Chicago Police Department

BATON USE INCIDENTS

General Order G03-02-07

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I. PURPOSE

This directive outlines the policy governing the field use of batons, which includes the use of expandable batons, wooden batons, and improvised impact weapons.

II. POLICY

A. **Sanctity of Human Life.** The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved. A member's decision to utilize a baton will be made in accordance with *G03-02,* "De-escalation, Response to Resistance, and Use of Force."

B. **De-Escalation.** Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time, in accordance with G03-02, "De-escalation, Response to Resistance, and Use of Force." *Department members will continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.*

C. ***Response to Resistance and Use of Force.*** *As defined in G03-02, "*De-escalation, Response to Resistance, and Use of Force:*"*

1. *Department members' use of a baton must be objectively reasonable, necessary, and proportional under the totality of the circumstances, including using the minimum amount of force needed under the circumstances.*

2. *Department members will continually assess the necessity of the use of a baton and whether alternatives may be employed, including the use of de-escalation techniques, other response options, and availability of other resources.*

D. ***Authorized Use***. Consistent with *G03-02-01,* "Response to Resistance and Force Options," Department members are authorized to use a baton as a force option for the following *persons*:

1. Batons are authorized force options against an **assailant** as an impact weapon.

2. Batons are authorized force options against **passive and active resisters** only as a control instrument placed mainly on the sensors of the skin covering bone or applied to joints and pressure sensitive areas of the body with non-impact pressure.

E. **Restrictions.** Batons can cause serious injury or death. For the safety of everyone involved, the following additional restrictions apply:

1. **Head and Neck Strikes.** Members will not use batons to intentionally strike a *person* in the head or neck except when deadly force is justified.

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2. **Persons Vulnerable to Injury from Batons.** Batons will not be used as an impact weapon on a *person* who is *observed to be or overtly appears to be* at greater risk of serious injury or death from baton use, unless the *person* is defined as an **assailant** and other force options are not readily available or would otherwise be ineffective *under the circumstances at the time*.

NOTE: People who are at a greater risk of serious injury or death from baton use include, but are not limited to, children, pregnant women, the elderly, *people with low body mass, people in medical distress, people with a preexisting medical condition that may become aggravated, or people exhibiting symptoms of a behavioral or mental health crisis that causes them to be in medical distress.*

3. **Improvised Impact Weapon.** For the purpose of this directive, the use of an improvised impact weapon (e.g., flashlights, radios, firearms as an impact weapon, and any other blunt object that can be used as an impact weapon) will be considered a baton use incident. Department members will avoid the use of improvised impact weapons unless reasonably necessary and no other practical options are available.

F. **Justify Separate Uses of Force.** When a member's baton use is a reportable use of force, the initial use of a baton and each subsequent use of a baton must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force.

G. Department members will refer to *U04-02-02,* **"**Control Devices and Instruments**"** for specific procedures on baton protocols including training, assignment, manner of carry, and accountability.

H. ***First Amendment Assemblies***. *Department members will adhere to G02-02,* "First Amendment Rights," *when responding to incidents involving noncompliant groups or crowds engaged in a First Amendment assembly.*

III. CONDITIONS ON THE FIELD USE OF A BATON

A. **Authorized Manner of Use.** When it is safe and feasible to do so, a member who is utilizing a baton will:

1. give verbal commands and warnings prior to, during, and after use, including informing other Department members on the scene of the use.

2. allow a *person* a reasonable amount of time to comply with a warning prior to using or continuing the use of a baton, unless doing so would compromise the safety of an officer or another person.

3. for use as an impact weapon, target the center mass of large muscle groups to establish control by means of applying mechanical impact to a *person* to disable elements of his or her musculoskeletal structure, including the attacking delivery system.

4. when possible, avoid intentionally striking a *person* in the kidneys, spine, or genitalia.

B. **Requesting Supervisor.** As soon as practical, a member who has used or anticipates use of a baton as an impact weapon or when an injury has occurred during the use of a baton will request a supervisor respond to the scene.

