

DEPARTMENT OF LAW **MEMORANDUM**

TO:

Judge Arlander Keys

FROM: Stephen R. Patton, Jane Elinor Notz

DATE: October 6, 2016

RE:

response to letter of Judge Arlander Keys dated October 3, 2016

This memorandum is submitted in response to your letter dated October 3, 2016. Thank you for the opportunity to address in writing the answers provided during the teleconference held on Thursday, September 29, 2016 regarding the Chicago Police Department's compliance with Section II.3 of the Investigatory Stop and Protective Pat Down Settlement Agreement ("Agreement").

During the September 29 teleconference, we discussed the requirements of Section II.3 in chronological order, and this memorandum will follow the same format.

Section II.3 provides that "CPD shall establish and enforce policies providing for continuous district-level supervisory review and quarterly or semi-annual department-level audits of CPD's investigatory stop and protective pat down practices." Sections II.3(a) through (c) set forth the specific "policies and procedures" that CPD is required, under the Agreement, to establish.1

¹Section II.3 of the Agreement provides that CPD shall establish and enforce the policies set forth therein "[b]y January 1, 2016." As you may recall, prior to January 1, 2016, CPD published Special Order S04-13-09, entitled "Investigatory Stop System," and introduced officers to the new Investigatory Stop System at 178 roll calls. Between January and May 27, 2016, CPD provided eight hours of training on the Investigatory Stop System to its nearly 12,000 officers. Following the completion of the training, CPD's Integrity Section, a new unit, turned its full attention toward further establishing and enforcing the policies required by Section II.3 and, as this memorandum will explain, has made and continues to make substantial progress on this front

Section II.3(a)

Section II.3(a) requires that CPD establish and enforce policies providing for "[c]ontinuous review by police district supervisors of all individual Investigatory Stop Reports to determine whether they state legal grounds for the investigatory stop and/or any protective pat down." These policies are established in Section VIII.C.1 of Special Order S04-13-09, which sets forth the responsibilities of reviewing supervisors (usually sergeants) to review and approve or reject all investigatory stop reports ("ISRs") before the end of their tour of duty. (A copy of Special Order S04-13-09 is attached as Exhibit A.) As you may recall, Special Order S04-13-09 was submitted to your Honor and the ACLU for review and comment prior to publication.

If a reviewing supervisor determines that an ISR does not articulate reasonable articulable suspicion ("RAS") for the investigatory stop or protective pat down, the supervisor must inform the ISR's author and complete an ISR Deficiency Notification, which is an automated form available through the ISR database and used to record the supervisor's determination that an ISR is deficient. (A copy of an ISR Deficiency Notification is attached as Exhibit B.)

If the reviewing supervisor determines that an ISR cannot be corrected, the supervisor places the ISR in "Deficiency Rejection Review" status in the Investigatory Stop Database ("ISR Database").² At that point, the Integrity Section, a new unit within CPD, reviews the ISR and makes its own determination regarding whether the ISR complies with CPD policy or is deficient. The Integrity Section uses the automated ISR Deficiency Notification form to report its findings to the ISR author and the author's supervisor. In some cases, particularly if the reviewing supervisor seems uncertain about the proper disposition, the Integrity Section emails its findings directly to the supervisor. In cases where the Integrity Section concludes that the ISR is deficient, the supervisor uses the automated ISR Deficiency Notification form to record the corrective actions taken. Because the ISR Deficiency Notification form is automated, any information recorded on that form, including by the reviewing supervisor and the Integrity Section, is archived in the ISR Database.

Section VIII.C.3 of Special Order S04-13-09 sets forth the responsibilities of executive officers (usually captains) to conduct monthly internal audits and to report on their findings to their commanding officers. The Integrity Section conducted training for 25 executive officers on July 28, 2016 on their duty to prepare monthly audits. (The PowerPoint presentation used to train executive officers is attached as Exhibit C.) The Integrity Section will repeat this training

² Between January and October 2016, reviewing supervisors placed 406 ISRs in "Deficiency Rejection Review" status.

session for recently promoted executive officers before the end of 2016. The executive officers began providing their monthly reports in July 2016 (covering the month of June 2016) to the Integrity Section for review and comment. For each monthly audit, the executive officer is instructed to review a random sample (10%) of all ISRs for that month and make a determination whether any are deficient. They must list the ISRs they reviewed, which they determined to be deficient and why, and what they did to address any deficiencies.

Section II.3(b)

Section II.3(b) requires that CPD establish policies and procedures for "[q]uarterly or semi-annual audits by CPD headquarters staff of CPD investigatory stop and protective pat down practices." The required content of these audits is described in Subsections II.3(b)(i) through II.3(b)(iii).

Section II.3(b)(i)

Section II.3(b)(i) requires that the audits shall include examination of "the narrative sections of a statistically representative sample of individual Investigatory Stop Reports to determine whether they state legal grounds for the investigatory stop and/or protective pat down."

This function is being accomplished in two ways. First, beginning in June 2016 (after completion of the eight-hour training course on May 27, 2016), each day the Integrity Section reviews a random sample of approximately 10% of all ISRs that have been placed by reviewing supervisors in "Approved" status in the ISR Database to confirm that they appropriately document RAS for the investigatory stop and any protective pat down and are otherwise completed correctly. To date, the Integrity Section has reviewed 4909 approved ISRs and determined that 580 were deficient. The Integrity Section uses an Investigatory Stop Audit Report to record its findings that an ISR was approved in error and to notify the ISR author and reviewing supervisor of its findings. (A copy of the Investigatory Stop Audit Report is attached as Exhibit D.)³ The reviewing supervisor uses the Investigatory Stop Audit Report to report to the Integrity Section regarding the corrective actions taken.

³Unlike the ISR Deficiency Notification, the Investigatory Stop Audit Report is not, at present, an automated form. Accordingly, information recorded on an Investigatory Stop Audit Report is not archived in the ISR Database. CPD has begun efforts to modify the ISR Database to automate the Investigatory Stop Audit Report; however, those efforts will take several months, and involve substantial costs, to complete. Until that time, information recorded on the Investigatory Stop Audit Report is being maintained in paper files.

Second, at the request of the Corporation Counsel, Charles Sklarsky, who previously served as the Deputy Chief of Criminal Litigation and the Chief of Criminal Receiving and Appeals with the Office of the United States Attorney for the Northern District of Illinois and who currently is a partner with Jenner & Block, has assembled a team of more than fifteen partners to review the more than 4000 ISRs that your Honor's expert, Dr. Taylor, identified as a statistically significant sample of ISRs submitted during the first reporting period. Several of the Jenner partners on Sklarsky's team have substantial criminal law experience, including prosecutorial experience, and each received training on the standards and procedures for conducting the review. Review of the ISRs is ongoing and expected to be completed this month. Jenner's review is focusing on whether each ISR, when read as a whole, establishes RAS for the stop and any protective pat down. At the conclusion of their review, Jenner will provide a report of their findings. Jenner has committed to providing its report no later than October 31, 2016. Jenner is undertaking this review on a pro bono basis and at no cost to the City or its taxpayers.

Section II.3(b)(ii)

Section II.3(b)(ii) requires that the audits shall include examination of "records of supervisory corrections or rejections of Investigatory Stop Reports to identify officers who repeatedly fail to document investigatory stops and/or protective pat downs, or who conduct investigatory stops and/or protective pat downs without the requisite reasonable suspicion."

As discussed above, the Integrity Section reviews all ISRs that a reviewing supervisor has determined cannot be corrected and placed in "Deficiency Rejection Review" status in the ISR Database, as well as a random sample of 10% of all ISRs placed into "Approved" status in the ISR Database. The Integrity Section utilizes this review to identify those Department members, both ISR authors and reviewing supervisors, who repeatedly submit deficient ISRs or repeatedly approve ISRs in error. In such cases, the Integrity Section reviews that member's entire ISR history to determine whether corrective action is warranted.

The Integrity Section also undertakes special projects designed to identify circumstances in which a Department member should have, but did not, complete an ISR. Recently, the Integrity Section reviewed all arrest reports associated with gun and robbery charges that were submitted from June through August 2016 to check whether ISRs were completed, if necessary. Based on its review of these 1184 reports, the Integrity Section determined that in 187 arrests an ISR should have been completed but was not. In each of the 187 cases, the Integrity Section notified both the author of the arrest report and reviewing supervisor, using the ISR Oversight Observation Report. (A copy of the Investigatory Stop Report Oversight Observation Report is attached as Exhibit E.) The supervisors were required to use

the ISR Oversight Observation Report to report in writing to the Integrity Section regarding the corrective actions taken.

Section II.3(b)(iii)

Section II.3(b)(iii) requires that the audits shall include examination of "CPD documentation of civilian and internal complaints relating to investigatory stops and/or protective pat downs."

CPD's Bureau of Internal Affairs provides the Integrity Section with documentation regarding any civilian or internal complaints that are determined to be ISR-related. The Integrity Section reviews these materials for purposes of making recommendations regarding improvements, corrective actions, and ways to diminish the number of complaints received regarding investigatory stops.

CPD identified 57 complaints filed between January and September of 2016 that are ISR-related. None involved the same accused officer. Twenty-nine complaints were closed without questioning the accused officer because the investigating officer was not able to obtain a sworn affidavit from the complainant averring that the complaint is true (e.g., "Closed/No Conversion"). Seven complaints were closed after an investigation by the Department resulted in finding that the allegations were unfounded or discipline otherwise was not warranted (e.g., "Closed/Final"). Six complaints were "Administratively Closed" by the command staff of CPD's Bureau of Internal Affairs based on a determination that the complaint was not suitable for investigation, usually because the allegations in the complaint did not describe a violation of Law or Department policy. In appropriate cases, the command staff referred the "Administratively Closed" complaint to CPD's Human Resources division for further action, such as counseling. The remaining fifteen complaints are still under investigation.

Section II.3(c)

Section II.3(c) requires "[t]he establishment of re-training, enhanced supervision, or discipline of officers who engage in unlawful investigatory stops and/or protective pat downs or violate CPD policies or procedures governing these practices," and that "[t]here shall be written documentation of all such re-training, enhanced supervision, or discipline."

As explained, the Integrity Section has identified and continues to identify those Department members who have either repeatedly submitted deficient ISRs or who have repeatedly approved ISRs in error and therefore are in need of re-training or other corrective action. The Integrity Section has identified approximately 15 such individuals so far, and CPD intends to conduct additional training for these individuals before the end of this year.

As you may recall, when CPD's Investigatory Stop System became effective on January 1 of this year, it worked a substantial change to the Department's practices relating to the documentation of investigatory stops and protective pat downs, and a number of Department members expressed concern that they would be subject to discipline for honest mistakes made as they adjusted to the new practices. In a written message transmitted to all Department members and in a video presentation shown at roll calls, Interim Superintendent John Escalante and Superintendent Eddie Johnson assured Department members that they would not be disciplined for honest mistakes made as CPD transitioned to the new system. (A copy of the "PAX 501" message transmitted Department-wide is attached as Exhibit F, and the video is available for viewing.) Although Department members who intentionally violate CPD policy are candidates for discipline, CPD has not identified any deficiencies thus far that rise to that level; accordingly, the deficiencies identified are being and will be corrected through re-training and enhanced supervision.

In addition, CPD continues to provide Department-wide information and training regarding investigatory stops. In July 2016, CPD launched the Integrity Section Website ("Website") where officers can access additional information – including the video presentation by the Superintendent, copies of CPD training and bulletins, and answers to frequently asked questions – about CPD's policies and procedures relating to investigatory stops. The Website also serves as the entry to "AskISR," where officers may email their questions directly to the Integrity Section for response, usually within one day.

And, during late 2016, the Integrity Section plans to conduct a training session at each roll call entitled "A Refresher and Further Guidance Regarding Investigatory Stops." The training will address issues that you have identified, including the distinction between a protective pat down and a custodial search as well as the fact that an ISR is not necessary where an officer undertakes a law enforcement action based on probable cause. The training also will provide examples of both good and deficient ISRs. The training materials are currently being prepared and will be provided to you and the ACLU for review and comment before the training is rolled out.

Again, thank you for the opportunity to address these important issues in writing. We also welcome the opportunity to provide the documentation you requested in your letter dated October 3, 2016, and we appreciate your patience as we gather that documentation and prepare it for production. We plan to provide the documentation on or before the following dates:

- 1. In response to your first request, we will provide a copy of Jenner & Block's report upon receipt by the City. As explained, Jenner and Block has committed to providing the City with its report on or before October 31, 2016.
- 2. In response to your second request, we plan to gather and provide responsive documents on or before October 21, 2016.
- 3. In response to your third request, we have gathered and plan to provide responsive documents on or before Tuesday, October 11, 2016. Please note that, under the Agreement, the City's duty to provide the Consultant with "civilian complaints and disciplinary files regarding investigatory stops and protective pat downs" is "subject to any limitations contained in federal and state law and collective bargaining agreements." Consistent with the Illinois Freedom of Information Act (which exempts from disclosure personal and private information) and the City's collective bargaining agreements with its police unions (which protect an officer's identity from disclosure except where required by law), we intend to redact certain information (such as the name and identifying information of complainants, non-police witnesses, and accused officers) from these documents before producing them. We do not believe that these redactions will interfere with your review of them. However, if you conclude otherwise, we will revisit this approach.
- 4. The documents that we will produce in response to your second request, as well as the practices and procedures described in this memorandum and its attachments, are responsive to your fourth request insofar as that request seeks information regarding the establishment and written documentation of re-training and enhanced supervision for Department members who engage in unlawful investigatory stops and/or protective pat downs, or violate CPD policies or procedures governing these practices. As explained, the Department's policy during this transition period is to address honest errors through training and supervision rather than punishment.

