Members assigned with bodyworn cameras will activate the cameras when taking law enforcement action, such as issuing a dispersal order, using force, or making an arrest. Additional details can be found in Special Order S03-14, *Body Worn Cameras*.
- Members are not permitted to conceal identifying parts of the prescribed uniform or wear unauthorized uniform items or equipment. Additional details can be found in the Department directive titled, *Uniform and Appearance Standards*.

What if a crowd is ordered to disperse?

- CPD members are not permitted to disrupt, interfere with, or harass any person engaged in First Amendment Conduct for the purpose of punishing, retaliating, or preventing the person from exercising his or her First Amendment rights, as is detailed in General Order G02-02, *The First Amendment and Police Actions*. Field supervisors may, however, issue orders for crowds to disperse for public safety reasons.
- Dispersal orders will be made audibly, and, when safe and feasible, with amplified sound.
- When a dispersal order is given, CPD will identify dispersal routes to leave the area.

Who from CPD is designated to respond to crowds, protests, and civil disturbances?

- CPD's response to crowds, protests, and civil disturbances will be directed by a field supervisor.
- Squads of CPD officers (meaning a group of up to ten officers) supervised by a sergeant or officer of higher rank may be deployed. Groups of squads, typically up to six squads, are called platoons and are led by an officer of rank of lieutenant or above.
- CPD's Critical Incident Response Team, a group of Department members specially trained in engaging community members at large events, will also respond as necessary.

How will uses of force by CPD members be documented?

- If force is used on an individual, CPD members are required to complete a Tactical Response Report ("TRR") (CPD-11.377), as required by General Order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report*. Examples of uses of force requiring the completion of a TRR include a punch or kick to a person, use of a baton as a weapon on an individual, use of chemical spray, use of a Taser, or use of a firearm by discharging it or using it to strike a person.
- CPD members must immediately notify the Office of Emergency Management and Communications ("OEMC") if the member is involved in a reportable use of force, as required by General Order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report*.
- Complaints of excessive use of force will continue to be investigated by the Civilian Office of Police Accountability ("COPA").

November 2, 2020