

BARTLETT POLICE DEPARTMENT



Subject: Use of Force

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Operations Order 200

Rescinds: G.O. 95-04

Reference CALEA Standards:
1.2.10, 4.1.1, 4.1.2, 4.1.3, 4.1.4,
4.1.5, 4.1.6, 4.1.7, 4.2.1, 4.2.2,
4.2.3, 4.2.4, 4.2.5, 4.3.4, 11.3.4

Related Directives:
AO103, AO107, AO123, OO221,
TSO503, SO614

PURPOSE: This order establishes a Departmental policy on the use of force by members, which will provide guidelines for the use of force in accordance with the United States Constitution, Illinois Constitution, Illinois Compiled Statutes, case law, and Department policy and govern the investigation and review of incidents in which force is used.

I. Definitions (4.1.2)

- A. **Active Resistance**—When an individual is uncooperative, is not complying with an officer's, lawful commands, and uses physical action to prevent an officer from taking control of the individual and/or placing the individual in custody. Examples include pulling away or running away.
- B. **Assaultive Resistance**—When an individual is assaultive, in which the officer's attempt to gain lawful compliance has culminated in a perceived or actual attack on the officer or others, but the individual's actions would not result in the officer's or other's death or great bodily harm.
- C. **Chokehold**—Applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. Chokehold does not include any holding involving contact with the neck that is not intended to reduce the intake of air. (720 ILCS 5/7-5.5(c))
- D. **Deadly Force**—Any force which is likely to cause death or great bodily harm.
- E. **De-Escalation**—Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.
- F. **Exigent Circumstances**—Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.
- G. **Great Bodily Harm**—Any injury which creates a substantial risk of death, or causes serious permanent disfigurement or the long-term loss or impairment of a function of any body part or organ.
- H. **Law Enforcement Officer or Officer**—Any person employed by a State, county, or municipality as a policeman, peace officer, or in some like position involving the enforcement of the law and protection of public interest at the risk of the person's life. (50 ILCS 727/1-5)
- I. **Less Lethal Weapon**—Those items which, when used properly, are less likely to result in death or serious physical injury. Less lethal weapons include authorized chemical sprays, batons, impact projectiles, chemical munitions, and CEWs.
- J. **Less Lethal Impact Projectiles**—Munitions which can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, or preventing serious injury without posing a

- significant potential of causing death. Examples include beanbags, launchable foam or rubber batons, and other like items.
- K. **Officer-Involved Death**—Any death of an individual that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a law enforcement officer while the officer is on duty, or otherwise acting within the scope of his or her employment, or while the officer is off duty, but performing activities that are within the scope of his or her law enforcement duties. Officer-involved death includes any death resulting from a motor vehicle accident, if the law enforcement officer was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or attempt to apprehend. (50 ILCS 727/1-5)
- L. **Passive Resistance**—When an individual is uncooperative and is not complying with an officer's lawful commands, but does not exhibit any act of physical aggression toward another.
- M. **Peace Officer**—means (i) any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or (ii) any person who, by statute, is granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State. (720 ILCS 5/2-13)
- N. **Objectively Reasonable** —As decided by the U.S. Supreme Court in *Graham v. Connor* (490 U.S. 386 (1989)) the Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation. The balancing test entails consideration of the totality of the facts and circumstances of a particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempt to evade arrest by flight.
- O. **Reasonable Belief**—The person concerned, acting as a reasonable man, believes that the described facts exist. (720 ILCS 5/2-19)
- P. **Use of Force**—That amount of effort required by police to compel compliance from an unwilling subject. The term does not include escorting or handcuffing an individual with no resistance.

II. Use of Reasonable Force

- A. It is recognized that Department members will at times have to use force to enforce the law, protect themselves or others, and ensure the safety of the public. Department members' authority to use any force, as well as the type and level of force they may employ, is governed by the United States Constitution, Illinois Constitution, Illinois Compiled Statutes, case law, and Department policy.
- B. A member of the Department shall use reasonable force when force is used to accomplish lawful objectives. A member will only use deadly force when the member reasonably believes the action is in defense of any human life, including the member's own life, or in defense of any person in imminent danger of death or great bodily harm. (4.1.1, 4.1.2)
- C. *Graham v. Connor* (490 U.S. 386, 109 S. Ct. 1865 (1989)) further defines "objective reasonableness." In every instance where force is to be used, the Department member must have:
1. Prior to the application of force, the member will consider, and be able to articulate the following factors, pursuant to *Graham v. Connor*:
 - a. The severity of the crime at issue,
 - b. Whether the suspect poses an immediate threat to the safety of the officer, others, or him/herself, and
 - c. Whether he/she (the suspect) is actively resisting arrest or attempting to evade arrest by flight.

2. Each subsequent response to resistance, if needed, must be considered independently. The member must reassess the necessity of each additional application of force based upon the Graham v. Connor factors.

III. Officer Response

- A. The intent of this order is not to restrict members in the use of force used to effect the arrest of any individual. Members will use the force they believe to be reasonable based on their immediate risk assessment of the situation. Members will be held accountable for the response that they use.
- B. 720 ILCS 5/7-5 defines the parameters of a police officer's response to resistance in making an arrest (including the use of deadly force) as follows:
 1. A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest.
 2. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or another or when he reasonably believes both that:
 - a. Such force is necessary to prevent the arrest from being defeated by resistance or escape; AND
 - b. The person to be arrested has committed or attempted a forcible felony that involves the infliction or threatened infliction of great bodily harm, is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.
- C. Where feasible, a police officer will give some warning before using deadly force to prevent the escape of one who is fleeing. (Tennessee v. Garner 471 U.S.1, 105 S. Ct. 1694 (1985)).
- D. **De-Escalation Techniques:** (4.1.1)
Officers are strongly encouraged, when appropriate and tactically sound, to utilize de-escalation techniques as a manner to gain voluntary compliance. The use of de-escalation techniques to achieve voluntary compliance is the desired method of gaining compliance from the public, placing an offender into custody, and/or defusing potentially violent situations. However, recognizing that not all persons will comply with lawful verbal commands and submit to arrest and/or cease aggressive or violent actions, other responses to resistance by police may be necessary to effect an arrest and to protect the officer or others during the arrest process. De-escalation techniques may include, but are not necessarily limited to:
 1. Verbal persuasion and/or communication tactics such as the practice of courtesy and effective communication in an effort to encourage understanding and cooperation on the part of the public and that of the offender(s) to be arrested.
 2. Utilizing distance and cover, or containing a threat, in order to generate additional time during which other response options may be assessed or additional resources requested. Placing barriers between an uncooperative, aggressive subject and an officer(s) may be utilized to "slow down" a situation that does not pose an immediate threat.
 3. Moving from a position that exposes the officer to potential threats to a safer position (tactical repositioning).
 4. Requesting additional resources, such as additional officers, supervisors, or specialty units (e.g. Crisis Intervention Team, crisis negotiator).
- E. A subject should not be allowed to initiate the use of force and thereby gain an advantage in a physical confrontation.
- F. **Duty to Intervene:** (1.2.10)
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene verbally, or if necessary, physically, to prevent the use of such excessive force. Such officers shall also promptly report these observations or actions to a supervisor.

G. Defensive Force Techniques of Last Resort:

The utilization of force techniques which the Department does not authorize, or train in their use, is prohibited unless circumstances indicate that their use is necessary to prevent death or great bodily harm to a Department member or others.

H. Training in Deadly Force Terminology: (4.1.2)

The definitions of conditional terms related to use of deadly force, such as reasonable belief, deadly force, great bodily harm, or similar terms, shall be included and reviewed during in-service training on use of force and on this order, at least annually.

IV. Use of Force Limitations

- A. A degree of force, which may have been justified earlier in an encounter, does not remain justified indefinitely. Force shall be decreased as the individual's resistance or threat decreases.
- B. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
- C. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, including the prevention of destruction of property, only an objectively reasonable amount of force necessary to control the situation shall be used.
- D. Members shall not use a chokehold or a vascular neck restraint, which restrict air flow or blood flow, in the performance of their duties. Members shall not use a chokehold, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion. (4.1.6) (4.1.7)

V. Injuries—Medical Attention and Reporting (4.1.5)

- A. Any time a member of the Department uses force against another, the member will ensure that the subject of that force receives appropriate medical attention, if needed, as quickly as reasonably possible.
 - 1. An ambulance will be called any time a subject alleges an injury of any kind, if the subject has sustained obvious severe injuries, if medical distress is apparent, or the subject is unconscious.
 - 2. An ambulance will be called to render medical attention any time a suspect is struck by kinetic energy less lethal ammunition.
 - 3. Immediate medical assistance consistent with a Department member's training should be administered by Department members for any obvious severe injuries or unconsciousness, while recognizing scene safety, control of the subject, and environmental circumstances.
- B. Any injury sustained, regardless of whether it is to the subject or to the officer, will be documented on the Incident/Offense Report. Photographs of all injuries to subjects or officers will be taken and entered into evidence. Photographs will also be taken when a subject claims to be injured, but there is no visible indication of an injury. Photographs will be taken of any and all impact areas whether there is a visible injury or not. An attempt to take follow-up photographs should be made, when practical, 24-48 hours after the incident to document bruising, either with the consent of the subject or by a search warrant.
- C. If the injury sustained by the subject requires treatment at a medical facility, the arresting officer will immediately notify the supervisor on duty and request an ambulance for medical treatment. An officer will accompany the ambulance to the medical facility and will stand by while the subject is being treated.
- D. If the subject is treated and released, the officer will transport the subject to the police department for arrest processing. If the subject requires hospitalization, the officer will immediately contact the Shift Supervisor. It will be the responsibility of the supervisor to make appropriate notifications and arrange for security of the subject until custody can be transferred to the Sheriff or the subject is released from the hospital.
- E. Complete procedures on hospitalization of persons in custody are in Administrative Order 107 – Booking Procedures.

VI. Use of Firearms

- A. Officers shall not fire into the air or ground in an attempt to halt a fleeing offender. Therefore, warning shots are prohibited. (4.1.3)
- B. Discharging a firearm at a moving vehicle or from a moving vehicle is prohibited. (4.1.2)
- C. The use of firearms is restricted to members of the Department who have successfully completed the Basic Recruit Training at a certified law enforcement academy or completed the 40-hour State of Illinois Weapons Training Certification, prior to attending the academy. An officer will not draw, display or discharge a firearm except for legal use or official inspection.
- D. An officer may discharge his/her firearm in the performance of official duties, for any of the following reasons:
 1. To destroy a seriously injured or dangerous animal. When practical, the officer will obtain authorization from the Shift Supervisor prior to destroying the animal.
 2. When an officer reasonably believes it is necessary to prevent an arrest from being defeated by resistance or escape and the individual under arrest has committed or is attempting to commit a forcible felony which involves the infliction or the threat of infliction of great bodily harm, or the individual is threatening escape by use of a deadly weapon, or has indicated that he/she will endanger human life or will inflict great bodily harm unless arrested without delay.
 3. Whenever practical the officer will issue a verbal warning to the offender that deadly force may be used against the offender. (e.g. "Police! Stop or I Will Shoot!")
 4. When the officer(s) reasonably believes the action is necessary to defend the officer or another person from death or the infliction of great bodily harm.
- E. The Bartlett Police Department will conduct a thorough and expedient investigation of any officer who discharges a weapon, regardless of whether the officer was on duty or off duty. This investigation will include activities or incidents which do not involve the loss of life or injury. These activities exclude weapons practice, training, qualifications at a designated range, and participation in hunting or sporting events.
- F. When an officer discharges a firearm for any reason other than those stated above:
 1. If the incident occurs within the jurisdiction of the Department, the officer will immediately notify the on-duty Supervisor. The supervisor will make immediate notifications as required by Special Order 614 – Notifications—Department Personnel and will initiate a report.
 2. If the incident occurs in another jurisdiction, the officer will immediately notify the appropriate law enforcement authority for the jurisdiction, and will file a report. The officer will also immediately contact the Department and speak with the Shift Supervisor to advise what has occurred. The officer will provide the supervisor with the nature of the incident and the location. The supervisor will initiate a report and will make notifications as required by Special Order 614 – Notifications—Department Personnel.
- G. If an officer discharges a firearm and the circumstances of the discharge are not consistent with the activities listed in Section E and there is no injury or loss of life, the on-duty Supervisor will notify the Deputy Chief of Operations.
- H. If the discharge causes the loss of life or an injury, the Shift Supervisor will make notification to his/her immediate supervisor, who will then make the notification to the:
 1. Deputy Chief of Operations
 2. Chief of Police
 3. Investigations and Support Services Commander – Internal Affairs
 4. Department Union Steward
 5. State's Attorney for the county of occurrence
- I. If the discharge causes the loss of life or an injury, the procedures in section VIII below will be followed.

VII. Use of Less Lethal Weapons (4.1.4)**A. Axon Conducted Energy Weapon (CEW):**

1. The Axon CEW may be used in any of the following circumstances, when the circumstances perceived by the member at the time, including the seriousness of the offense, indicate that such application of force is objectively reasonable to subdue:
 - a. A subject who has demonstrated an intention to be assaultive, by words or action, and reasonably appears to pose an immediate threat to the safety of the member(s), him/herself, or others. The use of the Axon CEW by deploying probes or in drive stun mode is authorized for assaultive resistance.
 - b. A subject who demonstrates active resistance to prevent being taken into custody. The use of the Axon CEW in drive stun mode is authorized for active resistance.
 - c. A subject who has committed a serious offense, and is attempting to evade arrest by flight.
 - d. Aggressive or attacking animals.
 - e. Any other circumstances present at the time, based on a totality of the circumstances using the standard of objective reasonableness.
2. Mere flight from an officer or passive resistance does not in itself justify the use of an Axon CEW. Prior to the application of force, the officer will consider and be able to articulate the Graham v. Connor factors.
3. Members are not expected to place themselves at unreasonable risk to deploy the Axon CEW, nor shall a member deploy the Axon CEW when facing a firearm or extended distance deadly force threat unless circumstances permit such use.
4. The Axon CEW has a data port that stores the date and time of each firing of the weapon. This data will be included as a supplement to the supervisor's report in section X below.
5. The Axon CEW, when used in a manner consistent with Department authorized training, is not considered use of deadly force or force likely to cause great bodily harm.
6. Each non-training discharge, including unintended discharges of an Axon CEW, shall be investigated and documented. A detailed police report shall be completed after each operational use of the Axon CEW.
7. Any non-training activation of an Axon CEW (excluding routine functional checks) requires immediate notification of a supervisor and a written report as covered in section IX below.
 - a. When feasible, a sworn police supervisor will respond to the scene of any non-training activation of an Axon CEW.
 - b. The appropriate Deputy Chief will be notified in the event any of the following circumstances occur:
 - 1) A subject experiences death or serious injury.
 - 2) A person experiences prolonged Axon CEW activation.
 - 3) The Axon CEW appears to have been used in a punitive or abusive manner.
 - 4) There appears to be a substantial deviation from training.
 - c. All investigations as required under section VII below will include at a minimum:
 - 1) Location and interview of witnesses (including other members).
 - 2) Photographs of subject and member injuries.
 - 3) Collection of cartridges, darts/prongs, data downloads, in-car video (if applicable).
 - 4) Copies of the device data download.
 - 5) Description of the type of clothing worn by the suspect.
 - 6) Range at which the Axon CEW was used.
8. Where feasible, a police officer will give some verbal warning to the subject before deploying the Axon CEW. Before discharging the Axon CEW, the officer should notify other members on the scene and responding members so that they are aware that its use is imminent. This should be done by using the code word.
 - a. When activating an Axon CEW, members should use one standard cycle and stop to evaluate the situation. If subsequent cycles are necessary, the number and duration are restricted to what is reasonable to place the subject in custody. Each application of the Axon CEW must be considered a separate application of force and is not solely justified on the initial application of force.

9. After a member has deployed an Axon CEW to take a subject into custody, the member shall:
 - a.
 - b. An Axon CEW cannot be used on a subdued subject unless he/she is actively resisting or exhibiting active aggression and/or to prevent an individual from harming himself/herself or others, as described in section 1.a and 1.b above.
 - c. The Axon CEW prongs shall only be removed by medical personnel or members who have completed the Bartlett Police Department's user or instructor Axon CEW training program and in the presence of another member.
 - d. Probe removal should not be attempted if subject is combative.
 - e. Axon CEW prongs that have struck the face, groin, male or female breasts, or other sensitive areas shall only be removed by fire/rescue or medical personnel.
 - f. When removing the probes, members should:
 - 1) Use latex gloves.
 - 2) Place the removed probes in the spent cartridge, barb side down, in the non-firing ports per Department training.
 - 3) Clean the wound with an antiseptic wipe and bandage it.
 - 4) Assess the subject for injury or a condition that may need medical attention.
 - 5) Take photos of the suspect(s) injuries or lack of injuries.
10. All persons who have been exposed to an Axon CEW activation shall be evaluated by fire/rescue or medical personnel and be monitored regularly while in police custody.
11. Detainees exposed to an extended Axon CEW duration shall be classified as a high-risk detainee and are subject to the procedures described in Administrative Order 106 – Holding Facility Procedures while in police custody.
12. The air cartridge, wires, and probe shall be retained as evidence.
13. Prolonged exposure to the Axon CEW is defined as a deployment of fifteen (15) seconds or more.
14. An Axon CEW may be pointed at a subject, including the use of the laser pointer and/or arcing the device, as a de-escalation technique to avoid resorting to deployment of the Axon CEW.

B. Oleoresin Capsicum (OC) Spray:

1. Department-issued Fox Labs oleoresin capsicum (OC) spray can be used when an individual exhibits the intent to actively resist or attack the member, to prevent injury to another person, or to prevent injury to the member in effectuating the arrest. Mere verbal resistance against being arrested does not justify the use of OC spray. A member's use of OC spray is not regarded as use of force that would result in great bodily harm. However, a citizen's use of OC spray against a sworn officer shall be deemed aggravated battery and the force necessary to overcome that battery may be used.
2. Decontamination will be rendered to individuals who have been sprayed with OC spray, including, if practical:
 - a. Exposure to fresh air.
 - b. Flushing exposed areas with cool water.
 - c. Washing with soap and water.
 - d. Medical treatment when necessary.
 - e. Universal precautions will apply when rendering decontamination and personal protective equipment (PPE) will be utilized when appropriate.

C. Less Lethal Impact Projectiles:

1. Less lethal impact projectiles should be considered, when feasible, if they would assist in making an arrest, restoring order, and/or reducing the risk of injury. These munitions may be used for situations including, but not limited to:
 - a. Restoration or maintenance of order during jail or civil disturbances.
 - b. Safely controlling violent or assaultive persons.
 - c. Subject armed with a non-firearm weapon.
 - d. Any other circumstances present at the time, based on a totality of the circumstances using the standard of objective reasonableness.
2. The use of less lethal impact munitions must be reasonable and the circumstances and appropriateness clearly articulable.
3. All persons who have been struck by a less lethal impact projectile shall be evaluated by fire/rescue or medical personnel and be monitored regularly while in police custody.

4. If the person struck by the less lethal round is taken to a medical facility, the officer using the less lethal round, or an officer familiar with the less lethal round, will accompany the suspect to the medical facility to brief the medical staff as to the type of round utilized and pertinent ballistic data.

D. Police Baton and Police ASP:

1. The police baton and police ASP shall be used only when reasonable, in overcoming assaultive resistance by a detainee, to defend against an assault by any person, for control tactics, and for escorts.
2. All persons who have been struck by a baton or ASP shall be evaluated by fire/rescue or medical personnel and be monitored regularly while in police custody.

E. Use of Police Dog:

1. The handler's decision to release the police dog to apprehend a suspect will be measured against the "objective reasonableness" test as established in *Graham v. Connor*. The handler shall be guided by Technical Services Order 503 – Police Service Dog Unit and shall consider the following factors when making the determination to release the police dog:
 - a. The severity of the crime at issue;
 - b. Whether the suspect posed an immediate threat to the safety of the officers or others;
 - c. Whether the suspect was actively resisting arrest or attempting to evade arrest by flight; and
 - d. Any other circumstances present at the time, based on a totality of the circumstances using the standard of objective reasonableness.
2. Prior to releasing the police dog to apprehend a suspect, the handler shall issue pre-deployment warning announcements. The handler shall not be required to issue pre-deployment warning announcements if the handler knows, or reasonably believes, the suspect is armed with a dangerous weapon; and thereby allowing the suspect to gain a tactical advantage over the handler, officers, or others on scene. The pre-deployment warning announcements shall include:
 - a. The officer's authority.
 - b. The opportunity for the suspect to peaceably surrender.
 - c. The consequences of a dog bite for non-compliance.
 - d. Example warning may be: "Police K-9! You're under arrest, surrender immediately or you may get bit!"
3. At all times when the police dog has been released to apprehend a suspect, the handler shall:
 - a. Maintain complete control over the actions of the police dog, either physically or by verbal commands.
 - b. Reasonably restrain or prevent the police dog from biting the suspect when the handler knows, or reasonably believes, the suspect has surrendered, is compliant and no longer an immediate threat to the safety of the handler, officers, or others on scene.
4. Once the suspect has been located and the handler knows, or reasonably believes, the suspect is no longer a threat or risk of escape, the handler shall secure the police dog as soon as practicable. If the police dog has apprehended the suspect and the handler knows, or reasonably believes, the suspect is no longer an immediate threat and is no longer actively resisting arrest or attempting evade arrest by flight, the handler shall immediately remove the police dog from the apprehension and secure the police dog. It is recognized verbally commanding the police dog to release the apprehension is preferred; however, conditions at the scene may warrant the handler to physically remove the police dog if the handler knows, or reasonably believes, verbally commanding the police dog to release the apprehension would create a safety threat to the suspect, officers, or others on scene.

F. Weaponless Force:

1. The use of weaponless force, or empty hand techniques, are intended to gain control of a non-compliant subject(s) with a minimal chance of causing serious injury. It is recognized that law enforcement officers are more likely to use such force than higher levels of force. Department members may only use that force that is objectively reasonable.
2. Weaponless force includes, but is not limited to: pressure point application, joint manipulation, open and closed hand strikes, kicks, escorts, take downs, and other techniques intended to gain control of a subject.

3. Department members may not make contact of a degrading or demeaning nature with subjects taken into custody. Such contact includes slaps to the face or back of the head. Once a non-compliant subject is subdued and taken into custody, the use of force should cease.
 4. Officers shall only use those weaponless control techniques for which they have received Department-authorized training and have demonstrated proficiency.
 - a. During a situation involving the infliction or threatened infliction of death or great bodily harm, the use of an untrained weaponless response, while not normally authorized, may be reasonable to end the threat and survive the encounter.
- G. **Defensive Items of Last Resort:**
The use of items which the Department does not authorize as weapons, or train in their use as weapons, is prohibited unless circumstances indicate that their use is necessary to prevent death or great bodily harm to a Department member or others.

VIII. Procedures – Use of Force Incident Involving Death or Great Bodily Harm (11.3.4)

- A.
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 - 4.
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 - 7.
- a.
- 8.
- B. In the event that the officer involved is the Shift Supervisor, and there is no Patrol Watch Commander on duty, the supervisor will assign a Department designated Officer In Charge (OIC) as supervisor. If no OIC is available, the senior officer on the scene will assume command. The Commander, OIC, or senior officer will immediately assume command and will perform all the duties hereto detailed. This officer will retain command until such time as the officer is relieved by an officer of the rank of Sergeant or above.
- C. The Shift Supervisor, OIC, or senior officer will make notification to his/her immediate supervisor, who will then make the notification to the:
1. Deputy Chief of Operations
 2. Chief of Police
 3. Investigations and Support Services Commander - Internal Affairs
 4. Department Union Steward
 5. State's Attorney for the county of occurrence (11.3.4.c)
- D. Incidents of officer-involved death or great bodily harm involving Bartlett Police Department members occurring within the jurisdiction of the Village of Bartlett shall be investigated by a designated outside agency (i.e. MCAT OID (Officer-Involved Death) Team; DuPage County MERIT Public Integrity (OID—Officer-Involved Death) Team; Illinois State Police) as directed by the Chief of Police or his/her designee. The Chief of Police and Deputy Chiefs of Police will be notified of the incident through the chain of command. The Department shall ensure an objective and thorough investigation is conducted whenever a member of this Department is involved in any incident that results in death or great bodily harm for any person, including a Department member, in accordance with the Illinois Police and Community Relations Act (50 ILCS 727/1-5). (11.3.4.a)

- 4.
- 5.
- 6.

G. **Release of Information:** (11.3.4.d)

1. The Chief of Police, or his designee, will be responsible for the issuance of any statements to the public, including the news media.
2. No identification of involved personnel will take place without the express authorization of the Chief of Police or his designee.
3. No member of the Department will make any comment or release any information to any person outside the police department without the express authorization of the Chief of Police.

H. **Debriefing/Internal Documentation:**

1. Administering a quick debriefing immediately after the incident.
2. The second debriefing should not occur until 24 hours later and one complete sleep cycle. Officer isolation should be maintained to prevent contaminated memories.
3. A third debriefing after the second sleep cycle will provide additional events/memories.
4. A final debriefing will provide the involved officer(s) the ability to finalize reconstructed memories.
5. The Incident/Offense Report will be completed after the final debriefing by the on-duty supervisor and reviewed by the officer(s) involved.
6. Once completed, the report will be forwarded to the Chief of Police via the chain of command.
7. The Department may choose to engage the Northern Illinois Critical Incident Stress Debriefing Team. If the CISD Team is requested all members involved in the event will be included. The CISD team can be reached by calling

I. **Internal Affairs Investigation:** (11.3.4.b)

1. Upon notification, the Investigations and Support Services Commander will contact DuComm and obtain a report number for the purpose of conducting an internal affairs investigation.
2. During the preliminary investigation, the Chief of Police will place the involved officer(s) on either Administrative Leave or Administrative Duty, pending the outcome of the investigation(s). (4.2.3)
 - a. An officer assigned to Administrative Duty will report to the Department as directed by the Deputy Chief of Operations and will be assigned to station duties until such time as the investigation is completed.
 - b. An officer assigned to Administrative Leave will keep the Deputy Chief of Operations informed of his/her availability as well as any changes in his/her status.
3. Upon conclusion of the internal affairs investigation, the Investigations Commander will forward the findings to the Deputy Chief of Operations in accordance with Administrative Order 103 – Internal Affairs – Sworn Officers.

J. **Training:**

1. Department supervisors shall be trained in their roles and responsibilities for managing incidents of use of force involving death or great bodily harm. (11.3.4.e)
2. Department members who may be impacted by or respond to an incident of use of force involving death or great bodily harm shall receive awareness training in their roles and responsibilities. (11.3.4.f)

IX. Procedures – Use of Force Incident Not Involving Death or Great Bodily Harm

- A. Upon notification that an officer has been involved a use of force incident not involving death or great bodily harm, the on-duty supervisor will immediately respond to the scene. The initial responsibilities of

- c. Where medical treatment was received
 - d. Extent of medical treatment
 - e. Hospitalization
 - 14. Charges filed against the subject.
 - 15. All officers involved in the use of force.
 - 16. Whether or not a supervisor was present at the scene.
- E. An Animal Dispatch Form (Annex II) will be completed whenever an officer discharges a firearm for putting down an injured or dangerous animal. This will be submitted to the Shift Supervisor by the end of the shift. The information will be forwarded via the chain of command to the Deputy Chief of Operations. (4.2.1.a)

XI. Review by Staff

- A. All use of force incidents will be reviewed. (4.2.2)
 - 1. Use of Force Reporting Form approvals will be completed by the rank of Sergeant or above.
 - a. The first review will be done by the supervisor approving the Use of Force Reporting Form and upon reviewing any video and/or audio recordings of the incident, including but not limited to: in-car camera video and/or audio, surveillance camera video, audio/video recordings made by the public, and audio recordings from DuComm. The supervisor shall ensure that in/car camera video and/or audio is tagged in the system to preserve it from being overwritten.
 - b. The supervisor will complete the back of the Use of Force Reporting Form in the appropriate box and will forward the form and a copy of the case report to the Use of Force Supervisor, along with copies of all audio and/or video recordings.
 - 2. The Use of Force Supervisor will complete the appropriate sections of the form and forward it to the Deputy Chief of Operations for comment. The form and a copy of the case report will then be forwarded to the Chief of Police. The form (original or copies) will not be placed in the court jacket with the original report.
 - 3. Once approved by the Chief of Police, the form and a copy of the case report will be placed in a "Use of Force" file maintained by the Administrative Secretary.

XII. Annual Reporting

- A. At the end of each calendar year, the supervisor in charge of use of force training will complete and forward to the Chief of Police and the Deputy Chiefs a detailed analysis of the reports filed for that year. This report will include at a minimum: (4.2.4)
 - 1. Total number of incidents for the year.
 - 2. Names of Department members involved.
 - 3. Date, time and location of each incident. (4.2.4.a)
 - 4. Injuries that were sustained by officers and/or subjects, to include medical treatment obtained and where.
 - 5. Trends or patterns resulting in injury to any person including Department members. (4.2.4.d)
 - 6. Criminal charges filed, if applicable
 - 7. Levels and types of force utilized.
 - 8. Types of encounters resulting in use of force. (4.2.4.b)
 - 9. Trends or patterns related to race, age and gender of subjects involved. (4.2.4.c)
 - 10. Training and equipment needs.
- B. The annual analysis shall include a review of the Department's use of force policies and practices. The review shall describe the impact of the above annual analysis' findings on the Department's policies, practices, equipment, and training. (4.2.4.e)
- C. The annual analysis shall include a written review of all assaults and batteries on sworn officers reported during that year to determine trends or patterns, with recommendations to enhance officer safety, revise policy, or address training issues. This review shall include, at a minimum: (4.2.5)
 - 1. Time of day.
 - 2. Type of initial call.

3. Felony or misdemeanor charges.
4. Presence of multiple officers.
5. Prior history of detainee.
6. Trends or patterns.
7. Training or policy recommendations.

XIII. Prerequisites to Carrying Lethal and Less Lethal Weapons

- A. All Department members who are in positions which allow them to carry a firearm or less lethal weapon will be issued a copy of and instructed in all aspects of this order prior to being allowed to utilize any weapon. Order issuance documentation will be maintained by the Accreditation Manager. Instruction on the use of force policy will be done by the recruit officer's Field Training Officer. (4.3.4)

By Order of

Patrick Ullrich
Chief of Police

Annexes I-III

**BARTLETT POLICE DEPARTMENT ANIMAL DISPATCH FORM**

Report Number:		
Location		
Date/Time Occurred	Incident Code 7388	Status Code 09
ANIMAL TYPE: <input type="checkbox"/> Deer <input type="checkbox"/> Raccoon <input type="checkbox"/> Other _____		
Weapons: <input type="checkbox"/> Duty Firearm <input type="checkbox"/> Shotgun <input type="checkbox"/> Rifle <input type="checkbox"/> Other _____ # of Rounds Used: _____		
Assigned Officer	Badge	Assgn
Supervisor Approving	Badge	Date/Time

BARTLETT POLICE DEPARTMENT



Subject: Police Pursuit Guidelines	Operations Order 201
Issued: January 9, 1996	Rescinds: G.O. 94-10
Effective Date: January 9, 1996	Reference CALEA Standards: 4.1.2, 41.2.2, 41.2.3
Termination Date: N/A	Related Directives: AO103, TSO507
Amended Date: August 3, 2020	

PURPOSE: The purpose of these police pursuit guidelines is to provide a common set of standards for officers of the Bartlett Police Department to follow. These guidelines are minimum standards intended to help reduce the number of collision injuries and fatalities associated with pursuits in the Village of Bartlett and the State of Illinois.