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INVESTIGATORY STOP SYSTEM

ISSUE DATE:	10.1			-
ISSUE DATE:	10 June 2016	EFFECTIVE DATE:	10 June 2016	
RESCINDS:	22 March 2016 Version			
INDEX CATEGORY:	Preliminary Investigations		2000	

I. PURPOSE

This directive:

- A. introduces the Investigatory Stop System to replace the Contact Information System.
- B. ensures compliance with the rights guaranteed to the public under the United States Constitution, the State of Illinois Constitution, and the law.
- C. delineates the authority and circumstances necessary for conducting an Investigatory Stop.
- D. delineates the use of the Investigatory Stop System for the documentation of Investigatory Stops, Protective Pat Downs or other searches resulting from stops, and the enforcement of the Gang and Narcotics-Related Loitering Ordinances.
- E. discontinues the use of the hard copy Contact Information Card [CPD-21.101(Rev. 8/06)] and the hard copy Juvenile Contact Information Card [CPD-21.102(Rev. 8/06)].
- F. introduces the use of:
 - the hard copy investigatory Stop Report (<u>CPD-11.910</u>).
 - Investigatory Stop Database that replaces the Contact Information Database.
 - Investigatory Stop Receipt (<u>CPD-11.912</u>).
 - Investigatory Stop Pocket Guide (<u>CPD-11.913</u>).
 - Investigatory Stop Report Deficiency Notification (<u>CPD-11.914</u>).
- G. discontinues the use of Investigatory Stop Receipt [CPD-11.912 (1/16)] and introduces the use of Investigatory Stop Receipt [CPD-11.912 (Rev. 6/16)].
- H. delineates responsibilities and procedures for:
 - entering and maintaining Investigatory Stop Reports into the Investigatory Stop Database.
 - completing hard copy Investigatory Stop Reports.
 - accessing information from the Investigatory Stop Database.
- maintains the requirement for sworn members who complete the hard copy version of the Investigatory Stop Report to enter the data documented on the hard copy into the Investigatory Stop Database.
- J. continues the requirement for sworn members to document, in the appropriate field, location of occurrence by using the appropriate Incident Reporting Guide (CPD-63.451) location codes.
- K. establishes management responsibility for field supervisors approving Investigatory Stop Reports including review, training, and accountability for proper use and entry of Investigatory Stop Reports by their subordinates.
- L. satisfies CALEA Law Enforcement Standard Chapter 1.

II. DEFINITIONS

For the purposes of this directive, the following definitions apply:



A. <u>Investigatory Stop</u> - The temporary detention and questioning of a person in the vicinity where the person was stopped based on Reasonable Articulable Suspicion that the person is committing, is about to commit, or has committed a criminal offense. The suspect may be detained only for the length of time necessary to confirm or dispel the suspicion of criminal activity. The temporary detention and questioning of a person for the purpose of enforcement of the Gang and Narcotics-Related Loitering Ordinances is an Investigatory Stop.

An Investigatory Stop is not a voluntary contact. A voluntary contact is a consensual encounter between an officer and a person during which the person must feel free to leave the officer's presence. An officer may approach any person at any time for any reason on any basis. However, absent reasonable suspicion or probable cause, that person must be free to walk away at any time. An officer's ability to articulate that no factors existed that would make a reasonable person perceive they were not free to leave is important. The following are some factors the court may consider to determine whether or not a consensual encounter has elevated to an Investigatory Stop or an arrest:

- 1. Threatening presence of several officers;
- 2. Display of a weapon by an officer;
- 3. Use of language or tone of voice indicating that compliance with the officer's request might be compelled;
- 4. Officer blocks a person's path; or
- Choice to end the encounter is not available to the person.
- B. Protective Pat Down A limited search during an Investigatory Stop in which the sworn member conducts a pat down of the outer clothing of a person for weapons for the protection of the sworn member or others in the area. If, during a Protective Pat Down of the outer clothing, the sworn member touches an object which the sworn member reasonably believes is a weapon, the sworn member may reach into that area of the clothing and retrieve the object. A Protective Pat Down is not a general exploratory search for evidence of criminal activity.
- C. Reasonable Articulable Suspicion Reasonable Articulable Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulable Suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn based on the sworn member's training and experience. Reasonable Articulable Suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion.

Reasonable Articulable Suspicion should be founded on specific and objective facts or observations about how a suspect behaves, what the subject is seen or heard doing, and the circumstances or situation in regard to the suspect that is either witnessed or known by the officer. Accordingly, Reasonable Articulable Suspicion must be described with reference to facts or observations about a particular suspect's actions or the particular circumstances that an officer encounters. The physical characteristics of a suspect are never, by themselves, sufficient. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the suspect.

- 1. For Investigatory Stops, a sworn member must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense.
- For a Protective Pat Down, a sworn member must possess specific and articulable facts, combined with rational inferences from these facts, that the suspect is armed and dangerous or reasonably suspects that the person presents a danger of attack to the sworn member or others in the area.

NOTE:

An Investigatory Stop and a Protective Pat Down are two distinct actions—both require independent, Reasonable Articulable Suspicion (i.e., to stop a person there must be reasonable suspicion of criminal activity, and to stop a person and perform a Protective Pat Down of the person, there must be reasonable suspicion of criminal activity and reasonable suspicion that the person is armed and dangerous or presents a danger of attack).

D. Plain Touch Doctrine – When a sworn member is conducting a lawful Protective Pat Down of a suspect's outer clothing for weapons and encounters an object that, based upon their training and experience, the sworn member believes that the object is contraband, the sworn member may seize the item without a warrant. The object may not be manipulated in order to determine the identity of the object.

III. POLICY

- A. The Investigatory Stop System is one of the ways the Chicago Police Department, as part of and empowered by the community, ensures that we protect the public, preserve the rights of all members of the community, and enforce the law impartially. Adherence to this policy allows the Department to serve all citizens equally with fairness, dignity, and respect, and to uphold our pledge to not use racial profiling and other bias-based policing.
- B. Department members are responsible for ensuring public safety by deterring and responding to crime. They are also responsible for upholding the rights guaranteed to the public under the United States Constitution, the State of Illinois Constitution, and the law. Safeguarding the liberties of the public and preventing crime are not mutually exclusive; each can be achieved by fostering trust and confidence between Department members and the public. Members will comport with the policy and procedures of this order to ensure appropriate conduct when interacting with members of the public.
- C. Sworn members who conduct an Investigatory Stop are required to complete an Investigatory Stop Report.
- D. The reasons for completing the Investigatory Stop Report is to ensure:
 - sworn members document the facts and circumstances of an Investigatory Stop, including a statement of the facts establishing Reasonable Articulable Suspicion to stop an individual;
 - sworn members document the facts and circumstances of a Protective Pat Down or other search, including a statement of the facts establishing Reasonable Articulable Suspicion to pat down an individual for potential weapons;
 - appropriate Investigatory Stop, Protective Pat Down, or other search information is entered and retained within the Investigatory Stop Database; and
 - supervisors review the facts and circumstances of Investigatory Stops, Protective Pat Downs, or other searches.
- E. Department members will not engage in <u>racial profiling or other bias-based policing</u> when conducting Investigatory Stops as delineated in the Department directive entitled <u>"Prohibition Regarding Racial Profiling and Other Bias-Based Policing."</u>
- F. Department members interacting with the public will use <u>Legitimacy and Procedural Justice</u> principles. The goal is to strengthen the police-community relationship through contact, which ultimately improves officer safety while reducing crime and disorder.

IV. ILLINOIS STATE LAW

A. 725 ILCS 5/107-14 delineates the authority for conducting an Investigatory Stop. The statute reads as follows:

"Temporary questioning without arrest. A peace officer, after having identified himself as a peace officer, may stop any person in a public place for a reasonable period of time when the officer reasonably infers from the circumstances that the person is committing, is about to commit or has committed an offense as defined in Section 102-15 of this Code, and may demand the name and

address of the person and an explanation of their actions. Such detention and temporary questioning will be conducted in the vicinity of where the person was stopped."

B. 725 ILCS 5/108-1.01 delineates the authority for conducting a Protective Pat Down during an Investigatory Stop. The statute reads as follows:

"Search during temporary questioning. When a peace officer has stopped a person for temporary questioning pursuant to Section 107-14 of this Code and reasonably suspects that he or another is in danger of attack, he may search the person for weapons. If the officer discovers a weapon, he may take it until the completion of the questioning, at which time he shall either return the weapon, if lawfully possessed, or arrest the person so questioned."

NOTE: In this context the word "search" refers to a Protective Pat Down.

V. GUIDELINES FOR INVESTIGATORY STOPS

Pursuant to Illinois statutory law and U.S. Supreme Court rulings:

- A. An officer may conduct an Investigatory Stop if it is based on specific and articulable facts which, combined with rational inferences from these facts, give rise to Reasonable Articulable Suspicion that criminal activity is afoot. The sole purpose of the temporary detention is to prove or disprove those suspicions.
- B. During an Investigatory Stop, subjects may be asked to identify themselves and to provide an explanation for their actions; however, a failure to do so is not, in and of itself, an arrestable offense or grounds for further detention, and a subject may choose not to answer any of the officer's questions.
- C. Police are not required to give Miranda warnings when conducting on-the-scene questioning during the fact-gathering process.

VI. AUTHORITY TO PERFORM A PROTECTIVE PAT DOWN DURING AN INVESTIGATORY STOP

- A. Pursuant to Terry v. Ohio and People v. Galvin, authority to perform a Protective Pat Down is limited to the following:
 - When an officer has detained a subject based upon Reasonable Articulable Suspicion that criminal activity is afoot and, during that detention, develops additional Reasonable Articulable Suspicion that the subject is armed and dangerous or reasonably suspects that the person presents a danger of attack to the officer or another, the officer may conduct a Protective Pat Down of the outer clothing of the subject for hard objects that could be used as weapons. The Protective Pat Down is only for the purpose of officer and citizen safety; it is not to search for evidence.
 - 2. During a Protective Pat Down of the outer clothing of the subject, the officer may not go into the pockets of the subject or reach underneath the outer surface of the garments. If during the Protective Pat Down of the outer clothing, the officer touches an object which the officer believes is a weapon, the officer may reach into that area of the clothing and retrieve the object.

NOTE:

Protective Pat Downs will be conducted by a member who is the same gender as the person that is the subject of the Investigatory Stop. If a member of the same gender is not immediately available, officer and public safety is compromised, and it is imperative that an immediate search be conducted, members will not endanger themselves or the public to comply with this requirement. Members will exercise caution when patting down outer garments of persons of the opposite sex.

- B. Pursuant to Minnesota v. Dickerson and People v. Mitchell, the Plain Touch Doctrine allows officers to seize contraband during a Protective Pat Down after satisfying the following requirements:
 - When conducting a lawful Investigatory Stop and the officer is performing a Protective Pat Down, if the officer plainly feels an item that, based upon that officer's training and experience, the officer believes to be contraband, the officer may seize that item and lawfully charge the person with it.
 - 2. The Plain Touch Doctrine requires officers to satisfy the following three-part test:
 - a. a lawful Investigatory Stop.
 - b. a lawful Protective Pat Down, and
 - the officer by touch must be able to immediately recognize the item to be contraband without any manipulation of the item.

VII. GENERAL INFORMATION

- A. The Investigatory Stop System is an investigative tool consisting of information obtained in the field and entered into the Investigatory Stop Database.
- B. The Investigatory Stop Pocket Guide is a tool to assist members when conducting Investigatory Stops.
- C. The Investigatory Stop Database
 - 1. The Investigatory Stop Database will only be used to document:
 - a. Investigatory Stops, Protective Pat Downs, or other searches; and
 - b. enforcement of the Gang and Narcotics-Related Loitering Ordinances consistent with the Department directive entitled "Gang and Narcotics-Related Enforcement."
 - 2. The Investigatory Stop Database contains:
 - a. information concerning the individual temporarily detained for the Investigatory Stop.
 - narrative sections that include a statement of facts to establish Reasonable
 Articulable Suspicion in order to justify an Investigatory Stop of an individual and, if
 applicable, to justify a Protective Pat Down.

NOTE: Sworn members are required to complete the narrative field in the Investigatory Stop Database.

- Sworn members will complete hard copy Investigatory Stop Reports only when the electronic Investigatory Stop Database is unavailable and after approval is obtained by their immediate supervisor.
- 4. Sworn members are responsible for entering all Investigatory Stop Reports created during their tours of duty into the electronic system as soon as possible but no later than the end of their tours of duty consistent with Item VIII-B.
- Supervisors will review all Investigatory Stop Reports, electronic and hard copy, created by subordinates and either approve or return it for correction or other action before the end of their tours of duty consistent with Item VIII-C-1 of this directive.
- 6. Procedures for units that routinely do not have access to the Investigatory Stop Database
 - Sworn members will complete and submit hard copies of the appropriate Investigatory Stop Report for approval as soon as possible but no later than the end of their tours of duty;
 - Supervisors will review all hard copy Investigatory Stop Reports created by subordinates and either approve or return it for correction or other action before the end of their tours of duty consistent with Item VIII-C-1 of this directive; and

c. Commanding officers of these units will determine the method of data entry and ensure the information is entered into the Investigatory Stop Database consistent with Item VIII-B-2 of this directive within a reasonable period of time.

D. Access

- 1. All Investigatory Stop Database information will be accessible to any sworn Department member and select civilian members, e.g., Department statistician, for one year after the initial Investigatory Stop Report was generated.
- Pursuant to supervisory approval, personnel assigned to the following bureaus will be allowed access to Investigatory Stop information for three years based upon reasonable, articulated investigative need:
 - a. Bureau of Detectives;
 - b. Bureau of Organized Crime;
 - c. Bureau of Internal Affairs.

NOTE: The bureau chiefs will establish appropriate record keeping relevant to access and approval.

- Other Department members who require access beyond this policy will submit a To-From-Subject Report through the chain of command to the Director, Information Services Division, articulating the investigative need for access. If necessary, the Director, Information Services Division, will consult with the Office of Legal Affairs regarding the requested access.
- 4. After three years, personal identification data contained within the Investigatory Stop Database will be deleted pursuant to Information Services Division practice and record-retention requirements, statutory or judicial. Therefore, no member will have access to personally identifying data from those Investigatory Stop Reports.

NOTE:

The aggregate data from an Investigatory Stop event, such as the date, time, and address of occurrence, in addition to the descriptive racial and demographic data, will be retained by Information Services Division.

