

University of Chicago Police Department

GENERAL ORDER

<i>Effective Date:</i> February 11, 2019		<i>Number:</i> GO 503
<i>Subject:</i> Traffic Enforcement		
<i>References:</i> CALEA 61.1.1, 61.1.2, 61.1.3, 61.1.4, 61.1.5, 61.1.6, 61.1.7, 61.1.8, 61.1.9, 61.1.10, 61.1.11, Ill. Statutes 725 ILCS 5/107-7, 625 ILCS 5, Diplomatic Relations Act U.S.C. 254, Vienna Convention on Consular Relations		
<i>Reevaluation Date</i> Annually		<i>No. Pages:</i> 19
<i>Amends:</i> 14 MAR 2018 Version (O.P.D.) August 11, 2010		<i>Rescinds:</i>
<i>Approved By:</i> Kenton W. Rainey, Chief of Police	<i>Signature:</i> Signed Original on File in Accreditation Office	

503.1 PURPOSE

The purpose of this policy is to establish guidelines for the uniform enforcement of traffic laws, to provide procedures for traffic stops, and guidelines for the issuance of traffic citations.

503.2 POLICY

University of Chicago Police Officers are expected to implement proactive methods to educate the public and/or enforce traffic safety laws in an effort to achieve voluntary compliance.

503.3 DEFINITIONS

- A. Area Patrol – Traffic enforcement within an officer’s assigned area.
- B. Line Patrol – Traffic enforcement on a particular section of roadway.
- C. Directed Patrol – Traffic enforcement that targets specific offenses at specific times and/or locations.

503.4 TRAFFIC PATROL

The practices used for traffic enforcement should reflect the legitimacy of its purpose. The focus of traffic enforcement is to increase community and traffic safety. As such, the thrust of enforcement will be on moving violations which the officer clearly observed, traffic misdemeanors, traffic felonies and serious safety-related equipment violations. Minor equipment violations, and technical violations which have little or no effect on traffic safety, are not the focus of UCPD traffic enforcement. These may be addressed with other, more serious accompanying violations, however they should not be the sole reason for a traffic stop. Nothing in this order shall limit the lawful use of Terry Stops on vehicles, nor the use of traffic stops in

performing the caretaker function of law enforcement (attempting to assist persons who may have medical issues, disoriented, etc.)

In the absence of supervisor authorization, traffic enforcement operations, whether area, line, or directed, should only be performed in clearly marked patrol vehicles or on police bicycles with emergency equipment and should be highly visible in order to maximize deterrence while minimizing the need for enforcement actions. It is not in line with the Department's focus to conduct covert traffic enforcement or to conceal the patrol vehicle for the purposes of observing traffic violators.

Officers assigned to traffic enforcement duties will be given direction from a supervisor regarding the expectations.

Roadside safety checks (checkpoints) should be positioned and conducted in a manner that improves rather than disrupts the flow of traffic. A Deputy Chief will approve roadside checkpoints prior to it being conducted, and it will be in compliance with State and Federal law.

Covert positions and unmarked vehicles should only be used for traffic enforcement operations when a supervisor determines the need to do so. If an unmarked vehicle is to be used, it shall be equipped with emergency lights and a siren. Marked patrol vehicles should be available to respond for additional visibility and officers shall ensure that their clothing and equipment clearly identifies them as police officers.

Unconventional vehicles such as covert vehicles, and T3 Motion vehicles should not be used for routine traffic enforcement operations.

503.5 UNIFORM ENFORCEMENT GUIDELINES

No single enforcement action is always appropriate to address every violation or correct the driving behavior of every traffic violator. When enforcing traffic laws, officers are expected to exercise reasonable discretion consistent with state laws, Department policies, and the Department's enforcement focus outlined in this policy. Officers may address a violation with:

A. **Verbal Warnings** may be appropriate for:

1. Newly enacted laws.
2. Non-moving or equipment violations.
3. Pedestrian and bicycle violations.
4. Violations resulting in very minor traffic collisions.
5. Public carrier/commercial vehicle violations.
6. Exceeding the speed limit (non-misdemeanor).

B. Personal Service Citations may be appropriate for:

1. Hazardous non-moving or equipment violations.
2. Pedestrian and bicycle violations.
3. Violations resulting in traffic collisions.
4. Public carrier/commercial vehicle violations.
5. Exceeding the speed limit, including but not limited to aggravated speeding.
6. Driving while license is suspended, or revoked (emissions, insurance, etc.).
7. Multiple Traffic violations.