POLICY: The overriding responsibility of the Bartlett Police Department is to protect human life and property. When the risks to human life and/or property begin to outweigh the benefits of capture, officers should refrain or disengage from pursuits. The threat of injury, death, and property damage is borne by innocent bystanders, the peace officers involved in the pursuit, the fleeing driver and the occupants of the escaping vehicle. Therefore, it is the responsibility of the Bartlett Police Department to establish pursuit guidelines designed to best protect human life and property and to provide police officers guidance and training in the safe operation of police vehicles involved in pursuits.

I. Definitions

- A. **Caravanning**—The practice of more than two cars pursuing a vehicle.
- B. **Divided Highway**—A road which includes a physical barrier between traffic traveling in opposite directions.
- C. **Forcible Stopping**—Deliberate striking of a violator's vehicle by a police vehicle with the intention to stop the violator's vehicle by immobilizing and/or incapacitating the vehicle. (41.2.3)
- D. **ISPERN**—Illinois State Police Emergency Radio Network
- E. **Marked Police Vehicle**—Any police vehicle identifiable by color scheme, red and/or blue lights permanently mounted on or within the vehicle, equipped with a siren, and has the Department seal and/or police lettering. Includes the Crime Prevention Vehicle but does not include the parking enforcement vehicle or Community Service Officer trucks.
- F. **Peace Officer**—Any sworn peace officer as defined by Illinois Statute currently employed by the Village of Bartlett.
- G. **Primary Unit**—The police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect).
- H. **Pursuit**—An active attempt by a peace officer in an authorized vehicle to apprehend an actual or suspected law violator, who is attempting to avoid apprehension through evasive tactics.
- I. **Rolling Roadblock**—The surrounding of a violator's moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the violator's vehicle. (41.2.3)
- J. **Secondary Unit**—Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
- K. **Semi-Marked Police Vehicle**—Is not identifiably marked by a distinctive color scheme, red and/or blue lights may be mounted within the vehicle, equipped with a siren, and may have partial police marking, e.g. Traffic Unit Vehicles. (41.2.2.e)
- L. **Specialty Police Vehicle**—Has no distinctive identifiable marking or police design. Equipped with emergency lights and siren, e.g. Residential Traffic/Surveillance Vehicle. (41.2.2.e)

- M. **Stationary Roadblock**—A tactic intended to intercept a fleeing vehicle utilizing a planned maneuver of blocking a section of roadway to cause a fleeing vehicle to either stop or change direction of travel. A method of egress must be provided in this situation. (41.2.3)
- N. **Street Paralleling**—Driving a police vehicle on a street parallel to a street on which a pursuit is occurring.
- O. **Supervisor/Officer in Charge**—A peace officer who, by virtue of rank or assignment, is responsible for the direction or supervision of the activities of other peace officers, (Officer In Charge, Sergeant, Commander, Deputy Chief, Chief of Police).
- P. **Terminate**—A pursuit terminates when the police units have reduced their speed to within applicable speed limits and disengaged all emergency equipment (lights, siren). Officers may not attempt to apprehend the vehicle or continue to follow the vehicle. When a pursuit is terminated, officers must conform to Illinois Vehicle Code traffic statutes applicable to ordinary motorists. Terminology similar to “safety/safely following” or “rolling surveillance” will be considered a continuation of the pursuit and is not permitted.
- Q. **Unmarked Police Vehicle**—Has no distinctive identifiable marking and may have portable emergency warning lights, e.g. Investigations Vehicles. (41.2.2.e)
- R. **Violator**—Any person who a peace officer reasonably believes has committed an offense or poses an immediate threat to the safety of the public or other peace officers.

II. Initiation of Pursuit

- A. Bartlett police officers in a marked police vehicle may initiate a pursuit when ALL of the following criteria are met: (41.2.2.b)
 - 1.
 - 2.
- B. A semi-marked unit may initiate a pursuit providing the proper justification exists, but will relinquish Primary Unit status immediately upon the participation of a marked police car. Upon relinquishing primary status, semi-marked units will terminate active involvement in a pursuit unless they are needed to fulfill Secondary Unit responsibilities and/or are otherwise directed by a Supervisor. (41.2.2.e)
- C. Unmarked or other Departmental vehicles, except for marked and semi-marked, may not initiate a pursuit without the authorization of a Supervisor
Unmarked or other Departmental vehicles must relinquish primary status immediately upon the participation of a marked car. Upon relinquishing primary status, unmarked units will terminate active involvement in a pursuit unless they are needed to fulfill Secondary Unit responsibilities and/or are otherwise directed by a Supervisor (41.2.2.e)
- D. No pursuit shall be initiated solely because a person has threatened
- E. Officers involved in a pursuit may do the following with due care: (625 ILCS 5/11-205(c))
 - 1. Park or stand, irrespective of the provisions of Chapter 625 of the ILCS.
 - 2.
 - 3.
 - 4.
- F. The foregoing provisions in section E above do not relieve the driver of an authorized emergency vehicle from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others. (625 ILCS 5/11-205(e))

III. Primary Unit Responsibilities (41.2.2.c)

- A. The decision to initiate and/or continue a pursuit **REQUIRES** weighing the public safety need to immediately apprehend the violator against the degree of risk to which officers and others are exposed as the result of a pursuit. Officers are reminded they are under no legal obligation to initiate a pursuit, and in

many circumstances the safety of the public will dictate no pursuit be initiated, and/or it be discontinued. Consideration should be given to the speed of the pursuit, the area of the pursuit, weather and road conditions, the presence of pedestrians and other traffic, the presence or absence of audible or visible warnings, the reason for pursuit of the fleeing vehicle, and the likelihood an arrest could be affected safely at a future time with an arrest warrant. (41.2.2.a)

- B. Upon initiation of a pursuit, the pursuing officer will immediately activate the vehicle's emergency warning lights, audible device, and headlights if not already activated.
- C. If the police vehicle is equipped with an in-car camera, the camera will be activated and recording at all times during the pursuit.
- D.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
 - 8.
- E. The Primary Unit will provide telecommunications with frequent updates on location, direction of travel, and other pertinent information. The Primary Unit is responsible for the conduct of the pursuit and determining whether to continue or discontinue the pursuit unless otherwise directed by a Supervisor.
- F. The pursuing officer should keep windows rolled up and operate siren manually when possible, so the telecommunicator can hear transmissions clearly.

IV. Secondary Unit Responsibilities (41.2.2.d)

- A. A Secondary Unit will notify the Telecommunicator and Supervisor that he/she has joined the pursuit. Until such time a Supervisor assumes responsibility, only one Secondary Unit will become involved in an ongoing pursuit.
- B. Upon being assigned Secondary Unit responsibilities, the vehicle's emergency warning lights, audible device, and headlights will be activated.
- C. Whenever practical, the Secondary Unit will assume responsibility for ongoing pursuit telecommunications from the Primary Unit.
- D. If so requested by the Primary Unit or if directed by a Supervisor, the Secondary Unit may assume Primary Unit responsibilities. Otherwise, the Secondary Unit may not attempt to overtake or pull alongside the Primary Unit.
- E. Secondary Unit personnel are responsible for serving as a backup to the Primary Unit. As such, they will respond to directions from the Primary Unit personnel unless otherwise directed by a Supervisor.

V. Other Unit Responsibilities

- A. Unless otherwise directed by the Supervisor, police units other than the Primary Unit and the first Secondary Unit will not become involved in an ongoing pursuit.
- B.

VI. Supervisor Responsibilities (41.2.2.g)

- A. Upon notification a pursuit is in progress, the Supervisor will assume responsibility for the monitoring and control of the pursuit as it progresses. If practical, the Supervisor may join the pursuit for supervisory purposes as an additional unit.
- B. The Supervisor will immediately determine whether the pursuit was initiated in accordance with the provisions of this policy and will permit the pursuit to be continued only if said policy has been fully complied with to the best of the Supervisor's knowledge.
- C. Upon being notified of a pursuit, the Supervisor will verify the following:
 - 1.
 - 2.
 - 3.
- D. When access to a [REDACTED], the Supervisor should request assistance according to Technical Services Order 507 – [REDACTED]
- E. The Supervisor will continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- F. The Supervisor will order a pursuit terminated if: (41.2.2.h) (41.2.2.i)
 - 1. At any time if he or she concludes the danger to the pursuing officers or the public outweighs the need for the immediate apprehension of the violator, or
 - 2. The suspect's identity is established to the point where later apprehension is likely and there is no immediate threat to public safety, or
 - 3. Whenever the weather, road or traffic conditions substantially increase the danger to the public posed by the pursuit beyond the need for immediate apprehension, or
 - 4. Whenever the distance between the pursuing and fleeing vehicles is so great that further pursuit is futile.
- G. In controlling the pursuit, the Supervisor will be responsible for the coordination of the pursuit as follows:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
- H. The Supervisor may approve and assign additional backup or support units to assist the Primary and Secondary Units based upon their analysis of:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
- I. When the termination of the pursuit occurs, the Supervisor will require all participating agencies are notified.
- J. The Supervisor will ensure this policy is followed by all members for the duration of the pursuit.

C.

XII. Review Process (41.2.2.k)

- A. EACH pursuing officer, Primary Unit or Secondary Unit, will complete the [REDACTED] (Annex I) and an Incident/Offense Report, (Supplementary Reports for Secondary Units). DuComm will assign a case number to each pursuit. Officers involved in inter-jurisdictional pursuits will obtain the ISPERN number also and include it in their reports.
 - B. [REDACTED]
 - C. Once the Pursuit Driving Report Form and the Incident/Offense Report are received by the Deputy Chief of Operations, all members involved in the incident will be gathered for a critique of the pursuit. This may be attended by any Department member in addition to involved officers.
 - D. Violations of this policy will be subject to discipline as outlined in Administrative Order 103 – “Internal Affairs Procedure”.
 - E. An annual documented analysis of all reported pursuits during the calendar year will be completed in the first quarter of the following year. The analysis will include a documented review of pursuit policies and reporting procedures. (41.2.2.I)

1. The absence of any reported pursuits during the calendar period may not be used to disregard the analysis and review requirements above.

XIII. Peace Officer Training

- A. Experts from the Illinois certified police training academies and other designees as appointed by the Training Board will develop driver training curricula to be implemented statewide. The curricula will include:
 1. A basic recruit training program
 2. An initial peace officer program
 3. Mandatory in-service training program
- B. The Training Board will monitor and confirm all peace officers receive the mandatory law enforcement driver training program.
- C. Bartlett officers will attend all training in the above curricula.
- D. All newly-hired officers shall receive initial documented training on the Department's pursuit policy during the Field Training Program. **(41.2.2.m)**
- E. All sworn officers shall review the Department's pursuit policy annually. The review may be done in roll call, in-service training such as the biennial Emergency Vehicle Operations Course (EVOC), or through the document management system (DMS) in non-EVOC training years. This review shall be documented in the training database. **(41.2.2.n)**

XIV. Requirement to Notify

- A. Bartlett officers will call in any and all pursuits as defined in this order. Not calling in the pursuit or referring to it in another form (such as "following") does not excuse an officer from any limitations set forth in this policy.
- B. Once a pursuit has been initiated, if radio traffic is such that the pursuing officer cannot communicate with DuComm or the Supervisor on duty regarding the continuation of the pursuit, it will be assumed the Supervisor has ordered the termination of the pursuit and the pursuing officer(s) must terminate. **(41.2.2.h)**

By order of:

Patrick Ullrich
Chief of Police

Annex I



BARTLETT POLICE DEPARTMENT

Subject: Mobile Video Recorder System Operations Order 202

Issued: November 15, 1995

Rescinds: N/A

Effective Date: November 15, 1995

Reference CALEA Standards:

Termination Date: N/A

17.5.2, 41.3.8, 83.2.2

Amended Date: September 18, 2020

Related Directives:

AO104, TSO514

PURPOSE: This order establishes procedures for use of the Mobile Video Recorder (MVR) system which is mounted in marked and unmarked squad cars. This system will be used to document and provide an objective video and audio account of events as they occur when an officer makes an enforcement stop on an individual or vehicle.

POLICY: Bartlett Police Department is committed to protecting the safety and welfare of its members and the public. Mobile video recording (MVR) equipment has proven to be a valuable law enforcement tool for enhancing officer safety, enhancing prosecution of traffic violations and related criminal offenses, and limiting civil liability. The MVR is useful for evaluation of officer tactics, performance evaluation, and for training purposes. Information collected through the MVR can also be critical in the investigations of complaints against officers by objectively documenting officer conduct during individual interactions.

Members of the Bartlett Police Department shall only use MVR equipment for legitimate law enforcement purposes in accordance with applicable law and Department policies. Members assigned to a vehicle equipped with an MVR system shall use it pursuant to this order. Supervisors have the responsibility and authority to ensure that all members assigned to a vehicle equipped with an MVR strictly conform to all laws and Department policies concerning its use. **(41.3.8.a)**

I. Definitions

- A. **Enforcement Stop**—An action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance. (720 ILCS 5/14-3(h))

II. Mobile Video Recorder Program Objectives **(41.3.8.a)**

- A. In accordance with 720 ILCS 5/14-3(h), sworn officers of the Bartlett Police Department are authorized within the course of their duties to record oral and video conversations simultaneously between the police officer, who has identified his or her office, and a person stopped for an enforcement stop. Equipment designated for this purpose is considered an eavesdropping device. The Department shall utilize mobile video recorder (MVR) systems installed in squad cars for this purpose.
- B. Bartlett Police Department has adopted the use of mobile video systems to accomplish the following objectives:
1. To enhance officer safety.
 2. To accurately capture statements and events during the course of an incident.
 3. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation and presentation.
 4. To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.
 5. To capture visual and audio information for use in current and future investigations.

III. Digital Mobile Video Recorder (MVR) Equipment

- A. All supervisors and patrol officers responsible for the use, inspection, and operation of MVR equipment shall be allowed to do so only after receiving training in the use and operation of the MVR system. All

officers will be trained in the proper operation of the MVR prior to utilizing the system. This training will normally be provided by the new officer's Field Training Officer. Training shall include but not be limited to: legal aspects, policies and procedures, voice recording equipment, camera equipment, digital file transfer, and DVD creation. A record of training in the use of the MVR will be kept by the Training Coordinator. (41.3.8.f)

- B. At the beginning of each shift, the MVR will be inspected by the officer assigned to the vehicle to ensure the unit is in good operating condition and working in accordance with manufacturer's specifications. Inspection of the unit will consist of checking that the remote microphone is in good working order and the LCD monitor is functioning properly. (41.3.8.e)
- C. Care must be exercised at all times when using the equipment. Any damage or malfunction of the MVR and/or microphone must be reported immediately to the Shift Supervisor using a Vehicle Maintenance Checklist (Administrative Order 104 – Vehicle Maintenance, Annex I). The vehicle shall be taken out of service until the MVR and/or microphone is repaired. (41.3.8.e)
- D. Supervisors will conduct documented monthly reviews of recorded files of subordinate officers for review of officer performance. The reviews shall consist of ~~footage of at least three (3) incidents of each officer under their command~~. Reviews will be documented reviews are intended to: (41.3.8.g)
 - 1. Assess officer performance and compliance with Department policies.
 - 2. Assure proper functioning of the MVR equipment.
 - 3. Identify recordings that may be appropriate for training.
- E. The Shift Supervisor will be responsible for conducting random checks and inspections of MVR equipment to ensure proper operation. (17.5.2)

IV. Operation of MVR (41.3.8.b)

- A. Officers assigned to a vehicle which has an MVR will log on at the beginning of their tour of duty by turning on the microphone and identifying themselves by name, star number and area of assignment. Officers will wear the microphone on their persons while on duty.
- B. Officers will ensure the correct time and date are showing on the monitoring unit. The Village of Bartlett IT Department must be notified to reset the date and time.
- C. Officers will video and audio record all enforcement stops, including traffic stops, field sobriety tests, pursuits, and where practicable, crash scenes. Officers should also strive to record other circumstances and events, which include, but are not limited to, armed encounters, acts of physical violence, unusual contacts, and the general recording of evidence in criminal traffic offenses not in violation of 720 ILCS 5/14 – Eavesdropping.
- D. The MVR will automatically activate and begin to record based on the following circumstances:
 - 1. Emergency light activation.
 - 2. Remote activation through the wireless microphone.
- E. Officers may inform the person they are stopping that the incident is being recorded. If requested, officers will confirm to involved parties that a video and/or audio recording of the contact is being made. Officers are not required to cease recording an event or situation solely based on the request of the person being recorded.
- F. For purposes of this order, an incident is considered complete when a reasonable and prudent person would consider the recording to have concluded at a logical point. The recording will not be interrupted or stopped until completion of the enforcement stop. The enforcement stop is considered complete when the subject of the enforcement stop or the officer has left the scene. In cases where the officer is transporting a subject, the stop is considered complete upon arrival at the destination.
- G. The audio monitoring will be discontinued after the arrestee is placed into the rear of the squad unless the video continues to record. Use of audio equipment without video recording is a violation of the Illinois

Eavesdropping statute (720 ILCS 5/14-3(h-5)). Additionally, prior to placing a detainee in the rear of a squad the officer will inform the detainee that he/she will be recorded while sitting in the rear of the squad.

- H. The MVR may be manually stopped by an officer either at a crash scene or while directing traffic with the squad's emergency lights activated and the scene has been stabilized or when logical, such as to the point where there is no longer a possibility of an arrest and/or when it is determined that having the camera on for an extended period would serve no constructive purpose.
 - 1. If the MVR is stopped for any reason during an incident, a recorded explanation should be recorded into the MVS prior to stopping the recording.
- I. When the vehicle containing the MVR is used as a backup for another squad, every effort should be made to position the vehicle to record the incident.
- J. Microphones shall not be used to record conversations within a dwelling. If the officer has not already switched off the video recording, the officer shall physically turn off the microphone before entering all dwelling places.
- K. With the exception of police radios, officers shall ensure that the volume from other electronic devices within the police vehicle does not interfere with MVR recordings.

V. Handling of the Video Recordings as Evidence (83.2.2.c)

- A. Digital Recordings: (41.3.8.d)
 - 1. Digital recordings are automatically uploaded to the computer server in Property Control at the end of the patrol shift.
 - 2. Digital recordings can be reviewed by the officer from the computers in the Report Writing area and/or in the squad car.
 - 3. Digital recordings that contain information on incidents such as an arrest, physical or verbal altercations, pursuits, assaults or any other incident that the officer feels will be helpful to the investigation, will be treated as evidence.
 - 4. If the digital recording is deemed to be evidence, the officer will create a case file and add the digital recording to the case file. The officer will then activate the auto/export function two times to create duplicate DVDs.
 - 5. Officers will complete an Evidence/Property Inventory form. The white copy of the form will be submitted to Property Control. The yellow copy will be placed in the case jacket.
 - 6. Officers will only be allowed to view their own personally recorded files without permission; viewing of another officer's files requires permission from the Chief of Police or his/her designee.
 - 7. Members shall not use any features of a personal communications device (PCD), digital camera, video camera, or other digital technology to capture either through pictures, video and/or audio any images recorded by the MVR, such as video of traffic enforcement or pictures of crime scenes, suspects, victims, etc., for personal use or gain. All MVR recordings are the property of the Department. (see also Technical Services Order 514 – Personal Communications Devices)
- B. Use of Video Footage in D.U.I Arrests: (41.3.8.c)
 - 1. Officers will attempt to record and narrate the driving behavior of a suspected intoxicated driver prior to activating their emergency equipment by manually starting the camera.
 - 2. Officers should leave enough distance between the subject vehicle and their vehicle to ensure the entire subject vehicle is recorded. Officers will make all reasonable efforts to conduct field sobriety tests in view of the MVR if it is safe for the officer and violator to do so.
 - 3. Officers will indicate in the body of the report that the arrest and field sobriety tests were recorded using the MVR and that the recorded media was placed into evidence.

VI. Use of Recorded Media for Training (41.3.8.c)

- A. Recorded media that contains material useful for training can be used for that purpose with the permission of the Chief of Police.

VII. Request for Recordings Retained as Evidence (41.3.8.c)

- A. The recorded media will only be released to attorneys upon the presentation of an original valid subpoena issued by the court that has jurisdiction or as part of the discovery process. The Property Control Custodian, in accordance with Department policy, will handle the request and release of the recorded media.
- B. The following agencies will not be charged for copies of recorded media: Cook, DuPage and Kane County States Attorney's Offices, Illinois Attorney General's Office, U.S. Attorney's Office of Northern Illinois, and the Office of the Public Defenders for the aforementioned counties.
- C. Delivery of the recorded media will be handled in the same manner as requests for copies of police reports are handled.

VIII. Recorded Media Retention (41.3.8.d)

- A. Digital recordings entered into evidence will be handled in accordance with evidence retention schedules. DVDs will be erased entirely following the appropriate time limits after final disposition of the case in court and returned to Property Control for future use.
- B. Digital recordings will automatically be purged ninety (90) days after their creation, unless the recordings are made as a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court. Under no circumstances shall any recording be altered or erased prior to the expiration of the designated storage period. (720 ILCS 5/14-3(h-15))

By Order of

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

Subject: Implied Consent Provisions**Operations Order 203****Issued: February 5, 1996****Rescinds: G.O. 84-06/S.O. 93-01****Effective Date: February 5, 1996****Reference CALEA Standards:****Termination Date: N/A****61.1.5.a, 61.1.10, 61.1.11,****61.2.1.d, 61.2.2.c****Amended Date: January 25, 2018****Related Directives:****AO113, TSO502**

PURPOSE: To establish Department procedures for the application of the various Implied Consent procedures as they apply to incidents that involve the operation of a motor vehicle while under the influence of drugs, alcohol or both.

POLICY: The Bartlett Police Department will aggressively enforce the laws of the State of Illinois pertaining to Driving Under the Influence of Alcohol, Drugs (DUI). The first step in effective enforcement of DUI violations is the detection of those motorists whose driving abilities are impaired. Officers who are engaged in DUI enforcement will be mindful of the strict legal limitations surrounding the apprehension of intoxicated drivers and the scope of authority as it relates to enforcement. (61.1.10)

I. Law Enforcement Sworn Reports/Implied Consent (DUI)

A. The officer's observations are crucial in establishing the required probable cause necessary to arrest a motorist for DUI. Officers must rely on their formal training and experience in this area, putting particular emphasis on those driving actions that give rise to the officer's belief that a motorist is driving while impaired.

B. When affecting a traffic stop for a suspected DUI violation, an officer will:

1. Notify dispatch of the location of the stop and the vehicle identifiers.
2. Approach the vehicle with caution and without delay.
3. Obtain the motorist's driver's license and insurance card or other acceptable identification.
4. Interview the motorist to determine:
 - a. Did he or she have control of the vehicle.
 - b. Indications/signs of intoxication.
 - c. Probable cause to conduct a field sobriety test.
5. Request back-up officer(s).
6. Administer field sobriety tests to establish probable cause for arrest based on the elements of the offense.
7. Effect the arrest of the driver and advise dispatch of the officer's status.
8. Secure the arrestee in a police vehicle, and follow the procedures in Administrative Order 113 (Towed Vehicles) for relocating and securing the offender's vehicle.
9. Transport the offender to the Police Department. Do not allow the offender to smoke, drink, eat or put anything into his or her mouth until the chemical portion of the test is completed.

C. DUI Arrest Processing

1. Issue the offender the citation or complaint for Driving Under the Influence of Alcohol, Drugs or Combination thereof.
2. Utilize the Illinois Secretary of State's forms. Read the Warning to Motorist to the offender.
3. If the offender agrees to take the Breathalyzer test, immediately request a breath operator (if applicable). The Breathalyzer operator must observe the subject for a period of twenty minutes prior to administering the test.
4. The Breathalyzer test will be the chemical test of preference in DUI arrests. The exception to this will be:
 - a. The offender is injured or ill and requires transportation to a medical facility for treatment,
 - b. The offender is unable to complete the breath sample, or

- c. Drug intoxication is strongly suspected with the absence of alcohol intoxication. (NOTE: The lab will not analyze for drug content if the blood alcohol content is determined to be greater than 0.08) The officer should keep in mind that if the officer suspects that the detainee is under the influence of drugs, the officer shall have the detainee submit to a urine sample. The Illinois State Police Crime Laboratory will not test blood for the presence of controlled substances.
 - 5. Upon completion of the Breathalyzer test, the Breathalyzer operator will enter the results in the Breathalyzer logbook, indicating the BAC or refusal.
- D. DuPage County Phlebotomist Protocol
- 1. In accordance with the DuPage County State's Attorney's Office Recommended Procedures for the Use of a Private Phlebotomist as an alternative to taking a detainee from a DuPage County DUI arrest to a hospital for a blood draw, the investigating officer has the option of contacting a private phlebotomist company who will provide a state licensed and trained phlebotomist to draw the detainee's blood at the Department.
 - a. The private company authorized for this purpose by the DuPage County State's Attorney's Office is Illinois Phlebotomy Services (IPS),
 - b. Illinois Phlebotomy Services has employees available 24 hours per day, 7 days per week.
 - c. The cost of drawing blood is charged to the detainee and not the Department.
 - d. The phlebotomist is available within one hour of the intake call.
 - 2. During a DUI investigation where a detainee is given an opportunity to submit to a breathalyzer test and refuses or fails to provide a sufficient breath sample, the arresting officer shall first review the facts and circumstances of the arrest and the detainee's driving abstract to determine whether or not he/she is eligible to be charged with a felony DUI. Where an officer has probable cause to believe a detainee is under the influence of alcohol, the detainee has no statutory right to refuse chemical testing; however, an officer may not use force to obtain a blood draw. If a detainee refuses to consent to a blood draw and is physically resisting the taking of a sample, the officer shall not proceed with the blood draw.
 - a. Felonies—if the detainee is felony eligible, the officer shall first draft a search warrant to draw the detainee's blood and have it reviewed by the on-call Assistant State's Attorney. Upon the Assistant State's Attorney approving the search warrant, the officer shall contact the radio room at the DuPage County Sheriff's Office to page the on-duty judge. The officer shall then meet with the on-duty judge, or follow the electronic search warrant protocol, to have the search warrant signed. Meanwhile, the officer shall contact Illinois Phlebotomy Services to have a phlebotomist respond to the Department to draw the detainee's blood.
 - b. Misdemeanors—if the detainee is not felony eligible, it is the established practice that a search warrant not be obtained, but the officer may nonetheless contact a phlebotomist.
 - 3. Prior to contacting the phlebotomist, the detainee shall be made aware that the breathalyzer test is free of charge, and if the Department needs to call a phlebotomist the detainee will be responsible for the phlebotomist's bill. The officer shall complete the Blood Draw Advisements form (Annex I). This form shall be signed by the detainee, and submitted with the arrest paperwork.
 - 4. Upon the arrival of the phlebotomist, and during the actual blood draw, the following procedures shall apply:
 - a. An officer shall be present during the entire process. This allows the officer to provide testimony regarding the blood draw and ensures proper chain of custody of the blood sample.
 - b. The police department shall provide the DUI kit.
 - c. The phlebotomist shall have the detainee complete their Blood Draw Service Agreement, which provides consent for the treatment and payment information.
 - d. When practical, the officer shall video and audio record the entire blood draw. The officer shall advise the detainee that he/she is going to be video and audio recorded before activating the camera.
 - e. After activating the camera, the officer shall reiterate to the detainee that he/she was made aware that he/she was going to be video and audio recorded, so the detainee does not later claim he/she was recorded without consent.

- f. If the detainee indicates that he/she does not consent to be recorded, the officer shall not audio record the blood draw.
 - g. The recording of the blood draw not only shows that the phlebotomist used proper medical technique in extracting the blood sample, but it also records any statements or behavior by the detainee that may be helpful in the DUI prosecution.
5. After the blood draw is completed, the following procedures shall apply:
 - a. The sample shall be secured in the DUI kit.
 - b. The officer shall take custody of the kit, label it appropriately, and place it into evidence for transmittal to the Illinois State Police Crime Laboratory for testing.
 - c. The officer shall obtain the phlebotomist's contact information including email address, and include this information in the police report.
- E. DUI Reporting/Bond
1. Complete the Law Enforcement Sworn Report along with the Receipt to Drive. If blood or urine testing is performed, **Do Not** complete the Law Enforcement Sworn Report and the Receipt to Drive. When the test results are received from the laboratory, Records will forward the results and the incomplete Sworn Report to the arresting officer, who will complete the form and will send the offender's copy of the Sworn Report and the Receipt to Drive to the offender via certified mail. The Records Section will forward the remaining copies to the court of venue and the Secretary of State's Office.
 2. Initiate criminal history information through the Records Section.
 3. Fingerprint and photograph the offender in accordance with Department policy.
 4. If appropriate, bond the offender out as follows:
 - a. Cook/Kane Counties: Pursuant to Illinois Supreme Court Rules, the bond set for DUI is \$3000.00/10%. In lieu of posting the total cash amount, the offender may post his or her valid Illinois Driver's License and \$100.00 cash. If applicable, the offender may be released on a \$3000.00 Recognizance Bond and the offender's license will be attached to the bond form.
 - b. DuPage County: Use the same procedures for DuPage County with the exception that DuPage County requires that the amount \$3000.00 be placed in the area for bond amount regardless of what type of bond the offender is posting.
 5. Set the preliminary court date for the next available key date between 14-49 days.
 6. If the offender has to wait for bond or does not qualify for a Recognizance Bond, place the offender in a cell.
 7. Complete the Bartlett Police Department Alcohol Influence Report. Print out the form and place in the bin to be approved. Records will scan the report and place it into the court file.
 8. Enclose all paperwork in the court file.
 9. Submit court file for approval in appropriate box.

II. Non-Consensual Blood Draws/Procedures - 625 ILCS 5/11-501.6 (61.2.1.d)

- A. In order to conduct a non-consensual blood draw, the following probable cause must exist:
 1. There is probable cause to believe that the offender is under the influence of drugs, alcohol or a combination of both and,
 2. The offender has caused the death or serious personal injury to another person. For purposes of this section, a personal injury accident shall be any accident in which a **type A** injury is incurred. A **type A** injury is defined as requiring immediate professional attention in either a doctor's office or a medical facility and includes severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.
- B. If an offender has met the above conditions, the officer will take the following steps:
 1. Conduct the standardized field sobriety test.
 2. Place the offender under arrest for DUI and issue the appropriate citations.
 3. Read the subject the Warning to Motorist and ask the subject to take the test.
 4. If the subject refuses the test, transport the subject to the nearest medical facility or hospital.
 5. Upon arrival at the hospital, complete the Non-Consensual Blood Draw Request Form (Annex II).

6. Deliver the original of the form to the medical personnel at the hospital and request the blood be drawn in accordance with the Illinois Department of Public Health Standard and Procedures for Testing for Alcohol and/or Drugs by Breath, Blood and Urine Analysis.
7. Witness the collection of the blood and urine sample from the offender. An officer of the same sex will be present when the urine sample is collected. Follow the procedures for sampling collection in Technical Services Order 502 – “Evidence and Property Control.”
8. Complete the necessary paperwork for the kit and assist in the sealing of the kit.
9. Once the sample is completed and you are in receipt of the kit, transport the kit and the offender back to the Bartlett Police Department.
10. Upon arrival at the Police Station, place the sealed kit in the refrigerator located in the booking area.
11. Complete the Law Enforcement Sworn Report and indicate that the original test was refused.
12. Complete the processing and bonding of the individual in accordance with Department procedure.
13. Complete and place in a Property Control Locker, an Evidence Storage Request and Lab Form. Copies of both should be placed into the court file.
14. The Non-Consensual Blood Draw Form will be distributed as follows: original to the Medical Facility, two copies in the court file (one will be sent to the Prosecuting Attorney by Records.)
15. Complete the court file and submit for approval.