VIII. PROCEDURES

- A. Investigatory Stop
 - Sworn members who conduct an Investigatory Stop and, if applicable, a Protective Pat Down or other search in a <u>public place</u>, are required to submit an Investigatory Stop Report into the Investigatory Stop Database. All of the factors that support Reasonable Articulable Suspicion in order to temporarily detain an individual for investigation, and, if applicable, all of the factors that support Reasonable Articulable Suspicion in order to perform a Protective Pat Down will be documented in the narrative portions of the database.

NOTE:

For purposes of this directive, "public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, parks, and the common areas of schools, hospitals, apartment buildings, office buildings, transport facilities, and stores.

- In addition, Investigatory Stop Reports will be submitted for all Investigatory Stops and Protective Pat Downs that lead to an arrest, Personal Service Citation, Administrative Notice of Violation (ANOV), Curfew Violation Report, School Absentee Report, or other enforcement action.
- Upon the completion of an Investigatory Stop that involves a Protective Pat Down or any other search, sworn members are required to provide the subject of the stop a completed

Investigatory Stop Receipt. The Investigatory Stop Receipt will include the event number, the reason for the stop, and the sworn member's name and star number.

EXCEPTION: An Investigatory Stop Receipt will not be provided if the subject of the stop is arrested.

- 4. The following examples illustrate instances when Investigatory Stop Reports, Investigatory Stop Receipts, and other Department reports are required, and are intended to serve as guidelines that can be applied in various circumstances.
 - a. An officer performs a traffic stop on a vehicle after observing the vehicle run a stop sign. The officer issues the driver a Personal Service Citation for failure to stop at a stop sign, and completes and affixes a Traffic Stop Statistical Study sticker to the appropriate copy of the Personal Service Citation consistent with the Department directive "Illinois Traffic Stop Statistical Study." An Investigatory Stop Report will not be completed.
 - b. An officer performs a traffic stop on a vehicle after observing the vehicle run a stop sign. During the traffic stop, the officer observes various factors that develop Reasonable Articulable Suspicion that the driver may be "armed and dangerous" or "presents a danger of attack." The officer conducts a Protective Pat Down on the driver and the vehicle for weapons. No weapons are discovered. The officer issues the driver a Personal Service Citation for failure to stop at a stop sign. Due to the performance of a Protective Pat Down, the officer completes an Investigatory Stop Report and provides a completed Investigatory Stop Receipt to the driver. The officer documents on the Investigatory Stop Report the reason for the stop was a traffic violation, failure to stop at stop sign, and the Reasonable Articulable Suspicion to justify the Protective Pat Down of the driver and the vehicle. When completing the Investigatory Stop Receipt, the officer writes "failure to stop at a stop sign" as the reason for the stop. Additionally, the officer completes and affixes a Traffic Stop Statistical Study sticker to the appropriate copy of the Personal Service Citation consistent with the Department directive "Illinois Traffic Stop Statistical Study."
 - c. An officer performs a traffic stop on a vehicle after observing the vehicle run a stop sign. During the stop, the officer receives a flash message that provides a description of a wanted offender and vehicle for a theft that just occurred in the area of the traffic stop. The driver and the vehicle match the description. The officer conducts an investigation for the theft by questioning the driver regarding his whereabouts at the time of the theft. The officer determines that he does not have probable cause to arrest. The officer issues the driver a Personal Service Citation for failure to stop at a stop sign and completes an Investigatory Stop Report. The officer documents on the Investigatory Stop Report the initial reason for the stop was a traffic violation, failure to stop at a stop sign, and the officer's Reasonable Articulable Suspicion that the driver committed a theft. Additionally, the officer completes and affixes a Traffic Stop Statistical Study sticker to the appropriate copy of the Personal Service Citation consistent with the Department directive "Illinois Traffic Stop Statistical Study."
 - d. An officer performs a traffic stop on a vehicle after observing the vehicle run a stop sign. The officer issues a verbal warning to the driver for failure to stop at a stop sign, and completes an Illinois Traffic Stop Statistical Study Driver Information Card consistent with the Department directive entitled "Illinois Traffic Stop Statistical Study." An Investigatory Stop Report will not be completed.
 - e. An officer responds to a call of shots fired. Upon the officer's arrival on the scene, the officer observes several people in the area. The officer approaches and questions people in the area as to whether or not they heard or saw anything pertaining to the shots fired call. After further investigation by the officer, the officer determines the incident is not bona fide. An Investigatory Stop Report will not be completed.

- 5. If an arrest is made based on an Investigatory Stop, an Investigatory Stop Report will be completed in addition to the Arrest Report. Members will indicate in the Investigatory Stop Report that an arrest is related to the Investigatory Stop by checking the appropriate box.
- 6. During an Investigatory Stop, the sworn member may only temporarily restrict a person's freedom of movement as long as reasonably necessary to dispel or confirm the member's Reasonable Articulable Suspicion of criminal activity. The subject cannot continue to be detained solely for the purpose of obtaining the results of a name check of the subject or for the completion of required documentation when Reasonable Articulable Suspicion no longer exists.
- 7. Failure to provide identification during an Investigatory Stop, in and of itself, is not grounds for arrest or further detention. If, at the conclusion of an Investigatory Stop, the individual is unable or refuses to provide identification and there is no probable cause to arrest, the sworn member will:
 - a. enter "John Doe" or "Jane Doe," as appropriate, in the name field;
 - b. provide as much of the stop information as possible;
 - c. indicate the refusal in the narrative field; and
 - d. describe the reason for the stop and/or the circumstances of the stop in as much detail as possible, including a description of any unusual clothing, manner, or behavior.
- 8. When Investigatory Stop Reports are submitted for more than one person in a group, members will cross-reference the report numbers in the appropriate fields of the database.

B. Data Entry

- Sworn members will submit an electronic Investigatory Stop Report as soon as possible but no later than the end of their tours of duty by selecting "Automated Investigatory Reports" from the CLEAR menu.
- 2. If electronic access to the CLEAR application is not available, after receiving approval from a supervisor, sworn members will:
 - complete the hard copy Investigatory Stop Report;
 - accurately enter the Investigatory Stop Report into the Investigatory Stop Database by selecting "Automated Investigatory Reports" from the CLEAR menu if electronic access to the CLEAR application becomes available before the end of their tours of duty.

NOTE: The information entered into the Investigatory Stop Database must directly correspond with the information initially documented on the hard copy.

- c. select "yes" in the Investigatory Stop Database that a hard copy Investigatory Stop Report was completed.
- record the ISR number generated by the Investigatory Stop Database onto the hard copy Investigatory Stop Report.
- e. forward the completed, hard copy Investigatory Stop Report to their supervisor for approval.
- If electronic access to the CLEAR application continues to be unavailable and is restored
 after the sworn member's tour of duty has ended, unit executive officers will determine the
 method of data entry and ensure that the Investigatory Stop Report is entered into the

Investigatory Stop Database consistent with Item VIII-B-2 of this directive within a reasonable period of time.

NOTE:

For units without executive officers, the unit commanding officer will designate a supervisor to perform these duties.

C. Supervisory Responsibilities

- Reviewing supervisors will:
 - a. approve or reject all submitted Investigatory Stop Reports by the end of their tours of duty.
 - b. review and ensure Investigatory Stop Reports are properly completed and conform to Department policy.
 - (1) Supervisors are responsible for ensuring that members properly document in the narrative sections of all (electronic and hard copy) Investigatory Stop Reports:
 - the Reasonable Articulable Suspicion that justifies the Investigatory Stop and, if performed, Protective Pat Down; and
 - (b) if applicable, the basis and reasons that led to any search of a person or his/her effects that was beyond a Protective Pat Down.
 - (2) When both a hard copy and an electronic Investigatory Stop Report are created, supervisors will confirm the hard copy matches the electronic entry.
 - c. for properly prepared Investigatory Stop Reports, indicate approval in the automated system or by signing the Investigatory Stop Report in the appropriate field.
 - d. for rejected Investigatory Stop Reports:
 - (1) personally inform the preparing sworn member of the reason for the disapproval or rejection;
 - (2) complete an Investigatory Stop Report Deficiency Notification for rejections based on the following:
 - (a) Failure to document justification for an Investigatory Stop, Protective Pat Down, or other search;
 - (b) Improper justification for an Investigatory Stop, Protective Pat Down, or other search;
 - (c) Submitted hard copy of the Investigatory Stop Report does not match the electronic version submitted in the Investigatory Stop Database; and
 - (d) Investigatory Stop Report submitted in error. Officer's actions did not require the submission of an Investigatory Stop Report.

NOTE:

When completing the Investigatory Stop Report Deficiency Notification, supervisors will include the action that was taken to address the deficiency, such as reviewing the policy with the member, recommending training, initiating progressive discipline where warranted, etc.

Forward the completed Investigatory Stop Report Deficiency Notification to the Commanding Officer of the Integrity Section, Crime Control Strategies.

document rejections based on deficiencies, such as typographic errors. (3)incomplete fields, etc., and the corrective action taken in the comments section within the Investigatory Stop Database. Instruct the preparing sworn member to address the error and resubmit the Investigatory Stop Report by the conclusion of the sworn member's tour of duty.

NOTE:

If an Investigatory Stop Report Deficiency Notification is required, state in the comments section that an Investigatory Stop Report Deficiency Notification will be submitted.

(4) instruct the preparing sworn member to address the error and resubmit the Investigatory Stop Report by the conclusion of the member's tour of duty.

EXCEPTION: Instruct the member not to resubmit the Investigatory Stop Report if an interview with the member reveals that the Investigatory Stop, Protective Pat Down, or other search was not justified or that the Investigatory Stop Report should not have been completed. The Investigatory Stop Report will remain in rejected status for clearance by the Integrity Section of Crime Control Strategies.

- (5)verify submission of the corrected Investigatory Stop Report and approve as appropriate.
- forward all hard copy Investigatory Stop Reports to the district review officer or e. member designated by the unit commanding officer for records retention.
- 2. District review officers or members designated by unit commanding officers will, on a daily basis, forward all hard copy Investigatory Stop Reports, via the Police Documents Section, to the Records Inquiry Section (Unit 163), Records Division, for records retention.
- 3. Executive officers will:
 - ensure supervisors are properly reviewing and approving all submitted Investigatory Stop Reports.
 - b. ensure the submission of Investigatory Stop Reports into the CLEAR system is monitored in order to ensure that the review and approval process is timely.
 - ensure all approved hard copy Investigatory Stop Reports are forwarded, via the C. Police Documents Section, to the Records Inquiry Section (Unit 163), Records Division, for records retention.
 - conduct monthly internal audits of Investigatory Stop Reports to ensure compliance d. with this directive and submit a report of their findings to the commanding officer.
 - take appropriate action if any deficiencies are noted. e.

NOTE:

If supervisory approvals do not conform to Department policy, the executive officer will take appropriate action (reviewing the policy with the member, recommending training, initiating progressive discipline where warranted, etc.). Additionally, the executive officer will forward and document the action taken in a To-From Subject Report to the Commanding Officer of the Integrity Section, Crime Control Strategies.

NOTE:

In units without executive officers, the unit's exempt commanding officer will designate a supervisor to perform these duties.

 On a daily basis, commanding officers and executive officers will be accountable for the proper implementation of this directive.

IX. OTHER RESPONSIBILITIES

- A. The Information Services Division is responsible for the maintenance and integrity of the Investigatory Stop Database.
- B. Consistent with Local Records Commission requirements, the Director, Records Division, will ensure that hard copy Investigatory Stop Reports are destroyed and that information in the Investigatory Stop Database is purged consistent with this directive.
- C. The Commander, Inspections Division, will ensure audits of the Investigatory Stop System will be conducted.
- D. Bureau chiefs that have members who have access to the Investigatory Stop System beyond one year will ensure access is consistent with articulated investigative need and that supervisory authorization for access is maintained within unit files.
- E. The Integrity Section, Crime Control Strategies, will conduct random audits of the Investigatory Stop System on a continual basis.

X. RETENTION

- A. Pursuant to 705 ILCS 405/1-7, entitled "Confidentiality of Law Enforcement Records," juvenile Investigatory Stop Reports will be filed and retained separately from adult Investigatory Stop Reports.
- B. The Director, Records Division, will dispose of both electronic and hard copy Investigatory Stop Reports consistent with this and other applicable Department directives, applicable court orders, and the law.
- C. All Investigatory Stop Reports, electronic and hard copy, will be retained for a period of six months after the completion of the Illinois Traffic Stop Statistical Study (TSSS).
- D. Six months after the completion of the TSSS:
 - all hard copy Investigatory Stop Reports three years and older will be purged.
 - 2. all personal identifying information entered into the electronic database three years and older will be purged.
- E. All hard copy Investigatory Stop Reports and personal identifying information contained within the database generated after the TSSS retention period and beyond will be retained for a period of three years from the date the Investigatory Stop Report was generated.

NOTE:

Pursuant to a court order entered in Hall, et al. v. City of Chicago, et al., 12 C 6834, the Chicago Police Department and its members are ordered to preserve all data in the Investigatory Stop System and to preserve ALL hard copies of Investigatory Stop Reports until further notice.

(Items indicated by italics/double underline were added or revised.)

Authenticated by: KC

Eddie T. Johnson Superintendent of Police

13-033 CM

GLOSSARY TERMS:

1. Investigatory Stop

A. The temporary detention and questioning of a person in the vicinity where the person was stopped based on Reasonable Articulable Suspicion that the person is committing, is about to commit, or has committed a criminal offense. The suspect may be detained only for the length of time necessary to confirm or dispel the suspicion of criminal activity. The temporary detention and questioning of a person for the purpose of enforcement of the Gang and Narcotics-Related Loitering Ordinances is an Investigatory Stop.

An Investigatory Stop is not a voluntary contact. A voluntary contact is a consensual encounter between an officer and a person during which the person must feel free to leave the officer's presence. An officer may approach any person at any time for any reason on any basis. However, absent reasonable suspicion or probable cause, that person must be free to walk away at any time. An officer's ability to articulate that no factors existed that would make a reasonable person perceive they were not free to leave is important. The following are some factors the court may consider to determine whether or not a consensual encounter has elevated to an Investigatory Stop or an arrest:

- 1. Threatening presence of several officers;
- 2. Display of a weapon by an officer;
- Use of language or tone of voice indicating that compliance with the officer's request might be compelled;
- Officer blocks a person's path; or
- Choice to end the encounter is not available to the person.