C. Custodial Arrest is appropriate for:

1. Driving under the influence of alcohol and/or drugs.
2. Driving while license is suspended, revoked or cancelled (DUI, etc.).
3. Hazardous moving violations that are Class A misdemeanors or felonies, including Reckless Driving (11-503), and Street Racing (11-506).
4. Speeding 35 or more mph over the speed limit which is a Class A misdemeanor (11-601.5.b, Aggravated Speeding: 11-605(e-5)(2), 11-605.1(d-5)(2)).

503.6 SELECTIVE TRAFFIC ENFORCEMENT

Officers shall not be required to issue a specific number of citations within a designated period of time. This is consistent with state laws 55 ILCS 5/5-1136 and 65 ILCS 5/11-1-12. Selective traffic enforcement, based on a traffic collision and injury analysis may be implemented to reduce the number of collisions in a particular area. The intent of selective traffic enforcement is to direct enforcement efforts toward the violations that contribute to collisions and injuries in a particular area. The Department employee responsible for CompStat preparation will be responsible for conducting and distributing an annual traffic compilation and review to patrol supervisors. The traffic compilation and review shall include a comparison of collision data and enforcement activity data. At a minimum, the traffic compilation and review must contain:

- A. The traffic collision and enforcement activities data that have occurred over the past year within the Department's jurisdiction along with a comparison of the previous year collision and enforcement activities data. DUI crash data for DUI crashes called in to the UCPD ECC (CAD) and UCPD DUI enforcement data should also be included.

- B. Provide recommendations for selective enforcement. These recommendations may be implemented, and personnel deployed, at the discretion of supervision within Field Services Bureau.
- C. A documented annual review of the enforcement activities performed in response to the previous review.

The review of location, time, and violation factors in vehicle collisions must be based on a numerically significant sample. It is also essential to consider the fluctuations caused by seasonal variations that result in traffic collisions. The Department employee responsible for CompStat preparation is responsible to retain each published compilation and review for a minimum of three years from the date of publication.

503.7 SPEED MEASURING DEVICES

Device Specifications

The University of Chicago Police Department shall only utilize speed measuring devices that meet or exceed NHTSA specification standards. These standards are published on the National Highway Traffic Safety Administration website at <http://www.nhtsa.gov/>.

Operator Training/Certification

Officers shall only operate speed measuring devices that they have been trained and/or certified to operate in accordance with state law and the unit manufacturer's specifications. Certifications and/or training records shall be retained by the Department Training Coordinator.

Records

The Training Unit shall designate one or more officers to be trained and certified to inspect and verify the calibration on all Department speed measuring devices. These officers shall also provide training to other officers on the use of the devices and conduct scheduled inventory, maintenance and calibration inspections in accordance with the manufacturer's specifications. Maintenance and calibration logs shall be made available for use as evidence upon request of the officer or upon receipt of a subpoena.

Operational procedures

Manufacturers' guidelines will be followed regarding routine testing and operation of speed measuring devices.

Proper care and upkeep

Officers using speed measuring devices are responsible for proper care and upkeep, as well as, reporting malfunctions, problems, or damage to their immediate supervisor.

503.8 SPECIAL CATEGORY VIOLATORS

Non-Resident Violators

Officers must remember that traffic laws vary from state to state. Non-resident motorists (as verified by identification) shall not be penalized for non-hazardous violations of Illinois law, that conflict with the laws in the motorist's state of residency. Laws that typically conflict include regulations governing vehicle registration, window tint, and vehicle lights.

Illinois Statute 625 ILCS 5/6-800 et. seq., defines the provisions applicable to residents of states that are members of the "Non-Resident Violator Compact." Residents of a non-compact state will be allowed to post a cash bond as set forth in the Illinois Supreme Court rules. Residents of a non-compact state unable to post bond will be brought before a judge if all other bonding options have been exhausted.

Petty Offenses for which the fine is \$1000 or less (625 ILCS 5/6-308), require Promise to Comply **regardless of State of residency**, with no bond required to be posted.

Juvenile Violators

If a traffic enforcement action is taken against a juvenile, the juvenile should be issued a Personal Service Citation in the same manner as an adult. If a juvenile is processed for either an arrestable traffic offense(s) and/or a criminal offense in conjunction with a traffic violation, officers shall ensure that all procedures governing the custody and care of juveniles are followed as described in UCPD General Order 520, Juveniles and Minors- Handling, Custody and Interrogation.