III. Zero Tolerance – Under 21 Arrest

- A. Under the provisions of **625 ILCS 5/11-501.8**, an individual under twenty-one years of age, following the issuance of a Uniform Traffic Ticket for any violation of the Illinois Vehicle Code or similar local ordinance, must submit to a breath test if an officer has probable cause to believe that the individual has consumed **any** amount of an alcoholic beverage.
- B. The law further holds that if an individual refuses to submit to the test, his or her license will be suspended for a minimum period of six months if a first offender and for a minimum period of two years if not a first offender. If the individual submits to a breath test which results in a reading greater than **0.00**, the individual will be suspended for a minimum period of three months if a first offender and one year if the individual is not a first offender.
- C. This law is primarily administrative in nature. If an officer stops an individual who is under the age of twenty-one and there is probable cause to believe that the individual is DUI, the individual will be processed as such.
- D. If there does not exist probable cause to establish a DUI charge, and the officer detects the presence of an alcoholic beverage, the following steps will be observed:
 1. Transport the offender to the Police Department.
 2. Issue the offender a Uniform Traffic Ticket for the violation that he or she was stopped for.
 3. Read the offender the Zero Tolerance Warning to Motorist Under 21.
 4. Ask the offender if he or she wishes to take the breath test. If the offender refuses, mark the Zero Tolerance Sworn Report in the appropriate section and serve the offender. If he or she consents to the test, request a breath operator (if applicable). The breath operator must observe the offender for twenty minutes prior to the test. As with DUI's, the offender cannot have anything by mouth.
 5. If the test results in a BAC of over **0.00**, indicate this on the report and serve the offender his or her copy.
 6. Take the offender's drivers license as bond for the traffic citation and release the offender.
 7. Since there are no criminal charges, the offender does not have to be processed.
 8. If a driver is charged with DUI (Section I of this Order), and the BAC is less than .08%, the Zero Tolerance provisions may be invoked. If charged under Zero Tolerance and the BAC is over .08%, do not proceed with the DUI (Section I).

- E. Any detainee who is under the influence of alcohol and is deemed by the arresting officer to be "intoxicated" to the degree that medical attention is necessary will not be incarcerated. The arresting officer or other Department member will remain with this detainee in the processing area until that prisoner can be transferred to a proper medical facility. If an officer places an individual under arrest who has any condition that might require medical treatment, the arresting officer will immediately notify the Shift Commander.
 - 1. If there is any doubt whatsoever as to the detainee's physical condition, or there is an obvious need for medical attention, the Shift Supervisor or Officer will request the assistance of the Paramedics to examine the detainee.
 - 2. If the paramedics determine it to be necessary, the Shift Supervisor will direct them to remove the detainee to an area hospital deemed appropriate by the paramedics. The physician's recommendation with regard to hospitalization or incarceration will be followed.
- F. Prior to releasing a person arrested under the influence of alcohol or drugs who is under the age of 21 years, the officer shall make a reasonable attempt to contact a responsible adult who is willing to take custody of the person who is under the influence of alcohol or drugs.

IV. Traffic Accident Summary Suspension (61.2.1.d, 61.2.2.c)

- A. On January 1, 1994, the Traffic Accident Summary Suspension provision of the Illinois Vehicle Code (625 ILCS 5/11-501.6) became effective. This statute is designed to be enforced by **administrative remedy only**. A refusal, a 0.08% or greater test result, or the presence of cannabis or any other drug will result in a suspension of license. The results obtained pursuant to this law cannot be used in a criminal or civil action.
- B. Officers are to investigate a traffic crash for probable cause **first**. If probable cause is determined, the offender will be processed as a DUI. If an individual is charged with DUI following a traffic crash, there is no need to complete a Traffic Accident Warning to Motorist. If it is established there is no probable cause for DUI, the Traffic Accident Warning to Motorist procedures may be executed. Once an individual has been processed under this section, **officers are prohibited** from charging the individual criminally regardless of the test results. Processing of this section remains administrative.
 - 1. For purposes of this section, a personal injury accident shall be any accident in which a **type A** injury is incurred. A **type A** injury is defined as requiring immediate professional attention in either a doctor's office or a medical facility and includes severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.
 - 2. A person requested to submit to a test shall be warned by a law enforcement officer that refusal to submit to the test or submission to the test resulting in an alcohol concentration of 0.08 or more, or any amount of drug or substance or cannabis may result in the suspension of driving privileges by the completion of the Traffic Accident Warning to Motorist.
- C. If the person refuses testing or submits to a test, which discloses an alcohol concentration of 0.08 or more, or any amount of drug, substance or compound in the blood or urine, the law enforcement officer shall immediately submit a Traffic Accident Sworn Report to the Secretary of State.
 - 1. Upon receipt of the Traffic Accident Sworn Report, the Secretary of State shall enter the suspension on the individual's driving record and shall be effective on the 46th day following the date of notice of the suspension was given to the person.
 - 2. The law enforcement officer submitting the Traffic Accident Sworn Report shall serve immediate notice of the suspension on the person and such suspension shall be effective on the 46th day after the notice was given.
 - 3. Should the Traffic Accident Sworn Report be defective by not containing sufficient information or be completed in error, the notice of suspension will not be entered onto the driving record, but rather the sworn report will be returned to the issuing agency.
- D. Due to this being a strictly administrative remedy, the offender does not have to be processed.

V. Commercial Driver "Out of Service" Order/Sworn Report

- A. On April 1, 1990, the State of Illinois began active participation in the "Uniform Commercial Driver's License Act" (UCDLA). Since April 1, 1992, all commercial motor vehicle operators are required to have a valid commercial driver's license (CDL). Any person issued a CDL is deemed to have given consent to submit to a test of such person's breath, blood or urine for the purposes of determining the presence of alcohol, or other drugs, in such persons' system. Part of the UCDLA provides law enforcement officers with the ability to take commercial drivers out of service for a period of twenty-four (24) hours when it is determined that they have any amount of drugs or alcohol in their system. The UCDLA laws can be located in **625 ILCS 5/6-500 thru 525**.
- B. A commercial motor vehicle is defined as a motor vehicle that is used in commerce to transport passengers or property:
1. The vehicle has a gross vehicle weight rating (GVWR) of 26,001 pounds or more or such lesser GVWR as subsequently determined by federal regulations or the Secretary of State; or any combination of vehicles with a GVWR of 26,001 pounds or more, Provided the GVWR of an vehicle or vehicles being towed is 10,0001 or more; or
 2. The vehicle is designed to transport more than 15 persons including the driver; or
 3. The vehicle is used in the transportation of materials found by the Illinois Secretary of Transportation to be hazardous for the purposes of the Hazardous Materials Act.
 4. Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986 by the Federal Highway Administration, the definition of a commercial vehicle **does not include:**
 - a. Recreational Vehicles primarily used for personal use.
 - b. Department of Defense vehicles being operated by non-civilian personnel.
 - c. Firefighting Equipment
 - d. Farmers
 5. Disqualification is defined as withdrawal of the privilege to drive a commercial motor vehicle.
 6. Commercial Driver—"Out of Service" Order—Sworn Report is defined as a temporary prohibition against driving a commercial vehicle.
- C. Guidelines for enforcement of Chapter **625 ILCS 5/6-515** "Driving a Commercial Motor Vehicle while having any Alcohol, other Drugs or both in a Person's System" is similar to normal DUI enforcement but contains the following exceptions:
1. Due to the fact that the law states **any** level of alcohol greater than **0.00** is a violation, the probable cause needed to believe that an individual has alcohol or drugs in their system is much less than enforcement of the **0.08** level. **Any indication of current alcohol consumption is probable cause to take the driver out of service.**
 2. Private property violations do not apply.
 3. No fingerprints or photographs are required. Only the Incident/Offense Report, the probable cause for the stop ticket, the Warning to Commercial Motor Vehicle Driver / Out of Service Order-Sworn Report and entry into the DUI log book.
 4. The warnings given prior to the test are different from those issued prior to a normal DUI.
 5. Evidence obtained from the breath, blood or urine test may not be used as evidence for Summary Suspension under Section **5/6-501**.
 6. A copy of all out of service reports will be mailed by the Records Division upon receipt to:
Office of the Secretary of State
- D. Completion of the Out of Service Order/Sworn Report
1. The 24 hour out of service time period begins when a copy of the Sworn Report is handed to the driver and that time is to be recorded in the appropriate section of the form.
 2. The narrative section in the Out of Service Order/Sworn Report is to be completed in a similar fashion to the narrative used in a Warning to Motorist form in a DUI arrest.
 3. If the results of the Breathalyzer test are **0.08** or greater, the officer is to proceed with the normal charging and booking process for a DUI arrest in addition to the Out Of Service Order Sworn Report. The Warning to Motorist/Sworn Report usually completed in a normal DUI arrest is not required if the arrest is made as a result of the commercial driver Out of Service order. The Commercial Driver Out of Service Order/Sworn Report will suffice.

There will be no summary suspension hearing regarding the “everyday” driving privileges. Only the CDL will be affected.

VI. Illinois School Bus Driver Permit - Zero Tolerance

- A. The State of Illinois mandates that School Bus Drivers be subjected to the Zero Tolerance provisions that are contained in **625 ILCS 5/6-106.1a**. This law can only be used when a school bus driver is in actual physical control of a school bus or any other vehicle owned or operated by or for a public or private school or a school operated religious institution, when the vehicle is being used over a regularly scheduled route for the transportation of persons enrolled as students in grade 12 or below. Any person who operates a school bus at the time of an accident involving the school bus is hereby deemed to have given consent to submit to a test or tests to be administered at the direction of a law enforcement officer, subject to the provisions of Section 11-501.2 of this Code, of the driver's breath, blood or urine for the purpose of determining the presence of alcohol, or other drugs, in the person's system per **625 ILCS 5/6-516(c)**.
- B. This act only applies to operating a school bus under the influence of alcohol and does not apply to any trace of illicit drugs or cannabis. The authority to charge an individual with these violations remains in **625 ILCS 5/11-501.1, 11-501.5, 11-501.6**.
- C. Law enforcement officers are authorized to issue a Sworn Report if the school bus driver's BAC indicates any trace of alcohol or if the school bus driver refuses testing after the driver's lawful arrest for any traffic violation.
- D. Once a school bus driver has been issued a traffic citation for any violation and the officer has probable cause to believe that the driver has consumed any amount of an alcoholic beverage, the test or tests shall be administered.
 1. Transport the offender to the Police Department
 2. Issue the offender a Uniform Traffic Ticket for the violation that he or she was stopped for.
 3. Read the offender the Zero Tolerance Warning to Motorist Possessing Illinois School Bus Driver Permit (Annex X).
 4. Ask the offender if he or she wishes to take the breath test. If the offender refuses, mark the Zero Tolerance Sworn Report in the appropriate section and serve the offender. If he or she consents to the test, request a breath operator (if applicable).
 5. If the test results in a BAC over **0.00**, indicate this on the sworn report and provide the driver with his/her copy.
 6. Take the appropriate bond for traffic citation(s) issued and release the offender.
 7. No fingerprints or photographs are required. The Warning to Motorist Notice and Sworn Report will be placed in a court file for further processing by Records Section personnel.
 8. If the offender is charged with DUI (Section I of this order), and the BAC is less than **.08%**, the Zero Tolerance provisions may be invoked. If charged under Zero Tolerance and the BAC is over **.08%**, do not proceed with the DUI (Section I).

VII. Alliance Against Intoxicated Motorist's Drunkbuster Reward Program

- A. The Alliance Against Intoxicated Motorists (AAIM) offers a \$100 award to any citizen who successfully reports drunk drivers to the police. This program is available in DuPage County and Kane County. It is not available to Cook County.
- B. To qualify for this program, the following steps are to be taken:
 1. Citizen reports a possible drunk driver to police via car phone, CB radio, or landline and identifies himself or herself to the dispatcher.
 2. The Dispatcher relays report of the drunk driver to police squads in the area.
 3. Squads in the area locate the drunk driver and observe possible drunk driver.
 4. If the officer observes driving violations and if there is sufficient probable cause, the officer will stop vehicle and proceed with the investigation.
 5. The citizen calls the local police department the next business day to determine if his or her call resulted in an arrest for drunk driving.
 6. If the report resulted in an arrest for drunk driving, the citizen requests a written confirmation from the police (a copy of the reporting form will be provided).

- C. Officers will complete the AAIM'S DRUNKBUSTER REPORTING FORM (Annex III) and will mail or fax it to the address at the bottom of the form. A copy of the form will be retained in the court file.

By Order of

Patrick Ullrich
Chief of Police

Annexes I – III



BARTLETT POLICE DEPARTMENT

Subject: Twelve-Hour Shift Procedures

Operations Order 204

Issued: April 8, 1996
Effective Date: April 8, 1996
Termination Date: N/A

Rescinds: G.O. 94-01, G.O. 86-01

Amended Date: May 1, 2015

**Reference CALEA Standards:
41.1.1, 41.1.2
Related Directives:
SO603**

PURPOSE: To define Department policy regarding issues related to twelve hour work schedules including, but not limited to, hours of work, training days, hireback, lunches, breaks, Roll Call, late arrests, reports and minimum shift strengths.

I. Shift Hours and Identification

- A. The twelve-hour shift format creates two separate shifts which allow for continuous patrol coverage. The times of these shifts and their identification names are listed below. (41.1.1.a)

AM Shift 0600 - 1800
PM Shift 1800 - 0600

- B. The patrol schedule will be posted four weeks in advance of its effective date. Shift rotations will occur each fifty-six (56) days with personnel moving from one shift to another, if applicable. (41.1.1.c)
 - C. The twelve-hour shift format incorporates the following day off keys within a fourteen (14) day period: (41.1.1.f)

MON	TUE	WED	THR	FRI	SAT	SUN	MON	TUE	WED	THR	FRI	SAT	SUN
OFF	OFF			OFF	OFF	OFF			OFF	OFF			
		OFF	OFF				OFF	OFF			OFF	OFF	OFF

II. Minimum Shift Strengths

- A. Minimum shift strength means the number of police officers (supervisor not included) needed on duty at certain times of the day. The minimum shift strength in the Patrol Section is established by the Deputy Chief of Operations, with the approval of the Chief of Police.
 - B. These shift strengths will be reviewed regularly by administrative personnel to determine their relationship to current patrol needs.
 - C. The minimum shift strengths as established by this Order require _____ ; at all times on both AM and PM shift.

III. Hireback Authorization

- A. Assignment of hireback is authorized by Sergeants, Commanders and Officers-In-Charge to fill the minimum shift strengths established by this Order. The patrol schedule for each month will be reviewed by the Commander in charge of scheduling for purposes of determining shift strengths and identifying hireback needs.

- B. Officers will not be scheduled more than 12 hours of patrol assignment at a time. Hireback hours will be filled from personnel who are off duty and, whenever possible, in twelve or eight hour increments in accordance with Department needs. Dividing of hireback in four-hour blocks will only be authorized if necessary to fill a Department need.
- C. The exception to the twelve-hour work limit will be in the case of a Department emergency. In such a case, officers may be required to work extended hours until relieved, or when the emergency situation is brought under control.
- D. Officers will, however, be required to work in excess of twelve hours for the purpose of completing police reports and arrest reports of a serious nature. This decision will be made by a Shift Supervisor on a case-by-case basis, in consideration of the seriousness of the report. All unscheduled overtime will be approved by a supervisor before the overtime hours are worked.
- E. At times, schedule changes may be made by supervisors to minimize hireback needs. The schedule changes will be done with an attempt to minimize hardships on the individual officer. The Department reserves the right to change officer(s) schedules and team assignment based on management's need.

IV. Training

- A. Officers attending training will be credited for eight hours time worked. Officers will submit overtime cards for training days in excess of eight hours. On those rare occasions when attendance at multiple training days results in less than 80 hours of actual work during the pay period, officers will have the time necessary to achieve a full 80 hours deducted from their compensatory time, personal days, or vacation time. Any overtime worked may also be paid out at the straight time rate to total the required 80 hours. Officers will not be scheduled for any 8-hour days during pay periods when they are scheduled for a training day.
- B. When officers are scheduled for multi-date training sessions, they will be scheduled to work across days off to make a complete forty-hour workweek. Officers attending one-week training sessions will be off on the Sunday preceding the training and off the Saturday following the training as necessary to provide for a 40-hour week. The other week in the same pay period can be adjusted to include two 12-hour and two 8-hour days to achieve 80 hours in the pay period.
- C. Officers will not be allowed to attend training sessions during the day and be scheduled to work a PM shift without a minimum of ten hours off-duty time. Schedule adjustments will be made to ensure this does not occur. Should any officer be assigned to training in violation of this, he/she will immediately notify the Shift Supervisor, who will remedy the conflict.

V. Eighty-Hour Pay Periods

- A. To accommodate the Village of Bartlett's eighty hour pay period, it is necessary for officers to be scheduled for one eight-hour work day each pay period (exception being described under IV.A. of this Order).
- B. The Shift Supervisor will, as much as practical, relieve PM-shift officers from duty early on those dates when the officer has a court appearance the following morning. Officers should bring irregular court appearances (i.e. DuPage County, Kane County Court, Cook County Felony Court) to the attention of the Shift Supervisor for consideration.
- C. Officers will still be scheduled for the eight-hour day even absent any court appearances within the pay period. Shift Supervisors will schedule these dates on a Department-need basis. Officers may request certain dates, but the decision remains that of the Shift Supervisor.

- D. Eight-hour days will be determined and posted within the first week following the initial posting of the schedule. If not posted within this time limit, the days may be arbitrarily assigned by the Commander in charge of scheduling.
- E. Two officers can be on eight-hour days at the same time, provided the minimum shift strength is met and no hireback hours are required.
- F. Shift Supervisors will submit their team's 8-hour days to the Commander responsible for scheduling no later than one week prior to the effective date of the schedule.

VI. Roll Calls, Lunches and Breaks (41.1.1.a)

- A. **Roll Call:** (41.1.2)
 - 1. All officers will report to the Roll Call Room, in uniform, ready for duty and will be responsible for calls on the hour. 1 officers as soon as calls permit.
 - 2. Roll Calls will consist of the following tasks to be performed by the Shift Supervisor:
 - a. Assignment to specific beats. Supervisors will ensure rotation through beat assignments on a daily basis (i.e. patrol zone 1B1 will rotate to either 1B2 or 1B20, patrol zones are listed in Special Order 603 – “CAD”) (41.1.1.d/e)
 - b. Briefing of information for daily patrol activity through a review of the daily bulletin, extra watch requests and patrol notices.
 - c. Discussion of changes in scheduling and assignments.
 - d. Review of new directives and changes in existing directives.
 - e. Evaluating officer's readiness for patrol.
 - f. Dissemination of any special training or legislative topic information.
- B. **Lunches:**
 - 1. All lunches will be assigned during Roll Call by the Shift Supervisor. Should an officer miss the assigned lunch, the officer will be responsible for notifying the Shift Supervisor for the purpose of having it re-assigned.
 - 2. Because lunch periods are paid, officers will generally be required to remain in the Village. Supervisors may make exceptions on a case-by-case basis.
 - 3. While on lunch, officers will be available only for emergency calls when all other units are down. Service calls will be assigned to other available units and should these units not be available, the service calls may be held until the officer completes the scheduled lunch. No call will be held for the entire lunch period.
 - 4. The Shift Supervisor will make every effort to see each officer gets a total of 30 minutes for lunch.
- C. **Breaks:**
 - 1. During a twelve-hour tour of duty, each officer may take three 15-minute breaks in their beat or at the station. During an 8-hour tour of duty, each officer may take two breaks.
 - 2. Officers may not add break time onto lunch periods to extend the lunch without the permission of the Shift Supervisor.
- D. Break and lunch times will not be taken within the last hour of a shift.

VII. End of Shift Responsibilities

- A. **Relief From Duty:** Officers will not unload their squads until five minutes before the end of their shift and after checking with the Shift Supervisor. Officers will then be relieved from duty by the Shift Supervisor after the on-coming shift has reported for duty.
- B. The off-going Shift Supervisor will prepare the next shift line-up and squad car assignment, and have the line up forwarded to DuComm at least two hours prior to the start of the new shift.
- C. Calls for service towards the end of a shift may be held by the Shift Supervisor for the on-coming shift. Emergency calls will be responded to by the on duty shift and then, at the discretion of the Shift Supervisor, may be taken over by the oncoming shift. Calls will not be held for more than five minutes due to Roll Call or shift change.
- D. Reports will be written at the time of the incident in the squad car and will be turned in as soon as possible after the call. Major incident or arrest reports may be completed in the station with the supervisor's permission. If an officer finds he/she is getting behind with reports due to an excessive workload, the officer is to advise the Shift Supervisor of the situation. No officer should be behind more than three reports at any time. The Shift Supervisor will then reassign calls to let officers catch up on their reports. Shift Supervisors will also be notified immediately of all arrest and incident reports that will take a considerable amount of time to complete.

By Order of

Patrick Ullrich
Chief of Police

BARTLETT POLICE DEPARTMENT



Subject: Traffic Direction and Control

Operations Order 205

Issued: April 8, 1996

Effective Date: April 8, 1996

Termination Date: N/A

Rescinds: N/A

Reference CALEA Standards:

61.2.2, 61.3.2, 61.3.3

Related Directives:

OO201

Amended Date: May 8, 2018

PURPOSE:

To establish procedures and general guidelines to be used for traffic control and direction and ensure the safe, orderly, efficient and effective movement of vehicles and pedestrians. This policy identifies roadway traffic control practices based on the United States Department of Transportation – Manual of Uniform Traffic Control Devices that will aid in providing protection and safety for emergency response personnel operating in or near moving vehicle traffic.

I. Traffic Control and Direction

- A. The main objective of officers carrying out traffic control is to maintain and restore the safe and efficient movement of vehicular and pedestrian traffic. An officer is responsible for, but not limited to, the following:
 1. Regulating the flow of traffic.
 2. Controlling turning movements.
 3. Coordinating vehicle movements with the flow of traffic at adjacent intersections.
 4. Detouring traffic as necessary.
 5. Controlling pedestrian movements.
- B. Officers carrying out manual traffic direction and control will ensure their presence and purpose is well demonstrated to both drivers and pedestrians. It is important for the efficient direction of traffic that the officer use uniform gestures and signals to enhance driver and pedestrian recognition and response to directions. (61.3.2.b)
 1. Officers should position themselves so they can be clearly seen, usually in the center of an intersection or street.
 2. A high visibility reflective vest will be worn provided conditions make it practical to wear them prior to initiating traffic control and direction. (61.3.2.g)
 3. Signals and Commands:
 - a. To stop traffic by hand; stand with shoulders parallel to the traffic, raise arms forty-five degrees above the shoulders, with hand extended and palm towards the moving traffic to be stopped. To stop traffic from both directions, repeat the above actions for the traffic from the other stopped traffic with arm outstretched and palm towards the traffic.
 - b. To move traffic by hand; stand with shoulders parallel to the traffic to be moved. Extend the right arm and hand full length, at shoulder-height towards the traffic to be moved, with fingers extended and palm up. While bending the elbow, bring the hand up sharply in the direction the traffic is to be moved. Repeat the movement with the left arm and hand to start traffic from the opposite direction.
 - c. Right turns: vehicles turning right shall be directed to perform their turn by extending the arm towards the direction in which the turn is to be made.
 - d. Left turns: these turns are to be made only when there is a gap in traffic or oncoming traffic is completely stopped. When it is safe to do so, vehicles turning left shall be directed to perform their turn by extending the arm towards the direction in which the turn is to be made.
- C. Officers directing traffic may utilize flashlights, a traffic wand and/or road flares while manually directing traffic. These will be used in a manner to enhance visibility.
- D. Officers directing traffic shall remain calm and professional whenever directing traffic. There are times when drivers and pedestrians do not understand officers or may refuse to obey directions. The officer will handle these instances with courtesy and professionalism within the guidelines of accepted procedures.

II. Traffic Direction and Control at Critical Incidents (61.2.2.g, 61.3.2.a/c)**A. Types of Traffic Incidents**

1. Major traffic incidents (incidents anticipated to last greater than 2 hours) are typically traffic incidents involving hazardous materials, fatal traffic crashes involving numerous vehicles, and other natural or man-made disasters. The roadway may be completely blocked, and/or traffic detoured around the hazard.
2. Intermediate traffic incidents (incidents anticipated to last greater than 30 minutes but less than 2 hours) usually require traffic control on the scene to divert road users past the blockage. Full roadway closures might be needed for short periods during traffic incident clearance to allow incident responders to accomplish their tasks.
3. Minor traffic incidents (incidents anticipated to last less than 30 minutes) are typically disabled vehicles and minor crashes that result in lane closures. On-scene responders are typically law enforcement, fire/rescue, towing companies, and occasionally highway agency service patrol vehicles.

B. At the scene of a critical incident (i.e., fire, natural disaster, accident), the officers assigned shall assess the hazards present and will take immediate action to prevent further damage to property and/or life.

1. The initial-arriving emergency responder and/or the Incident Commander must complete critical Incident Command benchmarks to assure a safe and protected work environment is established and maintained according to the following:
 - a. Ensure the first-arriving apparatus or emergency vehicle establish an initial "block" to create a protected work area or "shadow."
 - b. The emergency traffic control activities should include all aspects of a Traffic Incident Management Area (advance warning space, transition space, buffer space, incident space, and termination space).
 - c. The emergency traffic control activities should not only consider the activities downstream of the "block," but should consider activities upstream of the "block." These activities should take into consideration the perception of the motorist moving toward the emergency incident.
2. Responders arriving at a traffic incident should, within 15 minutes of arrival on-scene, estimate the magnitude of the traffic incident, the expected time duration of the traffic incident, and the expected vehicle queue length, and then should set up the appropriate temporary traffic controls for these estimates.
3. Advance warning devices should be placed as soon as possible. Traffic cones and/or flares should be used to communicate the transition space, buffer space, incident space, and termination space. When flares are used at traffic incidents, more permanent traffic control devices should replace them as soon as practical. Both the flare and its supporting device should then be removed from the roadway.
4. The initial-arriving emergency responder and/or the Incident Commander must complete critical apparatus and vehicle benchmarks to assure a safe and protected work environment is established and maintained according to the following:
 - a. Ensure the first-arriving apparatus or emergency vehicle establish an initial "block" to create a protected work area or "shadow." The exact position and location of the "block" will be dictated by the following factors:
 - 1) Type and magnitude of the emergency
 - 2) Type and function of the emergency response vehicle
 - 3) Roadway type and design
 - 4) Posted speed of the roadway
 - 5) Topography of the roadway and area
 - 6) Time of day and weather conditions
 - 7) Emergency activities in the roadway

- b. The tactical priorities of the “block” should involve the following:
 - 1) The initial apparatus or emergency vehicle placement should provide a protected “shadow” (for the buffer and incidents spaces) from traffic approaching in at least one direction.
 - 2) When the direction of the “block” creates a transition, cones should be used to further communicate the transition space.
 - 3) When the direction of the “block” does not create a transition, cones must be used to communicate the transition space.
 - 4) Apparatus or emergency vehicle placement should slow approaching motorists and redirect the motorists around the scene.
- c. Apparatus or emergency vehicle placement should involve the following rules:
 - 1) Do not take any more lanes than are needed.
 - 2) Encroachment into a lane communicates the taking of a lane.
 - 3) When blocking with apparatus or emergency vehicle to protect the emergency scene, establish a sufficient size work zone that includes all damaged vehicles, roadway debris, the patient triage and treatment area, the extrication work area, personnel and tool staging area, and the ambulance loading zone.
- 5. All emergency personnel are at great risk of injury or death while operating in or near moving traffic. There are several specific tactical procedures that should be taken to protect emergency personnel at the incident scene including (but not limited to) the following:
 - a. Always maintain an acute awareness of the high risk of working in or near moving traffic.
 - b. Never trust moving traffic.
 - c. Always look before you move.
 - d. Always keep an eye on the moving traffic.
 - e. Avoid turning your back to moving traffic.
 - f. Safety vest(s) shall be worn by personnel, in particular those directing traffic and/or working directly in the right-of-way, with or without temporary traffic control. Reflective safety vests shall be at least class 2 and meet applicable ANSI/ISEA Standards. Police personnel shall wear those that comply with ANSI/ISEA 207-2006.
 - g. Always look toward traffic before opening doors and stepping out of emergency vehicles and into any moving traffic areas.
 - h. When walking around an emergency vehicle, be alert to the proximity to moving traffic.
 - i. Personnel shall place and retrieve cones and/or flares and any applicable signage while facing oncoming traffic.
- C. The use of emergency vehicle lighting is essential, especially during the initial stages of an emergency. However, the use at an emergency scene should be re-evaluated and may be reduced if good traffic control has been established. This is especially true regarding forward facing headlights and emergency lighting.
- D. Command should stage all unneeded emergency vehicles off the roadway or at a protected staging area.
- E. Establish an emergency responder in a flagger function. The flagger should not only direct traffic, but should monitor approaching traffic and activate an emergency signal if the actions of the motorist do not conform to established traffic control measures.
- E. In cases of fires with suspicious origins, officers on the scene will protect the scene and evidence that may be contained therein.
- F. Some traffic incidents such as hazardous material spills might require closure of an entire highway. Through road users must have adequate guidance around the traffic incident. Maintaining good public relations is desirable. The cooperation of the news media in publicizing the existence of, and reasons for, traffic incident management areas and temporary traffic controls can be of great assistance in keeping road users and the general public well informed.

III. Traffic Direction/Control during Adverse Weather/Road Conditions (61.3.2.d)

- A. Adverse road and weather conditions may include, but are not limited to:
 - 1. Accidental hazards, such as debris that has fallen on the roadway from another vehicle, downed power lines, etc.
 - 2. Acts of nature, such as fog, rain, snow or ice on the roadway.
 - 3. Engineering hazards such as exposed guardrail ends or other objects that might cause unnecessary damage or injury should a vehicle, for any reason, impact with such object upon leaving the roadway.
- B. Upon discovering an adverse road or weather condition, Department personnel will notify the appropriate agency or person(s) for the purpose of correcting the condition.
- C. Department personnel may provide traffic direction and control services and scene protection in the vicinity of adverse road and weather conditions when appropriate.

IV. Manual Operation of Traffic Control Devices (61.3.2.e)

Officers are not permitted to operate a traffic control device manually except to place the unit on "flash" when it is determined that the unit is malfunctioning, or a definite need exists which has been authorized by the Supervisor on duty. If the unit is malfunctioning, the officer shall notify dispatch so the appropriate repair service can be contacted.

V. Temporary Traffic Control Devices (61.3.2.f)

- A. Temporary traffic control devices include movable barricades or barriers, portable signs and other apparatus intended for temporary deployment to assist in the safe and efficient movement and control of vehicle and pedestrian traffic.
- B. Temporary traffic control devices may be deployed in support of, and in some cases in place of, traffic direction and control, but only with the specific approval of supervisory personnel.
- C. In those instances where there is a power outage, officers will deploy the fold down stop signs attached to the light poles at major intersections. At those intersections, where there are no such signs, the Public Works Department will be contacted and requested to deploy signs at those locations.
- D. As soon as practical following termination of the need for the temporary traffic control device, a Supervisor will authorize its removal or deactivation.

VI. Reflective Outerwear (61.3.2.g)

- A. The department provides each officer with a high visibility reflective vest which shall be worn when the officer is assigned to perform scheduled manual traffic direction and control. Personnel will wear reflective vests in addition to the regular duty uniform.
- B. In situations where officers are conducting unscheduled manual traffic control and direction due to unforeseen circumstances, they will wear the vest provided it is available to them and conditions make it practical to put on the vest before initiating traffic control.