2. Protective Pat Down

A limited search during an Investigatory Stop in which the sworn member conducts a pat down of the outer clothing of a person for weapons for the protection of the sworn member or others in the area. If, during a Protective Pat Down of the outer clothing, the sworn member touches an object which the sworn member reasonably believes is a weapon, the sworn member may reach into that area of the clothing and retrieve the object. A Protective Pat Down is not a general exploratory search for evidence of criminal activity.

3. Reasonable Articulable Suspicion

Reasonable Articulable Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulable Suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn based on the sworn member's training and experience. Reasonable Articulable Suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion.

Reasonable Articulable Suspicion should be founded on specific and objective facts or observations about how a suspect behaves, what the subject is seen or heard doing, and the circumstances or situation in regard to the suspect that is either witnessed or known by the officer. Accordingly, Reasonable Articulable Suspicion must be described with reference to facts or observations about a particular suspect's actions or the particular circumstances that an officer encounters. The physical characteristics of a suspect are never, by themselves, sufficient. Instead, those characteristics must

be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the suspect.

- A. For Investigatory Stops, a sworn member must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense.
- B. For a Protective Pat Down, a sworn member must possess specific and articulable facts, combined with rational inferences from these facts, that the suspect is armed and dangerous or reasonably suspects that the person presents a danger of attack to the sworn member or others in the area.

NOTE:

An Investigatory Stop and a Protective Pat Down are two distinct actions—both require independent, Reasonable Articulable Suspicion (i.e., to stop a person there must be reasonable suspicion of criminal activity, and to stop a person and perform a Protective Pat Down of the person, there must be reasonable suspicion of criminal activity and reasonable suspicion that the person is armed and dangerous or presents a danger of attack).

4. Plain Touch Doctrine

When a sworn member is conducting a lawful Protective Pat Down of a suspect's outer clothing for weapons and encounters an object that, based upon their training and experience, the sworn member believes that the object is contraband, the sworn member may seize the item without a warrant. The object may not be manipulated in order to determine the identity of the object.

5. Racial Profiling or Other Bias-Based Policing

In making routine or spontaneous law enforcement decisions, such as investigatory stops, traffic stops and arrests, Chicago Police Department officers may not use race, ethnicity, color, national origin, ancestry, religion, disability, gender, gender identity, sexual orientation, marital status, parental status, military discharge status, financial status, or lawful source of income, except that officers may rely on the listed characteristics in a specific suspect description.

6. Legitimacy and Procedural Justice

The Department's commitment to professionalism, obligation, leadership, integrity, courage, and excellence has driven many meaningful public safety achievements. The Chicago Police Department conducts training and establishes procedures consistent with the concept of Legitimacy and Procedural Justice, with the goal of strengthening our relationship with the community and ultimately improving officer safety and efficiency. The concept of Legitimacy and Procedural Justice consists of the following four principles:

- 1. Giving others a voice (listening)
- 2. Neutrality in decision making
- 3. Respectful treatment and
- 4. Trustworthiness.

By fostering an environment where procedural justice principles become standard practice, the Department can create an organizational culture that fosters a true partnership with the public and leads to safer and more prosperous communities.

7. Public Place

Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, parks, and the common areas of schools, hospitals, apartment buildings, office buildings, transport facilities, and stores.

INVESTIGATORY STOP REPORT DEFICIENCY NOTIFICATION

CHICAGO POLICE DEPARTMENT OFFICER'S NAME STAR NO. RANK DISTRICT/UNIT OFFICER'S NAME RANK STAR NO. DISTRICT/UNIT ISR NO. NAME OF PERSON STOPPED DATE OF STOP TIME OF STOP ADDRESS OF STOP THE ABOVE-REFERENCED INVESTIGATORY STOP REPORT WAS REJECTED BASED UPON THE FOLLOWING: ☐ FAILURE TO DOCUMENT JUSTIFICATION FOR: ■ INVESTIGATORY STOP □ PROTECTIVE PAT DOWN OTHER TYPE OF SEARCH IMPROPER JUSTIFICATION FOR: ☐ INVESTIGATORY STOP OTHER TYPE OF SEARCH □ PROTECTIVE PAT DOWN SUBMITTED HARD COPY OF THE INVESTIGATORY STOP REPORT DOES NOT MATCH THE ELECTRONIC VERSION SUBMITTED IN THE INVESTIGATORY STOP DATABASE. INVESTIGATORY STOP REPORT SUBMITTED IN ERROR. OFFICER'S ACTIONS DID NOT REQUIRE THE SUBMISSION OF AN INVESTIGATORY STOP REPORT AS SPECIFIED BY DEPARTMENT POLICY. ☐ APPROVED STATUS CHANGE: ☐ DEFICIENCY MODIFICATION OF APPROVED TO DEFICIENCY FINAL BY INTEGRITY SECTION □ DEFICIENCY REVIEW MODIFICATION - SEE ACTIONS TAKEN IF AN INTERVIEW WITH THE PREPARING OFFICER REVEALS THAT THE INVESTIGATORY STOP, PROTECTIVE PAT DOWN, OR OTHER TYPE OF SEARCH WAS NOT JUSTIFIED, OR THAT AN INVESTIGATORY STOP REPORT SHOULD NOT HAVE BEEN COMPLETED, INSTRUCT THE OFFICER NOT TO RESUBMIT THE INVESTIGATORY STOP REPORT. THE INVESTIGATORY STOP REPORT WILL REMAIN IN REJECTED STATUS FOR CLEARANCE BY THE INTEGRITY SECTION OF CRIME CONTROL STRATEGIES. ACTION(S) TAKEN REVIEWING SUPERVISOR'S SIGNATURE & STAR NO. DATE

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Preliminary

supervisor for approval. saved by the author but not submitted to the Preliminary ISRs are those reports created and

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Submitted for Cancellation

sent to the supervisor for approval of the cancellation. ISRs that have been submitted for cancellation are



Cancellation

approval. preliminary status and require supervisor's ISRs can only be cancelled when they are in the



Submitted

appropriate, approval. author to the supervisor for review, and if Submitted ISRs are those reports submitted by the



Approved

Supervisor. author and are approved by the Source Unit Approved ISR's are those reports submitted by the

Administrative Rejection

simple omissions. The source unit supervisor resubmission and approval. returns the ISR to the author for correction, supervisor for an error such as clerical mistakes or Stop Report's (ISRs) rejected by the source unit Administrative Rejections are those Investigative



Deficiency Rejection

source unit supervisor for an error such as the resubmission and approval. or the hard copy does not match the submitted returns the ISR to the creator for correction, electronic version. The source unit supervisor circumstances which support RAS for the omission of some factors of the totality of the Deficiency Rejections are those ISR's rejected by the Investigatory Stop, the Pat Down or Other Search;



Deficiency Rejection Review

altogether or found the ISR to be generated in error. Rejection Review status. Integrity Section by placing it in Deficiency The Source unit supervisor forwards the ISR to the reports to lack RAS for an Investigatory Stop found to have improper justification for the Those ISR's in Deficiency Rejection Review were Investigatory Stop, the Pat Down and/or the Search. The source unit supervisor determined these





Deficiency Rejection Review Final

CO concurs with the supervisor, the ISR is placed Commanding Officer of the Integrity Section. If the by the source unit supervisor are reviewed by the into Deficiency Rejection Review Final. Those ISR's placed into Deficiency Rejection Review





Archived

original state despite later revisions, which will also archived. This preserves the document in its than Approved by the source unit supervisor will be be accessible Those submitted ISR's placed into any status other

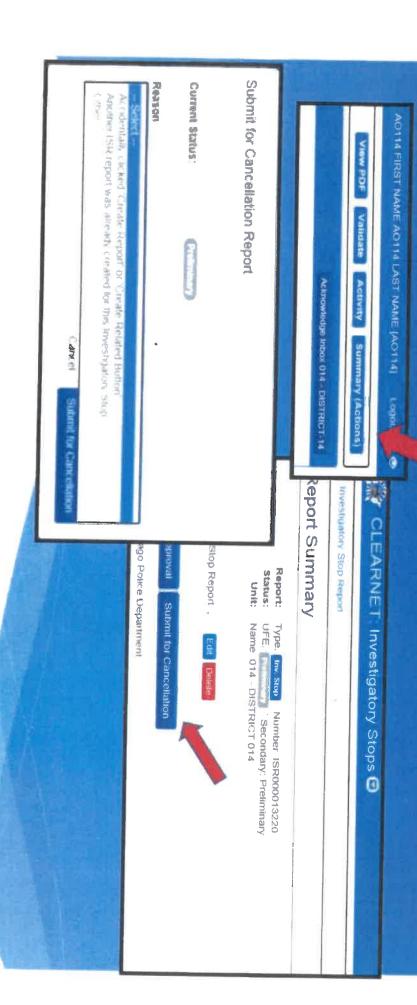


Cancelling ISRs in the ISR System

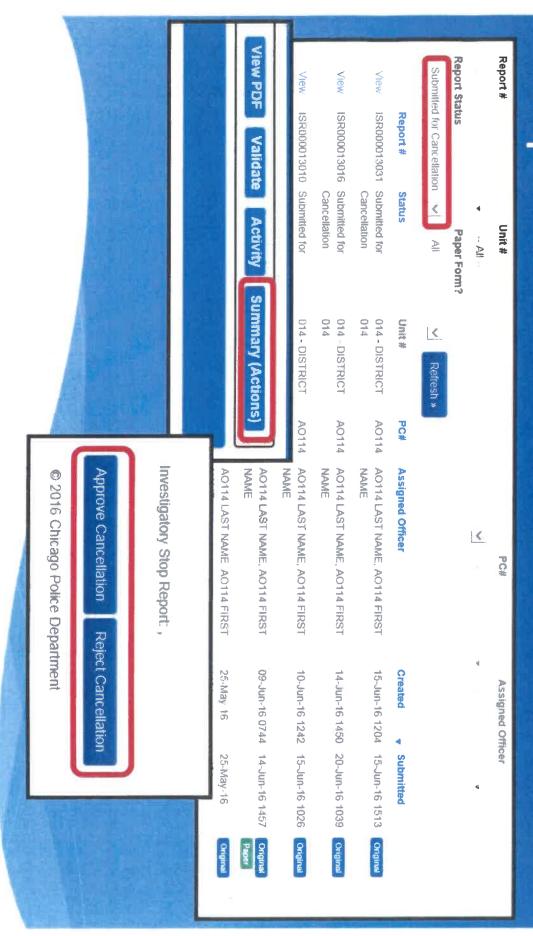
Chicago Police Department

Bureau of Organizational Development Integrity Section Captain Karyn Murphy

they are in the Preliminary Status. ISRs can only be cancelled when



Supervisor's Actions

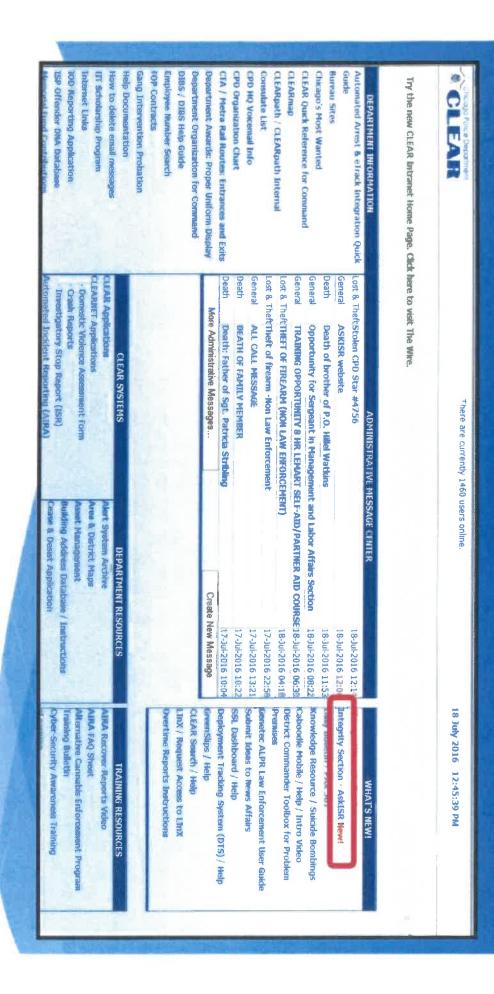


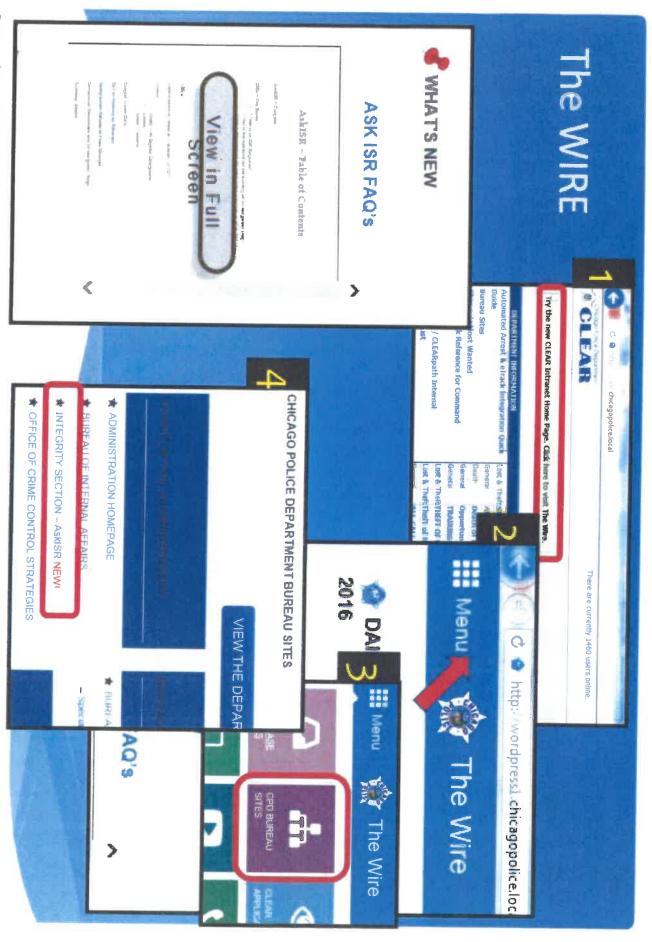
Accessing AskISR

Chicago Police Department

Bureau of Organizational Development Captain Karyn Murphy Integrity Section

on "Integrity Section - AskISR" On the CLEARNET homepage, under "WHAT'S NEW" click







