



A JOINT MESSAGE FROM MAYOR ANDREW MAGLIO AND POLICE CHIEF STEVE HERRON



June 12, 2020

The Village of Roselle is a proudly diverse community. Acts of hate, criminal acts, and racism are an affront to the values and beliefs of our community and will not be tolerated. The men and women of the Roselle Police Department have sworn an oath to protect all residents of Roselle and the citizens of this nation. Accordingly, the Village of Roselle and the Roselle Police Department stand united with fellow Roselle residents against any and all acts of violence and racism within our community and reject discrimination towards any person under any circumstance!

Over the past days, and weeks, the Village of Roselle and the Roselle Police Department have received several inquiries regarding police practices and policy. While some of these questions originate from the Black Lives Matter movement, others have been taken from common email questions we have received. In the interest of education, openness, and transparency, we wish to share the questions that were submitted and the answers that were provided in response with the entire community.

The Roselle Police Department is a State of Illinois accredited agency. Since 2012, the Roselle Police Department has been an ILEAP (Illinois Law Enforcement Accreditation Program) Tier 1 Accredited agency. In order to achieve and maintain our accreditation, our policies and practices are thoroughly reviewed by assessors from outside our agency to insure that we implement and follow the best practices for law enforcement agencies recommended through the State of Illinois. Currently 38 agencies in Illinois have received ILEAP accreditation. There are 49 additional Illinois agencies that have received CALEA accreditation (The Commission on Accreditation for Law Enforcement Agencies). Of the 249 municipal agencies in Illinois, 87 have received either ILEAP or CALEA accreditation, which is 35% of Illinois police agencies. The efforts to obtain and remain accredited are voluntary and are evidence of the Village of Roselle and the Roselle Police Department's commitment to uphold the highest standards and retain the best practices in law enforcement.

Consistent with the policies of the Roselle Police Department, we stand with our community, other law enforcement agencies, and the nation against discrimination, racial profiling, and the use of excessive force.

We are always available to answer any questions or concerns you may have. Please do not hesitate to reach out and contact us so we can respond to your questions and concerns and move forward for the betterment of our community.

Andrew Maglio
Mayor

Steve Herron
Chief of Police

Questions Regarding Police Procedures

1. Are the police officers in Roselle trained to de-escalate altercations by using peaceful conflict resolution strategies? If so, are they expected to retake that training and at what frequency?

The Police and Community Relations Improvement Act (50 ILCS 727) and Illinois Police Training Act (50 ILCS 705) mandate training requirements for active police officers in the State of Illinois, including the types of training referenced above. The Illinois Law Enforcement Training and Standards Board is the state agency mandated to oversee training requirements, curriculum and standards. Mandated training for active police officers includes:

- Civil Rights;
- Constitutional and Proper Use of Law Enforcement Authority;
- Cultural Competency (including implicit bias and racial and ethnic sensitivity);
- Human Rights;
- First Responder Procedural Justice (including impartiality, reasonable use of force, de-escalation training, crisis intervention team training, verbal and non-verbal communication, bias awareness, language and cultural responsiveness); and,
- Mental Health Awareness (including de-escalation training), all certified Roselle Officers have been trained in Crisis Intervention Training (CIT).

All new or probationary officers receive certification through the Law Enforcement Basic Academy. The curriculum includes 580 hours of training in de-escalation, communication in the police environment, control and arrest tactics, procedural justice and mental illness behavior. Just this year, the Village of Roselle authorized a full time Training Sergeant position within the police department. This position is responsible for the continuing education for all police personnel, which includes certifications and assurances of Illinois mandated training for all in-service officers and regularly conducts training in the aforementioned topics annually. All Roselle Police Officers have received specialized training in de-escalation, cultural diversity and policing for changing times

2. Are Roselle Police Officers forbidden from using carotid restraints (chokeholds, strangleholds, etc.) and hog-tying methods? Are they forbidden from transporting civilians in uncomfortable positions, such as face down in a vehicle?

The Illinois Criminal Code (720 ILCS 5-7-5.5) details prohibited use of force by peace officers. A “chokehold,” meaning the application of direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air, is unlawful under the Illinois Criminal Code when used by a law enforcement officer in any situation where deadly force is not justified. It is therefore unlawful for a Roselle Police officer to use a chokehold where deadly force is not justified.

It is the policy of the Roselle Police Department to handcuff arrestees behind their back unless there is a medical issue or physical limitation where it would otherwise be

precluded (e.g, pregnancy, broken or missing limb). When placed in the back of a squad car, arrestees are seated in an upright position in the back seat and secured with a seat belt. The Roselle Police Department does not use pronemaximal restraint methods (e.g. "hog-tying").

3. Are the police officers in Roselle required to intervene if they witness another officer using excessive force? Will officers be reprimanded if they fail to intervene?

Roselle Police Officers shall intervene when excessive force is being exhibited. Officers using any type of force are accountable for its use. In all allegations of excessive force, an internal investigation will commence by the order of the Chief of Police and where found, may result in discipline ranging from reprimand through suspension or termination. Additionally, an officer who purposefully allows a fellow officer to violate an individual's Constitutional rights may be subject to prosecution for a failure to intervene. Failure to intervene may be found where an officer was aware of the Constitutional violation, had an opportunity to intervene, and chose not to do so.