VII. Escort Services (61.3.3.a)

- A. Dignitaries will be provided with police escorts within the limits of the Village of Bartlett, with the approval of the Chief of Police or his designee.
- B. Funeral escorts will be provided with the approval of the Supervisor on duty.

- C. Oversized vehicles and permit moves over state roads will be referred to the Illinois State Police.
- D. All emergency escorts will be denied unless approved by a Supervisor. (61.3.3.b)
- E. Business Deposits: Upon request, escorts may be provided if approved by the Shift Supervisor for a person depositing large sums of cash. The officer conducting the escort will follow the depositor to the designated deposit facility and will remain until the deposit is safely made.

VIII. Roadblocks

- A. Roadblocks may be instituted by Department personnel in order to protect the public from potential hazards such as traffic accidents, floods, downed power lines, parades, etc. Roadblocks may include marked police vehicles or barricades.
- B. The Supervisor on duty will assess the situation as soon as practical and will control the function and duration of the roadblock in connection with hazard involved.
- C. The roadblock will only be removed with approval of the supervisor.
- D. The use of a roadblock during a pursuit will be governed in accordance with Operations Order 201 – “Police Pursuits”.
- E. Roadblocks may be used to aid in enforcement efforts, but only as authorized by the Chief of Police or his designee.

By Order of

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

**Subject: Response to Alarms/
Non-financial Buildings**
Issued: October 3, 1996
Effective Date: October 3, 1996
Termination Date: N/A

Operations Order 206

Rescinds: G.O. 83-39

Reference CALEA Standards:

Related Directives: 00209

Amended Date: September 17, 2015

PURPOSE: To provide a uniform procedure for responding to alarms originating from residences, commercial buildings and other non-financial buildings. Procedures for financial alarms are in Operations Order 209.

I. Alarm Procedures (81.2.13)

- A. All residential, commercial and non-financial building alarms will be handled as service calls, requiring a normal response. In cases where there is information that there is criminal activity taking place at the alarm location, an emergency response may be used. The on-duty Supervisor may elevate the level of response if necessary. (41.2.1)

III. Mutual Aid Request-Burglar Alarms

The Department will, when requested by the agency having jurisdiction (i.e. Cook, DuPage, Kane County Sheriff), respond to alarms that originate in unincorporated areas of the Village. Officers will be required to complete an Incident/Offense Report when this occurs.

By Order of

Patrick Ullrich
Chief of Police

Annex I

BARTLETT POLICE DEPARTMENT



Subject: Searches	Operations Order 207
Issued: March 6, 1996	Rescinds: N/A
Effective Date: March 6, 1996	Reference CALEA Standards: 1.2.4, 74.3.1
Termination Date: N/A	Related Directives: AO106, AO107, AO113, 00221, TSO500, TSO502
Amended Date: September 14, 2020	

PURPOSE: This order provides policies and procedures to follow in conducting a variety of searches that meet the criteria established by statutory requirements, case law, and/or judicial review.

POLICY: It will be the policy of the Bartlett Police Department to accomplish searches of people, places, and things in a manner that provides protection of constitutional rights, minimizes intrusion, and provides for the safety of all involved parties.

I. General Rule on Searches

- A. If possible, always obtain a search warrant because this provides for the detached scrutiny of a neutral magistrate. Courts have held that they express a strong preference for warrants, and in marginal cases in which warrants have not been obtained the court may not allow the evidence to be admitted.
- B. Officers should always confer with the State's Attorney's Office for the county the incident occurs in for legal assistance prior to seeking judicial review and approval of a warrant.
- C. When a request for a search warrant is sought, the request and the information forming the basis for the warrant will be reviewed by the Shift Supervisor or the Investigations and Support Services Commander.

II. Obtaining a Search Warrant

- A. The following steps will be followed when attempting to secure a search warrant. The first, most necessary step, is the affidavit must be filled out which describes the qualifications of the officer supplying the reason for the search. This information should include:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
 - 8.
 - 9.
- B. Establish probable cause (i.e. the totality of the circumstances) that indicates evidence of the crime will be found.
- C. List all probable criminal offenses that have been committed.

VI. Search Warrant Returns

- A. It will be the responsibility of the officer obtaining the search warrant to prepare and return the search warrant to the issuing judge, without unnecessary delay.
- B. A complete inventory of all items seized will accompany the return.

VII. Warrantless Searches (1.2.4)

- A. Search by Consent is a search performed by a police officer after the subject of the search, or the person having rights to the location to be searched, consents, providing the consent is freely and intelligently given.
 1. Consent may be given orally.
 2. Ideally, consent should be in writing and documented on the Permission to Search Form (Annex I). This form can be used for a residence, vehicle or other place.
- B. Frisk Search is known by other names, which include a pat down search or a Terry Stop. All of these searches stem from *Terry v. Ohio* (392 U.S. 1 (1968)), in which the United States Supreme Court held that an officer may conduct a cursory pat-down search for the purpose of discovering weapons. Pursuant to Illinois Compiled Statutes, 725 ILCS 5/108-1.01, an officer may frisk an individual for weapons if the officer has stopped a person for temporary questioning and reasonably suspects that he/she or another is in danger of attack.
 1. The authority to search for and seize weapons is for the limited purpose of allowing an officer to protect himself and others.
 2. The authority is not for the purpose of searching for and seizing evidence, although during the course of a frisk evidence may be discovered and thus become the basis for arrest.
 3. The Plain Feel Doctrine is explained in *Minnesota v. Dickerson* (508 U.S. 366 (1993)). The court held that an officer may seize evidence other than a weapon if, while conducting a frisk search, the nature of the contraband is immediately apparent to the officer based on his/her feel of the object through the subject's clothing during the pat down.
 4. Any officer who initiates a frisk must be able to articulate the reason(s) for suspecting that he/she or other people in the immediate area are in danger. This can be done by drawing from:
 - a. Training.
 - b. Education.
 - c. Prior experience in similar situations.
 5. Pursuant to the Police and Community Relations Act ((PA099-0352), a Frisk Receipt (Annex II) will be issued to any person who has been frisked, or searched, during a temporary stop without arrest or prior to arrest unless impractical, impossible, or under exigent circumstances. (725 ILCS 5/107-14). The yellow copy of the receipt will be placed in the Records Tickets bin for processing.
- C. Movable Vehicle Exception: There are two reasons given for allowing search of a vehicle with probable cause, but without a warrant. The first is that a vehicle does not share the expectations of privacy accorded to a residence or other personal property. Second, the obvious mobility of an automobile makes it sometimes impractical to require the police to first obtain a search warrant. This type of search should not be confused with a search incident to arrest or inventory search (see below sections).
 1. Officers do not have to actually prove that a vehicle may or would be gone if he/she obtained a warrant before making the search.
 2. The existence of probable cause alone justifies the exception.
 3. The vehicle exception allows for an officer to search the entire vehicle as long as he/she had probable cause to believe evidence may be located where he/she is looking.
 4. If probable cause is limited to a specific area, the officer cannot go beyond the scope of that search.
- D. Exigent Circumstances: This exception allows for an officer to make a warrantless search in situations where an officer recognizes there is no time to obtain a warrant and that if the officer does not immediately conduct the search or if the officer does not search for evidence, it will be lost forever.
 1. The following are factors to be considered in determining if exigent circumstances exist.
 - a. Seriousness of the offense committed.
 - b. It is reasonable to consider the subject armed and therefore considered dangerous.
 - c. Probable cause exists to believe that the subject committed the offense.
 - d. There exists a strong reason to believe the subject(s) are still on the premises.
 - e. There exists a likelihood the subject(s) will escape if not immediately apprehended.
 - f. There is a reasonable belief there may be an injured person(s) on the premises.

- g. The aforementioned factors should be used when determining the totality of the circumstances.
 2. One of the most widely recognized exigent circumstances is the Check on Well-Being. These are situations in which the health and well being of a person are involved. In most cases there is no reason for police officers to suspect that criminal activity has taken place. In these cases, entry into private premises will only be made under the following circumstances:
 - a. After consulting with the Shift Supervisor.
 - b. After obtaining the name and information of the complainant and why the complainant is requesting the check on well-being.
 - c. Final decisions on making entry will be made by the Shift Supervisor.
- E. **Inventory Searches:** Inventory searches are conducted by police officers for one of the following reasons:
 1. An inventory protects the owner of the property.
 2. Inventory protects the officer and the Department against claims by the owner that the property is stolen or has been lost.
 3. It allows for the officer and the Department to discover any potential danger that may exist because of the contents of the property.
 4. The following limitations exist on inventory searches:
 - a. The property to be searched must have lawfully come into the possession of the officer and/or the Department.
 - b. The property inventoried must be listed on a Property Control Sheet, and placed into property in accordance with Department regulations.
 5. In cases of vehicles, inventory will be conducted in accordance with Administrative Order 113 – Towed and Impounded Vehicles.
- F. **Searches Incidental to Arrest:** This is the most common exception to the requirement for a search warrant. Illinois Compiled Statutes 725 ILCS 5/108-1 provides for this type of search upon making a valid arrest. Officers may reasonably search a person who has been arrested and the area in the person's immediate control for the purpose of:
 1. Protecting the officer from attack,
 2. Preventing the person from escaping,
 3. Discovering the fruits of the crime,
 4. Discovering any instruments, articles or things that may have been used in the commission of, or other things that may constitute evidence of an offense.
 5. In the 2009 U.S. Supreme Court case decision of *Arizona v. Gant* (556 U.S. 332 (2009)), the court held that the Fourth Amendment to the United States Constitution requires law enforcement officers to demonstrate an actual and continuing threat to their safety posed by a detainee, or a need to preserve evidence related to the crime of arrest from tampering by the detainee, in order to justify a warrantless vehicular search incident to arrest conducted after the vehicle's recent occupants have been arrested and secured. Furthermore, the court held police may search the passenger compartment of a vehicle incident to a recent occupant's arrest only if it is reasonable to believe the detainee might access the vehicle at the time of search or the vehicle contains evidence of the offense of arrest. When these justifications are absent, a search of the detainee's vehicle will be held unreasonable.
- G. **Plain View Searches:** Plain view searches have been upheld by the courts as long as the officer is legitimately on the premises and the officer has probable cause to believe that the property is evidence or contraband. Limitations do exist and these are:
 1. There must be no pre-observation that violates constitutional rights.
 2. The item(s) must have been inadvertently discovered.
 3. Artificial devices that aid in or enhance the ability of the officer(s) view are not considered plain view, however, a flashlight is generally acceptable, provided the officer has the right to be where he/she is when using it.
 4. Moving or rearranging of items to note serial numbers is not supported by the Plain View Doctrine.
 5. The Plain View Doctrine also applies to warrant searches, even if the item to be seized was not listed on the search warrant. In this case, two questions must be answered:
 - a. Does the officer have the right to be there? and
 - b. Does the officer have probable cause to believe the item is evidence or contraband?

- H. **Open Field Searches:** These types of searches typically involve marijuana cultivation. Areas that surround buildings and homes should not be considered as open field. Courts have held these areas to be curtilage and therefore essentially the equivalent of a yard. Areas that would be considered outside the curtilage include:
1. Woods
 2. Pastures
 3. Grasslands
 4. If an owner has taken any steps to protect the area from trespass or observation, it may not be considered open field.
- I. **Searches of Persons Under Arrest:** Each officer, prior to placing a detainee into a police vehicle, will conduct a thorough search of the detainee and the detainee's outer garments. The following steps should be taken to ensure the safety of the officer and the person under arrest. (70.1.1)
1. Officers will take and maintain custody of purses or bags carried by the detainee, and will check same for weapons.
 2. The interior of the police vehicle will be searched for weapons and contraband prior to putting the detainee in the vehicle and after removing the detainee from the vehicle. (70.1.2)
 3. Prior to incarcerating a detainee, the detainee will again be searched and all items will be removed and logged in accordance with Administrative Order 106 – Holding Facility Procedures, to include the detainee's footwear.
 4. Strip Searches will only be done in accordance with Administrative Order 107 – Booking Procedures and Illinois Compiled Statutes 725 ILCS 5/103-1.
- J. **Crime Scene Searches:** Crime scene searches may fall into several different categories of searches. These may include: consent searches, plain view, exigent circumstances, and search incidental to arrest. If an officer should come across a crime scene in the course of normal duties, the following steps should be taken:
1. Secure the area and keep it in the same physical condition as it was left by the offender.
 2. Render assistance to the injured, if appropriate.
 3. Attempt to identify any witnesses and victims.
 4. Attempt to identify and arrest the offender if the offender is still on the scene.
 5. Notify the Shift Supervisor if he is not on the scene.
 6. Yield responsibility to follow-up investigators and/or evidence technicians.
 7. Consideration should be given to obtaining a search warrant if the search/crime scene processing will be extensive or take an excessive amount of time. The search/crime scene processing will continue while the search warrant is obtained.
 8. Additional information on crime scene searches is contained in Technical Services Order 500 – Evidence Procedures and Technical Services Order 502 – Evidence and Property Control.

By Order of:

Patrick Ullrich
Chief of Police

Annexes I-II

BARTLETT POLICE DEPARTMENT

**Subject: Motorist Assists/
Roadway Hazards****Operations Order 208**

Issued: April 10, 1996
Effective Date: April 10, 1996
Termination Date: N/A

Rescinds: N/A

Reference CALEA Standards:
61.4.1, 61.4.2
Related Directives:
AO113, PO407

Amended Date: September 17, 2015

PURPOSE: To establish procedures to be used for providing general and emergency assistance to the public and to identify and report roadway hazards.

POLICY: It is the policy of the Bartlett Police Department to provide all practical assistance to users of the roads whether in emergency situations or routine troubles encountered by travelers.

I. General Assistance (61.4.1.a)

- A. As part of the Department's overall traffic management function, a wide range of traffic-related services are preformed. Such services include:
 1. Provide reasonable assistance to a motorist who appears to be in need of aid.
 2. Identify and report highway hazards to the dispatch center, which in turn will be responsible for notifying the appropriate agency.
 3. Provide general information and direction to the public.
 4. Locate and remove abandoned vehicles.
 5. Provide assistance to motorists who run out of fuel. This assistance may include transporting the motorist to the nearest service station and return the motorist to their vehicle after obtaining fuel.
 6. Provide assistance to a motorist who is changing a tire by calling a tow truck or providing an area where the motorist can safely change the tire.
 7. With the approval of the Shift Supervisor, the motorist may be transported to a nearby service station for further assistance or to their residence to seek help.
- B. Employees will not use police vehicles to push or pull any other vehicle for the purpose of starting or removing a vehicle. Employees will not use police vehicles for jump-starting a disabled vehicle.

II. Tow Service (61.4.1.b)

- A. When a motorist encounters mechanical trouble or other difficulty which requires the vehicle be towed, the employee will:
 1. Request the dispatch center contact a tow of the motorist's choice and obtain a response time for the tow.
 2. If the motorist has no preference for a tow service, the employee may then contact a Department-authorized tow company.
 3. If in the opinion of the employee, the estimated response time of the motorist's preferred tow is unacceptable and the vehicle presents a hazard which may necessitate an immediate tow, the employee will contact the Shift Supervisor. With the supervisor's approval, the employee will then contact a tow truck from a company authorized by the Police Department.
 4. The employee will remain with the disabled vehicle until such time as the vehicle is removed and the employee's services are no longer needed.
- B. Towing of abandoned vehicles or incident to arrest tows will be done in accordance with Administrative Order 113 – "Towed and Impounded Vehicles".

III. Stranded Motorist**(61.4.1.c)**

- A. Occasionally, immediate removal of a disabled motor vehicle from the roadway is necessary to reduce traffic problems or the possibility of a serious collision. With the approval of a Supervisor an employee may transport the operator of the vehicle to another location where they can obtain the assistance needed.
- B. Under no circumstances will disabled motorists be exposed to a hazardous situation. Employees will take into consideration the weather conditions, location of the vehicle and priority of calls for service. This does not preclude employees from placing warning devices (i.e. flares, traffic cones, etc) to warn oncoming traffic of the hazard and clearing the scene. Employees will periodically check on the motorist when this action is taken.

IV. Emergency Assistance to Motorist**(61.4.1.d)**

- A. Vehicle Fires
 - 1. Department employees shall immediately notify dispatch of the location of the vehicle fire and a description of the vehicle involved.
 - 2. The employee should use available fire suppression equipment.
 - 3. The employee should then protect the scene until the arrival of the fire department.
- B. Medical Emergencies: Upon the discovery of a medical emergency, the employee will immediately notify dispatch and request the assistance of the paramedics. Employees will provide dispatch with the nature of the medical emergency, apparent condition of the victim and any other pertinent information. After notifying the dispatcher, the employee will render whatever first aid is practical.

V. Hazardous Roadway Conditions (61.4.2)

- A. Roadway and roadside hazards are a contributing factor in many traffic accidents. Employees should remain alert for these hazards and take appropriate action when necessary. Some hazardous conditions that may be observed include, but are not limited to:
 - 1. Debris on the roadway.
 - 2. Defects in the roadway itself (potholes, dangerous shoulders, ruts).
 - 3. Lack of or defects in the safety features of the roadway.
 - 4. Lack of or improper, damaged, destroyed or visually obstructed traffic control and information signs (curve warnings, stop signs, yield signs, speed limit signs, railroad crossing signs, street identification signs).
 - 5. Lack of or defective roadway lighting.
 - 6. Vehicles parked or abandoned on or near the roadway.
 - 7. Lack of or improperly located or malfunctioning mechanical control devices.
 - 8. Natural or man-made obstructions (fallen trees, broken water mains, downed power lines).
- B. Upon discovery of a hazard, the employee will attempt to remove the hazard in a safe manner. If this is not possible, the employee will request the appropriate agency or authority be notified to have the hazard corrected immediately.

VI. Hazardous Material Incidents on Roadways

- A. A hazardous material is any element, compound or combination thereof, that is combustible, corrosive, detonable, toxic, radioactive, is an oxidizer and etiological agent or is highly reactive and which because of handling, storage, processing and packaging may have detrimental effects upon operating and emergency personnel, the public and/or the environment. Employees should keep in mind that radioactive materials and hazardous substances are used in hospitals, research laboratories, and industrial applications, and are transported around the area frequently. Because of this, it is important employees be aware of what actions they should take.

- B. Communications: When an incident involving hazardous materials, suspected hazardous materials, or unknown materials occurs, the employee will provide as much information as possible to the dispatcher by the fastest means of communication available. In some cases, the telephone may be the best method of communications, especially where explosives are involved. Otherwise, employees should either use their portable radios or the in car computers. As much of the following information as possible should be provided to the dispatcher:
1. Type of incident (rail accident, vehicle accident, spill etc).
 2. Basic description (spill, leak, fire, explosion, vapor, etc).
 3. Exact location.
 4. If rescue is required or necessary.
 5. Extent of injuries, if any, caused by the hazardous materials. Advise the dispatcher to notify the hospital so they can prepare for the eventual arrival of injured persons, if applicable.
 6. If possible, obtain all information contained on the U.S.D.O.T. placards or labels and relay to the dispatcher.
 7. Request the Department's Hazardous Materials Officer be immediately contacted per Personnel Order 407.
- C. Procedures: If an incident is encountered where the cargo is a known or suspected hazardous material, close off the area immediately and request assistance. If the cargo is not known, and it is not known if it is hazardous, employees will still close off the area and immediately request assistance. In both instances, employees are reminded to maintain a safe distance. If some type of action is necessary after notification is made to the dispatcher, the following should be done:
1. Approach from an upwind direction if possible,
 2. Do not touch or walk into the spilled material or vapor,
 3. Keep all non-emergency personnel away from the area and reduce exposure to non-essential persons. This in turn will allow for emergency personnel and equipment to approach the scene. This would also include re-routing traffic in some cases.
 4. Avoid inhaling smoke, vapors or fumes.
 5. Do not assume escaping gases or vapors are harmless because of the lack of any odor.
 6. Attempt to identify the spilled/escaping substance.
 7. Isolate any victims to prevent any contamination.
- D. Radioactive Materials: In addition to the above-mentioned procedures, the following steps should be taken:
1. Establish a perimeter around the scene at a safe distance.
 2. Allow only rescue personnel with specialized gear and equipment to enter the area.
 3. Segregate and detain those who have been in contact with the radioactive material(s) until they can be examined. Obtain the names and the addresses of all those involved.
- E. Identification and Removal of Hazardous Material: The Bartlett Fire Department and the Hazardous Materials Officer will assist in the identification of the material. Once the material has been identified, the appropriate authority will be contacted for removal.

By Order of

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

Subject: Response to Hold Up Alarms Operations Order 209

Issued: June 6, 1996
Effective Date: June 6, 1996
Termination Date: N/A

**Rescinds: G.O. 84-04, 85-04, 86-12
92-12**
Reference CALEA Standards:
41.2.1, 41.2.4, 81.2.13

Amended Date: October 18, 2016

PURPOSE: To establish a standard response for patrol units when responding to hold-up and burglar alarms at banking institutions in the Village and to establish a method to determine if the alarm is valid.

I. Duties of the Telecommunicator

II. Responding to Alarms (41.2.1, 81.2.13)

- A. Officers who are assigned to a bank alarm will respond using caution, being aware of vehicular and pedestrian traffic along the route they are taking.

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- D. Officers responding to alarms will position themselves in accordance with the procedures outlined in Annexes I - VIII, which deal with each financial institution in the Village.

III. Duties of Officers During a Bonafide Hold-Up

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IV. Duties of Crime Prevention Officers

The Crime Prevention Officers of the Bartlett Police Department will act as liaisons between the department and bank officials. They will periodically review alarm procedures and forward any suggestion for changes in the procedures to Planning and Research for review by Staff.

V. Reporting Requirements

- A. In cases of accidental alarm activation, the primary responding officer will note on the dispatch ticket what occurred.
 - B. In cases of a bona fide hold-up, officers will complete an Incident/Offense Report.

By Order of

Patrick Ullrich
Chief of Police

Annexes I-VIII

BARTLETT POLICE DEPARTMENT



**Subject: Officer In Charge and
Records Clerk In Charge** **Operations Order 210**

Issued: April 8, 1996

Rescinds: G.O. 93-05

Effective Date: April 8, 1996

Termination Date: N/A

Reference CALEA Standards:

Amended Date: February 13, 2020

**Related Directives:
SO614**

PURPOSE: This order establishes guidelines for the Officer In Charge (OIC) and Records Clerk In Charge (RCIC) Programs to provide supervisory coverage in the absence of a sergeant, commander, or the Records Supervisor, and establishes guidelines for the OIC to make notifications to Command Staff and other members.

I. Qualifications—Officer In Charge (OIC)

Qualifications for officers to be eligible to participate in the OIC Program are as follows:

- A. At least five years of service as a sworn officer with the Bartlett Police Department.
- B. A minimum rating of competent on the officer's last two Village Performance Evaluations.
- C. A recommendation by the police department supervisory staff that the officer be allowed to participate in the program. If there is any question raised about the officer's qualifications to participate in the program, the Chief of Police will make the final determination of an officer's eligibility.
- D. A working knowledge and demonstrated proficiency in the use of Department rules, regulations and procedures, local ordinances, and state laws. OICs will be assigned by a sergeant or above, in advance of the shift to be worked.

II. Training—Officer In Charge (OIC)

Officers deemed eligible to participate in this program will routinely receive training in supervisory theory and applicable areas.

III. Notifications—Officer In Charge (OIC)

- A. Command Staff notifications will be made in accordance with Special Order 614 – Notifications - Department Personnel.
- B. If an OIC feels an incident requires additional manpower, resources or time, he/she will call out the necessary personnel. The Shift Commander will be notified of any necessary hireback. All reports will be completed at the time of the incident unless approval has been obtained from a Supervisor. Copies of all reports will be forwarded to the Deputy Chief of Operations and the Chief of Police.
- C. Call outs of any specialty (i.e. Evidence Technicians, Detectives) will be made per Department policy.

IV. Responsibilities—Officer In Charge (OIC)

- A. Upon the arrival of the Chief of Police, Deputy Chief of Operations, Commander, or an Evidence Technician at a scene, the OIC and the first officer on the scene will be responsible for briefing them on the circumstances of the incident.
- B. The OIC will be responsible for ensuring the safety of all persons involved and integrity of the crime scene.

V. Records Clerk In Charge (RCIC)

In the absence of the Records Supervisor, the designated RCIC will be paid an additional \$3.00 per hour, for any hours worked Monday-Friday, between the hours of 0830-1630. The RCIC pay will not apply to observed Village holidays, weekends, or any time outside of the Records Supervisor's regularly scheduled shift.

VI. Qualifications—Records Clerk In Charge (RCIC)

Qualifications for Records Clerks to be eligible to participate in the RCIC Program are as follows:

- A. Successful completion of the Record's Clerk probationary period.
- B. A minimum rating of competent on the officer's last two Village Performance Evaluations.
- C. A recommendation by the Investigations and Support Services Commander and the Records Supervisor that the Records Clerk be allowed to participate in the program. If there is any question raised about the Records Clerk's qualifications to participate in the program, the Chief of Police will make the final determination of the Records Clerk's eligibility.
- D. A working knowledge and demonstrated proficiency in the use of Department rules, regulations and procedures, and daily operations of the Records Section.

VII. Responsibilities—Records Clerk In Charge (RCIC)

- A. The responsibilities of the designated RCIC may include, but are not limited to, the following:
 1. Supervise, organize, review and participate in the work of Records Clerks, clerical staff, and the parking enforcement officer.
 2. Perform a variety of administrative and technical duties in support of the Records Section and Police Department.
 3. Communicate pertinent information to the Records Clerks, clerical staff, the parking enforcement officer, and other Department members.
 4. Function as a liaison between the Records Clerks, clerical staff, the parking enforcement officer and the Records Supervisor.

By Order of:

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

Subject: Emergency Vehicle Operations	Operations Order 211
Issued: September 9, 1996	Rescinds: G.O. 95-01, S0607
Effective Date: September 9, 1996	Reference CALEA Standards: 41.2.1, 41.3.3
Termination Date: N/A	Related Directives: OO 201

Amended Date: November 6, 2013

- PURPOSE:** It is difficult to establish policy and procedure for emergency driving specific enough to provide meaningful guidance yet broad enough to allow discretion to function effectively. The purpose of this Order is to balance the objectives and assist the officer in making decisions. Each decision must be based upon the conditions and circumstances existing at the time. Ultimately, the test will be "reasonableness" of the course of action chosen.
- POLICY:** It is the policy of this Department that employees shall operate a motor vehicle exercising due care and caution for the safety of others. Although the law accords a "preferred status" to authorized emergency vehicles in emergency driving situations, it does not relieve officers from their obligation to operate their vehicle with concern for public safety. All members of the Bartlett Police Department shall use personal restraints while on duty and operating or riding in a motor vehicle.

I. Emergency Vehicle Operation (41.2.1)

- A. **Emergency:** The unforeseen combination of circumstances, which call for immediate action. It is difficult to accept this definition in terms of application by the police service. One set of circumstances may constitute an emergency while similar circumstances in a different situation may not. Therefore, to determine an emergency, good judgment by officers based on broad experience will be relied on.
- B. **Officer's Responsibility:** Most emergency calls received by officers in the field are dispatched by police radio. The officer must exercise good judgment to determine what facts or circumstances given would justify an emergency call. The officer has the responsibility to check with the Shift Supervisor if not absolutely sure whether or not to respond in an emergency status.
 1. Police emergency vehicles will respond according to the following codes:
 - a. **Code 1 - No Immediate Emergency**
When police service is required, the operators of police vehicles will adhere to all traffic laws of this state and proceed with due caution.
 - b. **Code 2 - Immediate Emergency**
Police vehicles will utilize lights and at cross intersections utilize police sirens to secure the right of way to traverse said intersection. The siren, whenever practical, should not be utilized in close proximity to the request for service in an attempt not to alert the offender. (example: burglary alarm, robbery, prowler, etc.)
 - c. **Code 3 - Major Alert**
Police vehicles will utilize both lights and siren while enroute to the call. The siren shall be utilized in close proximity to the call to deter further illegal acts, or to assure the general public that the police are close by. (example: disturbances, accidents, fires, etc.)
 2. If in the opinion of the Supervisor or dispatcher, there is a need for the assignment of additional units to respond to a scene of an emergency, they may respond Code 2 or Code 3 if the situation warrants it.
- C. **Police Officer Responsibility:** Police officers assigned to emergency calls shall monitor their police radios and shall acknowledge all communications conveyed to them by the Supervisor or dispatch. The assigned officers shall respond to emergency calls rapidly, but with due regard for the safety of life and property.

1. The officer shall not operate a vehicle at a rate of speed that may cause loss of control of the vehicle.
 2. When exceeding the posted speed limit while responding to an emergency, the officer shall activate all emergency lights, and as required the siren.
 3. The officer shall reduce speed when approaching intersections and other areas of possible conflict. The officer shall check oncoming and cross traffic and will come to a complete stop if necessary. The officer shall be alert to the ability to proceed safely. The officer will use lights and siren as needed.
 4. Upon approaching an intersection equipped with the traffic signal pre-emption system, the officer shall capture the signal in the direction they are traveling, if possible. When the pre-emption system is not functioning properly, officers will use all necessary caution to proceed through these intersections.
- D. Supervisor's Responsibility: Shift Supervisors will monitor and coordinate the assignment and response to emergency calls.
1. Supervisors will evaluate circumstances and will intervene when inappropriate responses occur.
 2. Supervisors will monitor officer response to emergency calls to ensure compliance with Department policy, officer and public safety, and efficient response to emergency scenes.
- E. Non-sworn personnel are not permitted to respond in violation of Illinois traffic laws. The use of emergency equipment by non-sworn personnel is limited to traffic control and direction, at the direction of the Shift Supervisor.
- F. This order applies to routine emergency vehicle operation. For specific regulation on this area, refer to the Operations Order 201 – Police Pursuit Guidelines.
- G. Unmarked vehicles and specialty vehicles may not operate in an emergency response fashion unless authorized by the on-duty Supervisor or other Supervisory personnel and only under exigent circumstances:

II. Seat Belt Usage

- A. The Illinois Vehicle Code (625 ILCS 5/12-603.1 and 625 ILCS 25/1 et. seq.) mandates all drivers and passengers of a vehicle be required to wear seat belts any time the vehicle is in operation.
- B. Emergency vehicles have been exempted from this statute. However, all members of the Bartlett Police Department who operate or are seated in an agency vehicle are required to wear seat belts.
- C. When transporting someone in the back seat compartment of a department vehicle, members will require all passengers use the seat belt. A supervisor may grant exception to this policy if a specific situation should arise in which efficiency of operations outweighs the safety benefit.

By Order of:

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

Subject: Juvenile Operations

Operations Order 212

Issued: February 5, 1996

Effective Date: February 5, 1996

Rescinds: G.O. 83-26

Special Order 622

Termination Date: N/A

Reference CALEA Standards:

1.1.3, 44.1.1, 44.1.2, 44.1.3,

44.2.1, 44.2.2, 44.2.3, 82.1.2

Amended Date: February 6, 2018

Related Directives:

AO108, IO308, PO410, MO708, CO809

PURPOSE: To provide a uniform procedure for the handling of juvenile contacts and complaints, as well as to direct personnel in the proper methods of processing and recording juvenile data in accordance with State and Federal law. Detailed information for state-certified Juvenile Officers can be found in the Bartlett Police Department Juvenile Officer Guidebook.

POLICY: The Bartlett Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel.