Foreign Diplomats/Consular Officials

Diplomatic and consular immunity are granted by the U.S. government under the Diplomatic Relations Act, U.S.C. 254 and the Vienna Convention on Consular Relations. Diplomats, consular officials, their families, and staff enjoy varying levels of immunity from arrest and prosecution. Immunity has many levels. For example, "Official Acts Immunity," of consular officials must be asserted in court as an affirmative defense. All foreign mission members and dependents are accountable for traffic violations. Stopping a foreign mission member or dependent, and issuing a citation, does not constitute an arrest or detention and is always permitted (however the subject may not be compelled to sign the citation).

- A. Officers shall comply with Illinois Statute, 625 ILCS 5/16-108, when a violator displays a driver's license issued by the U.S. Department of State or otherwise claims immunity under Title 22, Chapter 6 of the U.S. Code. The officer shall:
1. As soon as practicable, contact the U.S. Department of State office (1-866-217-2089) in order to verify the driver's status and immunity. (Notify a supervisor of findings.)
 2. Record all relevant information from any driver's license or ID card.
 3. Within five (5) workdays after the date of the stop, forward to the Illinois Secretary of State a copy of any citation(s) issued to the violator, and the crash report (if the person was involved in a collision). If a citation was not issued, then a written report of the incident will be forwarded.

- B. In serious cases, for example, DUI, personal injury, collisions, telephone notification of the U.S. Department of State is required as soon as practicable. Field sobriety investigation will follow Department guidelines. If the officer judges the individual too impaired to drive safely, the officer shall not permit the individual to continue to drive (even in the case of diplomatic agents who have the highest level of immunity). Notify a supervisor if diplomatic personnel are stopped for a serious violation. Immune diplomatic personnel may be taken to the police station where further arrangements may be made to assure the safety of the individual and the community. If the personnel are not immune from arrest, according to the State Department, they are subject to arrest. Any search of their person or property, including vehicle (and including towing), must conform to their level of inviolability, according to the State Department.

Further diplomatic incident reporting information can be found at:

<http://www.state.gov/m/ds/immunities/c9125.htm>.

Refer to General Order 515 for notification guidelines concerning non-immune foreign nationals.

Military Personnel

Military personnel shall be entitled to all immunity afforded to them by federal and state laws. Such immunity and courtesy shall be extended to military personnel by officers in all traffic matters with respect to acts performed in the course of official United States military duties.

Illinois State Law (725 ILCS 5/107-7) specifies that, except for the commission of treason, felony or breach of the peace, the militia (National Guard) shall be exempt from arrest during attendance at musters and elections and in going to and returning from the same.

Illinois State Legislators

Illinois State Law (725 ILCS 5/107-7) specifies that, except for the commission of treason, a felony or breach of the peace, Senators and Representatives shall be privileged from arrest during the session of General Assembly, and in going to and returning from the same. This does not exempt state legislators from the issuance of a citation.

U.S. Legislators

Members of the U.S. Congress may not be arrested or detained for the issuance of a citation while in transit to or from the Congress of the United States.

Court Personnel

Illinois State Law (725 ILCS 5/107-7) specifies that Judges, attorneys, clerks, sheriffs, and other court officers shall be privileged from arrest while attending court and while going to and returning from court. This does not exempt court officers from the issuance of a citation.