Bureau of Organizational Development Integrity Section **Unit 131**

Accessing ISRs Using the JASPERSOFT Dashboard

Chicago Police Department

Bureau of Organizational Development Integrity Section Captain Karyn Murphy

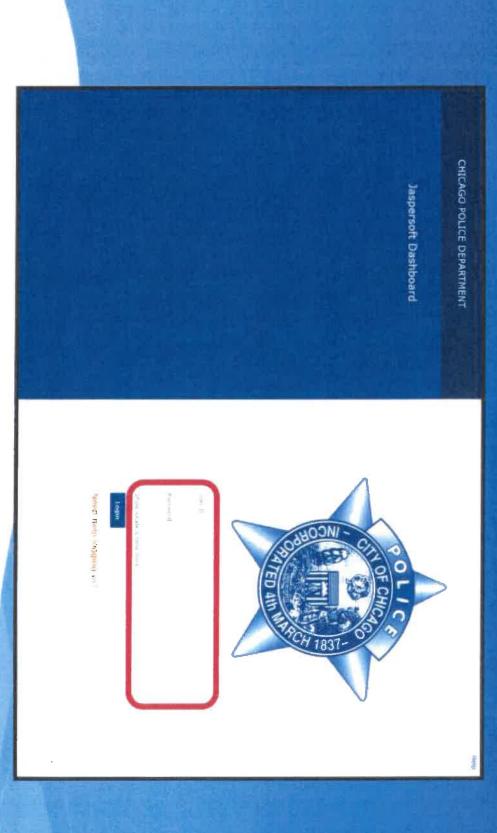
Directory" under the "Clear Systems" heading. On the CLEARNET homepage, click on "Clear Reporting

CLEAR SYSTEMS	DEPARTMENT RESOURCES
CLEAR Applications	Alert System Archive
CLEARNET Applications	Area & District Maps
- Domestic Violence Assessment Form	Asset Management
- Investigatory Stop Report (ISR) News	Building Address Database / Instructions
Automated Incident Reporting (AIRA)	Cease & Desist Application
Automated Information Report System (AIRS)	Chicago Park District Code
Auto A&A Dashboard	CJIS Portal / CJIS Portal Help
CLEAR Reporting Directory	Crime Patterns
The solidwing are now accessed under the above link:	Department Directives System
- Alpha / Star Query	FMLA Rights & Responsibilities
- CLEAR Reporting Directory	TOD Reporting Application
- Jasperson Reporting	Link Chart / Link Chart Help
Browser Check	Mass Arrest Dashboard
CI FARnath Worklist Dashhoard	PDT Applications
Digital Marchot System	Traffic Violation Bond Certificates
Hot Desk	Video Technology Section
Office Automation - Has migrated to CLEAR.	Web Mapping

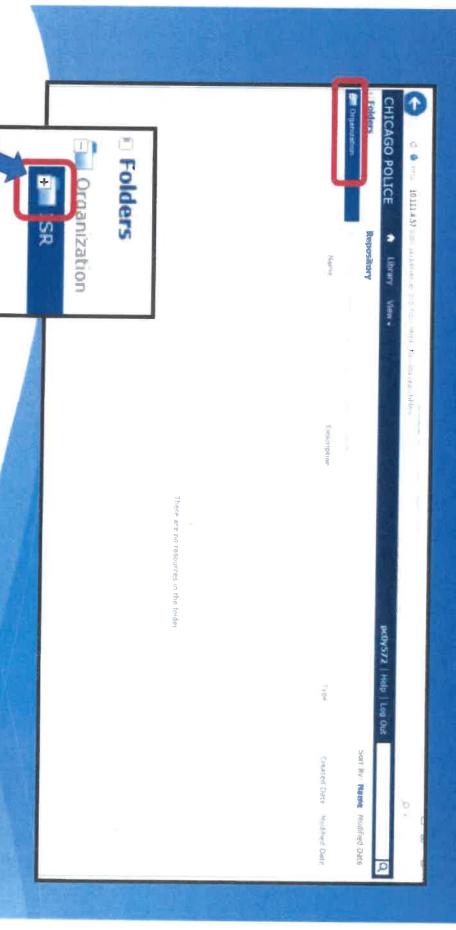
Click on "ISR Reports"

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Includes Vehicle recoveries, Vehicle Thefts, Tactical Unit Contact Car	Tactical Reports Data Warehouse Search with Mapping Separate data warehouse search pages with ability to man the rose a	Separate data werehouse search gaspy for Arrests, Incobarts, ander	Current published Quickstat Report (Will download menediately when	Reports for the single user that is logged in. Includes Overtime, Sec. Conhibourd) Includes Seniority Roder	Includes Individual Arrest Stats, PRS Reports for Supervisors	Includes Awards; Complimentary History; AA Sworn Attendance;	interactive reports to facilitate analysis of overtime.	Overtime detail report for units.	Includes Citywide CAPS Attendance Report	Day Count Sunmary, Non-IOD Limited Duty	Collection of reports for ISR Auditing, Available to Unit 115 S. Capital	Arrests Processed by JISC Holding / Unit 384	Employee Assignment/Detail History; Foreign Language Proficiency Verification; PHQ Status Report	Ready-to-go autometic daily copies of key Homicide reports.	Reports for Hamicide Division	Officers with CIT Certification Officers with Cycle Training	Firearm Qualification	Domestic Violence by District	ClearNet Ready-to-go automatic daily copies of DOC reports,	Reports for Deployment Operations Center and CPIC users	Includes S911 / Delinquent reports	Mission Activity; DTS; Special Deployment reports	Shooting Analysis: Shooting Victim and Murder Counts	Traffic court related reports including notification, room sheets, and	Additional reports used by Court Section personnel.	Court Notification reports	Court Absence reports	interactive versions of the computation quickstat reports for authorise	Includes Unit Activity Reports	Other detective administrative reports basides Open Assigned Casas	Open Assigned Cases	Employee name and number search	Description

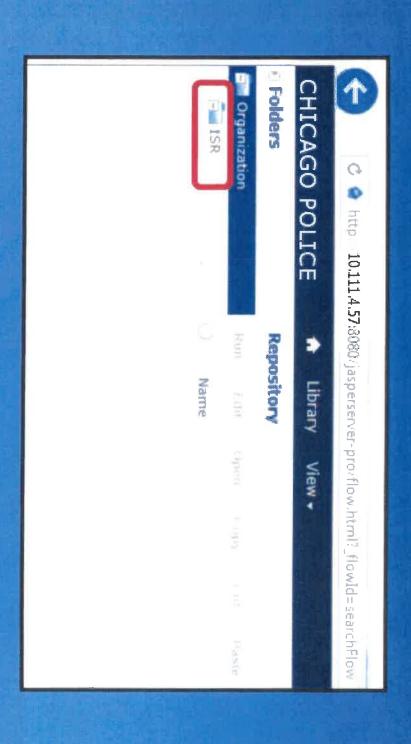
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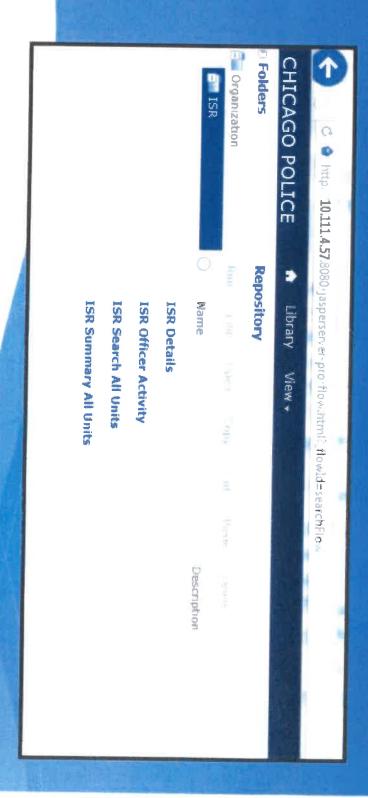
Expand the "Folders" view by clicking on the folder icon



Click on the ISR Folder icon



ISR Summary All Units – A one page summary of activity ISR Search All Units - Overall unit or city activity ISR Officer Activity — Search individual officer's stats ISR Details – Individual ISRs



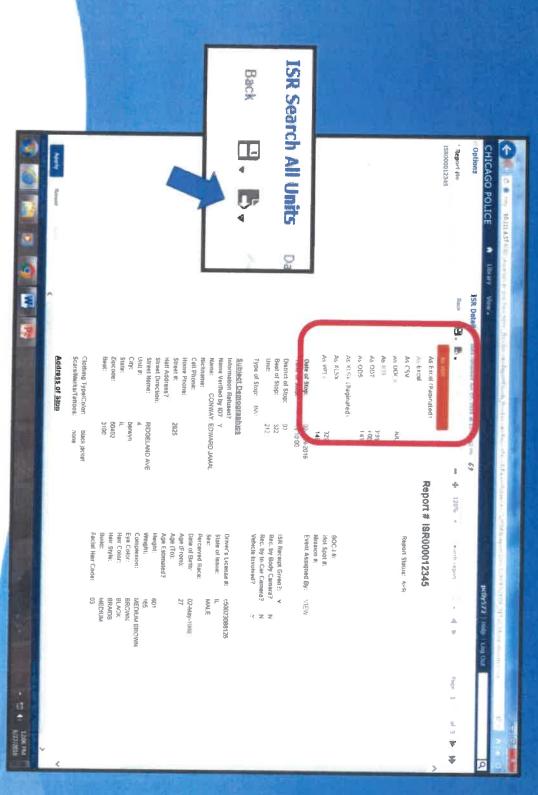
ISR Details - Looking up individual activity

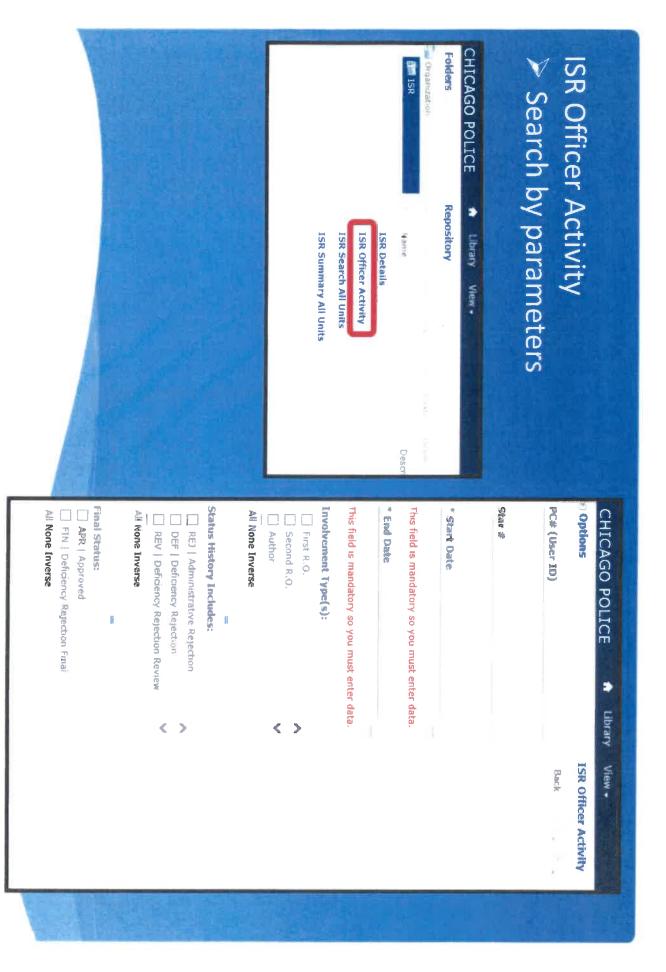
Report # must be exactly as it appears

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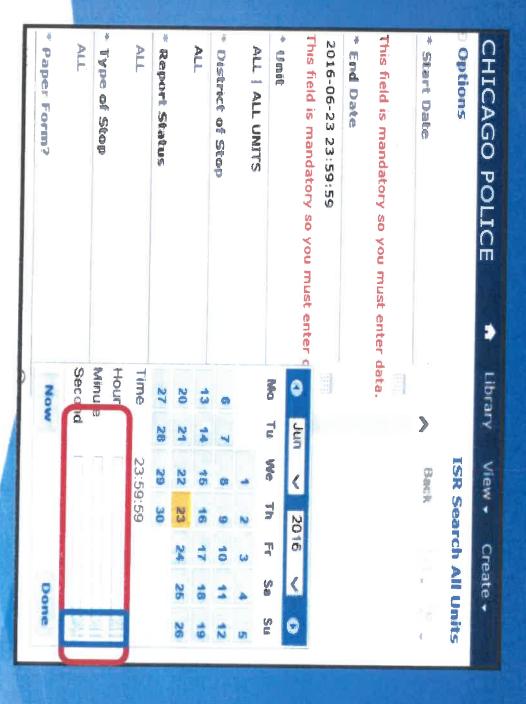


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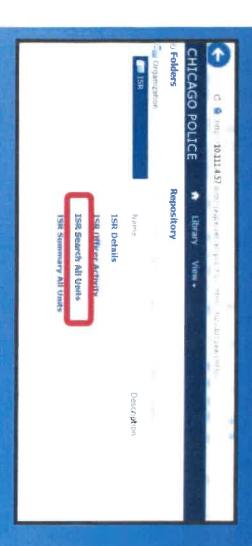


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ISR Search All Units

Use this to search by parameter(s)



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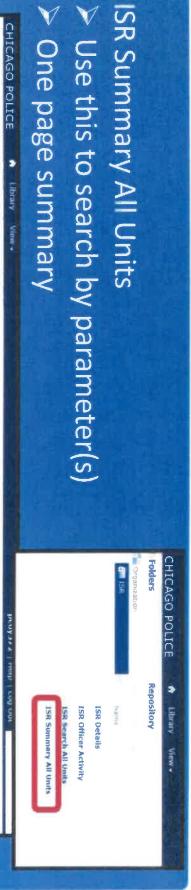
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- Use this to search by parameter(s)
- One page summary

ISR Summary All Units Deta refreshed Jun 27, 2016 at 1-47 10 PM 47



* End Date	2016-06-02 23:59:59 * Unit	009 DISTRICT 009	ALL Report Status	ALL ALL	ALL	Paper Form?	ALL	* Enforcement Type	ALL	* Dispersal Related?	ALL	Mission Related?	ALL.	' Hot Spot Related?	ALL
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Date Rang	Enforcement Type ALL Paper Original? ALL	Report Status:	APR 22 FIN 0	ARC 0	in and a second										
ISR Records For Unit: 009 Date Range: 02-JUN-2016 00:00:00 Thru 02-JUN-2016 23:59:59	Orspersal Related? ALL Mission Related? ALL	Enforcement Type:	PSC OTH 6												
Thru 02-JUN-2016 23:59:	Hot Spot Related? ALL Type of Stop: ALL	Unit Total(s): Unit % of Reports DD9 22	Pod Pod												
59	# of Deficiencies: ANY														
	₹													Page gf x	

Clicking on an "Associated ISR" number will pull up that ISR

Report Date: 91-JUL-2018

Report Time: 12:06:12
Fun By: PC4Y672

Report # ISR000080001

From Paper ISR?