I. Administrative Review

- A. The Investigations Supervisor, or his designee, will annually review all enforcement and prevention programs relating to the handling of juveniles. This review will be distributed to Command Staff within the first quarter of every year. (44.1.3)
- B. The Bartlett Police Department must deal with and rely on other components of the juvenile justice system. In order to maintain an open line of communication with these components, the juvenile procedures adopted by this agency will be sent to the following authorities for review and comment; Assistant State's Attorney for Juvenile Court, Juvenile Probation Authority, Department of Children and Family Services. (44.1.2)

II. Juvenile Categories

- A. Definitions:
 1. **Neglected/Abused Minor:** A minor under the age of 18 who is neglected or abused by his/her parent, guardian or immediate family member.
 2. **Dependent Minor:** Any minor under the age of 18 who is without a parent, guardian or legal custodian.
 3. **Addicted Minor:** Any minor who is an addict or alcoholic.
 4. **Minor Requiring Authoritative Intervention (MRAI):** Any minor under 18 years old who is a truant, runaway or beyond the control of his/her parents in circumstances which constitute a substantial or immediate danger to the minor's physical safety.
 5. **Delinquent Minor:** Any minor who prior to his/her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance.
- B. Officers who encounter minors as defined above will generate an Incident/Offense Report.
 1. In most MRAI cases, and in all delinquency cases, a Juvenile watermark designation will be attached to the report in the RMS.
 2. Reports of neglect, abuse, dependency and addiction will be forwarded to the Investigations Section.

III. Taking Custody/Notifications

- A. Any officer who observes what he/she reasonably believes to be a **neglected, abused or dependent minor** is mandated by law to report the incident to the Illinois Department of Children and Family Services (IDCFS) at
- B. **Limited Custody:** A law enforcement officer may, without a warrant, take into limited custody a minor who the officer reasonably determines is absent from home without consent of the minor's parent/guardian or beyond the control of his/her parent/guardian (MRAI cases only). (44.2.2.a)
 - 1. No minor will be involuntarily subjected to limited custody for a period of more than six (6) hours from the time of the minor's initial contact with the officer.
 - 2. The minor taken into custody will be informed by the officer of the reason(s) for the limited custody.
 - 3. The officer will immediately attempt to notify a parent or guardian that the minor is in limited custody and where the minor is being held. (44.2.2.e)
 - 4. When possible, the officer will release the minor to a parent/guardian. If the minor cannot be released, a juvenile officer must be contacted to seek the assistance of the designated crisis intervention agency.
 - 5. Officers taking limited/temporary custody of minors will complete the Verification of Limited/Temporary Custody Form. (Annex I)
 - 6. Minors taken in limited or temporary custody will not be placed in any form of lock-up facility. Neither limited nor temporary custody is an arrest, nor do they constitute a police record.
- C. **Temporary Custody:** A law enforcement officer may, without a warrant, take into temporary custody a minor who the officer reasonably believes to be neglected or abused, dependent, a minor requiring authoritative intervention or addicted. (44.2.2.b)
 - 1. Temporary custody is the temporary placement of the minor out of the custody of his/her parent or guardian.
 - 2. Officers taking minors into custody on a warrant will immediately make a reasonable attempt to notify a parent/guardian that the minor has been placed in custody and where the minor is being held. The minor will be brought to a juvenile officer as soon as possible. (44.2.2.e)
 - 3. Minors taken in limited or temporary custody will not be placed in any form of lock-up facility. Neither limited nor temporary custody is an arrest, nor do they constitute a police record.
- D. **MRAI or Delinquent minors**, if taken into custody for an offense which would be a misdemeanor if committed by an adult, the officer, upon determining the true identity of the minor may release the minor to the parent/guardian. Upon release, a juvenile officer must be notified of the circumstances of the custody and release. The officer taking custody of a minor for MRAI or delinquency will complete or update the juvenile contact card.
- E. Minors in custody for **MRAI, addiction or delinquency**, if not released, the arresting officer will:
 - 1. Immediately make a reasonable attempt to notify a parent/guardian of the reason for the custody and where the minor is being held.
 - 2. Without unnecessary delay, deliver the minor to a juvenile officer.
- F. In cases where it is not possible to release the minor because of arrest for a warrant, court order or other situation, without delay, the minor will be brought to the court or place designated by the court for reception of minors. *NOTE: The courts will not designate a detention facility unless the minor is delinquent.*
- G. Except for minors accused of violation of an order of the court, any minor accused of any act under Federal or State law, or municipal or county ordinance that would not be illegal if committed by an adult, cannot be place in a secure lock-up facility. This includes, for example, status offenses such as curfew, illegal possession/consumption of alcohol and tobacco violations. (44.2.2.a)

IV. Arrest Procedures (44.2.1)

- A. A law enforcement officer may, without a warrant, arrest a minor whom the officer, with probable cause, believes to be a **delinquent** minor. Detention procedures found in Administrative Order 108 – Juvenile Detention will be followed.
- B. When investigating matters involving delinquent minors, officers must remember that the same degree of probable cause is needed to take the delinquent minor into custody and the same degree of proof is necessary in order to convict as is necessary for an adult offender.
- C. Factors to be considered in making the decision to arrest a delinquent minor include:
 - 1. The seriousness of the alleged offense.
 - 2. The prior police history of the minor, if any.
 - 3. Age of the minor
 - 4. The culpability of the minor in committing the alleged offense.
 - 5. Whether the offense was committed in an aggressive or premeditated manner.
 - 6. Whether the minor used or possessed a deadly weapon when committing the alleged offense.
 - 7. The cooperation of the minor's parents and the parent's ability to supervise the activities of the minor.
 - 8. The availability of community-based rehabilitative programs.
- D. Officers handling juvenile-involved cases must ensure the victims of juvenile crimes are apprised of case status/disposition.
- E. Bonding procedures for minors charged with traffic, conservation, and local ordinance offenses will be processed in accordance with the severity of the offense and subject to release on a recognizance bond at the discretion of the Shift Supervisor. (44.2.2.a)
- F. If the delinquent minor is to be transported to the juvenile detention center, the following steps must be taken:
 - 1. Notify the youth's parent/guardian and advise them where the youth is going to be transported.
 - 2. Complete the necessary reports and other documentation required by the detention center.
 - 3. A juvenile police officer will transport the juvenile to the appropriate facility per **705 ILCS 405/5-405(3)(c)**. (44.2.2.d)
- G. During interviews or interrogations, a police officer must be sensitive to and respect the constitutional rights of the delinquent minor. Officers should avoid practices that can be described or interpreted as inherently coercive in the sense that a delinquent minor may cooperate or confess to unlawful conduct as a result of induced fear. The following procedures will be followed. (44.2.2.c, 44.2.3)
 - 1. A juvenile officer should confer with the youth's parents or guardian who will have been contacted immediately upon the youth's arrest.
 - 2. Explain to the youth and the parent/guardian the procedures that are used for juveniles to include the **Juvenile Miranda Warning (Annex II)** and court procedures.
 - 3. In addition to the factors listed in Section C., the following will be considered when a delinquent minor is to be interrogated or interviewed:
 - a. The cognitive ability of the juvenile.
 - b. Any learning disability or special education designation.
 - c. A history of substance abuse by the juvenile.
 - d. Whether the juvenile is currently under the influence of drugs/alcohol.
 - 4. Limit the duration of the interview or interrogation to a reasonable amount of time depending on all factors considered. The timeframes for detention from the Illinois Juvenile Court Act will be used as a guideline for interviews and interrogations as well.
 - a. Minors 10 years of age and under 12 years of age - no more than six (6) hours. (**705 ILCS 405/5-410(2)(a)**).
 - b. Minors 12 years of age and under 18 years of age - no more than twelve (12) hours, unless the offense is a violent crime, then the period of time may be extended to twenty-four hours after consulting with the State's Attorney's Office. (**705 ILCS 405/5-410(2)(c)**).

5. No more than three officers will be present in the interview/interrogation. One of the officers must be a Juvenile Officer (Personnel Order 410) who will not participate in any part of the investigation, but will remain in the role of the juvenile's advocate.
 6. Before conducting the custodial interrogation, the officer shall continuously read the statement from P.A. 099-0882 on the Juvenile Miranda Form if the interrogation is being conducted at a place of detention as defined in the Public Act (a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors). This shall be done without stopping for purposes of a response from the juvenile or verifying comprehension. After reading the statement, the officer will ask the juvenile two questions and wait for the minor's response to each question:
 - a. Do you want to have a lawyer?
 - b. Do you want to talk to me?
 7. Per 705 ILCS 405/5-170, a minor who was under 15 years of age at the time of the offense must have counsel present throughout a custodial interrogation for all homicide and sex offense investigations.
 8. Custodial interrogations of juvenile suspects must be electronically recorded and preserved per **705 ILCS 405/5-401.5** in the following cases:
 - a. Any felony offense under the Criminal Code
 - b. An act that if committed by an adult would be a misdemeanor offense under Article 11 (Sex Offenses) of the Criminal Code of 2012
 - c. If, during the course of an electronically recorded custodial interrogation conducted under this Section of the Juvenile Court Act of a minor who, at the time of the commission of the offense was under the age of 18 years, the minor makes a statement that creates a reasonable suspicion to believe the minor has committed an act that if committed by an adult would be an offense other than an offense required to be recorded, the interrogators may, without the minor's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary.
- H. Upon release from police custody, if a minor is arrested and no petition for delinquency is filed with the court, the officer shall notify verbally and in writing to the minor or the minor's parent/guardian that there is an arrest record; and provide the minor and the minor's parent/guardian with a juvenile expungement packet (**Annex III**) containing required documents and instructions on the expungement process pursuant to **705 ILCS 405/5-915**. If a minor is referred to court, the judge is responsible for providing the notifications and forms required above.
- I. Any video evidence associated with the case should be preserved and placed in evidence following the procedures in Technical Services Order 500 (Evidence Procedures).

V. Discretion of Police or Juvenile Officer

- A. When a police officer detains a youth for a delinquent act which is not serious and a records check shows no prior delinquency, the least coercive among reasonable alternatives should be used. After conferring with the complainant/victim and parents/guardian of the youth, the officer may consider one of the following dispositions:
 1. Outright release to parent/guardian without further action. (**44.2.1.a**)
 2. Local Ordinance Citation (**44.2.1.b**)
 3. Station Adjustment Agreement *
 - a. Formal
 - b. Informal
 4. Community Service *
 - a. As arranged by parent/guardian
 - b. Through church
 5. Bartlett Police Juvenile Offender Restitution Program (JROP) *
 6. Recommendations for Counseling
 7. "Restorative Opportunities Program" (ROP) * located at the Elgin Recreational Center

8. Alexian Brothers Behavioral Health "Family Options Program" (FOP) * located at St. Alexius in Hoffman Estates
 9. Probation Adjustment (**705 ILCS 405/5-305**)
* A juvenile officer must be contacted to utilize the program and in some cases they must monitor the juvenile throughout the duration of the program. The programs can be located in the Juvenile Officer's Guidebook.
- B. When there is uncertainty as to the appropriate disposition for a particular case, officers are encouraged to seek the advice of a Juvenile Officer or Supervisor. (44.2.1.b)
- C. Referral to Probation Adjustment, commonly known as a preliminary conference (**705 ILCS 405/5-305**). The court may authorize the probation officer to confer in a preliminary conference with a minor who is alleged to have committed an offense, his or her parent, guardian or legal custodian, the victim, the juvenile police officer, the State's Attorney, and other interested persons concerning the advisability of filing a petition, with a view to adjusting suitable cases without the filing of a petition as provided for in this Article. Procedures for requesting a Probation Adjustment are in the Juvenile Officer Guidebook.
- D. When an officer feels it is necessary to petition a youth to juvenile court, every effort should be made to petition the youth and obtain a screening date rather than taking the youth into custody. (44.2.1.b)
- E. Referral of alleged delinquent minors to court should be restricted to cases involving serious criminal conduct or repeated criminal violations such as, but not limited to, the following: (44.2.1c)
 1. Felony Violations
 2. All delinquent acts involving weapons
 3. Serious gang-related delinquent acts
 4. Delinquent acts involving aggravated assault and battery
 5. Delinquent acts committed by juveniles on probation/parole or who have a case pending
 6. Repeat delinquent acts (within 12 months)

VI. Juvenile Records

- A. Juvenile reports will have a "JUVENILE" watermark on them in the RMS. Records personnel will affix a red dot to the top center of printed juvenile records to more easily distinguish them from adult records. The completed reports will be maintained in the files separately from all other reports. (82.1.2.a)
- B. A delinquent contact/arrest report (82.1.2.b)
 1. The officer will enter a juvenile "Clearance Status" and "Clearance Date" in the Administrative tab of the RMS when completing their report. A juvenile contact report per individual can be generated using the "Juvenile Contacts" query function in the RMS.
 2. All persons named in the report will be appropriately indexed.
 3. Fingerprint cards will contain all information that is requested and will be sent to the Bureau of Identification and originals will be maintained in the court jacket.
 4. Photographs/mug shots will be maintained in accordance with LIVESCAN procedures.
 5. All juveniles petitioned for a felony offense or a Class A or B misdemeanor will be photographed and fingerprinted. The arrest information and fingerprints will be transmitted to the State Police via Records.
 6. All juveniles assigned a Formal Station Adjustment will be photographed and fingerprinted. The information and fingerprints will be transmitted to the State Police via Records.
 7. Juveniles assigned an Informal Station Adjustment may be photographed and fingerprinted at the juvenile officer's discretion.
- C. Access to juvenile records will be restricted to those persons/agencies permitted by statute. (82.1.2.c)
- D. Serious traffic violations, conservation violations and local ordinance violations.
 1. Procedures for handling delinquent contacts/reports are the same as above.
 2. Fingerprint cards will be forwarded to the Court Clerk and State's Attorney for the appropriate county. (82.1.2.b)

- E. Missing/Runaway Reports /MRAI – refer to Investigations Order 308 – Missing Persons and Clerical Operating Procedures 809 – Missing-Runaway Processing.
1. All missing/runaway reports and MRAI reports will be maintained with juvenile records.
 2. Records concerning minors taken into limited custody (MRAI) will be maintained separate from the records of arrest and may not be inspected by, or disclosed to, the public except by order of the court. (82.1.2.c)

VII. Record Retention/Expungement (82.1.2.e)

- A. A juvenile's record shall be expunged by court order/
- B. A juvenile's record shall be automatically expunged according to 705 ILCS 405/5-915 under the following circumstances:
1. All law enforcement agencies shall automatically expunge on or before January 1 of each year, all law enforcement records relating to events occurring before an individual's 18th birthday if:
 - a. One year or more has elapsed since the date of arrest or law enforcement interaction documented in the records;
 - b. No petition for delinquency or criminal charges were filed with the court; and
 - c. 6 months have elapsed without any subsequent arrest or charges.
 2. If 1-year has elapsed and there is no way to verify if the charges were filed or if there was subsequent arrests or charges in the previous 6-months, then the record shall be expunged.
 3. If the Police Chief, or designee, certifies in writing that information is needed for a pending felony investigation, that information may be retained in an intelligence file until the investigation is terminated or for one additional year, whichever is sooner. The need to retain a portion of the juvenile's information does not disqualify the remainder of his/her record from immediate automatic expungement.
 4. If an expungement order is received from the court and there is a pending felony investigation, the Police Chief (or designee) may certify in writing that certain information continues to be needed, then information may be retained in an intelligence file until the investigation is terminated or for one additional year, whichever is sooner. The need to retain a portion of the juvenile's information does not disqualify the remainder of his/her record from immediate automatic expungement.
 5. Juvenile arrests, investigations and delinquencies not qualifying for an automatic expungement may still be petitioned to the court for expungement if ordered by a judge.
 6. Local law enforcement agencies (Records) shall send written notice to the minor of an expungement within 60 days of automatic expungement or date of service of an expungement order.
- B. Expungement orders will be handled by the Records Section Supervisor.

VIII. Cooperation with Specialized Agencies

- A. In those cases where child sexual abuse is alleged, the appropriate agency will be contacted when the allegation falls into one of the following categories: caretaker sexual abuse, intra-familial sexual abuse, any sexual abuse case where the victim is 16 years of age or under.
1. **Cook County:** The matter will immediately be referred to the Investigations Section who will be responsible for notifying the Children's Advocacy Center of North and Northwest Cook County to arrange for interviews and medical exams. In these cases, the Children's Advocacy Center will arrange for members of the State's Attorney's Office and DCFS to be notified. The Bartlett Police Department will coordinate the investigation.
 2. **DuPage County:** The matter will be immediately referred to the Investigations Section who will be responsible for notifying the DuPage County Children's Center (x hours). The Children's Center will assume primary investigative responsibility. Bartlett police personnel will assist as needed.

3. **Kane County:** The matter will be immediately referred to the Investigations Section who will be responsible for notifying the Kane County Children's Advocacy Center. The Center will assume primary investigative responsibility. Bartlett police personnel will assist as needed.
- B. MRAI cases will be handled by contacting the appropriate crisis intervention center which is dictated by the county of residence. Cook County cases are handled by The Bridge. DuPage County cases are handled by Wheaton Youth Outreach [Weekends, Holidays, after 1700].

IX. Community Diversion Programs (1.1.3)

- A. The Bartlett Police Department recognizes that at times there are youths who, due to factors beyond their control, become involved in offenses that bring them to the attention of the criminal justice system. For some of these youths, this will be the first and only time they will interact with the system.
- B. In order to better serve these at-risk youths and in some cases their families, the Bartlett Police Department has developed, in cooperation with other agencies, a way of providing services to the youths rather than directly involving them in the juvenile justice system. The Bartlett Police Department will, when appropriate, refer the youth to the appropriate agency that can meet the needs of the youth. (1.1.3)
- C. The following is a list of the programs that are currently used by the Bartlett Police Department:
 1. Substance Abuse-Mental Health Programs
 - a. Linden Oaks Hospital, Naperville, IL
 - b. Alexian Brothers Behavioral Health Hospital, Hoffman Estates, IL.
 - c. Streamwood Behavioral Health Center, Streamwood, IL.
 2. Fire Setters Program: This is a program for youths that have been involved with setting fires. The Juvenile Fire Setters Intervention Program is run by the Bartlett Fire Protection District.
 3. Restitution Programs: these programs are available for property crimes where the youth/parent/victim agree to have the youth offender pay for the damages incurred.
 - a. Bartlett Police Department Juvenile Offender Restitution Program
 - b. Restorative Opportunities Program (ROP)
 4. First Offender Program: this program entitled "Family Options Program" is run by Alexian Brothers Behavioral Health.
- D. Participation in any of the aforementioned programs is voluntary and must be agreed to by the youth and the parent. Nothing contained in this Order will prohibit a Juvenile Officer from petitioning a youth into the juvenile court system if, in the opinion of the officer, such action is warranted.
- E. Any member of the Department who comes in contact with a youth the officer feels is an at-risk youth should make arrangements for the youth to speak with a Juvenile Officer or refer the youth to the Investigations Section when necessary.

By Order of:

Patrick Ullrich
Chief of Police

HOW TO EXPUNGE AND/OR SEAL A CRIMINAL

Table of Contents

Introduction to Clearing Your Criminal Record

Information on the difference between expungement (erase) and sealing (hide) and what the requirements are for each.

Step 1: Get Copies of Your Criminal Records

Find out how and where to get copies of your criminal records.

Step 2: Review Your Criminal Records & Pick Expungement and/or Sealing....

Learn how to read your criminal record and find out if your cases can be expunged and/or sealed.

- Fill out the Case Worksheet on page 12.

- Pick Expungement for:

- Arrests or cases that resulted in acquittals, dismissals or non-conviction sentences (see types of offenses that can be expunged under Step 2).

- Pick Sealing for:

- Cases that resulted in a conviction (see types of offenses that can be sealed under Step 2).

Step 3: Fill Out the Expungement and/or Sealing Form

Line-by-line instructions for filling out the form to have your criminal record expunged (erased) and/or sealed (hidden).

Step 4: Next Steps for Expungement & Sealing

Learn what to do once you have filled out the form, what happens once your case gets started, and to do when you find out if your record will be expunged or sealed.

Appendix: Case Worksheet & Definitions

Figure out if you qualify for expungement and/or sealing and collect all your case information to help out the form.

Case Outcome Definitions

Explanations of case outcomes to help you figure out if you were convicted of a criminal offense.

EXPUNGEMENT

COVER SHEET –
COMPLETE GUIDE
IS AVAILABLE IN
REPORT WRITING
ROOM

BARTLETT POLICE DEPARTMENT



Subject: Traffic and Local Ordinance Enforcement	Operations Order 213
Issued: April 30, 1996	Rescinds: Operations Order 224
Effective Date: April 30, 1996	Reference CALEA Standards:
Termination Date: N/A	1.2.7, 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, 61.1.12, 61.3.1, 61.4.4
Amended Date: May 8, 2020	Related Directives: AO107, AO113, OO201, OO203, OO226, SO608, COP801

PURPOSE: This order establishes a uniform procedure for the aggressive and equitable enforcement of traffic laws and local ordinances by uniformed officers who will be primarily responsible for enforcement. The primary objective is to promote traffic safety and reduce traffic crashes, especially those that result in personal injury.

POLICY: The Bartlett Police Department will increase public safety through enforcement of traffic laws to reduce traffic collisions and related injuries and fatalities and facilitate the safe and expeditious movement of vehicular traffic. The goal of the Department's traffic enforcement efforts are the reduction of traffic crashes and the voluntary adherence to traffic laws by the general public. The Department will vigorously enforce the laws set forth in the Illinois Vehicle Code and provide uniform guidelines for enforcement on violations of the speed limit and occupant restraint laws.

I. Traffic Enforcement Practices

- A. Strategies and tactics for traffic law enforcement should be consistent with the nature of the violation and the potential for interfering with the free and safe flow of traffic. This may involve one or more of the following types of traffic patrol.
 1. Line Patrol – patrol between two specific points on a given street. (61.1.6.a)
 2. Area Patrol – moving patrol within a defined area. (61.1.6.a)
 3. Stationary Traffic Observation: (61.1.6.b)
 - a. Visible (overt) stationary traffic observation
 - b. Concealed (covert) stationary traffic observation
 4. Selective Enforcement (Directed Patrol): (61.1.6.a)
 - a. The enforcement of a specific violation that has been identified as a primary cause of crashes in a particular location or area.
 - b. The enforcement of a specific violation that has been identified as a problem in a specific area or location.
 - c. The use of selective enforcement may involve one or more of these patrol methods.
- B. Officers may utilize countermeasures effective for specific enforcement problems upon authorization of the Deputy Chief of Operations. These measures will include, but are not limited to: (61.1.6.c)
 1. Use of unmarked police vehicles
 2. Use of semi marked vehicles
 3. Use of other specialty type vehicles
 4. Use of roadside safety checks (61.1.6.d)

II. Equipment

- A.

- C. Officers assigned to unmarked squads will follow the procedures in Operations Order 201 – Police Pursuit Guidelines in pursuit situations.

V. Classification of Traffic Laws

The following definitions classify traffic violations into two groups.

- A. **Hazardous Traffic Law Violations:** These are violations of any law or regulation which affect the use or protection of streets or highways and were enacted to regulate the safe movement of vehicles and pedestrians. There are two types:
1. Unsafe Behavior – Any action or omission in traffic which is hazardous even when vehicles, streets, highways or people involved are in a legal condition.
 2. Unsafe Condition – Causing or permitting to be caused any illegal and possibly hazardous condition of:
 - a. A driver or pedestrian in traffic
 - b. Streets or highways used by traffic
 - c. Vehicles used in traffic
- B. **Other Traffic Law Violations:** Violations of any law, ordinance or regulation affecting the use or protection of streets or highways, but not enacted primarily to regulate safe movement of vehicles and pedestrians. Violations of law as specified in the laws and ordinances of this State have been classified according to these definitions. This list includes violations which relate to the condition of the driver, his/her vehicle, and the driver's behavior on the road. (61.1.5.c, 61.1.5.d)

VI. Officer Discretion (1.2.7)

- A. A uniform traffic enforcement policy does not preclude the exercises of discretion based upon the seriousness of the violation and the action which is most likely to result in future compliance with the law. The officer should take into consideration both the spirit of the law and its intent, as well as the letter of the law. When a violation is observed, it is the officer's decision which of the following levels of enforcement will be used:
1. Verbal Warnings: Primarily used for minor infractions of the law. (61.1.2.c)
 2. Written Warnings: Primarily used for infractions that might otherwise result in a citation being issued. (61.1.2.c)
 3. Traffic Citations: Used for more serious violations of the Traffic Code, where in the officer's opinion the violation was such that the issuance of a citation is warranted. (61.1.2.b)
 4. Custody Arrests: This level is used for the following serious violations: DUI, Fleeing and Eluding, Reckless Driving, DWLS/DWLR, Reckless Homicide, Aggravated Speeding (35 mph or more), and No Valid Driver's License (expired over 1 year or never obtained). (61.1.2.a)
- B. It will be the Department's priority and shared responsibility of all Patrol and Traffic Unit members to take enforcement action in the areas of Speed Enforcement, Occupant Protection, Distracted Driving, and DUI laws, as statistics demonstrate these are key contributing factors in traffic crashes which result in injury and death.
- C. **Speed Violations:**
It will be the policy of the Bartlett Police Department to issue Verbal Warnings or Written Warnings for speed violations up to and including nine (9) miles over the posted speed limit. Any person exceeding the limit by nine (9) mph may be issued a Written Warning or cited with a ticket depending on the seriousness of the violation as determined from the attendant conditions and circumstances.
1. **Class B Misdemeanor Aggravated Speeding Violations:**
A person who drives a vehicle upon any highway at a speed that is 26 miles per hour or more but less than 35 miles per hour in excess of the applicable maximum speed limit commits a Class B misdemeanor. (625 ILCS 5/11-601.5(a)) Violators may be cited with a ticket and bonded at the scene. This includes:
 - a. Construction Zone Aggravated Speeding (26-34 mph) (625 ILCS 5/11-605.1(d-5)(1))
 - b. School Zone Aggravated Speeding (26-34 mph) (625 ILCS 5/11-605(e-5)(1))
 2. **Class A Misdemeanor Aggravated Speeding Violations:**
A person who drives a vehicle upon any highway at a speed that is 35 miles per hour or more in excess of the applicable maximum speed limit commits a Class A misdemeanor. (625 ILCS 5/11-

601.5(b)) Violators shall be custodially arrested and processed per Operations Order 226 – Arrest Procedures. The vehicle may be towed in accordance with Administrative Order 113 – Towed and Impounded Vehicles, Sections II.A.3, IV.A, and IV.B or released at the scene to a valid driver. This includes:

- a. Construction Zone Aggravated Speeding (35 mph or more) (625 ILCS 5/11-605.1(d-5)(2))
- b. School Zone Aggravated Speeding (35 mph or more) (625 ILCS 5/11-605(e-5)(2))
3. Class A and Class B Misdemeanor Aggravated Speeding violations require the generation of a case number and a written report in RMS. Reports shall include, at a minimum, the method used to detect the speed, the identity of the violator (Arrestee tab), vehicle information, and the citation number, bond number (Cook County), and court information.

D. Child Passenger Restraint Violations:

The Illinois Child Passenger Protection Act (625 ILCS 25/) provides that when any person is transporting a child under the age of 8 years is responsible for providing for the protection of such child by properly securing him or her in an appropriate child restraint system. The parent or legal guardian of a child under the age of 8 years shall provide a child restraint system to any person who transports his or her child. A violation of this Act constitutes a primary traffic stop violation in Illinois and all members will take an aggressive stance in the enforcement of child restraint laws. Violators may be issued verbal warnings, written warnings or citations depending on the conditions and circumstances.

E. Driver and Front Seat Passenger Restraint Violations:

625 ILCS 5/12-603.1(a) states that “each driver and passenger...shall wear a properly adjusted and fastened seat safety belt.” This violation is a primary traffic stop violation.

F. Distracted Driving:

Illinois traffic law pertaining to electronic communication devices (625 ILCS 5/12-610.2) provides that persons may not operate a motor vehicle on a roadway while using an electronic communication device, including using an electronic communication device to watch or stream video. A violation of this Act constitutes a primary traffic stop violation in Illinois and all members will take an aggressive stance in the enforcement of distracted driving laws. Violators may be issued verbal warnings, written warnings or citations depending on the conditions and circumstances.

G. Violation Tolerances:

Tolerances, as indicated in this order, are to be followed whenever possible. However, attendant circumstances may change the seriousness of the violation. Therefore, the provisions of this order will not preclude the use of good judgment by the officer in evaluating the seriousness of the violation in relation to the circumstances and conditions existing at the time of the violation.

H. Multiple Hazardous Violations:

1. Enforcement of hazardous violations will follow established arrest and warning tolerances in multiple violations as well as in the single violations. A second citation may be issued for a second hazardous violation when this violation is serious enough to fall within the arrest tolerances.
2. Where the two violations under consideration are similar to the extent that one law exists for the purpose of compliance with the other law, multiple citations will not be issued. For example: this would apply to right of way violations where a driver has failed to stop as required and his actions result in a “Failure to Yield” violation, the stop sign citation would be issued and no action would be taken on the Failure to Yield violation. (61.1.5.f)
3. On the other hand, if a motorist fails to stop where required and continued observation reveals a speeding violation; both of the violations should be considered for appropriate action based on the tolerance for each violation. (61.1.5.f)
4. Further, a second citation would not be issued when the first citation is an all-inclusive charge and the specific violation for which the second citation is being considered is important evidence for the successful prosecution of the first charge. For example, if a motorist is charged with Reckless Driving, an officer would not charge the offender with Operating on the Left Side of the Road or Speeding if these constitute important factors in the Reckless Driving case. (61.1.5.f)

I. Multiple Non-Hazardous Violations:

Generally, one citation will be issued in the case of related, multiple, non-hazardous violations that stem from the same operation. In cases such as this where the elements of one offense are closely related to the elements of the second offense, one citation will be issued for compliance and the second should not be written. A warning is more appropriate. (61.1.5.f)

J. Multiple Hazardous and Non-Hazardous Violations:

In all instances, multiple violations found which can be classified separately as hazardous and non-hazardous will be dealt with independently. A motorist that is stopped for Following Too Closely and subsequently found to be Operating Without a Driver's License will be issued two separate citations if the seriousness of the first violation warrants an arrest. If the hazardous violation falls within the warning tolerance, a written warning should be issued when a citation is being issued for unrelated violations. (61.1.5.f)

K. Equipment Violations:

When a vehicle is found to be in violation of several equipment regulations, a citation should be issued for the most serious of the violations. This action would be taken even when each violation independently is worthy of only a warning. Only one citation will be issued for such multiple equipment violations unless each warrants arrest action separately. Lighting violations during daylight hours, except stoplights and directional lights, will not be included in determining whether several violations requiring a citation are present. Whenever a fixture is missing and it is obvious that the owner is aware of the defective equipment, a citation should generally be issued even though this may be the only violation on the vehicle. An example of this would be: horn removal, parking brake disconnected, light fixture removed, etc. (61.1.5.d)

L. Newly Created Statutes and Village Ordinances:

It will be the policy of the Bartlett Police Department to issue warnings for a period of thirty days after the date that a new law or ordinance becomes effective in lieu of special orders to the contrary. (61.1.5.g)

M. Violations Resulting in Traffic Crashes:

In crashes involving injury or extensive damage, strong consideration should be given to the issuance of a citation to the driver at fault. It will not be the policy of the Department to issue citations to both drivers unless both have committed a serious violation that contributed to the crash. The issuance of any citations will be at the discretion of the officer and not that of the drivers. (61.1.5.h)

VII. Pedestrian/Bicycle Traffic (61.1.5.i)

A. Enforcement measures utilized in dealing with pedestrians and bicycle traffic will be governed by the policies and procedures that are previously outlined in this order, including:

1. Analysis of accident reports involving pedestrians and/or bicycles, and
2. Planning public information and/or enforcement activities based upon this accident analysis.