4. Are the Roselle Police Officers required to exhaust every other possible option before using excessive force?

Pursuant to department policy, officers shall use only the force necessary to accomplish lawful objectives, not excessive force. While force may be used in certain circumstances, it shall be to accomplish lawful objectives and only to the extent reasonably necessary in light of the circumstances confronting the officer. Police Department Policy is explicit that officers using any type of force are accountable for the force that was used. The Roselle Police Department takes all use of force incidents seriously and is committed to review and evaluate each and every use of force incidents with response to resistance reports. In the event where a firearm is discharged, local compliance with the Police and Community Relations Improvement Act (50 ILCS 727) mandates that an investigation by the DuPage County or Cook County State's Attorney's Office and/or the Metropolitan Emergency Response and Investigations Team of DuPage County would be initiated.

5. Are Roselle Police Officers required to give a verbal warning to civilians before drawing their weapon or using excessive force?

Roselle policy provides that when an officer is faced with an arrest situation, whenever feasible, the officer should advise the subject that they are under arrest prior to the commencement of physical action (hand control, TASER, baton, firearm) used to take the subject into custody. Officers shall use force only to the extent reasonably necessary to accomplish lawful objectives in light of the circumstances confronting the officer, not excessive force. Officers using any type of force are accountable for the force that was used. The Roselle Police Department takes all use of force incidents seriously and is committed to review and evaluate all use of force incidents.

6. Are the officers in Roselle required to report each time they use force on civilians?

Yes. Roselle Police Department Policies provide for report and review in each instance when an officer is involved in any incident requiring the use of force beyond the routine act of handcuffing. Whenever an officer is involved in any incident beyond the routine act of handcuffing, a response to resistance report is written and a review of the incident is conducted by supervisory staff. All incidents are reported to the Chief of Police.

7. Are the Roselle Police Officers thoroughly vetted to ensure that they do not have a history with abuse, racism, xenophobia, homophobia / transphobia, or discrimination?

Yes. The Roselle Board of Fire and Police Commissioners is responsible for recruiting, selecting, and appointing qualified candidates for positions as Police Officer. The Police recruitment and selection process is a comprehensive and thorough process involving the following elements:

- **Written application with references and acquaintances**
- Written examination
- **Oral interview with questions covering all forms of discrimination**
- **Polygraph examination**
- Psychological examination
- Medical examination
- **Background check/investigation**

The portions of the police officer selection process that would most directly screen for candidates with a history of abuse, discrimination or bias as referenced above as listed above in bold. Newly hired Roselle Police Officers are on probation for 18 months from their date of appointment.

8. Are the officers in Roselle trained to perform and seek necessary medical action after using excessive force?

It is the policy of the Roselle Police Department that if an injury is alleged or results from a police officer's use of force, it shall be the involved officer's responsibility to ensure that adequate medical care is made available to the injured party as soon as practicable. Protocol for providing medical aid includes notification of the watch commander and summoning of medical assistance (paramedic) and documentation of the incident overseen by a supervisor to include photographs of injuries and a written report. Additionally, all Roselle police officers are trained in first aid, CPR and the medical administration of Narcan. It is the policy of the Roselle Police Department that sworn officers use only the force reasonably necessary under circumstances known to the officer at the time to affect lawful objectives. Sworn Officers need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. Officers shall use force only to the extent reasonably necessary to accomplish lawful objectives in light of the circumstances confronting the officer, not excessive force. Officers using any type of force are accountable for the force that was used.

9. Does the Roselle Police Department use in car cameras and/or Body Worn Cameras?

In late 2018, the Village of Roselle authorized updating all the in car cameras to include front and rear [seat] facing cameras. In early 2019, after an evaluation of body worn cameras, the Village Board approved a contract to expand our use of cameras to include body worn cameras. All front line employees utilize body worn cameras to record all law enforcement encounters. Department policy was drafted to include the requirements of 50 ILCS 706/10, this policy includes mandatory supervisory monthly review of both in-car camera recordings and random reviews of police officer body worn camera recordings.

10. Is there an early intervention system enforced to correct officers who use excessive force? Additionally, how many complaints does an officer have to receive before they are reprimanded? Before they are terminated?

The Roselle Police Department records, reviews and evaluates every incident that involves use of force by an officer or complaints filed against an officer's action. The Police Department's commitment to ongoing review and evaluation of all use of force cases, by design, facilitates early warning, intervention, and remedial action where warranted. The Roselle Police Department takes all complaints against our officers or employees seriously and is committed to review and evaluate all use of those complaints. Therefore, there is no specific number of complaints that will warrant a predetermined level of discipline. Discipline up to and including reprimand, suspension, or termination may result from a single incident, where warranted, based upon the totality of the circumstances.

11. Is there a report on civilian deaths that occurred in custody as a result of use of excessive force by a police officer?

There have been no civilian deaths that have occurred in the custody of the Roselle Police Department. In the event that a civilian death were to occur in custody, for any reason, Police Department policy would require an investigation by the DuPage County or Cook County State's Attorney's Office, the Metropolitan Emergency Response and Investigations Team of DuPage County, and the Illinois Department of Corrections. In the event of an in-custody death suspected to have occurred as a result of the use of excessive force by a police officer, it is also anticipated that the Illinois Attorney General's Office as well as the United States Department of Justice would commence an investigation.