IV. POST-USE RESPONSIBILITIES FOR REPORTABLE USES OF FORCE

A. **Utilizing Member.** When a member's baton use is a reportable use of force, immediately upon gaining control and restraining the *person*, the utilizing member will:

1. request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if the *person* appears to be in a physical distress or complains of injury, or when the *person* sustained a strike to the head or neck from a baton.

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2. *if the person appears to be injured or complains of injury, provide medical aid as soon as reasonably practical, consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).*

3. notify the Office of Emergency Management and Communications (OEMC).

NOTE: If a member's reportable use of a baton occurs outside the City of Chicago, the member will also notify the law enforcement agency having jurisdiction and the Chicago Police Department's Crime Prevention and Information Center (CPIC).

4. complete a Tactical Response Report (TRR) (CPD-11.377) for the baton use consistent with the procedures outlined in *G03-02-02,* "Incidents Requiring the Completion of a Tactical Response Report."

5. complete the appropriate case report and other required reports and submit the reports to the immediate supervisor for review and approval.

B. **Office of Emergency Management and Communications (OEMC)**. OEMC will immediately notify the:

1. involved member(s) immediate supervisor.

2. field supervisor and the watch operations lieutenant from the district of occurrence.

C. **Reviewing Supervisor.** When notified that a member used a baton as an impact weapon or an injury has occurred, the assigned reviewing supervisor will:

1. respond immediately to the scene and assume command and oversight of the scene unless relieved by a higher-ranking supervisor.

NOTE: When the utilizing member's immediate supervisor is unavailable, the watch operations lieutenant will assign a reviewing supervisor from the district of occurrence.

2. ensure the scene is protected and processed in accordance with *G04-02,* "Crime Scene Protection and Processing," including determining whether to request an evidence technician to process the scene.

3. request the *Street Deputy* to respond to all baton use incidents that *constitute deadly force or* result in a potential life-threatening injury or death.

4. if a death has occurred as a result of the baton use, ensure the appropriate Forensic Services Division and Bureau of Detectives personnel are requested.

5. review the utilizing member's TRR and complete the appropriate section of the TRR consistent with the procedures outlined in *G03-02-02,* "Incidents Requiring the Completion of a Tactical Response Report."

D. **Investigating Supervisor.** The watch operations lieutenant, or assigned investigating supervisor the rank lieutenant of above *designated as the watch operations lieutenant*, from the district of occurrence will:

1. ensure that a supervisor at least one rank higher than the utilizing member responds to the scene of the baton use when such a supervisor is available and injury has occurred.

a. *If a supervisor used a baton as an impact weapon and an injury has occurred, the watch operations lieutenant (WOL) of the district of occurrence may designate another supervisor of the same rank or higher than the involved supervisor to perform the field and other responsibilities of the reviewing supervisor (e.g., on-scene response, crime scene processing, canvass for witnesses, case reporting requirements, notifications).*

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b. *If this designation occurs, the WOL will document the supervisor who performed the actions and the information provided by the designated supervisor in the "Reviewing Supervisor" section of the TRR*.

2. for incidents which do not require the presence of the *Street Deputy*, investigate the incident, review the utilizing member's TRR, and document the investigation of the incident on the TRR-I consistent with the procedures outlined in *G03-02-02,* "Incidents Requiring the Completion of a Tactical Response Report."

E. ***Street Deputy.*** In all baton use incidents that result in a potential life-threatening injury or death, the *Street Deputy* will:

1. proceed to the scene, assume command of the scene, and personally conduct a complete an through investigation of the incident.

2. ensure that all tasks delineated for subordinate personnel are performed.

3. review the utilizing member's TRR and complete the appropriate section of the TRR-I consistent with the procedures outlined in *G03-02-02,* "Incidents Requiring the Completion of a Tactical Response Report."

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

Fred L. Waller
Interim Superintendent of Police

T22-094 MWK/TSS

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