B. Officers shall be familiar with laws that are applicable to pedestrian and bicycle traffic and take appropriate enforcement action in accordance with this order when violations are observed.

VIII. Mopeds, Mini-Bikes, Motorized Skateboards and Off-Road Vehicles

All officers shall be familiar with the laws that are applicable to mopeds, mini-bikes and off-road vehicles and take enforcement action in accordance with this order when violations are observed.

IX. Violator Procedures

A. Non-Residents:

The Illinois Vehicle Code, 625 ILCS 5/6-800 et. seq. describes the reciprocal provisions applicable to residents of states that are signers to the "Non-Resident Violator Compact," and all officers should be familiar with them. A list of the states that participate in the compact is contained in the Illinois Vehicle Code. Residents of non-compact states will be allowed to post a bond according to the bond schedule set down by the Illinois Supreme Court Rules. (61.1.3.a)

B. Public Carrier/Commercial Vehicle Violators: (61.1.5.e)

1. When a violation is going to result in formal enforcement action (i.e. citation, arrest, etc.), it is important to consider the safety of the cargo or passengers.
2. If there are no passengers or cargo, then bond should be taken as required. Securing the vehicle as necessary should be handled the same as securing any other vehicle.

3. The following guidelines should be followed when taking formal enforcement action and there is cargo or passengers:
 - a. Non-continuing violations (i.e. speeding, stop sign, equipment violations), take the appropriate bond (excluding cash) on the street if possible. Otherwise have the driver follow you to the Police Department to post bond.
 - b. Continuing Violation (i.e. DUI, No valid DL, DWLS/DWLR) notify the supervisor on duty and advise of the situation. The supervisor will then decide what action should be taken in regards to the cargo and/or the passengers.

C. **Reporting Incompetent Drivers:** (61.1.11)

1. It shall be the policy of the Bartlett Police Department to properly report all persons suspected of being incompetent drivers to the Secretary of State.
2. When an officer encounters a motor vehicle operator with suspected incompetency, physical or mental disability, disease or other conditions that might prevent a person from exercising reasonable and safe operation of a motor vehicle, the officer will report the condition on the form provided by the Secretary of State. The form, which is maintained in the Report Writing Room, is called a Medical Reporting and Re-Examination Request (Annex I). The officer will complete all requested information and will forward the form to the Secretary of State.
3. The officer will also forward a copy of the form to their immediate supervisor and to the Deputy Chief of Operations.

D. **Juveniles:** (61.1.3.b)

1. Juvenile traffic offenders will be issued recognizance bonds if they are unable to post a cash bond or other acceptable bond as set forth by state statute.
2. Officers issuing traffic citations to juvenile offenders under the age of 18 must advise them that if charged with a moving violation, they may not receive court supervision or traffic safety school unless they personally appear in court with their parent or legal guardian, and their parent or legal guardian executes a written consent before the judge presiding in the case.
3. Per 625 ILCS 5/6-108.1 the State's Attorney's Office must notify the Secretary of State (SOS) any time charges are pending against any person under the age of 18 who has been charged with a violation of the Illinois Vehicle Code or the Criminal Code arising out of an accident in which the person was involved as a driver and that caused the death of or a Type "A" injury to another person. The Report From State's Attorney Of Pending Charges (Annex II) form will be sent by the State's Attorney's Office to the SOS following the final disposition of the case. Officers will submit copies of citations and the traffic crash report at the time of arrest to the appropriate State's Attorney's Office so they can notify the SOS.

E. **Military Personnel** (61.1.3.e)

1. All military personnel assigned to military installations in the area will be treated as residents.
2. Military personnel not assigned to installations in the area should be treated as non-residents and handled in accordance with procedures of this order for non-residents.
3. Officers are reminded that the home state operator's license of military personnel does not expire until 90 days after separation from active duty.

X. Driving While Intoxicated Countermeasures (61.1.5.a, 61.1.9, 61.1.10)

- A. It shall be the policy of the Bartlett Police Department to take an aggressive stance in the enforcement of DUI laws. Procedures for handling intoxicated drivers will be in accordance with the Illinois Vehicle Code, 625 ILCS 5/11-501 et seq. and Operations Order 203 – Implied Consent Provisions.
- B. The identification of persons suspected of driving under the influence of alcohol or drugs is an important component of the patrol function. Patrol Officers are responsible for DUI enforcement as time and workloads permit.
- C. **Patrol Procedures:**
 1. Officers should be familiar with those locations within their assigned area that are frequently traveled by intoxicated drivers and with the locations of alcohol/drug related traffic crashes.
 2. Officers must be familiar with the signs of alcohol/drug impaired driving and utilize this information to establish probable cause for conducting a traffic stop.
 3. Drivers suspected of being impaired should be given several varied field sobriety tests that have been recognized as having validity in establishing probable cause for a DUI related arrest.

B. Radar Trailer:

This is a specialized piece of equipment, which contains a radar unit and a speed display screen. This unit will be deployed in areas that have a high incidence of traffic accidents or citizen complaints of excessive speeds or hazardous conditions. The Directed Patrol Sergeant will be responsible for maintaining a schedule of roadways where the trailer is be used and deployment of the unit. (61.1.6.c)

C. Traffic Counters:

These are specialized computer-programmed equipment consisting of protective pads placed on the roadway and computer software. These will be deployed to record speed and traffic counts in areas that have a high incidence of traffic accidents or citizen complaints of excessive speeds or hazardous conditions. The Directed Patrol Sergeant will be responsible for maintaining the equipment. Traffic officers are trained in the programming, placement and retrieval of the counters. Results of a traffic count will be maintained on the Report Writing computer and printed out for distribution to the Chief of Police, the Village Traffic Engineer, Public Works Department, or patrol officers as needed. They can also be given to citizens for follow up to specific complaints of traffic concerns. (61.1.6.c)

XI. **Driving while License Suspended or Revoked Enforcement (61.1.5.b)**

Under the Illinois Vehicle Code, 625 ILCS 5/6-303 driving while license is suspended or revoked is a Class A misdemeanor. Offenders will be cited and processed in accordance with Administrative Order 107 – Booking Procedures.

XII. **Immunity from Prosecution**A. Congressional Immunity: (61.1.3.c)

1. Members of Congress may not be detained for the issuance of a citation while they are in transit to or from the Congress of the United States.
2. If a member of the Congress is stopped for a traffic infraction, he/she should be identified and immediately released. The officer may then obtain a summons for the member of Congress, that covers the observed violation and make arrangements with the member for service. This service should be done at a time that the member is not in transit to or from the Congress or on official business.

B. Illinois Statutory Privilege:

Illinois Compiled Statute 720 ILCS 5/107-7 states that other individuals and public officials may be privileged from arrest. These people are:

1. Senators and Representatives from the Illinois General Assembly when traveling to and from the Assembly. The exception to this is if there is a felony offense or a breach of the peace. (61.1.3.c)
2. Electors shall be privileged from arrest going to and returning from an election. The exception being for felony offenses or a breach of the peace.
3. Militia shall be privileged from arrest going to and returning from attendance at musters and elections. The exception being felony offenses and breaches of the peace. (61.1.3.e)
4. Judges, Attorneys, Clerks, Sheriffs and other court officers shall be privileged from arrest while attending court and while traveling to and from court. After release of the driver, the officer may obtain a summons for the driver covering the observed violation and arrange for service.

C. Foreign diplomats and consular officials are immune from arrest and prosecution but generally may be issued traffic citations. Officers should refer to Special Order 608 – Diplomats, Foreign Officials, and Immigration Enforcement for specific procedures. (61.1.3.d)

XIII. **Local Ordinance Enforcement (61.1.12)**A. Fire Lanes:

Officers are encouraged to issue P-Tickets to those persons parking in clearly marked fire lanes. Enforcement of this violation is limited to the areas where we have signed agreements. Areas that have agreements with the Village of Bartlett for enforcement of fire lane violations are:

1. Bartlett Plaza
2. Bartlett Green Quadro Homes
3. Hearthwood Farms

4. Spring Lakes
5. Bartlett Town Center

B. Handicapped Parking:

Officers are to enforce all violation of the handicapped parking ordinance. Exemptions are only accepted for State approved stickers, placards or license plates for physically disabled persons. State law provides police officers with the authority to enforce this violation anywhere in the state without regard to the parking space being in a private or public lot.

C. Sign Ordinance Violations:

Community Service Officers will bear the primary responsibility for enforcement of this ordinance. Other officers will assist when the violations become burdensome. At the discretion of the officer, first time offenders can be issued a verbal warning or a written warning. A second or subsequent offense will be dealt with by the issuance of a local ordinance citation.

D. Overnight Parking:

P.M. shift members will enforce the overnight parking violations between the hours of 0230 and 0530.

E. Other Parking Ordinances:

Consideration should be given to those who violate the lesser-used parking ordinances. Compliance is the ultimate goal of all enforcement. While the officer has the discretion as to what enforcement action is to be taken, officers should consider the spirit as well as the letter of the law. Officers should take into consideration that new or visiting persons may or may not be aware of ordinances that are not used ordinarily in other towns. The officer is not restricted from issuing P-Tickets, but is rather encouraged to review the circumstances and all the facts pertaining to the violation.

XIV. Evaluation and Data Collection

- A. Information obtained will be regularly reviewed and utilized in order to maintain a high level of performance and effectiveness. The Chief of Police may designate Department members to attend traffic safety meetings, Illinois Department of Transportation seminars, or other public safety/transportation meetings as is necessary.
- B. Traffic crash data will be forwarded to the Illinois Department of Transportation by the Records Section per Clerical Operating Procedure 801 – Records Shift Procedures. (61.3.1.b)
- C. Complaints or suggestions that concern traffic engineering deficiencies will be directed to the Chief of Police for review with the Village Engineer. (61.3.1.a)

XV. Traffic Safety and Educational Materials

Ongoing traffic safety programs directed at educating the public on the matters of bicycle, pedestrian and driver safety will be conducted through the Traffic Unit and the Crime Prevention Unit. These programs will include public talks, information made available on the Village website and Village social media, and printed educational material which will be made available in the lobby of the police department. (61.4.4)

By Order of:

Patrick Ullrich
Chief of Police

Annexes I- II

BARTLETT POLICE DEPARTMENT



Subject: Criteria for Referral to Other Agencies
Issued: November 5, 1996
Effective Date: November 5, 1996
Termination Date: N/A

Amended Date: September 17, 2015

Operations Order 214

Rescinds: G.O. 86-11

Reference CALEA Standards:
2.1.1, 2.1.2

Related Directives:
00223, 00228, S0608

PURPOSE: To establish criteria to be used for referring individuals to outside agencies, either public or private, with special qualifications to adequately serve the needs of the person requesting assistance.

I. Emergencies

- A. An officer receiving a request for assistance from an individual will first determine the nature of the emergency.
- B. If there is a life-threatening situation, the first priority will be to protect individuals and provide medical assistance when needed.
- C. If no life threatening or medical emergency exists, determine the nature of assistance needed; criminal or civil.

II. Jurisdiction (2.1.1)

The geographic boundaries of the Bartlett Police Department extend only to those properties incorporated and acquired by the Village of Bartlett as indicated on the official Village of Bartlett Map.

III. Criminal Acts

- A. Determine where the act occurred to establish:
 1. The nature of the criminal act;
 2. The jurisdiction of occurrence;
 3. The validity of the complaint, where possible;
 4. When the act occurred; and
 5. If the act is still in progress.
- B. When jurisdiction is determined, the complainant should be referred to the law enforcement agency as indicated by the initial facts gathered. (2.1.2)
 1. Municipal, State and County Police Departments - Acts committed in violation of State Law, Statutes or Municipal Ordinances should be referred to the specified jurisdiction.
 2. The officer will contact the proper authority and advise them of the circumstances and continue assistance until the complainant is turned over to the designated department.
- C. Federal agencies with concurrent jurisdiction will be informed and persons involved will be handled in conformance to Special Order 608 regarding immigration laws. (2.1.2)

IV. Civil Assistance

- A. Persons in need of assistance will, in many cases, contact the Police Department for assistance. When this occurs, the officer will seek to determine the type of assistance required and make every effort to direct that person to an appropriate agency equipped to meet the need.
 - 1. Indigent persons in need of temporary shelter or minor financial assistance may be referred to the Salvation Army for shelter or offered financial assistance utilizing the ministerial program.
 - 2. Family counseling for problems resulting from inter-family disputes may be referred to Hanover Township Mental Health Services or the Wayne Township Services (dependent on where the resident resides).
- B. In most situations of a crisis nature, officers may intervene to preserve peace and provide short-term help. As soon as feasible, the person in need will be referred to an appropriate agency.

V. Directory of Services

- A. For the convenience and assistance of officers seeking to make a referral to a Social Service Agency, a directory of available services found in Operations Order 228 "Victim Witness Services" Annex I.
- B. In matters involving persons in need of mental health services and who are a danger to themselves or others; refer to Operations Order 223 "Mental Health Procedures" dealing with persons in need of mental services.

VI. Documentation

In all instances where a referral is made, an Incident/Offense Report will be completed documenting the referral, the complainant information, the person who was referred and the agency involved.

By Order of:

Patrick Ullrich
Chief of Police

BARTLETT POLICE DEPARTMENT

**Subject: Traffic Crash Investigation****Operations Order 215****Issued: April 24, 1996****Rescinds: G.O. 93-11****Effective Date: April 24, 1996****Reference CALEA Standards:****41.2.4, 61.2.1, 61.2.2, 61.3.2, 83.2.6****Termination Date: N/A****Related Directives: A0113, A0118,****A0132, OO203, OO226, PO405, PO432****Amended Date: December 9, 2019****SO600, SO614, SO615, SO617**

PURPOSE: This order establishes investigative procedures to be followed by members of the Department when investigating motor vehicle crashes and ensures the proper reports are filed and the appropriate actions are taken.

I. Traffic Crash Investigation Policy

- A. The Bartlett Police Department will investigate all crashes including, but not limited to:
 1. Fatalities.
 2. Serious injuries that may lead to death.
 3. Permanent disability or the possibility of permanent disability.
 4. Any crash involving a Police Department vehicle.
 5. Any crash involving a Village vehicle.
 6. Serious damage to structures.
 7. Driver impairment due to alcohol or drugs.
 8. Property damage crashes.
 9. Private property crashes.
 10. Hazardous material spills.
 11. Hit and run crashes.
- B. It is the policy of the Bartlett Police Department to record all crashes that occur within the corporate limits of the Village. For those crashes that occur outside of the Village limits and which the Department is made aware of, the proper authorities will be notified. The officer will complete an Incident/Offense Report when the crash is referred to another jurisdiction or agency. **(41.2.4)**
- C. Basic data collection is necessary in order to identify and classify a traffic crash and the persons, vehicles, times and locations, planned movements involved as well as possible contributory factors, such as traffic law violations. **(61.2.2.d)**
- D. The factual reporting of a traffic crash may be all that is required in the following situations. This however does not preclude an officer from using additional techniques and skills, depending on the circumstances surrounding the crash. These situations include, but are not limited to:
 1. Private Property Crashes.
 2. Property Damage Crashes.
 3. Delayed Crash Reports.
 4. Delayed Hit and Run Crashes – officers should go to the place of the reported crash and look for any evidence remaining at the scene, possible witnesses and indications that the crash occurred there.
- E. Members of the Department will use the Illinois Traffic Crash Report, which is designated by the Illinois Department of Transportation for use in all crashes, regardless of where they occur. A narrative and diagram will be completed for all crash reports, regardless of injury or towing of an involved vehicle. Members shall complete the Illinois Traffic Crash Report using the Lexis/Nexis crash reporting computer system as the primary report document for motor vehicle crashes. When the computer system is unavailable, and with supervisory approval, members may use the paper SR1050 Illinois Traffic Crash Report. The Illinois Traffic Crash Report shall be completed in accordance with the Illinois Traffic Crash Report SR1050 Manual and the Lexis/Nexis Training Manual. Information that cannot be included on the report form shall be recorded on the appropriate Departmental report form(s). **(61.2.1) (83.2.6)**

- F. The traffic crash reporting software is not intended for reporting information other than traffic crashes. Additional information arising from a crash investigation, such as a related criminal investigation or arrest, shall require the completion of both the crash report and a separate Incident Report using the RMS. Examples include but are not limited to: No Valid Driver's License, Driving with License Suspended/Revoked, Driving Under the Influence of Alcohol, or Reckless Homicide. Criminal investigations which include a traffic crash as part of the investigation shall require the completion of the crash report as well as a separate Incident Report for the criminal investigation.

II. Law Enforcement Responses

- A. One or more officers will be dispatched to any crash that involves any of the following:
1. Death or serious injury.
 2. Impairment of the operator due to drugs or alcohol.
 3. Serious hit and run crashes.
 4. Damage to Department vehicles and Municipal vehicles.
 5. Disturbances between principles.
 6. Major congestion as a result of a crash.
 7. Vehicles that are damaged to the extent that they must be towed.
 8. Hazardous materials spills.
 9. Property damage crashes.
 10. Private property crashes.
 11. Any other crash as assigned by dispatch.
- B. This response policy may be suspended at the discretion of the Supervisor when the following conditions exist based on the severity of the crash:
1. An emergency or severe weather condition that would limit the effectiveness of police service to the entire community.
 2. A disaster or other serious emergency exists that would reduce effective police protection to the community, such as riots, natural disasters and special criminal situations.
- C. Should the Shift Supervisor decide that no officer can respond to the scene of the crash, the dispatcher will notify the drivers to respond to the Police Department, if possible. If this is not possible, the Shift Supervisor may request the Illinois State Police respond to the scene.

III. Crash Investigation Procedure

- A. Immediately upon arriving at the scene, members will put on their high visibility reflective vest provided that conditions make it practical to wear them prior to initiating the traffic crash investigation. (61.3.2.e)
- B. Members are expected to take charge of the scene and take appropriate action to protect the crash scene. Upon arrival members shall park their vehicle(s) in such a manner as to provide maximum protection to the scene, and utilize their emergency lights. Members will be alert for and avoid obliterating or destroying evidence. The primary assigned officer will be in charge of the crash scene until its completion. The exception to this will be when supervisory personnel arrive or other officers with specialty training in dealing with the type of crash under investigation. (61.2.2.a) (61.2.2.e) (61.2.2.f)
- C. Members are to check for injuries and provide basic first aid when possible until the arrival of trained medical personnel from the Fire Department. Upon their arrival, the care for the injured will be turned over to them. In the event the Fire Department was not dispatched with the first responding members, they will be advised to respond. Members should be alert to the potential of blood-borne pathogen exposure at any injury crash and should take the necessary precautions as described in Special Order 615 – Communicable Diseases / Blood-Borne Pathogens. (41.2.4) (61.2.2.b) (61.2.2.f)
- D. When members respond to a crash scene involving a disturbance between drivers, witnesses or others, they will request the Shift Supervisor respond to the scene as well as any back-up officers needed to secure the situation. The involved parties should be separated as quickly and safely as possible and interviewed. If there are criminal charges to be filed due to the disturbance, arrest procedures will be followed per Operations Order 226 – Arrest Procedures.

- C. If the damage on the vehicle is major, the assigned member will contact the Shift Supervisor and request the services of an Evidence Technician and/or a Traffic Crash Investigator. The decision on the use of an Evidence Technician will be made by the Shift Supervisor. (41.2.4)
- D. In addition to the Illinois Traffic Crash Report, the member will complete the Hit and Run Supplementary (Annex I) and attach this to the crash report.
- E. The member will be responsible for the initial follow-up investigation on the crash. If it appears that the follow-up will entail leaving the Village limits or is going to last longer than three work days, the report will be sent to Investigations for follow-up.

VI. Private Property Crashes

- A. Private property crashes may be handled by patrol officers or by Community Service Officers at the discretion of the Shift Supervisor.
- B. Members will be required to complete the Illinois Traffic Crash Report.

VII. Driving While Intoxicated

- A. Traffic crashes that are the result of the vehicle operator being intoxicated will be handled in accordance with Operations Order 203 – Implied Consent Provisions.
- B. Officers will be required to complete the Illinois Traffic Crash Report as well as paperwork that is normally associated with a DUI arrest.

VIII. Traffic Crashes Involving On-Duty Department Members, Village Employees, or Village Vehicles

- A. Department members personally involved in traffic crashes while operating a Department vehicle shall exercise control of the scene, when able, until the arrival of the first responding officer. All crashes involving a member operating a Department-owned vehicle within the corporate limits of the Village of Bartlett shall be investigated as follows:
 1. All non-supervisory members of the Department who are involved in any traffic crash, regardless of the extent of damage, will immediately notify the Shift Supervisor.
 - a. All crashes will be investigated by a supervisor.
 2. Supervisory members of the Department who are involved in any traffic crash, regardless of the extent of damage, will immediately notify their Supervisor (Commander, Deputy Chief, Chief).
 - a. Crashes involving supervisory members will be investigated by either the Illinois State Police or an outside agency designated by the Chief of Police, except that minor property damage crashes involving supervisory members, which only involve the supervisor and only damage to Village property, may be investigated by the supervisor's supervisor at the direction of the Chief of Police.
 3. Fatal, potentially fatal, and serious injury crashes occurring within the jurisdiction of the Village of Bartlett involving Department members shall be investigated by a designated outside agency as described in section IV.B above.
- B. Crashes occurring outside the corporate limits of the Village of Bartlett involving an on-duty Department member and/or a Department vehicle shall be investigated by the agency having jurisdiction.
 1. A supervisor will be notified of the crash as soon as possible. Notifications will be made up the chain of command as appropriate.
 2. The agency of jurisdiction shall be requested to complete an Illinois SR-1050 report, or an equivalent full report if out-of-state.
- C. Any minor injury and/or property damage crash that occurs within the Village limits and involves a Village of Bartlett on-duty employee or a Village-owned vehicle, excluding Department members or vehicles, shall be investigated by a Bartlett police officer.

1. A supervisor will be notified of the crash. Notifications will be made up the chain of command as appropriate.
- D. The supervisor on duty will be responsible for ensuring the completion of all required reports as outlined in Administrative Order 118 – Accident Reporting Requirements - Village Property.

IX. Follow-Up Investigations (61.2.1)

- A. Follow-up investigations on traffic crashes are undertaken in support of possible prosecution. When warranted, this follow-up should include at a minimum:
 1. Collection of “off-scene” data.
 - 2.
 3. Reconstruction of crashes by a qualified Traffic Crash Reconstructionist.
 4. Preparation of formal reports to support a criminal charge arising from the incident under investigation.
- B. A number of police officers in the Department have received special training in crash investigation techniques, to include reconstruction. These officers will be assigned as needed to carry out follow-up investigations per Personnel Order 405 – Traffic Crash Investigators.
- C. The Department will perform follow-up traffic crash investigation and crash reconstruction services as needed, to support ongoing or anticipated criminal prosecution. The Department does not perform such services in support of civil litigation.

X. Victim Property Control (61.2.2.f)

- A. Members responding to the scene of a crash should ensure the property that belongs to a crash victim is protected from theft or pilfering and is removed to a place of safekeeping if the owner is unable to care for it.
- B. When practical, property found inside a vehicle at the scene of the crash should be secured with the vehicle and itemized on the Property Storage Form.
- C. When it is necessary to release a victim’s property to another person or agency, members will follow Department guidelines for the release of property.

XI. Crash Classification

All traffic crashes will be classified in conformance with the “Illinois Traffic Crash Report Instruction Manual for Law Enforcement Agencies” as approved by the State of Illinois.

XII. Traffic Investigation Coordinator

- A. The Directed Patrol Team Sergeant shall serve as the Department’s Traffic Investigation Coordinator. The Traffic Investigation Coordinator shall have the following responsibilities:
 1. Serve as the chairperson of the Traffic Crash Review Board, in accordance with Administrative Order 132 – Traffic Crash Review Board.
 2. Coordinate follow-up investigations of fatal or serious injury crashes that are being investigated by the Department, STAR, or MERIT, in accordance with Section IV.A above. As the point of contact between the Department and the task force, the Traffic Investigation Coordinator shall work with the task force to ensure that the investigation is completed in a timely manner and provide any assistance the Department can offer to the task force. The Traffic Investigation Coordinator shall have Departmental oversight over the investigation, unless the investigation has been transferred to the Investigations Unit. The Traffic Investigation Coordinator shall work with the Investigations Sergeant in approving any Department reports related to the investigation.
 3. Serve as the Department’s liaison with designated outside agencies investigating fatal, potentially fatal, and serious injury crashes involving Village police vehicles or on-duty Bartlett Police

Department members occurring within the jurisdiction of the Village of Bartlett, in accordance with Section IV.B above. As the point of contact between the Department and the designated outside agency, the Traffic Investigation Coordinator shall work with the designated outside agency to ensure that the investigation is completed in a timely manner and provide any assistance the Department can offer to the designated outside agency. The Traffic Investigation Coordinator shall have Departmental oversight over the investigation, unless the investigation has been transferred to the Investigations Unit. The Traffic Investigation Coordinator shall work with the Investigations Sergeant in approving any Department reports related to the investigation.

- B. The Department member assigned as the Traffic Investigation Coordinator is noted in Personnel Order 432 – Personnel Assignments.

By Order of:

Patrick Ullrich
Chief of Police

Annex I

BARTLETT POLICE DEPARTMENT



Subject: Detainee Transport	Operations Order 216
Issued: September 19, 1996	Rescinds: N/A
Effective Date: September 19, 1996	Reference CALEA Standards: 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.1.8, 70.2.1, 70.3.1, 70.3.2, 70.3.3, 70.4.1, 70.4.2, 70.5.1
Termination Date: N/A	Related Directives: AO107, TSO503, TSO507
Amended Date: October 6, 2020	

PURPOSE: This order establishes guidelines for the safe and humane transport of detainees from one destination to another.

I. Definitions

- A. **Asphyxia**—The extreme condition caused by lack of oxygen and excess of carbon dioxide in the blood, produced by interference with respiration or insufficient oxygen in the air; suffocation. May lead to loss of consciousness or death.
- B. **Disposable Flex Cuffs**—Commercially produced plastic flexible band cuff with a one-way locking system.
- C. **Handcuffs**—Commercially produced chain link or hinged-type cuff capable of being double locked.
- D. **Hobble Restraint**—Typically a lightweight webbed belt—often constructed of polymer thermoplastic, 42 to 52 inches long and an inch wide, with a loop and self-locking clip, for use on the ankles, knees or elbows. The restraint allows for transporting detainees in a seated, upright position, to prevent them from kicking officers, paramedics, or car windows, and/or allows the detainee to walk upright with short, shuffling steps. The strap is long enough to bind the ankles to handcuffed wrists of the detainee, with a length of 24 inches or more.
- E. **Hog-Tying**—Placing a detainee in a prone position with his/her hands secured by handcuffs, and legs held together with restraints. The hand and leg restraints are then connected, resulting in the slight elevation of the detainee's upper and lower body.
- F. **Humane Transport Belt**—Commercially produced heavy-duty leather waist belt with a metal restraining ring for use with handcuffs. Used for long distance transportation when it is impracticable to have the detainee's wrists cuffed behind the back.
- G. **Leg Irons**—Commercially produced chain link-type cuff of a size designed to be placed around the ankles of a detainee. May also be used to handcuff the hands behind the back of obese or muscular detainees for whom normal handcuffs will not reach both hands.
- H. **Positional Asphyxia**—When someone's body position prevents the person from breathing adequately. Restraints may or may not have been used.

II. Searches

- A. Prior to placing a detainee into a police vehicle, the officer will conduct a thorough search of the detainee and the detainee's outer garments. The following steps should be taken to ensure the safety of the officer and the person under arrest.
(70.1.1)
 1. Officers will take and maintain custody of purses or bags carried by the detainee, and will check same for weapons.

2. Prior to incarcerating a detainee, the detainee will again be searched and all items will be removed and logged in accordance with Administrative Order 107 – Booking Procedures to include the detainee's footwear.
- B. The rear compartment of the police vehicle will be searched for weapons and contraband prior to putting the detainee in the vehicle and after removing the detainee from the vehicle. (70.1.2)
- C. **Transgender Persons:**
Officers shall continue to use standard practices and procedures when conducting person searches and comply with all policies and laws, including searches in the field and in the Holding Facility. Transgender persons shall not be subject to more invasive search procedures than non-transgender persons. A search or frisk shall not be performed for the sole purpose of determining a person's sex.
 1. At least two officers shall be present for these searches when possible.
 2. If the transgender person identifies as female, the search should be conducted by a female officer if available. If the person identifies as male, the search should be conducted by a male officer.
 3. If gender identity is unknown or not disclosed, or if the person is unsure of his/her/their gender identity, barring extenuating circumstances the search shall be conducted by the transporting officer with an officer of the opposite sex of the transporting officer present.

III. Detainee Transport Seating (70.1.3)

- A. When an officer is transporting a detainee, the following steps will be observed:
 1. When there is only one officer, the detainee will be placed in the rear seat of the passenger opposite the driver, so the detainee can be observed, with the exception of the Canine Vehicle covered in Technical Services Order 503 – Police Service Dog Unit. The detainee will be handcuffed and seat belted in to prevent injury to the detainee.
 - a. Detainees will not be positioned face down in a vehicle. Detainees shall be placed in a seated, upright position if possible and shall be under continuous observation.
 2. If there are two officers, one officer may, depending on the circumstances, ride in the rear compartment with the detainee, if so directed by the Supervisor or in an immediate emergency situation.
 3. No more than two detainees will be transported in any one squad. If there are multiple detainees, additional vehicles will be utilized. Detainees shall not be handcuffed to other detainees.
- B. Detainees will be transported in squads which are equipped with vehicle safety barriers, rear compartment modifications, and rear door security modifications, except in those cases where it is impractical to do so. An exception to this will be when a person is taken into custody by detectives at a location other than the Village where it would be impractical to use a marked squad. In these instances, the detainee will be placed in a transport belt or handcuffed behind the back and placed in the rear seat of the unmarked squad opposite the driver so the detainee can be observed. (70.4.1) (70.4.2)
- C. Under no circumstances will a detainee be transported in the front seat of any police department vehicle.
- D. Detainees shall not be handcuffed to any part of the transporting vehicle.

IV. Transport Mileage

- A. Officers transporting detainees under any circumstances will report beginning and ending mileage of the transport to dispatch.

V. Contact with Detainees Being Transported (70.1.4)

- A. All officers transporting detainees will be required not to lose sight of the person being transported to prevent the possibility of escape.
- B. In those instances where the person being transported is taken to a medical facility for treatment, officers will stay with the detainee at all times. The exception to this will be if the detainee needs to use the

washroom or is undergoing an invasive examination or as otherwise requested or required by medical personnel. If the officer is of a sex other than that of the detainee, he/she will be positioned to prevent the possibility of escape by the person while ensuring the detainee's privacy.