503.9 TRAFFIC STOPS

Procedures for Traffic Law Violator/Unknown Risk stops

- A. Use the proper radio code to inform the communications dispatcher that an enforcement contact or check of an abandoned vehicle will be initiated. As soon as the code is acknowledged, the following information should be reported to the dispatcher:
1. Location and direction of travel;
 2. Location of Stop;
 3. Vehicle description and vehicle license information;
 4. The apparent number of occupants;
 5. Reason for stop;
 6. Any other pertinent information deemed relevant by the officer; and
 7. Request back-up, if applicable.
- B. The officer shall anticipate the appropriate location to stop the violator. Consideration shall be given to a location with ample space and appropriate lighting. Avoid stops on hills, curves, intersections, private drives, and locations, which have limited parking.
- C. The officer shall signal the violator to stop. This signal shall be with emergency lights and siren, and if necessary, hand signals, sounding the horn, and/or the public address system. These signals also alert other drivers of the intent of the officer and will usually facilitate securing the right of way for the stop.
- D. The violator shall be directed to the right side of the roadway, unless it is unsafe to do so and a safer location is identified, close to the curb or onto the shoulder if permitted by the roadway design.
- E. The police vehicle shall be positioned so that it will offer the officer some protection from oncoming traffic, while providing maximum safety to the violator, the officer, and all other traffic. Should the violator stop abruptly in the wrong lane or in another undesirable location, the officer shall direct the violator to move to a safe location. Officers may use the public address system to instruct violators to move to a safer location. If the officer's oral directions and gestures are insufficiently understood, the officer should safely exit the police vehicle and inform the driver to move the vehicle to a safer location and proceed with the traffic stop.
- F. Officers shall not allow the violator to move his vehicle once stopped if the officer suspects the driver has been drinking to the extent that his driving ability has been impaired.
- G. Once the violator has stopped in an appropriate location, the officer should position the police vehicle approximately one-half to one car length behind the violator's vehicle and in the position that offers the officer some protection from oncoming traffic (see step 5).
- H. The officer shall leave the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of any occupants in the violator's vehicle.

- I. The officer shall approach from the rear of the violator's car, looking into its rear seat and stop behind the trailing edge of the left front door. This position shall be maintained if there are only occupants in the front seat of the vehicle. From this position, the officer can communicate with the violator, keeping him in a slightly awkward position and at the same time keep all occupants of the vehicle in view.
- J. In some cases where the violator's car has occupants in both of the front and rear seats, the officer should approach no further than the trailing edge of the left rear door. From this position, the officer can communicate with the violator and keep all occupants in view.
- K. In cases where the officer feels approaching from the driver's side is dangerous, the officer may use the same techniques listed above and approach from the passenger's side of the vehicle. The officer should not pass between the violator's vehicle and the patrol vehicle in order to get to the passenger's side.
- L. In traffic stops made by two man patrol vehicles, the passenger officer should handle all radio communications, write all notes and messages relayed from communications, and during the traffic stop, should leave the vehicle and act as an observer and cover for his fellow officer. At no time shall the two officers approach the violator together.
- M. At night, officers shall exercise caution in selecting an appropriate place for the traffic stop, signaling the violator and positioning the police vehicle. After the stop, the headlights may remain on high beam at the discretion of the officer and emergency lights and emergency flashers must be in use on the patrol vehicle.

Procedures for High Risk stops

Special procedures shall be used in vehicle stops when the risk (high) is known to the officer when making the stop. Examples of these situations can include, but are not limited to, armed and dangerous situations, fleeing felons, kidnappings, stolen vehicles, etc. When an officer determines that they will be conducting a high risk stop, the officer will notify the dispatcher immediately of their location and give a thorough description of the vehicle and its occupants. The officer will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to aid their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped until adequate support is available and in position. An officer will not conduct a known high-risk traffic stop without back-up. The following procedures will be used, when practical, in effecting the stop:

- A. The officer will plan to stop the suspect vehicle in a location that presents minimal danger to other citizens.
- B. When conditions are appropriate and support units available, the officer will move into position to the rear of the suspect vehicle.

- C. The officer will signal the violator to stop, using appropriate emergency equipment to warn other traffic.
- D. The violator will be stopped on the extreme right side of the road, if safe to do so.
- E. When the suspect vehicle begins to stop, the officer will turn off the siren and turn on the public address system.
- F. The officer will position the patrol vehicle at a 45-degree angle to the left of the suspect vehicle. The front wheels should be turned sharply to the left for maximum protection. This will be the lead vehicle and in most cases, the officer making the stop will be the lead officer.
- G. At night, the officer shall focus all lights on the interior of the suspect vehicle.
- H. The lead officer will leave the police vehicle quickly, but remain behind the door and accessible to the public address system microphone.
- I. If a public address system is not available, the lead officer will give voice commands if they can be heard. If this fails, the officer will wait for a patrol unit with a functioning public address system.
- J. Ideally the supporting officer (backup unit) will position the support vehicle to the right of the suspect vehicle at a 45-degree angle.
 - 1. If conditions do not allow for this, the supporting officer will position the support vehicle slightly to the left of the suspect vehicle. This positioning will be similar to a misdemeanor stop vehicle position.
 - 2. The front wheels should be turned sharply to the left for maximum protection. The backup officer will exit the patrol car quickly, but remain behind the door.
 - 3. Any additional patrol cars that arrive will position their patrol units directly behind the command or backup patrol vehicles. Additional units should turn off lights on the front of the patrol vehicle as to not cast light onto the command and backup vehicles.
 - 4. Additional officers should take positions behind the passenger door of the lead or support patrol car.
- K. The lead officer making the stop is in command and will direct each occupant, using the public address system, to get out of the vehicle and into the appropriate search position. If the lead vehicle is a two-officer unit, the determination of which officer assumes the lead officer position will be determined before exiting the vehicle.