Contact Type:

ABULI

Status History:

APR - 08-JUN-2016 20:41:18

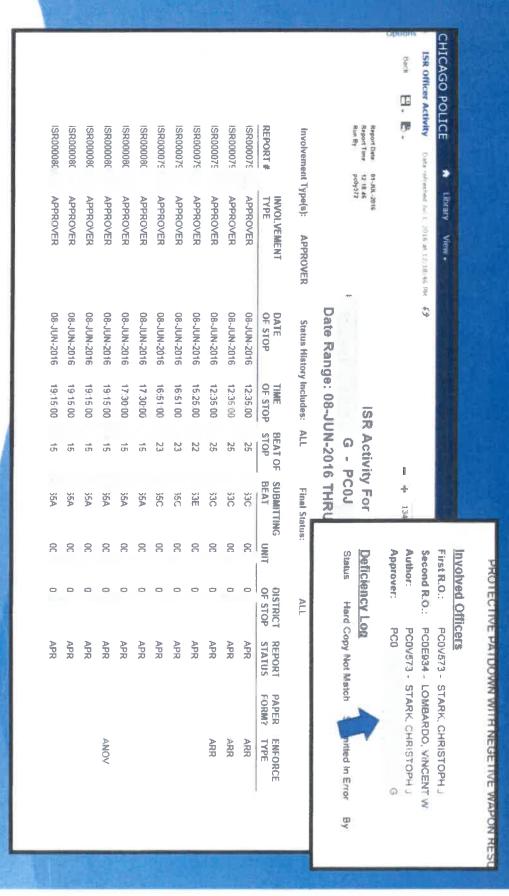
SUB - 08-JUN-2016 20:19:38

PRE - 08-JUN-2016 20:08:16

Associated ISR(s): ISR000080002

Report Status: APR

Click on a member's name to see all of their activity



District ISR Audit Form

ISR AUDIT

audit is to ensure the reports are completed correctly, and that they move audit of the investigatory stop reports, per SO4-13-09. The purpose of this The unit executive officer, or designated supervisor, will perform a monthly

Status

Month/Year

16-Ju Fotal

137

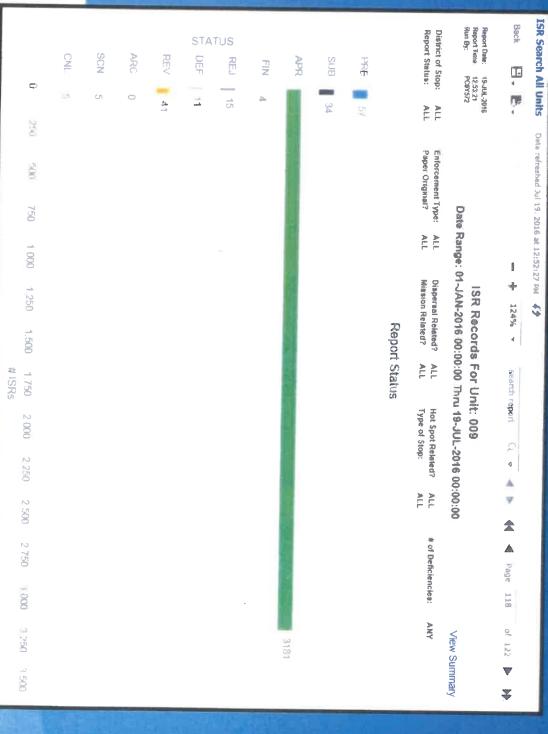
Unit

along the chart, in A rando reports findingForw	along the system to be approved or placed into deficiency review. On the chart, indicate the number of reports your unit has in the indicated status. A random audit of approved reports will be conducted. A copy of this report will be forwarded to the Unit Commanding Officer. Record the findings of the audit below. 1SR # Approved Assigned Down Issued Pat Receipt Arrest Required Pat down co	be approved ipproved in the low. ugh your a Assigned Assigned	oved or of reports the Unit Pat Down	placed in the command to command to Receipt Issued	nto definit has in conduct ading O	rity Sections Required	along the system to be approved or placed into deficiency review. On the chart, indicate the number of reports your unit has in the indicated status. A random audit of approved reports will be conducted. A copy of this report will be forwarded to the Unit Commanding Officer. Record the findings of the audit below. The pate Beat Pat Receipt Arrest Required Required Pat down con 12345 14-Jul-16 8F7 X Pat down con 12345
	14-14-16	8F7	×			×	Pat down conducted, no receipt issued
23456	18-Jul-16	es Fu				×	Insufficient RAS for the stop
34567	20-Jul-16	918	×		×		Stop based on PC, no ISR req
45678	21-Jul-16	8F5	×	×		×	ANOV issued, charge not indicated in the enforcement box

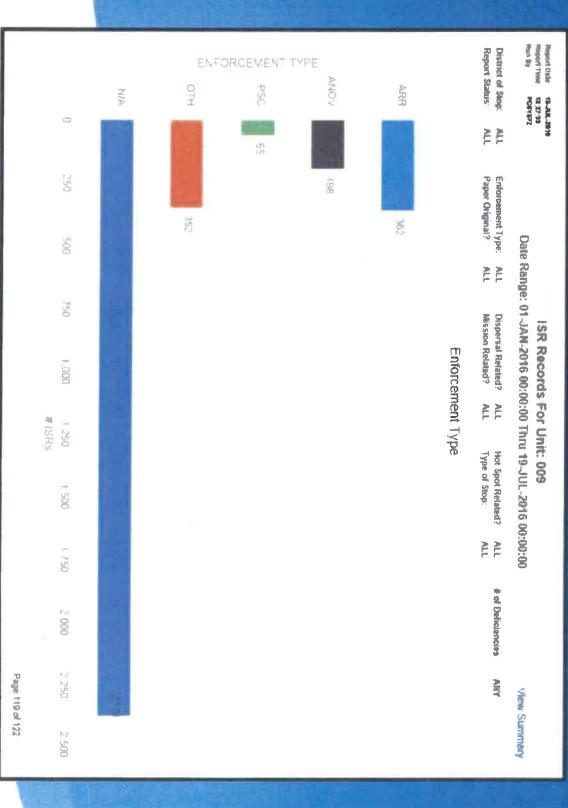
Graphing Reports – JASPER does it for you

																							3353	Total Reports:	District of Stop: ALL Report Status: ALL	Report Date: 19-JUL-2016 Report Time: 12-53:21 Run By: PC0Y572	Back 4	ISR Search All Units
													332	CNE	SCN	ARC	REV 41				APR 3181	SUB 34	PRE 57	Report Status:	Enforcement Type: Paper Original?	Date		Data refreshed lul 19, 2016 at 12:52:27 pm
												i	25	O	C)	0			N/A			ANOV		Enforcement Type:	ALL Dispersal Related? ALL Mission Related?	ISR Records For Unit: 009 Date Range: 01-JAN-2016 00:00:00 Thru 19-JUL-2016 00:00:00	+ 124%	6 at 12:52:27 pm 49
																		3353	2376	352	65	198	362	ent Type:	eted? ALL	ISR Records For Unit: 009 JAN-2016 00:00:00 Thru 19-JU	• search report	
မ	0933 254	0932 158	0931 212	0925 107	0924 271	0922 254	0921 548	0915 214			0824 12	0621 17	0735	0723 2		0713 15	0712 14			0224 /		0124 1	Beat # of Reports	Beat Total(s):	Hot Spot Related? Type of Stop:	t: 009 19-JUL-2016 00	port Q •	
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																									AMY	View Summary	of 122 🕨 🕪	