- C. If during a long transport it is necessary for the detainee to be fed or the vehicle to be re-fueled, the transporting officer(s) will select the location where the meal or gasoline will be purchased. The officer(s) will obtain a receipt for the detainee's meal or gasoline and will document the interruption in transport on the written report.
 - D. All officers transporting detainees shall proceed directly to the proper destination and will not divert from the transport unless an extreme emergency exists (i.e. violent crime in progress, serious traffic crash, etc.). If such a situation arises, the officer may stop and render emergency assistance and/or summon appropriate aid in those cases where the risk of serious or fatal injuries is apparent and the risk to the detainee is minimal.
 - E. Once the transport of a detainee has commenced, it will be the duty of the transporting officer to ensure no one is allowed to communicate with the detainee until the destination is reached. (70.1.5)

VI. Procedures upon Arrival

- A. [REDACTED] (70.1.6.a) (70.1.6.b)
 - B. When an officer from another jurisdiction arrives at the Bartlett Police Department to either pick up or drop off a detainee, the officer will be required to secure his/her firearm and will also be responsible for removing the detainee's restraints. (70.1.6.a) (70.1.6.b)
 - C. When transporting a detainee, the transporting officer will ensure he/she has all the required paperwork and documentation required by the receiving agency. Prior to releasing the custody of a detainee to another agency, the releasing officer will obtain the name and badge number of the officer who is taking custody of the detainee. The officer will also have the receiving officer sign the "Receiving Officer" area of the Detainee Property/Lock-Up Report to confirm the transfer of custody. (70.1.6.c) (70.1.6.e)
 - D. Any time an officer transports a detainee to court, detention or another agency and that detainee is known to be a security hazard, the officer will notify receiving personnel of the potential security risks. This will be documented on the Detainee Property/Lock-Up Report. (70.1.6.d) (70.1.8)

VII.

the appropriate actions necessary to notify that jurisdiction of the escape. As soon as is possible, the officer will notify the on-duty Supervisor of the escape. (70.1.7.a)

- D. More intensive searches will be conducted in accordance with Technical Services Order 507 – (70.1.7.c)

VIII. Restraining Devices (70.2.1)

- A. All detainees charged with criminal offenses, misdemeanor (Class B and above) and felony traffic offenses, and warrants will be restrained during transport. This will be accomplished by use of handcuffs, flex cuffs, hobble, or a detainee humane transport belt. Any exceptions such as age of the detainee must be approved by a supervisor.
- B. Persons who have been arrested for minor traffic (petty offense or business offense) or local ordinance violations may or may not be handcuffed at the discretion of the arresting officer.
- C. When transporting a detainee by vehicle over a long distance or extended period of time, the officer conducting the transport will take into consideration the comfort of the detainee along with the need for safety and security as to what type of restraining device will be utilized.
- D. When handcuffs are applied, officers will ensure they are double-locked to prevent injury.
- E. Positional Asphyxia:
Department members engaged in the application of authorized restraining devices and restraint methods are reminded of the dangers involved with positional asphyxia, as well as other sudden death medical afflictions. Positional asphyxia is not just about the position of the person's body. Precipitating factors that make positional asphyxia deadly include but are not limited to: intoxication due to alcohol, drug use, obesity, psychiatric illnesses, violent struggle, physical injury, chemical agents such as OC spray or tear gas, medical conditions such as an enlarged heart or excited delirium, and being placed into a breathing position that physically restricts breathing.
1. Hog-tying is a prohibited restraint method. Under no circumstances shall a person being restrained have his/her arms and legs secured together in a fashion commonly known as "hog-tying."
 2. Under no circumstances shall an officer kneel on a person's head, neck, or chest while attempting to restrain him/her, or after the person is secured.
 3. Any detainee lying on the ground shall be rolled to a recovery position, onto his/her side or sat up, as soon as it is safe to do so.
 4. Officers shall continually medically evaluate any person who is maintained on the ground after restraint methods are applied.
 5. Officers should maintain the person in a recovery position until emergency medical personnel provide care as needed or the person is transported for arrest processing.
- F. A detainee who exhibits violent or erratic behavior that could commonly be associated with a mental disorder, including excited delirium characteristics, may be restrained by handcuffs, leather straps, etc. if there is reason to believe the detainee may cause injury to himself or others. If the detainee is still combative (i.e. kicking) once handcuffed, officers may hobble his/her legs together to prevent injury to the officers, or the detainee. If a detainee is kicking the window of a squad from the inside, officers may hobble his/her legs to prevent damage to Village property. (See also Operations Order 223 – Persons with Mental Illness)
- G. To transport a mentally disturbed detainee to a mental facility, the services of the Bartlett Fire Protection District (or a neighboring fire department due to mutual aid) will be used. An officer may accompany the ambulance personnel or follow the ambulance, as safety requires.
- H. In those cases where the detainee to be restrained suffers from a physical handicap, or is injured in such a way that the use of handcuffs would be impractical (i.e. broken arm); the officer will consider using the humane transport belt.
- I. When using restraint methods above normal handcuffing or use of the humane transport belt, officers shall

document the restraint methods used and the reason for their use in their Incident/Offense Report.

IX. Spitting, Biting, or Aggressive Detainees

- A. If a detainee is attempting to bite or spit on the officer,
- B. At no time will detainees be left unattended while the mask is in place. If the detainee begins to choke, gag, or vomit the officer will ensure the detainee's airway is not compromised.
- C. shall not be used on unconscious detainees or those that exhibit they suffer from breathing problems.
- D. The fact a detainee is a juvenile or elderly does not preclude the use
- E. The arresting officer will document in the narrative portion of his or her report the actions of the detainee requiring the use of
- F.

X. Transporting Female Detainees

- A. Male and female detainees will not be transported in the same vehicle unless approved by the Shift Supervisor.
- B. When possible, detainees will be transported by a police officer of the same sex. In the event this is not reasonable (i.e. traffic arrest with transport to the police station), it is imperative that both beginning and ending mileage is given to dispatch to document the distance as well as departure and arrival time. The transporting officer should consider activating the Mobile Video Recorder (MVR) during transport.

XI. Transporting Juvenile Detainees

- A. Juvenile detainees will be transported in the same manner as adults. Adult and juvenile detainees will not be transported together unless the adult is a parent or legal guardian.

XII. Transporting Transgender Persons

- A. Whenever possible, transgender detainees shall be transported separately as the only detainee in a patrol vehicle. Transporting Department members shall notify DuComm of the starting and ending locations and mileage.
- B. In situations with multiple transgender detainees, mass arrests, or where individual transport is not possible, transgender detainees shall be transported by gender identity, i.e. a transgender detainee who identifies as a female shall be transported with women and a transgender detainee who identifies as a male shall be transported with men.

XIII. Transporting Disabled, Sick, or Injured Detainees (70.3.1)

- A. Disabled Detainees:
 - 1. When transporting handicapped detainees, the officer will exercise due care respective of the handicap and will ensure the transporting vehicle is appropriate for detainees with wheelchairs, crutches or prosthetic devices.
 - 2. Bartlett Police vehicles should be used whenever possible to transport handicapped detainees.

3. If the physical handicap prevents the reasonable transportation by a police vehicle, the Bartlett Fire Department may be contacted for assistance. If the detainee is to be transported by the Fire Department, an officer will either accompany the detainee in the ambulance or will follow the ambulance in a marked unit and will monitor the fire channel, should there be any problem during the transport. (See also Operations Order 229 – Persons with Disabilities)

B. Infectious Disease Detainees:

Uniform policy is to be used by all Department members in the safe handling of persons with infectious diseases. This policy is not limited to detainees that have confirmed cases of an infectious disease, but also detainees whose lifestyle shows a high risk of having infectious disease (e.g. intravenous drug user). (see also Special Order 615 – Infectious Disease Control)

1. A detainee with blood or potentially infectious materials present on his/her person will be transported separately from other persons. In extreme situations where the police have reason to believe the detainee has an infectious disease and is bleeding or vomiting, an ambulance should be considered for hospital treatment.
2. Members will inform other support personnel (firefighter, paramedics, detention center personnel, etc.) whenever a change or transfer of custody of a detainee occurs and the detainee has blood or infectious materials present on his/her person or has made a voluntary statement that he/she has an infectious disease. **(70.1.6.d)**
3. A detainee who is a suspected or known bloodborne pathogen (e.g. AIDS, Hepatitis) carrier and has blood or potentially infectious materials on his/her person will be handled in such a manner as to prevent transmission to any Department member. Members should wear appropriate personal protective equipment and follow universal precautions anytime they take a person into custody who has blood or other infectious materials on his/her person. When a cell is vacated by the detainee, it will not be used to house any other detainee until it has been thoroughly cleaned and disinfected by the cleaning service.
4. Members will indicate on the Detainee Property/Lock-Up Report when a detainee taken into custody makes a voluntary statement that he/she has an infectious disease. Verbatim narratives of these statements will be included in the Incident/Offense Report.

C. Sick or Injured Detainees:

If a detainee becomes sick or injured incidental to arrest, the officer or transporting officer will seek medical attention at that time in accordance with Administrative Order 107 – Booking Procedures.

D. Detainee Transport to a Medical Facility:**(70.3.2)**

1. Any detainee transported to a medical facility for treatment or examination must be accompanied by a police officer. The officer may follow in a marked squad or travel in the ambulance.
2. Detainees who require medical attention will be transported by the Bartlett Fire Department. Police vehicles will not be used to transport detainees unless directed by the Shift Supervisor.
3. The detainee will be placed in a restraining device unless treatment prevents the restraint.
4. The officer will remain with the detainee during examination and treatment unless requested to leave by a doctor. The officer will be positioned to prevent escape.
5. When treatment has been completed and the detainee has been released, he/she will be transported in a police vehicle to the police department. The officer will ensure that he/she obtains a copy of all paperwork concerning the injury, any prescriptions, and follow-up information that may be given to the detainee.
6. If a detainee that has been transported to a medical facility must be kept at the facility for extended treatment, the procedures specified in Administrative Order 107 – Booking Procedures will be followed.

XIV. Transporting Detainees in Special Situations**(70.3.3)**

- A. Unusual circumstances such as attending funerals, visiting hospitals and critically ill persons, or attending the reading of a will, provide extraordinary opportunities to detainees for unauthorized personal contact, escape, or infliction of injury on themselves or others. Special details of this nature shall not be provided. When necessary or appropriate, the involved detainee shall be released on bond or transported to the appropriate county detention facility where arrangements for such transportation can be made.

XV. Detainee Identification

- A. Before transporting a detainee from Bartlett Police Department or any other agency, the transport officer will make positive identification by checking photographs and by checking with the arresting officer. An officer will not transport until proper identification has been made. (70.5.1.a)
- B. If a detainee is to be transported to a jail or other lock-up facility, the transporting officer must take copies of the complaints and/or warrants and the detainee's personal property. The Detainee Property/Lock-Up Report Form will be completed to document the transfer of the detainee and his/her property. In the case of interstate transports, the transport officer must have a properly executed warrant. (70.5.1.b)
- C. For those detainees awaiting a court appearance, transport to court will be made at the earliest possible time.
- D. If a detainee has exhibited behavior which might indicate the potential for suicide or escape, or if the detainee has a contagious disease or unusual illness, a written statement will be attached to the transporting documents and the information brought to the attention of the receiving officer. (70.5.1.c)

By Order of:

Patrick Ullrich
Chief of Police

BARTLETT POLICE DEPARTMENT



Subject: Court Diversion Program

Operations Order 217

Issued: November 8, 1996

Rescinds: G.O. 91-08

Effective Date: November 8, 1996

Reference CALEA Standards:

61.1.4

Termination Date: N/A

Related Directives:

Amended Date: December 5, 2017

SO616, SO619

PURPOSE: To provide an alternative to court appearances for minor traffic violations.

I. Court Diversion Program (61.1.4.c)

- A. The Court Diversion program is designed to reduce the overall workload of the court system. This program applies to minor moving violations that do not necessarily require a court appearance and offers the violator three options.
- B. The following options are available to a traffic violator:
 - 1. Plead Guilty.
 - 2. Request Traffic Safety School or Supervision by mail.
 - 3. Request a Trial.
- C. When an officer chooses to issue a traffic citation for a minor traffic violation that does not require a court appearance, the officer will accept the appropriate bond and will give the violator a court diversion envelope and/or a preprinted violator's instructions form. (61.1.4.d)
- D. If the violator is under the age of 18 and is being charged with a moving violation, they may not request Traffic Safety School or Supervision by mail. They must be given a court date and advised to have their parent or legal guardian accompany them to court, where they may then request a judge to order court supervision.
- E. If the violator is under the age of 21 and is being charged with a moving violation, they may not receive a disposition of court supervision unless they attend Traffic Safety School. Officers will advise these violators of this when giving them the court diversion envelope.
- F. When issuing a citation, the officer will not advise or encourage the violator to appear in court or use the court diversion options. The officer will do the following: (61.1.4.a)
 - 1. Cook County
 - a. Complete citation.
 - b. Insert assigned Court Key at top of citation.
 - c. Complete information requested on front of diversion envelope.
 - d. Briefly explain the options available to the driver, and that they have seven days in which to make a selection and mail in the envelope with payment, if applicable.
 - 2. DuPage County
 - a. Complete citation.
 - b. Insert assigned Court Key at top of citation.
 - c. In court location area, place TBA in the date and time section.
 - d. Briefly explain the options available to the driver, and that they have seven days in which to make a selection and mail in the envelope with payment, if applicable.
 - 3. Kane County
 - a. Complete citation.
 - b. Insert assigned court date on citation.
 - c. Briefly explain the options to the driver, notify the driver they have to send in a plea and payment to be received by the County Clerk at least three business days before the court date:
 - 1) If bond was already posted, they must still send in a signed plea;
 - 2) If no bond was posted, both the payment and signed plea must be sent.

- G. Officers are reminded that DuPage and Kane County citations should be used only when charging a person with a state traffic violation or multiple violations and not a local ordinance traffic violation.
- H. If the violation the person is being issued a citation for requires a mandatory court appearance pursuant to Supreme Court Rule 551 (Must Appear), the officer will assign a court date or notify the violator it will be assigned by the court, and complete the required information. In these situations, the person will not be given an envelope.

III. Traffic Crashes

- A. When issuing a traffic citation as a result of a traffic crash, the following steps will be observed:
 - 1. Cook County
 - a. All citations will be mandatory court appearance citations, assign a court date.
 - b. Insert the name of the witness on the citation.
 - c. Explain to both the violator and the other driver (if applicable) that there will be a mandatory court appearance.
 - d. Complete a witness form, if applicable.
 - 2. DuPage and Kane Counties
 - a. Do not assign a court date, unless the violation committed is a mandatory court appearance.
 - b. Insert the name of the witness on the citation.
 - c. Explain to both the violator and the other driver (if applicable) the options that are available to the violator. Also explain that if the violator elects to go to court, that notification will be made by the Court Clerk.
 - d. Complete a witness form, if applicable.
- B. Violators who choose to plead "Not Guilty" and request a hearing will be notified by the Court Clerk. This notice will contain the court date, time and location of the hearing.
- C. The Cook County Court Officer will regularly retrieve the Cook County Ticket Disposition Form from the Clerk's Office. The fifth column will indicate an accident code (i.e. "PD" - Property Damage, "PI" - Personal Injury, "VE" - Vehicle), if noted on the citation. This form will be posted on the court information bulletin board. For DuPage and Kane Counties, officers will be notified by mail of the court dates on contested citations.

IV. Bond Procedures and Venue

- A. When a violator is issued a citation, there are options for bond, which are:
 - 1. Cash Bond, as prescribed by Supreme Court Rule 526(a)
 - 2. Valid Driver's License
 - 3. Valid Bond Card
 - 4. Promise To Appear for violators from Compact States
 - 5. Recognizance signatures for DuPage County and Kane County.
 - 6. Recognizance ("I"-Bond) Forms.
- B. Local ordinance citations are the preferred choice of enforcement. Whenever possible cases shall be booked into Cook County with the exception of criminal offenses, which will be booked into the county in which the incident occurred.

V. Multiple Citations

- A. When multiple citations are issued, the officer issuing the citations must mark the “Must Appear” box on the citation and complete the required information. The violator should not be issued a Court Diversion Envelope.
- B. As a general policy, an officer will not issue multiple local ordinance citations unless one or more of the violations is a required court appearance. If the violation is a compliance violation, the violator should be issued a “Compliance Citation” See Special Order 616 for violations that qualify.
- C. An officer may issue a local ordinance citation and a compliance citation, but should not issue multiple local ordinance citations that are not a mandatory court appearance.

By Order Of:

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

Subject: Domestic Violence Protocol

Operations Order 218

Issued: November 10, 1996
Effective Date: November 10, 1996
Termination Date: N/A

Rescinds: G.O. 94-12

Reference CALEA Standards:
1.1.3, 41.2.4, 42.2.3, 74.2.1

Related Directives:
OO212, SO614

Amended Date: February 6, 2018

PURPOSE: To establish a departmental policy for responding to domestic violence situations in accordance with the Illinois Domestic Violence Act (750 ILCS 60) and to provide for the reporting of all incidents as defined by the Act. To establish a procedure to aid the victims and witnesses of domestic violence and other crimes to prevent further abuse and/or harassment.

I. Definitions

- A. Persons protected by the Domestic Violence Act:
 1. Any person who is abused by a family member or other household member;
 2. Any person who is defined as a high-risk adult with disabilities, who is abused, neglected or exploited by a family member or other household member;
 3. Any minor child or otherwise dependent adult in the care of another person;
 4. Any person who resides or is employed at a private home or public shelter which houses an abused family or household member.
- B. For purposes of complying with the Illinois Domestic Violence Act, the following definitions will apply:
 1. Abuse: defined as physical abuse, harassment, intimidation of a dependent, the interference with personal liberty or willful deprivation, but does not include reasonable direction of a minor child by a parent or person who is acting in loco parentis;
 2. Adult with Disabilities: defined as an adult who by means of a physical or mental disability or by advanced age is unable to take appropriate action to protect himself/herself from abuse by a family member or a household member;
 3. Family/Household Member(s): defined as:
 - a. Spouses, former spouses, parents, children, stepchildren, and other persons who are related by blood or by a present or former marriage.
 - b. Person(s) who share or who formerly shared a common dwelling.
 - c. Persons who allegedly have or had a child in common.
 - d. Persons who share or allegedly share a blood relationship through a child.
 - e. Persons who have had or have a dating relationship and/or an engagement. (Pursuant to the Illinois Domestic Violence Act, neither a casual acquaintance nor an ordinary fraternization between two individuals in either business or social context are deemed to constitute a dating relationship.)
 - f. Persons with disabilities and their personal assistants.
 - g. In the case of high risk adults with disabilities, family or household members will include any person who by family relationship or who has voluntarily assumed the responsibility for all or part of the care of the high risk adult with disabilities, or who has expressed or implied contract or pursuant to a court order.
 4. Domestic Battery (720 ILCS 5/12-3.2): (a) A person commits Domestic Battery if he intentionally or knowingly without legal justification by any means:
 - (1) Causes bodily harm to any family or household member as defined in Subsection (3) of Section 112A-3 of the Code of Criminal Procedure of 1963, as amended;
 - (2) Makes physical contact of an insulting or provoking nature with any family or household member as defined in subsection (3) of Section 112A-3 of the Code of Criminal Procedure of 1963, as amended.

- L. Whenever a law enforcement officer does not exercise arrest powers or otherwise institute criminal proceedings against an offender due to the lack of probable cause and/or the lack of physical evidence, the officer will:
1. Inform the victim(s) of their rights to have a criminal complaint filed, when appropriate. The officer will also provide the victim with a copy of the "Illinois Domestic Violence Act Victim Information" handout (**Annex II**) and ensure the necessary information is included on the form.
 2. Advise the victim of the need to seek medical attention, if necessary.

VI. Reporting Requirements

- A. Officers may use the Domestic Violence Worksheet (**Annex I**) on the scene to assist in writing the narrative of the report. (42.2.3)
- B. Officers will complete an Incident/Offense Report for all incidents of domestic violence with a detailed narrative that contains all the allegations of abuse, neglect or exploitation and any prior request for police assistance.
- C. In cases where a domestic violence arrest or a Violation of Order of Protection arrest is made in DuPage County, the DuPage County Domestic Violence Supplemental Report (**Annex VI**) will be completed.

VII. Law Enforcement Assistance Requirements

- A. An officer may make an arrest without a warrant if the officer believes there is probable cause to believe a person has committed or is committing a crime, to include a Violation of an Order of Protection, regardless of whether or not the violation took place in the officer's presence, pursuant to the provisions of the Illinois Domestic Violence Act. In order for this to occur, the officer first must verify there is an OOP in effect. This may be accomplished by either phone or by radio communications with the officer's law enforcement agency or by using a copy of the OOP that has been supplied by either the complainant or the subject.
- B. Officers will provide the following types of assistance to victims of Domestic Violence:
 1. Accompany the victim to the place of residence so the victim may recover personal belongings. Officers will only spend a reasonable amount of time at the residence.
 2. Provide the victim or a responsible person acting on the victim's behalf a copy of the "Illinois Domestic Violence - Victim Information Handout". This form is in both English and Spanish and has information of accessible victim service agencies.
 3. Provide the victim with the report number and the name and star number of the officer completing the report.
 4. Advise the victim about seeking medical attention for any injuries they may have sustained and the need to preserve medical evidence. The officer will also advise the victim of the need for photographs to document the abuse as previously mentioned.
 5. Provide or arrange transportation for the victim and any minor children present to a shelter or other location. When a victim of domestic abuse chooses to leave the residence, it is presumed to be in the best interest of the minor children to leave with the victim, rather than staying with the abuser.
 6. If the offender is arrested and the victim has requested assistance in obtaining an Order of Protection, the officer will refer the victim to the Investigations Section. It will be the responsibility of the Investigations Section to make arrangements to escort the victim to the court of jurisdiction at the earliest possible time to obtain the order.
- C. If the offender has fled the scene and there is probable cause to believe that a crime has occurred, the officer(s) will attempt to locate the offender.
It will be the responsibility of the on-duty Supervisor to forward the report to the Investigations Sergeant for priority follow-up.
- D. When received in the Investigations Section, the Investigations Sergeant will assign the case to a Detective for immediate follow-up.
- E. In domestic problems that occur in DuPage County, the officer will contact the DuPage County Domestic Violence Hotline upon clearing the scene. (1.1.3)

VIII. Arrest and Bond Restrictions

- A. Illinois Supreme Court Rule 528(d), effective April 15, 1997 states that no bail is established for the offenses of Domestic Battery, Violation of an Order of Protection or any similar violation of a local ordinance. Pursuant to this rule, the offender will have to be taken before a judge in Bond Court to have bond set.
- B. Any person charged with any of the above listed offenses will be brought before the next available judge in the county of venue or transferred to the county jail to await bond hearing. Pursuant to Administrative Order 98-03 issued by the Chief Judge of the 3rd Municipal District of Cook County, the Emergency Judge will not be contacted to set bonds in Domestic Violence and Violation of Order of Protection cases.
- C. Officers will advise any person arrested for Domestic Violence that the individual is prohibited from returning to the residence for a period of 72 hours. The individual will also be advised that a violation of this restriction will subject a separate offense that he/she can be arrested for. The paperwork concerning this restriction will be issued by the Court granting bond.
- D. Any person charged with a criminal offense when the victim is a family or household member will be issued the 72 Hour Bail Bond Addendum (Annex V) pursuant to 725 ILCS 5/110-10(d). The defendant will be notified at the time of release that a violation of the Addendum is a Class A Misdemeanor and is also not subject to bail per 720 ILCS 5/32-10(b) and (c). Therefore, any person who violates the Addendum will be held until the next available bond hearing.

IX. Employee Involved Domestic Incidents

- A. The Bartlett Police Department policy on domestic violence involving police department employees is designed to ensure that employees and their families are treated with equal protection under the law. Additionally, the department must ensure that sworn officers are evaluated for fitness for duty in instances that may arise from these incidents.
- B. Any department employee served with an Order of Protection or similar civil protection order from any jurisdiction will notify the on-duty Supervisor at the Bartlett Police Department of the order. The employee will provide a copy of that order to a Supervisor soon as possible, but prior to the employee's next scheduled tour of duty.
- C. If a member of the department is involved in a domestic problem outside the jurisdiction of the Bartlett Police Department and another law enforcement agency is summoned to the scene, the member will notify the on-duty Supervisor at the Bartlett Police Department. This notification will be made regardless of the disposition of the incident by the investigating agency. Failure by the employee to make timely notification as required by this Order will constitute a violation of the Rules and Regulations of the Bartlett Police Department.
- D. The Supervisor receiving notification by a member involved in a domestic disturbance in another jurisdiction will immediately conduct an inquiry into the circumstances surrounding the incident. The Supervisor will, based on the available information, determine if there are any issues regarding the member's fitness for duty. Following this inquiry, the Supervisor will notify the Command Staff.
- E. When an officer is dispatched to a domestic violence call and it is learned an employee of the Bartlett Police Department is involved, the Supervisor on duty will be immediately notified and respond to the scene. The procedures outlined in this Order will be strictly observed. Additionally, the Supervisor will evaluate the circumstances surrounding the event and determine if there are any problems regarding the employee's fitness for duty. The Supervisor will notify the Command Staff.

X. Law Enforcement Officers from Other Jurisdictions

- A. In every case where a reported incident of domestic violence involving a sworn officer of another police jurisdiction occurs in Bartlett, the on-duty Supervisor will respond. The Supervisor will conduct an inquiry with the responding officers to determine the circumstances of the incident. If the officer from the other jurisdiction displays, or is alleged to have displayed, behavior that might affect his ability to perform as a police officer, or is alleged to have committed a crime during a domestic violence incident, the on-duty Supervisor will notify a Supervisor from the employing agency.
- B. The Supervisor will notify the Command Staff of the incident in accordance with Special Order 614.

XI. Liability

(750 ILCS 60/305) – “any act of omission or commission by any law enforcement officer acting in good faith in rendering emergency assistance or otherwise enforcing this Act shall not impose civil liability upon the law enforcement officer or his or her supervisor or employer, unless the act is the result of willful or wanton misconduct.”

XII. Training

The department will ensure periodic training is given to all sworn personnel regarding changes in the Domestic Violence Act and the provisions of this Order. The training of recruit officers in this Order will be included as part of the field training program and it will be the responsibility of the Field Training Officer(s) to evaluate recruits on their understanding of this Order.

XIII. Child Abuse Reporting

Specific statutory duties are imposed under the “Abused and Neglected Child Reporting Act”, which can be found in **325 ILCS 5/1 through 5/11.7**. Incidents of domestic violence or abuse involving children mandate the officer to report such abuse to the DCFS Hot Line at 1-800-25-ABUSE. (See Operations Order 212)

By Order of:

Patrick Ullrich
Chief of Police

Annex I – VI

Operations Order 218

Illinois Domestic Violence Act Victim Information

from the Office of Illinois Attorney General Lisa Madigan

Domestic violence is a crime. Any person who hits, chokes, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member has broken Illinois domestic violence law.

Under Illinois law **family or household members** are defined as:

- family members related by blood or marriage;
- people who are married or used to be married;
- people who share or used to share a home, apartment, or other dwelling;
- people who have or say they have child in common;
- people who have or say they have a blood relationship through a child;
- people who are dating or used to date, including same sex couples; and
- people with disabilities and their personal assistants.

Orders of Protection

An order of protection is a court order which restricts someone who has abused a family or household member. An order of protection may:

- prohibit abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, etc.)
- order abuser out of a shared home or residence;
- order abuser out of that home while using drugs or alcohol;
- order abuser to stay away from you and other persons protected by the order and keep abuser from your work, school, or other specific locations;
- prohibit abuser from taking or hiding children, give you temporary custody, or require the abuser to bring the child to court;
- require abuser to attend counseling;
- require abuser to turn weapons over to local law enforcement; and/or
- prohibit abuser from other actions.

To Obtain an Order of Protection, You Can:

- Contact a domestic violence program for help completing the forms.
- Ask your attorney to file in civil court.
- Request an order with your divorce.
- Request an order during a criminal prosecution.
- Go to your local circuit court clerk's office and get papers to seek an order of protection for yourself.

Law Enforcement Response

Law enforcement should try to prevent further abuse by:

- arresting the abuser when appropriate and completing a police report;
- driving you to a medical facility, shelter or safe place or arranging for transportation to a safe place;
- accompanying you back to your home to get belongings; and
- telling you about the importance of saving evidence, such as damaged clothing or property, and taking photographs of injuries or damage.

Criminal Prosecutions

If an arrest wasn't made and you wish to seek criminal charges against your abuser, bring all relevant information, including the police report number and this form, to your local state's attorney. You may want to contact a local domestic violence program so they can help you through the system.

If Abuser Contacts You After an Arrest

If the abuser was charged with a crime and you or another victim is a family or household member, that abuser probably was ordered not to contact you for at least 72 hours. If the abuser does contact you soon after an arrest, you should call the police because the abuser can be charged with an additional crime, violation of bail bond.

Violation of an Order of Protection

You should also call police if the abuser disregards a part of the order of protection, because that is another crime: violation of an order of protection. If arrested for this crime, your abuser may be required to have a risk assessment evaluation and wear an electronic monitoring device.

Where You Can Get Help and Advice:

Illinois Domestic Violence Help Line 1-877-863-6338
Local Domestic Violence Program
Cook/Kane County – Community Crisis Center
1-847-697-2380 [Elgin]
DuPage County – Family Shelter Service
630-469-5650 [Wheaton]

Form available from the Office of Illinois Attorney General Lisa Madigan website at <http://www.IllinoisAttorneyGeneral.gov/women/ldva.pdf>.

Officer's Name

Star/Badge #

Date

Información para Victimas Sobre la Ley de Illinois**Contra la Violencia Doméstica**

de la Oficina de la Procuradora de Illinois Lisa Madigan

La violencia doméstica es un delito. Cualquier persona que pega, estrangula, patea, amenaza, acosa, o interfiere con la libertad personal de otro miembro de la familia o de la casa ha quebrantado la ley. De acuerdo con la ley de Illinois **los miembros de la familia o de la casa** se definen como:

- personas que son familia directa o por matrimonio;
- personas que están o estaban casados;
- personas que comparten o han compartido un mismo hogar;
- personas que han tenido o dicen que tienen un hijo en común;
- personas que tienen o dicen que tienen relaciones consanguíneas a través de un hijo;
- personas que están saliendo juntos o estaban saliendo juntos, incluso las parejas del mismo sexo; y
- personas con incapacidades y sus asistentes personales.

Ordenes de Protección

Una orden de protección es una orden de la corte que impone restricciones en alguien que ha abusado a un miembro de la familia o del hogar. Una orden de protección puede:

- prohibir que un abusador continúe con sus amenazas y abusos (el abuso incluye abuso físico, acoso, intimidación, interferencia con la libertad personal, la privación deliberada, etc.);
- ordena que el abusador se vaya de un hogar compartido;
- ordena que el abusador se vaya del hogar mientras continúe tomando drogas o alcohol;
- ordena que el abusador no se acerque a Usted y otras personas que están protegidos bajo la orden y asegure que el abusador no visite su trabajo, su escuela, o otros lugares específicos;

- prohibir que el abusador se lleve los hijos, darle a Usted custodia provisional, o requiere que el abusador lleve el hijo a la corte;
- requiere que el abusador se someta a consejería;
- requiere que el abusador entregue sus armas a la policía local; y/o
- prohibir que el abusador tome otras acciones.

Para Obtener Una Orden de Protección Usted Puede:

- Contactar a un programa contra la violencia doméstica para ayuda en completar las formas;
- Pedirle a su abogado que le someta una petición en una corte civil;
- Solicitar una orden junto con el proceso del divorcio;
- Solicitar una orden en el transcurso de una demanda criminal; o
- Ir a la oficina de la secretaría del circuito local y pedir la papelería necesaria.

La Respuesta de los Oficiales de la Ley

Los oficiales de la ley deben tratar de prevenir abuso futuro a través de:

- detener al abusador cuando es apropiado y llenar el reporte de policía;
- llevarle a Usted a un lugar de servicio médico, a un refugio o a un lugar seguro o arreglar un transporte para llevarle a un lugar seguro;
- acompañarle a casa para recoger sus cosas; y
- hablarle sobre la importancia de guardar evidencia, como ropa o propiedades dañadas, y tomando fotos de sus heridas o el daño.

Cargos criminales

Si se ha hecho un arresto y Usted desea hacer cargos criminales contra el abusador, llévelo al fiscal local toda la información pertinente, incluyendo el número del reporte de policía y ese mismo documento. Le puede ayudar que primero se contacte con un programa local contra la violencia doméstica para que ellos le puedan apoyar en el proceso.