1. The lead officer shall order the driver to shut off the motor and drop the keys on the ground outside the door.
 2. The lead officer shall order occupants to place their hands, palms up, on the ceiling of the vehicle.
 3. The lead officer shall order occupants to exit the vehicle one at a time being mindful of officer safety.
 4. Each occupant will then be told to walk backwards very slowly toward the lead vehicle. Each suspect should be walked down the right or passenger side of the lead vehicle. Once along the side of the lead vehicle, the suspect will be able to hear commands from the support officer, who will direct the suspect to the rear of the support vehicle to be taken into custody.
 5. Each suspect will be thoroughly searched, handcuffed and placed into the secure area of the backup patrol car.
- L. Once the suspect(s) are in custody questions can be asked that might assist in securing the vehicle such as the number of suspects in the vehicle and/or weapons involved.
- M. After removing all suspects seen and giving commands for those not seen to exit the vehicle, the backup officer and the command officer will slowly approach the suspect vehicle.
1. The command officer will approach the left side of the suspect vehicle and the backup officer from the right. The command officer and the backup officer should stay paced together during the approach. Care should be taken to observe the trunk area for any signs of movement.
 2. Officer approaching the vehicle will move in at an angle "slicing the pie" until both officers can see into most of the passenger compartment.
 3. The command officer will then move forward toward the suspect vehicle with caution and will quickly "pop up" to view any areas of the vehicle that were not visible while approaching.
 4. If there aren't any additional suspects seen in the interior portion of the vehicle, the command officer will retrieve the keys for the car and move to the trunk area of the suspect vehicle.
 5. The command officer will utilize the car keys to access the trunk of the vehicle. The command officer will crouch down to place the keys into the trunk lock and open the trunk. The back up officer will be in a position to see into the trunk and cover the command officer when the trunk lid opens.

- N. Officers will exercise extreme caution not to get into each other's line of fire.

503.10 OFFICER/VIOLATOR RELATIONS

Once the officer has stopped the violator/driver and has approached to a point where communications begin, the following guidelines should be followed:

- A. Present a professional image in dress, grooming, language, bearing and emotional stability.
- B. Have the necessary equipment and forms, if they are to be used, immediately available.
- C. Decide on appropriate enforcement action based upon the violator's driving behavior, not attitude. In most cases, decide on the form of enforcement action prior to the initial contact with the violator.
- D. Greet the driver in a courteous manner and identify yourself by name, rank, and agency. An overbearing or curt manner does not reflect professionalism.
- E. Inform the driver what traffic law has been violated, or other reason for the stop (reasonable suspicion, caretaker function).
- F. Ask for their driver's license and vehicle insurance information.
- G. If the driver has no driver's license, obtain another document of identification.
- H. Allow the driver to discuss the violation. Do not argue, berate, belittle or verbally abuse the driver.
- I. Complete the forms required for the enforcement action taken, or complete a verbal warning, if appropriate.
- J. Explain to the violator what they are supposed to do in response to the action taken.
- K. Issue the driver the "Who We Are" Community Information Card, before concluding the stop.
- L. Be alert to emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the driver may need to calm down before resuming driving.
- M. Return the driver's insurance information, driver's license (if not used for bond), and a copy of the citation, if applicable.
- N. Assist the driver in safely reentering the traffic flow.

503.11 REQUEST FOR REEXAMINATION

During a stop, if an officer suspects that the driver has an incompetency, physical or mental disability, disease or other condition that may prevent the driver from exercising reasonable or ordinary care over a motor vehicle, officers should use sound discretion regarding allowing the driver to continue operating the motor vehicle.

The State of Illinois administers a Driver's License Medical Review program pursuant to the Driver's License Medical Review Law of 1992 (625 ILCS 5/). Under this program, drivers who may meet the criteria listed above may be reported to the Secretary of State by sworn personnel.

Officers who believe that a driver meets the requirements shall collect all pertinent information from the driver such as name, date of birth, driver's license number, reason for and date of stop, as well as the observed medical condition. This information shall be submitted to the Illinois Secretary of State Medical Review Unit utilizing the Illinois Medical Reporting and Re-Examination Request Form (DSD DA 16.2).