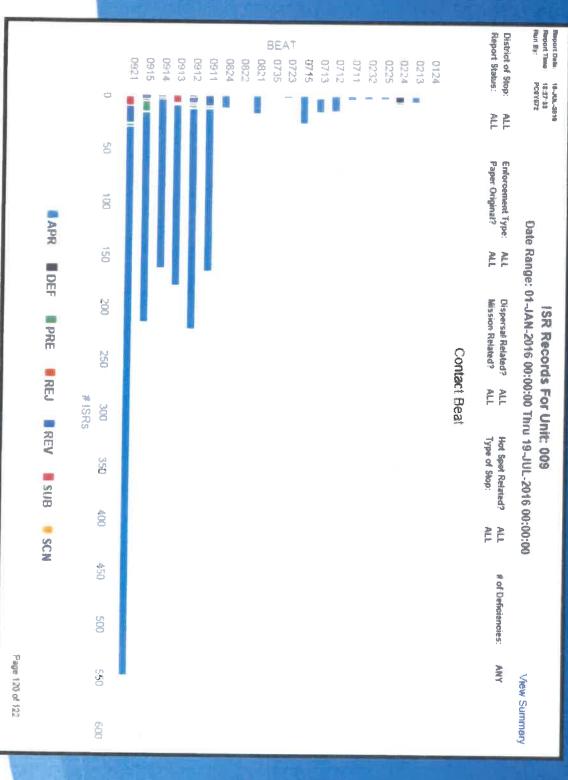
Graphing Reports – By Status



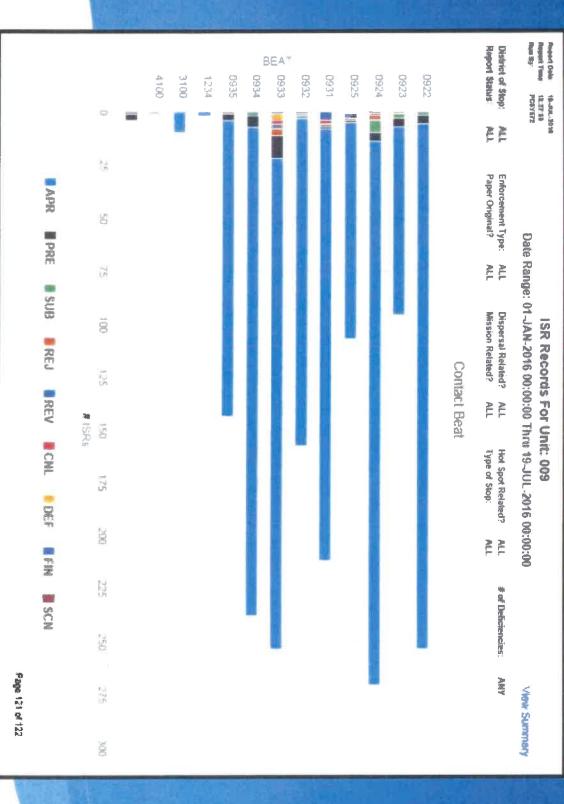
Graphing Reports – By Enforcement Type



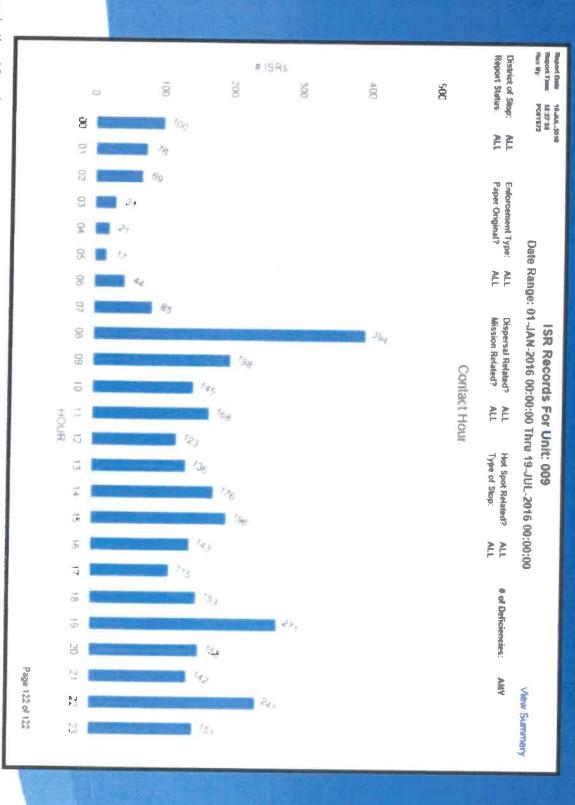
Graphing Reports – By Contact Beat



Graphing Reports – By Contact Beat



Graphing Reports – JASPER does it for you



Mapping ISRs in CABOODLE

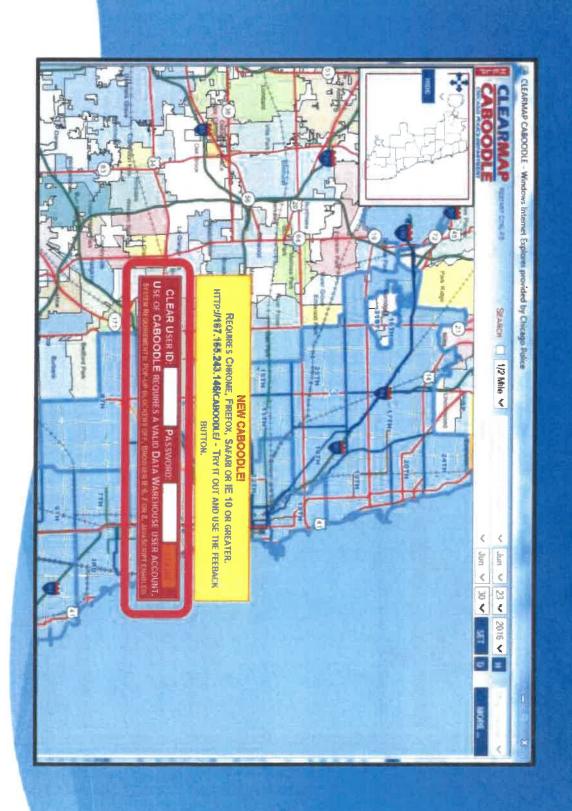
Chicago Police Department

Bureau of Organizational Development
Integrity Section
Captain Karyn Murphy





Log in using your CLEAR credentials



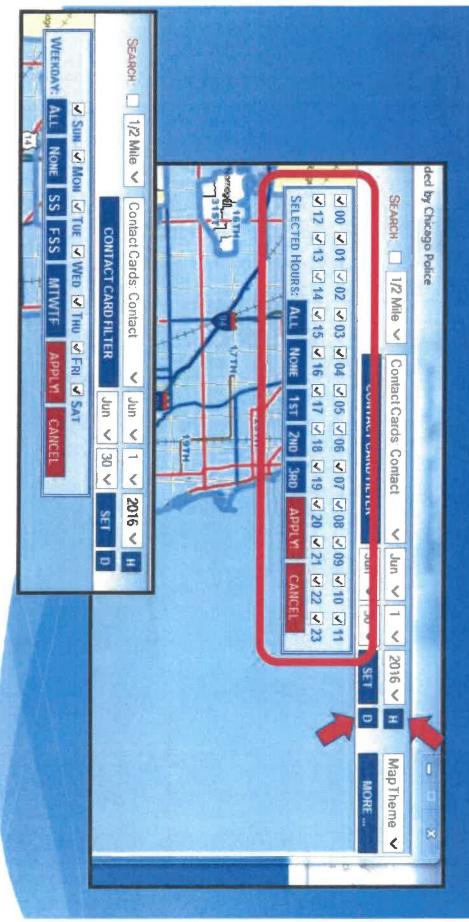
CABOODLE - Mapping ISRs

- Select "Contact Cards Contact"
- Enter the date range



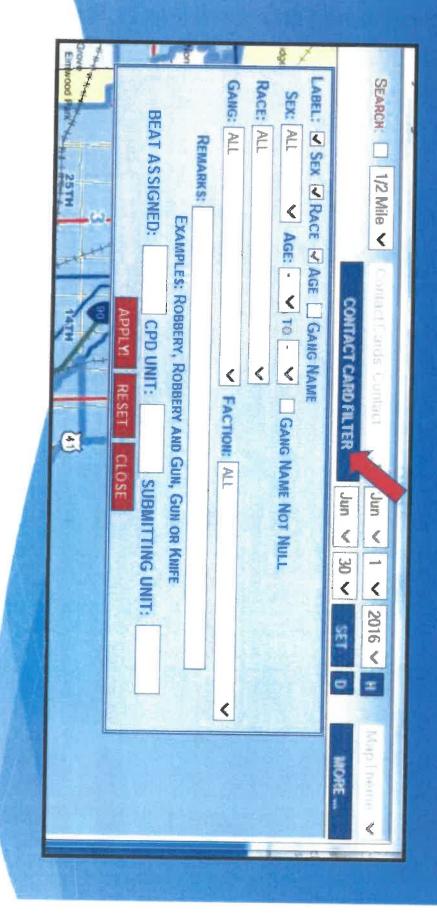
SORTING

- Click the "H" button to filter by hour of day
- Click the "D" button to filter by day of week

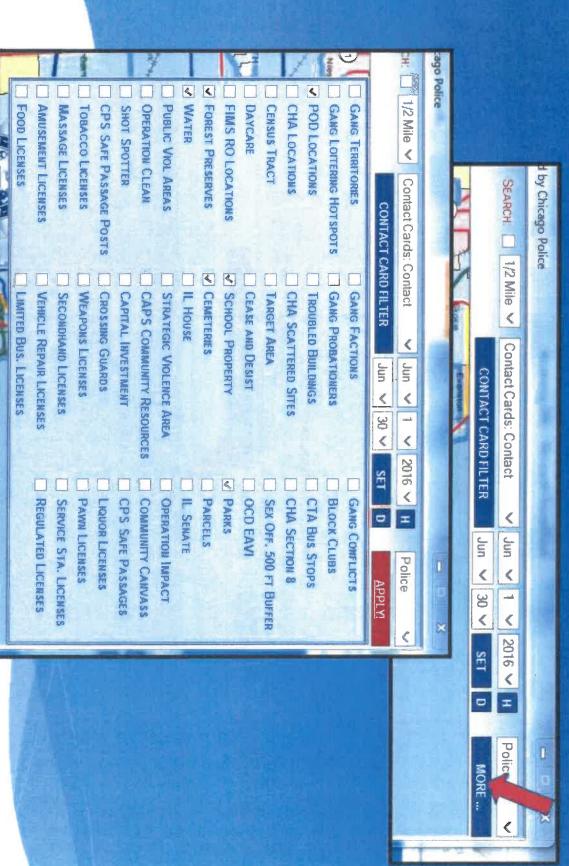


SORTING

Select "CONTACT CARD FILTER" to further sort your search



Select "MORE" to map gang hotspots etc.



Select "ADDRESS" to select boundaries

Use the next box to refine

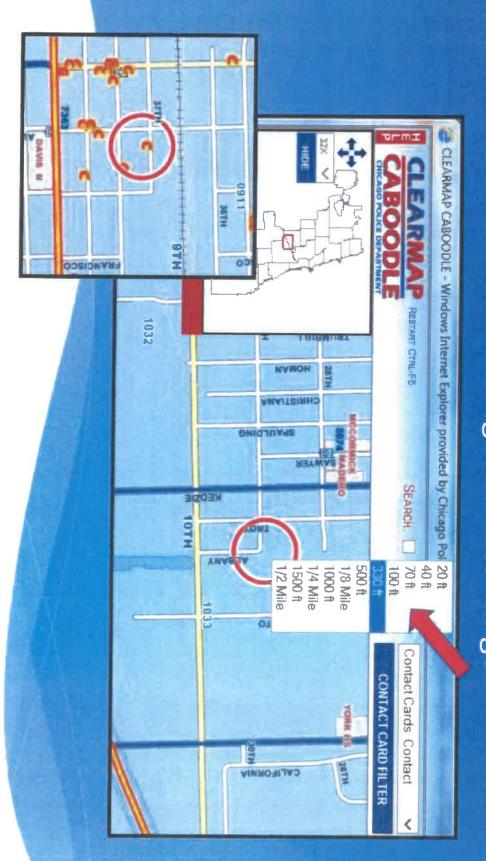


Map sorted for all ISRs on beat 911

01JUN-30JUN

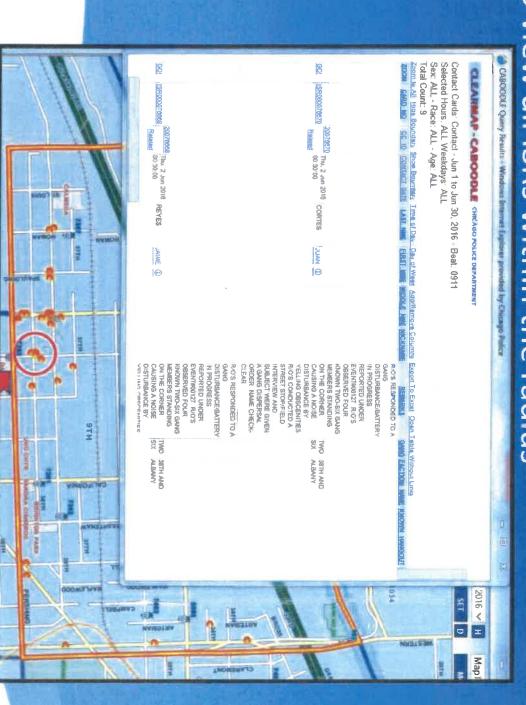


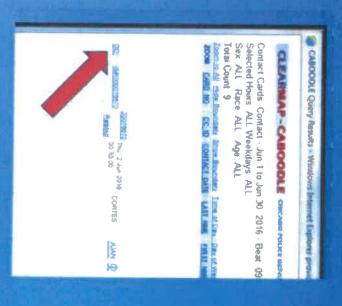
Select the distance to change the size of the red circle to narrow results. Caboodle will return all ISRs within that circle for the given date range

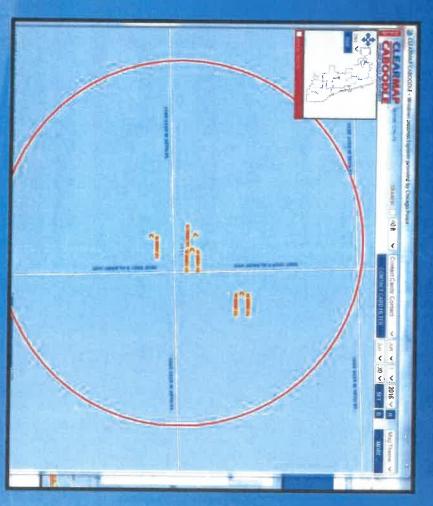


The red "C" indicates the location of ISR(s)

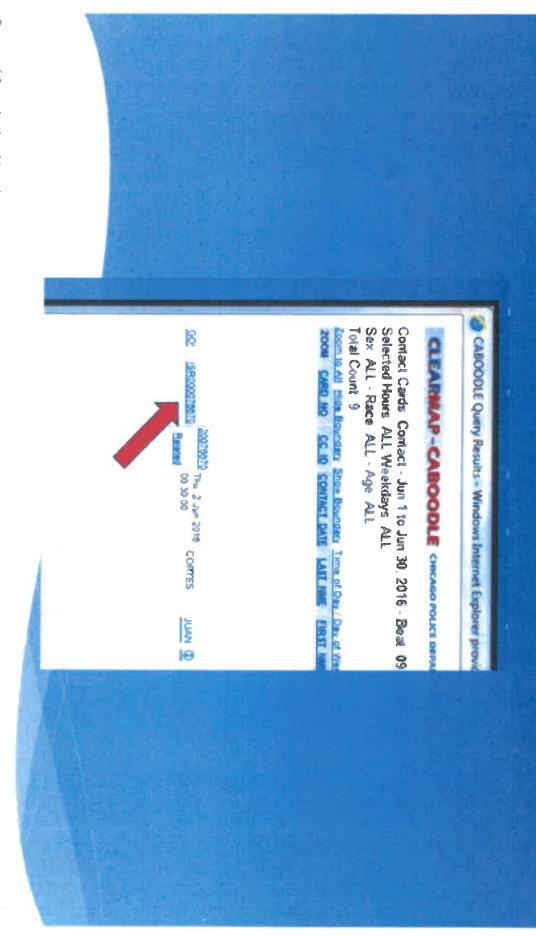
Click to view all ISRs within the radius



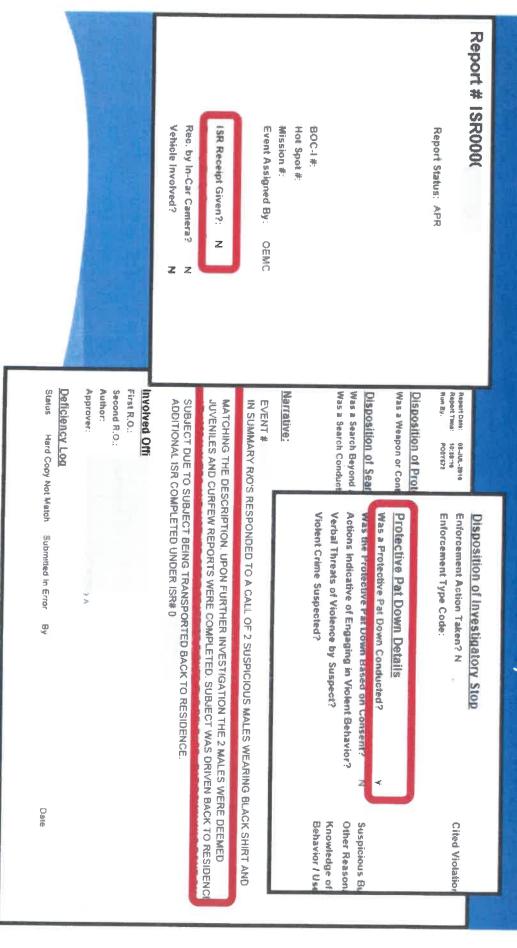




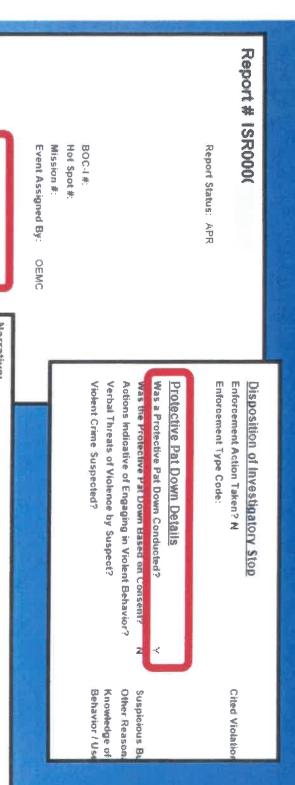
Click the ISR number to view the ISR



Common Error – Pat down conducted and no receipt issued (clerical error or otherwise)



Common Error – No receipt given for a consensual pat down



Narrative:

Rec. by In-Car Camera?