503.12 GUIDELINES FOR PERSONAL SERVICE CITATIONS

- A. When preparing a Personal Service Citation, sworn personnel will ensure that:
 - 1. Citations issued, are turned in to their immediate supervisor before the end of their tour of duty.
 - 2. When court appearances are required, ensure that the proper Traffic Court Key Letter Group System is utilized.
- B. After preparing a Personal Service Citation, sworn personnel will advise the violator of the following bond options:
 - 1. Petty Offenses for which the fine is \$1000 or less (625 ILCS 5/6-308).
No bond is required to be posted. As of January 1, 2019, no driver signature is required.
 - 2. Traffic Business Offenses- Petty offenses for which the fine is over \$1000.
Posting one of the below listed bail-security documents:
 - a. Valid Illinois Driver's License.
 - b. Authorized valid automobile bail-bond certificate.
 - c. CTA Memorandum Card.
 - d. UCPD Officers will not accept Cash Bonds. Officers will be required to take the violator to the appropriate CPD District to allow the violator to post a cash bond should the violator choose to do so.

NOTE: Officers will not discuss the dollar amount of any bonds. The officer may show the motorist a current publication from the Secretary of State for reference.

- e. Promise to Comply, if eligible. When applicable, verify out of state violator's eligibility for Promise to Comply option in lieu of bond for minor traffic violations.

- 3. Traffic Class A and B Misdemeanors and Felonies.
Bonding follows existing Illinois Supreme Court Rules.

C. After preparing a Personal Service Citation, sworn personnel will:

- 1. Provide each violator a Diversion Envelope, along with the Violator's Copy and Court Communication Copy of the citation.
- 2. Refer the violator to read the instructions on the citation.
- 3. Use the clear plastic bail document pouch for the driver's license or bond cards.
- 4. Complete the Traffic Stop Data Sheet (TSDS) form (TS-2581) for the motorist stopped, and turn in the TSDS form with the record of the Citation Complaint. Complete the Uniform Pedestrian Stop Card, if the person cited was a pedestrian. For a bicyclist, no Data Sheet or Stop Card is required.

NOTE: Officers will complete the TSDS for every traffic stop of a motor vehicle for an actual or alleged violation of the Illinois Vehicle Code regardless of whether a citation was issued. Completed TSDS forms will be submitted for approval with the officer's daily paperwork.

D. When the traffic violation requires a bond other than a driver's license, bond card, or Promise to Comply option, the officer may issue an Individual Bond if the violator is eligible (See GO 521). If the violator is not eligible for an Individual Bond, the officer will process the violator in the appropriate CPD District. Officers will:

- 1. Immediately notify the on-duty Shift Supervisor.
- 2. Present the traffic violator and citations to the appropriate CPD District Desk Sergeant.
- 3. Obtain a copy of the citation and a copy of the violator's bond slip when the violation is for a bondable offense.
- 4. Obtain a copy of the citation and all related reports if an arrest results from the traffic stop.

E. Shift Supervisors will ensure that:

1. All submitted Personal Service Citations have been reviewed and approved.
2. Log all issued Personal Service Citation Books on the Personal Service Citation Transfer Logs (UCPD 22.107).
3. Citation Transfer Logs, completed citations, Traffic Stop Data Sheets (TS-2581) and bonds are forwarded to the Records Unit **daily** in the appropriate envelope.

503.13 TRAFFIC COURT KEY SYSTEM

The Traffic Court Key System consists of court-key letter designations based on the letters of the alphabet, Major, Alternate Major, and Minor Courtrooms and their respective court call-times.

- A. All sworn employees trained and issued Personal Service Citation Books will be assigned a Traffic Court Key letter group to be used when issuing Personal Service Citations and scheduling traffic violators for Traffic Court.
- B. All sworn employees trained and issued a Traffic Court Key letter group will refer to the UCPD Court Operations Calendar (UCPD-11.200) to determine courtroom numbers and court call times associated with their assigned Traffic Court Key.
- C. All sworn employees assigned a Traffic Court Key letter group will be responsible for entering their assigned court-key letter designation, courtroom numbers, and court call times in the spaces provided on the Personal Service Citation.
- D. Sworn employees will retain their Traffic Court Key letter group assignments when promoted, transferred, or detailed to another unit.
- E. When issuing a single Personal Service Citation to a traffic violator for a “**minor**” traffic offense, the issuing officer will be responsible for placing an “X” in the “**NO COURT APPEARANCE REQUIRED**” box of the Personal Service Citation.
- F. Minor Traffic Offense(s) – Requiring a Court Appearance
 1. When issuing a Personal Service Citations to a traffic violator for multiple “**minor**” traffic offenses or a single Personal Service Citation for one “**minor**” traffic offense, the Personal Service Citation(s) will be returnable to the issuing sworn employee’s Minor Courtroom in Traffic Court.
 2. Issuing sworn employees will place an “X” in the “**COURT APPEARANCE REQUIRED**” box and enter their **Minor Courtroom number, court key date, and time.**
- G. Misdemeanor Traffic Offenses – Requiring a Court Appearance

1. All misdemeanor traffic offenses of the Illinois Vehicle Code that could result in arrest, will be returnable to the Major Courtroom in Traffic Court.
2. All persons charged with the following will be scheduled to appear in the issuing sworn employee's Major Courtroom in Traffic Court
 - a. A misdemeanor traffic offense or;
 - b. A combination of a misdemeanor traffic offense(s) and either:
 - (1) Non-traffic misdemeanor, or
 - (2) Minor traffic offense(s).
3. Issuing sworn employees will place an "X" in the "**COURT APPEARANCE REQUIRED**" box on the Personal Service Citation and enter their Major Courtroom number, court key date, and time.

503.14 TRAFFIC COURT CALL DATES

All court dates for violators receiving Personal Service Citations will be scheduled not less than **21 days**, but within **60 days**, after the date of issuance, whenever practicable.

EXCEPTION: When a defendant is charged with 625 ILCS 5/11-501(a), (Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof), in which case the court date will be scheduled not less than **21 days**, but within **49 days**.

503.15 DRIVING UNDER THE INFLUENCE (DUI)

- A. Drivers impaired by alcohol and/or other drugs represent a serious threat to the safety of others. The overall objective is to remove the impaired driver from the road and reduce the loss of life and property from DUI-related collisions.
- B. All officers receive training in DUI enforcement. This training includes:
 1. Identifying DUI motorists by characteristic driving behavior.
 2. Identifying the physiological and behavioral signs of intoxication.
 3. The proper administration of field sobriety tests.
 4. Completion of required DUI reports, complaints and citations.
 5. Specialized training in the Horizontal Gaze Nystagmus Test.

- C. Officers who are trained as breath analyzer operators receive specialized training. These officers are trained and certified by the Illinois State Police.

503.16 DUI ARRESTEE HANDLING

- A. Officers must be alert for signs of impairment in all contacts with motorists. When an officer determines that probable cause exists to make an arrest for violating any DUI laws, a custodial arrest shall be made. Officers will not release a DUI suspect or arrange for alternate transportation in lieu of arrest. After a custodial arrest is made the offender shall be transported to Temporary Detention at UCPD Headquarters. If the arrestee requires immediate medical attention or hospitalization, the officer will advise his or her supervisor and accompany the offender to the hospital. Violent or combative detainees will be taken directly to the appropriate Chicago Police Department (CPD) District Headquarters for processing. Following chemical testing, and processing at UCPD, arrestees will be taken to the appropriate CPD District for full processing, holding and bonding. See GO 515 for further.
- B. An arrestee's vehicle may be released to an unimpaired licensed driver at the scene with consent of the arrestee; otherwise, it will be towed and impounded consistent with UCPD General Orders and Illinois statute. Under no circumstances shall the arrestee be allowed to operate the vehicle after being arrested or under the influence of an impairing substance or substances.
- C. After placing the subject under arrest for DUI, the arresting officer shall read the arrestee the "Warning to Motorist." The "Warning to Motorist" form shall be filled out completely and correctly. After giving the warning to motorist, the officer shall direct the arrestee to submit to a test or tests to determine the blood alcohol concentration of the arrestee, and/or the presence of drugs. A person requested to submit to a test shall acknowledge, in writing, receipt of the warning. If the person refuses to acknowledge receipt of the warning, the officer shall make a written notation on the warning that the person refused to sign the warning (625 ILCS 5/11-501.1).
- D. If the arrestee consents, the arresting officer shall make arrangements for the appropriate test. If the arrestee refuses, no additional requests need be made.
- E. DUI testing shall be conducted as follows:
 - 1. Breath tests
Breath tests shall only be conducted by breath analyzer operators licensed by the Illinois State Police.
 - a. If the arrestee submits to the test, resulting in a BAC of 0.300 or higher, the officer shall immediately notify a supervisor and arrange for transport to a hospital.