ISR Receipt Given?:

Vehicle Involved?

TIME OF STOP-BOTH THE DRIVER AND THE PASSENGER WERE UNCOOPERATIVE AFTER SEVERAL THEIR HANDS IN PLAIN VIEW. DRIVER WAS UNABLE TO PRODUCE A VALID DRIVERS LICENSE AT THE WEARING THEIR SEATBELTS. VEHICLE WAS CURBED AND SUBJECTS WERE INSTRUCTED TO PUT ALL PASSENGERS OF THE VEHICLE LAYING LOW WITHIN ABOVE VEHICLE NONE OF WHICH WERE R/O'S OBSERVED ABOVE VEHICLE DRIVING S/B DOWN HOMAN AND OBSERVED ABOVE DRIVER AND

PAT DOWN OF SUBJECT WERE DONE AND NAME CHECKS COMPLETED ON ALL OCCUPANTS, VERBAL WARNING ISSUED TO SUBJECT AND SENT ON HIS WAY VEHICLE) SO FOR OFFICER SAFETY SUBJECTS WERE ASKED TO EXIT THE VEHICLE. A CONSENTED

yet approved Common Error - RAS-based arrests with ISRs not

Number of Deficiencies (Optional)		ALL	* Hot Spot Related?	AL.		* Mission Related?	ALL	* Dispersal Related?	ARR Arrest	Enforcement Type	ALL	Paper Form?	All acob	* Tunn of Conn	Report Status SUB Submitted	ALL	* Distract of Stop	ALL ALL UNITS	* Unit	* End Date 2016-06-30 23:59:59	2016-01-01 00:00:00	* Start Date	Options	
es (Optional)	ز	0		Q	The second secon		٥		Q		۵	£)		٥	٥		Q						
	CB#;	Subject Name:	RUANT N	97 ORGODOGO AG	27 Manchander	CB#:	Event#:	RD #:	Subject Name:	RD #: Event #:	ISR000030479	Subject Name: CB #:	Event #:	ISR000021418	Event #: Subject Name: CB #:	RD #:	:SR000020422	REPORT #	District of Stop: Report Status:	Raport Time 11:28:35 Raport Time 11:28:35 Run By PCav572			ISR Search All Units	
	10	K (R HZ	SW-62	200	1 G	1	HZ	PA Distri	HZ Run By	19-FE Rapper Ducy	SCURLOCK, ANDRAE M	14456	22-JAN-2016	19895 BRUCE, WANNETTA M 19252441	HZ112846	21-JAN-2016	DATE OF STOP	SUB	13 G R				
						Z,	Total Reports:		Report status: 8UB		Man of March 1989	ANDRAE M		21:55:00	NNETTA M		10:18:00	OF STOP	Enforcement Type: Paper Original?				Pala refreshed Jul 8, 2016 at 11:29:35 AM	
00	26.2	8 (2)	78	'TB .	Se 1	ia m	70					D 60	" Ti	0225	3 10	7	3100	BEAT OF	ype: ARR	Date R			, 2016 at 11	
SCN	ARC	OEF F	THE .	FIN	A D	SUB F	Report Status:		Enforcement Type: Paper Originar?			2	First R.Q.; P	4156J	2	First R.O.	5756C	SUBMITTING BEAT		ISR Records For All Units Date Range: 01-JAN-2016 00:00:00 Thru 30-JUN-2016 23:59:59		-	129:35 AM 💔	
ə <u>a</u>	0	> C	Ç3	0 0	o 6	i o			ALL AND	Date Rar		PCOAT49 - S	C0AT49 - B	8h	C0X919- L	C02119 - S	806	UNIT	Dispersal Related? Mission Related?	R Reco N-2016 0		+ =	Ĭ	
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			900000				Enforcement Type:		Chipper and Redubert? Mile alon Redubert?	N-2016 00	ISR Records For All Units	STIAN A	ARTIN	SC 00	VEN C	VEN O	SUB	REPORT	Hot Spot Related? Type of Stop:	All Units		search report		
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i	in to	-	N3	¢n i	Ka p	# of Reports	(5) :		MAT? ALL	Date Range: 01-JAN-2016 00:00:00 Thru 30-JUN-2016 23:59:59								# OF	# of Deficiencles:			Page		Take a
									# of Deficiencies:	9									ANY	View		1 of 4		
									tencies:											View Summary		v ¥		

Investigatory Stop leads to a UUW arrest –

Narratives

PERSONAL PROPERTY CONDUCTED GSR ON ARRESTEE NAME CHECK CLEAR NOT ON PROBATION BUT ON PAROLE NO GIPP/TRAP LISTS NO TO RECOVER SAID FIREARM AND HOODIE BT 5826 FRANKS #14426 AND SAMMONS #6787 ON SCENE, AREA SOUTH DETECTIVES GARBAGE CANS AT 6823 S. ADA. ARRESTEE WAS TRANSPORTED TO THE 007TH DISTRICT FOR PROCESSING. E.T. REQUESTED RESIDENT IN HIS BACKYARD SIMULTANEOUSLY OBSERVED A FIREARM ON THE GROUND IN THE BACKYARD BETWEEN TORWARDS LOOMIS. BELIEVING ARRESTEE DISCARDED A WEAPON P.O. TORRES AND P.O. BARONA ACCOMPANIED BY RAN THROUGH HIS BACKYARD. CONTINUED WEST AND REMOVED A BLUE HOODIE AND HANG IT ON A FENCE AND CONTINUED CONDUCTED WHEN A RESIDENT OF 6823 S. ADA ALERTED P.O. TORRES #3561 AND P.O. BARONA THAT AN UNK MALE BLACK SHOOTING I RAN THROUGH THE CUT AND I WASNT SHOOTING I WAS WEARING ALL BLUE! AN IMMEDIATE CANVASS WAS ARRESTEE INTO CUSTODY WEARING WHITE TSHIRT LEE FREELY STATED. I WAS ON THE BLOCK WHERE THEY WERE WESTBOUND FROM THE SHOOTING MATCHING DESCRIPTION ARRESTEE FLED ACROSS THE STREET WHERE A/O'S PLACED WEARING WHITE TSHIRTS A/O'S IMMEDIATELY OBSERVED ARRESTE JUMPING A FENCE AT 6823 S. LOOMIS FLEEING EVENT# 12022 A/O'S RESPONDED TO SHOTS FIRED/PERSON SHOT AT 6815 S. THROOP. AS A/O'S WERE APPROACHING, A/O'S MONITORED A FLASH MESSAGE THAT OFFENDERS FLED WESTBOUND THROUGH THE GANGWAYS AND ALLEY LAST SEEN



.

INVESTIGATORY STOP AUDIT REPORT

CHICAGO POLICE DEPARTMENT

DATE SENT:	DA	TE RECEIV	ED:		ATER THA			
Unit No. Beat No.	Wat	ch Date & Ti	me of ISR	[15	SR Number			
Member's Name				Rank		Star Number		
Member's Name				Rank		Star Number		
Approving Supervisor				Rank		Star Number		
nvestigatory Stop Repor	t was <u>APPRO</u>	VED by a Sເ	upervisor but	subsequent re	eview identi	fied the deficiencies		
Failure to provide sufficie Down or other search (N	ent justification o Reasonable	to support a Articuable S	an Investigato Suspicion).	ory Stop, Prote	ctive Pat	Stop Pat Down Search		
mproper justification for	an Investigato	ry Stop, Prot	tective Pat D	own or related	search.	Stop Pat Down Search		
nvestigatory Stop Report equire the submission of	t should not ha an Investigat	ave been cor ory Stop Rep	mpleted. Off	icer's actions o	lid not	Not Required Duplicate		
☐ Deficiency Modificat	ion of Approve	ed to Deficie	ncy Final	Deficiency	Review Mo	dification - See Below		
vestigatory Stop Report	was reviewed	by the Inter	rity Section :	and the below	deficiencie	s were identified:		
☐ Investigatory Stop Re								
Pat Down Conducted		Search Con				Hot Spot, Mission,BOC-I #?		
☐ Pat Down Conducted? ☐ Search Conducted? ☐ Receipt Given? ☐ Hot Spot, Mission,BOC-I # ☐ Enforcement Action Taken? ☐ Violation(s)/Charge(s)? ☐ Associated ISR? ☐ ISR Not Complete								
-		***						
eviewed by:		Date	Superv	isor:		Date		
upervisors/Approvers will upervisors/Approvers will ovide what measures the op System. Supervisors.	speak to the y will take in t	affected me he future to I detail steps	embers and a ensure comm	address in deta bliance with Sp force complian	ail the defic ecial Order	ciences noted above and		
☐ Video #373	☐ Video			328 Street Sto	os - \square V	ideo #377 - ISR Myths,		
ISR Part 1	ISR P			e Court Guidel		lisconception and Facts		
☐ ISR Website - Ask ISR		6-0144 sory Review o Based on ISR	f #	Administrative Message #224576 - ISR Cancellation Process				
Special Order S04-13-09 Reviewed	Report Counse	eling Form	☐ SPAR#			R#		
Explanation Below	Date Comp							
EASURES TAKEN BY DIS	TRICT/UNIT							

INVESTIGATORY STOP REPORT OVERSIGHT OBSERVATION REPORT CHICAGO POLICE DEPARTMENT

RECORD NUMBER

DATE SENT:			RETURN N	IO LATER TI	HAN:	
Unit No. Beat No.		Watch	Date & Time of I	SR	er	
Member's Name	-			Rank		Star Number
Member's Name				Rank		Star Number
Approving Supervisor				Rank		Star Number
Investigatory Stop Repo deficiencies noted below	orts were <u>A</u>	PPRO	VED by a Superv	isor but subse	equent review id	lentified the
Failure to provide suffice Down or other search (NO Reaso	onable	Articulable Suspic	ion).		
Improper justification for Hard copy of the Invest submitted in the Invest	tigatory St	op Rep	ort does not mate	Pat Down or h the electron	related search. nic version	
Checked the hard/paper copy was submitted to Investigatory Stop Rep	er copy on Records In	the ele	ectronic submissio Section.			
require the submission	of an Inve	stigato	ve been complete ry <mark>Stop Report</mark> .	d. Uπicer's a	ctions did not	
Investigatory Stop Repor deficiencies noted below	ts were <u>R</u> l	EJECT	ED by a Supervis	or but subsec	quent review ide	ntified the
Report rejected, but NO	deficienc	y repor	t completed by th	e Supervisor.		
Supervisor who rejected Supervisor returned the	the ISR	did not	explain the reason	n for the rejec	tion.	
administrative errors we	re discove	ered.	Auministrative Re	gection, but N	10	
Supervisor rejected reposition officer (for example reviprovided guidance, etc.)	ewed spec	l not de cial ord	escribe the remed er, reviewed 4th a	ial action(s) a mendment, r	ddressed to the nentored,	
nvestigatory Stop Report leficiencies noted below:	s were RE	VIEWI	ED by Investigato	ry Stop Section	on and review id	entified the
Investigatory Stop Report						
Investigatory Stop Repo Other	rt in status	other	than approved or	final left long	er than 7 days.	
dupervisors/Approvers widays of receiving this release the deficiencies nompliance with Special Cupervisors/Approvers with EPLY IN TO-FROM SUNY ASSOCIATED PAP	port. The oted abov Order S04- Il detail ste BJECT R	Superv re and 13-09 (eps take EPOR 1	risors/Approvers v provide what m entitled "Investiga en to enforce com F FORMAT AND	vill speak to t leasures the tory Stop Sys pliance with a RETURN TO	he affected men y will take in t stem." affected membe	nbers and address in the future to ensur

FOR UNIT 115 USE ONLY

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CHICAGO POLICE DEPARTMENT

PAX 501

John J. Escalante, Interim Superintendent of Police



VOLUME 16

11 February 2016

NUMBER 3

Message from Interim Superintendent John J. Escalante on Investigatory Stop Reports (ISR)

I want to clarify concerns regarding the Investigatory Stop Report (ISR) and the Department's Agreement with the American Civil Liberties Union of Illinois (ACLU). I have heard your concerns and I am working toward a solution.

First, since January 1, 2016, Illinois Law requires all law enforcement agencies in Illinois to document investigatory stops and protective pat downs. We are not alone in this endeavor; the entire state is tasked with documenting investigatory stops and protective pat downs. Neither the law nor the Department's Policy has changed as to when stops and pat-downs are appropriate; merely the documentation has changed.

Second, Officers will not be disciplined for honest mistakes. I know that the Department ISR Policy has been in effect since January 1, 2016. The Department is working tirelessly to train everyone on the ISR policy and procedures. I know there is a learning curve and I appreciate your understanding as we make this transition.

Third, I would like to clarify the agreement between the Chicago Police Department and the ACLU. The Department has not relinquished any control of our policies and procedures to the ACLU. The agreement does not provide the ACLU with any role whatsoever with respect to individual officers' compliance with the Department's policies. The Department alone is responsible for supervising compliance with policies and procedures. Rather, the Department's agreement with the ACLU provides that a former federal judge, the Honorable Arlander Keys, will review CPD's policies, practices, and data regarding investigatory stops and recommend any changes that are policies, practices, and data.

Fourth, our Department is working to reduce the burden on officers. Remember, completing an ISR is in the best interests of Officers based on the Illinois State Law. A properly completed ISR helps protect the officer by documenting the basis for the stop and any resulting pat-down. Additionally, the transparency of the agreement with the ACLU and the ISR create a trust and mutual respect between our agency and the communities we serve.

Lastly, officer safety is one of my greatest concerns, and continues to be a valid basis for a protective pat down. Officers simply need to describe in the ISR why they believe their safety was a trisk. To perform a stop, an officer must have reasonable articulable suspicion, based on the facts and circumstances, that a crime has been, is being or is about to be committed. And, before an officer conducts a protective pat-down, he or she must have reasonable articulable suspicion that a person stopped is armed and dangerous and therefore poses a threat to the officer's safety or the safety of others. Neither of these requirements are new policies.

I appreciate all of the hard work that each of you do on a daily basis. Additionally, thank you for your service and dedication to the people of Chicago. Take care and stay safe.

John J. Escalante

Interim Superintendent of Police

John / localanti

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