- b. If the arrestee submits to the test, resulting in a BAC of 0.080 or higher, the arrestee shall be charged with a second count of DUI for violation of Illinois Vehicle Code, 625 ILCS 5/11-501(a)(1).
- c. For an arrestee with a test result of 0.080 or higher, the officer shall complete the “Law Enforcement Sworn Report” which includes the “Notice of Summary Suspension.”
- d. If the arrestee’s test result is below 0.080 and there is an indication that the person is under the influence of drugs or a combination of alcohol and drugs, the officer will request blood and urine samples. If the arrestee consents to the tests, the arrestee will be taken to the Bernard Mitchell Emergency Department (UCM).

2. Blood tests

Under normal circumstances, a blood test will not be used as an alternative to a breath test. A blood sample will be requested only if the breath test is inconclusive, intoxication from other than alcohol is suspected, or if some injury, possible injury, illness or deformity prevents the arrestee from taking the breath test.

- a. Before being asked to submit to a blood test, the individual must be under arrest for DUI, and be read the “Warning to Motorist.”
- b. The arrestee shall be taken to the Bernard Mitchell Emergency Department, where the blood sample will be taken.
- c. With the consent of the arrestee, the blood sample will be drawn by a licensed physician, a registered nurse, or other person authorized by Illinois Statute 625 ILCS 11-501.2(a). The hospital may require the arrestee to sign a waiver. Refusal to submit to the blood test will constitute a refusal under the statute. If the arrestee is not capable of refusal, Illinois statute provides that the person be deemed not to have withdrawn consent and the blood sample will be drawn.
- d. The arresting officer shall be present during the drawing of the blood sample. If DUI testing kits are not available, officers should request two standard grey-top vacuum tubes that contain anticoagulant and preservative for whole blood testing.
- e. The officer shall witness the blood samples being placed into the kit. The forms in the kit shall be filled out completely, the kit sealed with the supplied materials, and submitted as evidence.

- f. In the case of blood and/or urine tests, the officer shall wait until the test results have been returned to fill out the “Law Enforcement Sworn Report” and “Notice of Summary Suspension.” If applicable, the officer shall then serve the violator with copies, either in person or via United States Postal Service.

3. Urine tests

Urine tests shall be requested in addition to the blood test if drugs are suspected, or when a breath or blood test is not possible. A specimen of urine, when collected, shall be collected in a manner to preserve the dignity of the individual and to ensure the integrity of the sample.

- a. Urine samples shall be collected in the presence of the arresting officer or a representative of the Department who can authenticate the sample. The officer or employee shall be of the same sex as the subject being tested.
- b. A urine specimen of approximately 60ml should be collected.
- c. The urine sample should be collected from the arrestee’s first emptying of the bladder in a clean, dry container.
- d. Approximately equal volumes shall be dispensed directly into two identical containers. No preservatives shall be used. The containers shall be closed with inert stoppers.
- e. Each of the containers shall be labeled with the following information:
 - 1. Name of suspect
 - 2. Date and time of collection
 - 3. Collecting attendant
 - 4. Authorizing officer’s signature or initials and agency identification.
- f. The officer shall witness the samples being placed into the kit. The forms in the kit shall be filled out completely, the kit sealed with the supplied materials, and submitted into evidence.

4. Refusal

The “Notice of Summary Suspension” will be completed if the arrestee refuses or fails to complete any of the chemical tests.

F. Aggravated Driving Under the Influence- Felony

Persons arrested for Driving Under the Influence may be eligible for Felony Aggravated DUI charges under 625 ILCS 5/11-501.d. Officers will check the arrestee's driving record through LEADS to determine whether Aggravated DUI charges may be appropriate. If so, the officer will screen the case with Felony Screening. If the case is charged as a felony, long-form complaints will be used instead of DUI citations.

G. Detainee Health and Welfare

There is an inherent medical risk to persons arrested for DUI alcohol and/or drugs. Personnel shall be alert to medical problems exhibited by detainees. If the detainee has a BAC of 0.300 or higher, or exhibits repeated vomiting, uncontrolled urination or defecation, inability to stand or walk without assistance, or falling in and out of consciousness, the officer shall immediately notify a supervisor and arrange for medical evaluation and/or transport to the hospital.