Si el abusador se pone en contacto con usted después de un arresto Cuando a una persona se le acusa de una ofensa criminal y la víctima es un "miembro de la familia o de la casa", a no ser que ya se haya dispuesto en una corte, al abusador se le prohíbe a tener contacto o comunicarse con la víctima y entrar o quedarse en la residencia de la víctima por un mínimo de 72 horas. Si el acusado/abusador viola estas restricciones, se debe de llamar a la policía inmediatamente. Al acusado se le pueden imponer otros cargos por no cumplir con las condiciones de la fianza.

Violación de una Orden de Protección

También debe de llamar a la policía si el abusador ignora una restricción de la Orden de Protección porque eso es otro crimen que se conoce como: violación de una orden de protección. Si se arresta a la persona por este crimen, se le puede requerir que se le haga una evaluación de riesgo al abusador y que use un aparato electrónico para monitorearlo.

Usted puede conseguir ayuda e información:

Línea de ayuda en Illinois para Violencia Doméstica 1-877-863-6338
Programa de Asistencia Local para Violencia Doméstica:
Cook/Kane County – Centro de Crisis de la Comunidad
1-847-697-2380 [Elgin]
DuPage County – Servicio de Refugio para la Gente sin Hogar
630-469-5650 [Wheaton]

Esta forma está disponible en la red en:
http://www.IllinoisAttorneyGeneral.gov/women/ldva_esp.pdf

Officer's Name	Star/Badge #	Date
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BARTLETT POLICE DEPARTMENT

**Subject: Warrants and Subpoenas****Operations Order 219**

Issued: September 10, 1996
Effective Date: September 10, 1996
Termination Date: N/A
Amended Date: July 10, 2006

Rescinds: G.O. 94-15

Reference CALEA Standards:
**74.1.1, 74.1.2, 74.2.1, 74.3.1,
74.3.2**

PURPOSE: To provide guidelines for Department personnel in the service of Arrest Warrants, Notices to Appear, Subpoenas and Civil Process issued by the Village, as they are received by this Department and to do so in a safe and orderly manner.

I. Service of Warrants (74.3.1)

- A. Warrants will only be served by sworn members of the Department
- B. Prior to attempting to serve a warrant, the validity of the warrant will be verified by either contacting the issuing agency or through a L.E.A.D.S. inquiry.
- C. All attempts to serve a warrant should be made between Exceptions to
this will be made on a case-by-case basis depending on the circumstances and the facts surrounding
the warrant and will be approved by the Supervisor on duty at the time.
- D. All attempts to serve a warrant or civil process will be noted on the Warrant Control Form (Annex I) or on the Notice To Appear Form. The following information will be noted on the Warrant Control Form:
 1. Date/Time Service Attempted (74.1.2.a)
 2. Name/Star Number of Serving Officer (74.1.2.b)
 3. Reason for Non-Service (74.1.2.d)
 4. Name of person to be served (74.1.2.c)
 5. Address where service was attempted (74.1.2.e)
 6. Date of Service if service is made (74.1.2.d)
- E. The service of original criminal warrants that are generated by the Bartlett Police Department or another law enforcement agency/jurisdiction, on non-compliant persons will be done in accordance with current applicable laws pertaining to an officer's authority to arrest.
 1. If forced entry to a residence or other place is necessary in order to affect the arrest of a subject wanted on a valid criminal warrant, the officer(s) attempting to serve the warrant will notify the Supervisor on duty of his/her intent and will request that the Supervisor respond to the scene prior to attempting entry.
 - 2.
 3. Forced entry to a residence will not be made to a residence or other place for a subject that is wanted for a civil process, unless the officer(s) are directed to do so by an immediate Supervisor.

II. Notice to Appear/Subpoenas

- A. Notices to Appear and Subpoenas may be served by both sworn members of the Department and by civilian personnel. Personnel will ensure that service is made prior to any assigned court date. (74.1.1.i)
- B. All attempts to serve Notices to Appear and Subpoenas will be noted on the Notice to Appear Control Form (Annex II).

III. Service of Civil Process (74.2.1)

- A. Civil Process that is issued by the Village (i.e. Liquor Commission Hearings, Building and Zoning Violation Notices, etc) may be served by both sworn and civilian personnel.
- B. All attempts to serve Civil Process will be noted on the Notice to Appear Control Form. (Annex II). All personnel will ensure that service is made prior to the court/hearing date. (74.1.1.i)
- C. All other Civil Process that originates from outside the jurisdiction of the Village will be referred to the appropriate county Sheriff's Office for service. This will include service that is related to property that has been seized in connection with the commission of a major crime (e.g. Narcotics Violations etc).
- D. Orders of civil arrest or execution of Writs requiring the seizure of property, whether real or personal, will be referred to the Sheriff's Office which has jurisdiction.

IV. Bonding, Transfer of Custody (74.3.1)

- A. Once a subject has been arrested on a warrant, the subject will be transported to the Bartlett Police Department for the purpose of attempting to secure bond.
- B. If the subject cannot post bond, the following steps will be followed:
 1. If an original Bartlett warrant, the subject will be processed in accordance with Administrative Order 107.
 2. If the warrant is from a jurisdiction other than Bartlett, the arresting officer will contact the issuing agency and advise them of the status of the subject and make arrangements for that Department to pick up the subject.
 3. If the warrant is from a Cook County agency outside the Third District and the agency is not able to pick the subject up or there are charges from Bartlett, the officer will complete the Intra-County Hold Affidavit (Annex III), prior to transporting the individual to Bond Call at Cook County Court in Rolling Meadows.
 3. If the subject is wanted on a warrant from DuPage or Kane Counties, the individual will be transported to the respective jail, once bond is made on the Bartlett charges if applicable.

By Order of:

Kent Williams
Chief of Police

Annexes I-III



BARTLETT POLICE DEPARTMENT

Subject: Mutual Aid

Operations Order 221

Issued: January 13, 1997

Rescinds: G.O. 90-01

Effective Date: January 13, 1997

Termination Date: N/A

Reference CALEA Standards:

2.1.3, 46.1.10, 46.2.1

Related Directives:

TS0512, SO614

Amended Date: November 18, 2019

PURPOSE: This order establishes procedures for the Department to provide the uninterrupted delivery of police services during those situations that exceed the resources of the Department. Mutual Aid is also available to provide assistance to other departments when requested.

I. Mutual Aid

- A. Mutual Aid is generally defined as:
 1. The response to a formal request for assistance from another law enforcement agency, which requires the response of two or more Bartlett police officers.
 2. The formal request by the Bartlett Police Department for two or more officers from another law enforcement agency or personnel from Hanover Township Emergency Services.
 - B. Mutual Aid may be provided to or requested by another law enforcement agency in accordance with the procedures set forth in this order.
 - C. The Bartlett Police Department is party to certain mutual aid agreements. These agreements are available on the Department computer network and in the document management system. These agreements will be adhered to whenever possible. Where there is no agreement in place, the Department will provide appropriate assistance when possible and within reasonable limits.

II.

III. Northern Illinois Police Alarm System-Emergency Services Team (NIPAS - EST)

IV. NIPAS Mobile Field Force (NIPAS - MFF)

- A. The Bartlett Police Department is also a member of the Mobile Field Force (MFF) who will respond for the following situations: (46.2.1.b)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

B. Upon being confronted with a situation that meets the above criteria, the Shift Supervisor will make immediate notification to the NIPAS Dispatch Center requesting assistance. This notification will be made in accordance with the procedures contained in the NIPAS Manual. (46.2.1.c)

C. If the Shift Supervisor makes notification to NIPAS, he/she will immediately make notification to the Chief of Police and the Deputy Chief of Operations. (46.2.1.c)

D. Upon arrival on the scene of an incident, NIPAS assumes both logistical and operational control. Members of the Bartlett Police Department will assume a support role to the MFF. (46.2.1.d) The Bartlett Police Department Incident Commander shall ensure coordination and cooperation with NIPAS Mobile Field Force and any other operational components. (46.2.1.e)

- E. Requests for the Mobile Field Force can be made to respond to Bartlett at the following designated staging areas:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
- F. The Mobile Field Force can also be placed on standby for possible deployment.

V. Illinois Law Enforcement Alarm System (ILEAS)

- A. The Bartlett Police Department is a member of the Illinois Law Enforcement Alarm System (ILEAS). This membership provides for reciprocal service to protect the communities of Illinois in the event of a critical incident.
- B. Requests for mutual aid have been divided into levels so all participants will understand the severity of a given situation. When requesting assistance through ILEAS, the shift supervisor will contact DuComm and advise the dispatcher how many responding units are requested. The dispatcher will contact ILEAS and make the request. ILEAS Mutual Aid Request Instructions are contained in Annex I.
- C. If an emergency continues to escalate, and more manpower is needed, the stricken agency can request additional units.
- D. In case of high life hazard, the stricken agency may choose to call a large amount of manpower and equipment to the staging area quickly. The agency can request as many responding units as necessary to fulfill its manpower requirements.
- E. Requests for ILEAS can be made to respond to Bartlett at the following designated staging areas in Bartlett:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.

VI. Hanover Township Emergency Services

- A. The Bartlett Police Department has a mutual aid agreement with Hanover Township Emergency Services who may be requested to respond for the following emergency situations:
 1. To assist with traffic control for serious crashes, gas leaks, downed wires, etc., when roads are expected to be closed for extended periods of time.
 2. To assist with a search for a missing person.
 3. To assist with a natural disaster.
- B. In the event an emergency or natural disaster requires extra equipment, Hanover Township Emergency Services may be contacted to request equipment that will aid our response to the emergency or natural disaster. Types of equipment that may be requested include: lights, pumps, generators, all-terrain vehicles, etc.
- C. Upon being confronted with a situation that meets the above criteria, the supervisor on duty will make a request for assistance from Hanover Township Emergency Services by radioing or calling DuComm.
- D. Hanover Township Emergency Services will not be contacted to assist with traffic control/assistance at community events. Use of Hanover Township Emergency Services is limited to emergency situations only.
- E. In the event of an emergency or natural disaster where Hanover Township Emergency Services is requested to provide assistance, Hanover Township Emergency Services will assume a support role to the police

department. The police department, and Bartlett Fire Protection District (if Unified Command is established) will maintain operational and logistical control.

- F. Any emergency, natural disaster, or missing person incident that requires technical rescue or medical attention shall remain the primary responsibility of the Bartlett Fire Protection District. Hanover Township Emergency Services shall not be used in these instances for technical rescue or medical attention other than basic first aid.
- G. In the event of an emergency or natural disaster that requires evacuation and/or door-to-door notification of residents, these responsibilities shall be handled by law enforcement or fire personnel only. Hanover Township Emergency Services shall not be used for evacuation or door-to-door notifications.

VII. Requesting Mutual Aid (2.1.3.d, 46.1.10.b, 46.2.1.c)

- A. When a situation arises that exceeds the available resources of the Department, the Shift Supervisor is authorized to request mutual aid within the following guidelines:
 1. Determine which Mutual Aid Agreement is needed.
 - a. If the situation requires only additional manpower, the Shift Supervisor will first request aid from ILEAS. In the event ILEAS is not available, surrounding departments will be contacted. DuComm may be utilized to make notification if the Supervisor is not immediately able to do so
 - b. A Shift Supervisor may request mutual aid from area Departments via ISPERN if the situation so dictates.
 - c. When the more specialized services of NIPAS' EST or MFF are required, NIPAS will be contacted first.
 - d. In traffic control, missing person searches, or natural disasters, Hanover Township Emergency Services may be requested.
 2. The Supervisor will advise DuComm of the staging area for responding units and the person or persons they are to report to.
 3. The Supervisor will immediately notify Command Staff of the incident and steps being taken to quell the situation.
 4.
 - a.
 - b.
 - c.
 - d.
- B. Responding officers from other agencies should check in with the Shift Supervisor upon their arrival. The Shift Supervisor will keep track of which officers to release.
- C. Once the situation that precipitated the mutual aid call has been terminated, the Shift Supervisor will forward to the Chief of Police via the Deputy Chief of Operations a detailed To-From Memorandum, which will detail all the circumstances regarding the mutual aid request and the ensuing outcome to include all relevant reports.
- D. The Shift Supervisor will also be responsible for ensuring that DuComm obtains and provides the following information:
 1. The report number assigned to the request for assistance.
 2. A list of responding agencies, the time that they were contacted, the number of personnel and vehicles responding, and the estimated time that they arrived.

VIII. Responding to Mutual Aid Requests (2.1.3)

- A. The Shift Supervisor will be immediately notified by the Records Section or DuComm of any request for mutual aid received.

- B. The Supervisor will determine which mutual aid agreement is involved. The Supervisor will base the response on the needs of the Village and the number of available personnel on duty.
- C. The Supervisor will notify DuComm and/or the Records Section of what officers and equipment will be responding and their estimated time of arrival. Responding officers shall ensure they have their Starcom portable radio with them to enable interoperable communications with the requesting agency. (2.1.3.f)
- D. The Shift Supervisor will ensure proper notification is made in accordance with Special Order 614 – Notifications – Department Personnel. Updated notifications will be made when:
 - 1. Officers have been or will be committed for a period of time that exceeds two (2) hours.
 - 2. Fifty percent or more of the on duty shift has been committed to the mutual aid request.
- E. Obtain from DuComm or the Records Desk the name of the requesting agency, the contact officer, the type of request, the command authority, the staging area and the location of the command post. The Supervisor will obtain a report number from DuComm for the purpose of completing an Incident/Offense Report.
- F. Upon termination of the mutual aid response, the Supervisor will forward to the Chief of Police through the Deputy Chief of Operations a To-From Memorandum detailing what occurred and all related reports.

IX. Plan Responses

A.

B.

By Order of:

Patrick Ullrich
Chief of Police

Annex I

BARTLETT POLICE DEPARTMENT



Subject: Federal and National Guard Assistance **Operations Order 222**
Issued: March 4, 1997 **Rescinds: N/A**
Effective Date: March 4, 1997
Termination Date: N/A **Reference CALEA Standards: 2.1.4**
Amended Date: March 10, 2020

PURPOSE: This order defines the procedures for requesting federal law enforcement and/or the National Guard when such assistance is needed.

POLICY: In order to best protect our citizens, the Bartlett Police Department may be called upon from time to time to request assistance from federal agencies, including the National Guard. It is the policy of the Bartlett Police Department to define procedures in requesting federal law enforcement assistance and/or National Guard assistance in emergency and non-emergency situations.

I. National Guard Assistance (2.1.4)

- A. The primary responsibility of meeting any emergency falls with the village, county, state and federal governments in that order. The Emergency Management Agency (EMA) Coordinator is responsible for the development of operational response plans for civil disturbances and man-made disasters and is directly accountable to the Chief of Police.
- B. The EMA has a written plan for dealing with natural or man-made disasters and civil disturbances. This plan has been adopted by the Village of Bartlett (Ordinance 2-2-1), and has been approved by the Cook, DuPage and Kane County Offices of Emergency Management. This document will be referred to as the Emergency Operations Plan (EOP)."
- C. As provided in 65 ILCS 5/3.1-35-25, the Mayor or Village President, subject to the authority of the Governor, may call upon the Illinois National Guard to "aid in suppressing riots and other disorderly conduct, or to aid in the carrying into effect any law or ordinance."
- D. National Guard assistance is available only following the declaration of a local emergency and through direct request of the Village President to the Cook County Sheriff's EMA for relay to the Illinois Emergency Management Agency, via the Cook County Department of Emergency Management and Regional Security. The State of Illinois will determine whether the National Guard or other State law enforcement asset is appropriate to handle the requested mission. If state government assistance is needed (i.e.: National Guard, etc.), the Mayor/ Village President must so indicate to the County. The County must have expended its available resources, and then must make that request through the State Emergency Management Agency. State will forward that request to the Governor.
 1. Kane County—Office of Emergency Management (OEM) – 24/7 phone number
 2. DuPage County—Office of Homeland Security and Emergency Management (OHSEM) 24/7 number
 3. Cook County Department of Emergency Management and Regional Security – 24/7 phone number
 4. Illinois Emergency Management Agency (IEMA) – Region 4 phone number
- E. The Department of Defense has established 57 National Guard Weapons of Mass Destruction (WMD) Civil Support Teams nationwide. The Illinois National Guard maintains the 5th WMD Civil Support Team, based in Peoria, Illinois. These teams work in support of civilian agencies and are under the control of the governor. The teams work collaboratively with local and state first responders. The teams possess the technical expertise to identify and assess particular chemical or biological agents. Each team utilizes a mobile analytical lab and a mobile communications facility.

II. Federal Law Enforcement Assistance (2.1.4)

- A. On occasion it will be necessary to request the assistance of a federal law enforcement agency to investigate matters that fall outside the jurisdictional authority of the Bartlett Police and which come to the attention of the Department.
- B. The following guidelines will apply when making a request for federal law enforcement assistance:
 - 1. Non-Emergency - Criminal
 - a. The Chief of Police or his/her designee will make the request to the appropriate federal agency.
 - b. The only exception will be in the event of a bank robbery. The Shift Supervisor may make the request, followed by immediate notification to the Chief of Police via the Deputy Chief of Operations.
 - 2. Emergency - Criminal
 - a. The Supervisor on duty will make the request to the appropriate federal agency.
 - b. The Deputy Chiefs of Operations and Support Services will be notified.
 - c. The Deputy Chiefs will notify the Chief of Police that the request was made.
 - 3. A complete list of federal agencies that service the Bartlett area appears in Annex I of this order.

By Order Of:

Patrick Ullrich
Chief of Police

Annex I

BARTLETT POLICE DEPARTMENT



Subject: Persons with Mental Illness	Operations Order 223
Issued: May 5, 1997	Rescinds: G.O. 88-09
Effective Date: May 5, 1997	
Termination Date: N/A	Reference CALEA Standards: 41.2.7
Amended Date: October 2, 2020	Related Directives: AO101, AO106, OO200, PO423

PURPOSE: This order provides policy and procedures for Department members when handling persons who are suspected to have a mental illness and/or who are in need of mental health treatment.

POLICY: The need to assess the mental state and intention of persons is a requirement of officers performing enforcement and investigative functions. Dealing with persons in enforcement situations who are known or suspected to have a mental illness and/or who are in need of mental health treatment carries the potential for violence, requires an officer to make difficult judgments about the mental state of the person, and requires special police skills to effectively and legally deal with the person to avoid unnecessary violence and violations of civil rights. Members of the Bartlett Police Department will act in accordance with the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/).

I. Definitions

- A. **Crisis Intervention Team**—A group of officers specially trained in the handling of persons suffering from mental illness. The team is outlined in Personnel Order 423 – Crisis Intervention Team.
- B. **Delusion**—Idiosyncratic beliefs or impressions that are deeply entrenched despite being contradicted by reality or rational argument, or that are not justified by cultural beliefs, the person's level of intelligence, and/or life experiences. Persons cling to these beliefs as their reality even after they are shown to be false.
- C. **Dementia**—Two or more symptoms involving progressive impairment of brain function including, but not limited to, language, memory, visual-spatial perception, emotional behavior, personality changes, and cognitive skills.
- D. **Developmental Disability**—A disability which is attributable to: (a) an intellectual disability, cerebral palsy, epilepsy or autism; or to (b) any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by persons with an intellectual disability. Such disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial disability. (405 ILCS 5/1-106)
- E. **Excited Delirium**—A state of extreme mental and physiological excitement characterized by exceptional agitation and hyperactivity, overheating, excessive tearing of the eyes, hostility, superhuman strength, aggression, acute paranoia, and endurance without apparent fatigue.
- F. **Hallucination**—An experience that does not exist outside the mind, in the form of auditory, olfactory, visual, or tactile false perceptions or unreal apparitions. It does not correspond to the stimuli that are present and has no basis in reality despite the person's powerful sense of reality. Hallucinations in one culture may not be considered hallucinations in another (they may be considered visions or conversations with a higher being).
- G. **Intellectual Disability**—Significantly subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years. (405 ILCS 5/1-116)

- H. **Involuntary Admission; Petition**—When a person is asserted to be subject to involuntary admission on an inpatient basis and in such a condition that immediate hospitalization is necessary for the protection of such person or others from physical harm, any person 18 years of age or older may present a Petition to the facility director of a mental health facility in the county where the respondent resides or is present. The Petition may be prepared by the facility director of the facility (405 ILCS 5/3-601) or by a peace officer (405 ILCS 5/3-606).
1. The Petition shall include all of the following:
 - a. A detailed statement of the reason for the assertion that the respondent is subject to involuntary admission on an inpatient basis, including the signs and symptoms of a mental illness and a description of any acts, threats, or other behavior or pattern of behavior supporting the assertion and the time and place of their occurrence.
 - b. The name and address of the spouse, parent, guardian, substitute decision maker, if any, and close relative, or if none, the name and address of any known friend of the respondent whom the petitioner has reason to believe may know or have any of the other names and addresses. If the Petitioner is unable to supply any such names and addresses, the petitioner shall state that diligent inquiry was made to learn this information and specify the steps taken.
 - c. The petitioner's relationship to the respondent and a statement as to whether the petitioner has legal or financial interest in the matter or is involved in litigation with the respondent. If the petitioner has a legal or financial interest in the matter or is involved in litigation with the respondent, a statement of why the petitioner believes it would not be practicable or possible for someone else to be the petitioner.
 - d. The names, addresses and phone numbers of the witnesses by which the facts asserted may be proved.
 2. Knowingly making a material false statement in the Petition is a Class A misdemeanor.
- I. **Mental Health Crisis**—A situation where a person's normal coping mechanisms have become overwhelmed causing that person to pose an immediate and significant risk to himself/herself or others.
- J. **Mental Health Facility**—Any licensed private hospital, institution, or facility or section thereof, and any facility, or section thereof, operated by the State or political subdivision thereof for the treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, and mental health centers which provide treatment for such persons. (405 ILCS 5/1-114)
- K. **Mental Illness**—A mental, or emotional disorder that substantially impairs a person's thought, perception of reality, emotional process, judgment, behavior, or ability to cope with the ordinary demands of life, but does not include a developmental disability, dementia or Alzheimer's disease absent psychosis, a substance use disorder, or an abnormality manifested only by repeated criminal or otherwise antisocial conduct. (405 ILCS 5/1-129)
- L. **Peace Officers; Petitions**—A peace officer may take a person into custody and have him/her transported to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the peace officer may complete the petition under 405 ILCS 5/3-601. If the petition is not completed by the peace officer transporting the person, the transporting officer's name, badge number, and employer shall be included in the petition as a potential witness as provided in 405 ILCS 5/3-601. (405 ILCS 5/3-606). The peace officer may witness a third party complete the petition.
- M. **Person Subject to Involuntary Admission on an Inpatient Basis**—(1) A person with mental illness and who, because of his/her illness, is reasonably expected, unless treated on an inpatient basis, to engage in conduct placing such person or another in physical harm or in reasonable expectation of being physically harmed; or (2) A person with mental illness who because of his or her illness is unable to provide for his or her basic physical needs so as to guard himself or herself from serious harm without the assistance of family or others, unless treated on an inpatient basis; or (3) A person with mental illness who: (i) refuses treatment or is not adhering adequately to prescribed treatment; (ii) because of the nature of his or her illness, is unable to understand his or her need for treatment; and (iii) if not treated on an inpatient basis, is reasonably expected, based on his or her behavioral history, to suffer mental or emotional deterioration and is reasonably expected, after such deterioration, to meet the criteria of either paragraph (1) or paragraph (2) of this Section. (405 ILCS 5/1-119)

- N. **Person Subject to Involuntary Admission on an Outpatient Basis**—(1) A person who would meet the criteria for admission on an inpatient basis as specified in 405 ILCS 5/1-119 in the absence of treatment on an outpatient basis and for whom treatment on an outpatient basis can only be reasonably ensured by a court order mandating such treatment; or (2) A person with a mental illness which, if left untreated, is reasonably expected to result in an increase in the symptoms caused by the illness to the point that the person would meet the criteria for commitment under 405 ILCS 5/1-119, and whose mental illness has, on more than one occasion in the past, caused that person to refuse needed and appropriate mental health services in the community. (405 ILCS 5/1-119.1)
- O. **Psychosis**—A mental state that markedly interferes with a person's ability to differentiate his/her own thoughts and perceptions with reality; typically includes delusions and hallucinations.

II. **Recognizing Persons with Mental Illness (41.2.7.a)**

- A. Mental illness is quite often difficult to define in a given person. Officers are not expected to make judgments of mental or emotional disturbance, but rather to recognize behavior that is potentially destructive and/or dangerous to a person or others. The following guidelines are generalized signs and symptoms of behavior that may suggest mental illness or mental health issues, although officers should not rule out other potential causes, such as reactions to narcotics or alcohol, or temporary emotional disturbances that are motivated by an incident or situation. Officers should evaluate the following related symptomatic behavior in the total context of the situation when making judgments about a person's mental state and need for intervention absent the commission of a crime.
1. **Reactions**—Persons with mental illness may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the person extremely reclusive or aggressive without apparent provocation.
 2. **Appropriateness of Behavior**—A person who demonstrates extremely inappropriate behavior for a given context may have a mental illness or a mental health issue. For example, a motorist who displays his/her frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
 3. **Extreme Rigidity or Inflexibility**—Persons with mental illness or a mental health issue may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
- B. In addition to the above, a person with mental illness or a mental health issue may exhibit one or more of the following characteristics:
1. Abnormal memory loss related to such common facts as name or home address. However, these may also be signs of other physical ailments, such as injury or Alzheimer's disease.
 2. Delusions, the belief in thoughts or ideas that are false, such as delusions of grandeur or paranoid delusions. Examples include but are not limited to the person believing he/she is Jesus Christ or everyone is out to get him/her.
 3. Hallucinations of any of the five senses (e.g. smelling strange odors, hearing voices commanding the person to act, feeling one's skin crawl, etc.). Hallucinations involving hearing or seeing things not based in reality are most common. Hallucinations may also be induced by drugs or alcohol.
 4. The belief that one suffers from extraordinary physical maladies that are not possible, such as a person who is convinced that his/her heart has stopped beating for extended periods of time.
 5. Obsession with recurrent and uncontrolled thoughts, ideas, images. Extreme confusion, fright or depression.
 6. Mental illness can also be evident when persons display sudden changes in lifestyle, which includes but is not limited to an unwillingness to live up to commonly accepted rules and responsibilities, sudden and drastic mood swings, serious lack of judgment regarding money, job, family and property, or marked and extreme departures in dress and sexual behavior.
- C. **Developmental Disabilities:**
Physical causes of abnormal behavior may include some of the characteristic behavior of persons with mental illness but should not be confused with mental illness. There are important differences between persons who have developmental disabilities and persons with mental illness. These include the following:
1. **Intellectual Disability**—Refers to subnormal intellectual capacity and deficiencies in a person's ability to deal effectively with social conventions and interaction. The intellectually disabled may display rational behaviors that are similar to younger persons who are not intellectually disabled. By contrast, persons with mental illness may not be impaired intellectually and may act in many instances as rational, functional members of society. Their behavior generally fluctuates between

the normal and the irrational. The intellectually disabled person does not demonstrate this type of behavioral fluctuation. Intellectual disability is evident during a person's early years and is a permanent condition for life, whereas mental illness may develop during any period of a person's life. The intellectually disabled person does not engage in violent behavior without the types of provocations that may initiate violence among non-intellectually disabled persons.

2. Cerebral Palsy – Persons suffering from cerebral palsy exhibit motor dysfunctions that may be confused with some characteristics of either the intellectually disabled or persons with mental illness. These include awkwardness in walking, involuntary and uncontrollable movements or seizures, and problems in speech and communication.
3. Autism – Autistic persons often engage in compulsive behavior or repetitive and peculiar body movements. They can become very distressed over minor changes in their environment. They may also display unusual reactions to objects or people they see around them; appear insensitive to pain, and may be hyperactive, passive, or susceptible to tantrums. Such persons may also appear intellectually disabled in some areas, but highly capable or gifted in others.

III. Determining Danger

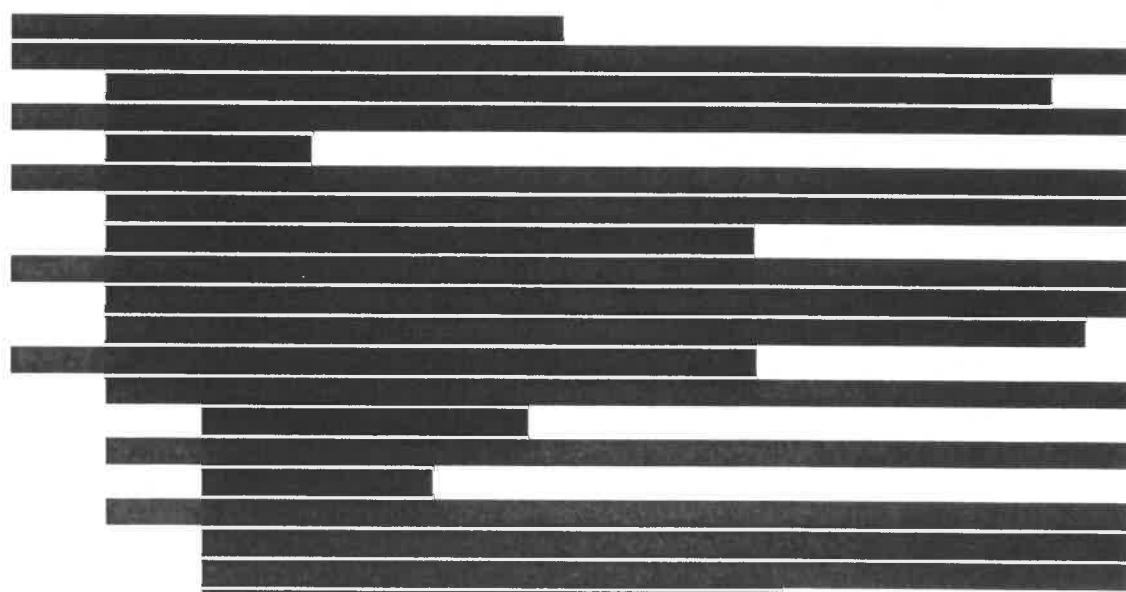
- A. Not all persons with mental illness or a mental health issue are dangerous, while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether a person with apparent mental illness or a mental health issue represents an immediate or potential danger to him/herself, the officer, or others. These include the following:
 1. The availability of any weapons to the person.
 2. Statements by the person that suggest to the officer the person is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendos to direct threats that when taken in conjunction with other information, paint a more complete picture of the potential for violence.
 3. A personal history that reflects prior violence under similar or related circumstances. The person's history may be known to the officer, family, friends, or neighbors who may be able to provide helpful information.
 4. Failure of the person to act prior to arrival of the officer does not guarantee there is no danger, but it does in itself tend to diminish the potential for danger.
 5. The amount of control the person demonstrates is significant, particularly the amount of physical control over emotions of rage, anger, fright, or agitation. Signs of a lack of control include extreme agitation, inability to sit still or communicate effectively, wide eyes, and rambling thoughts and speech. Clutching oneself or other objects to maintain control, begging to be left alone, or offering frantic assurances that one is all right may also suggest the person is close to losing control.
 6. The volatility or instability of the environment is a particularly relevant factor officers must evaluate. Agitators that may affect the person or a particular combustible environment which may incite violence should be taken into account.

IV. Dealing With Persons with Mental Illness (41.2.7.c)

- A. Police response to a person with a mental illness or a mental health issue should be determined to some degree by the manner in which the contact is initiated. Due to the unpredictable nature of many persons with a mental illness or a mental health issue, officers must remain aware of their own safety and the safety of others.
- B. Should the officer encounter a person who may have a mental illness or a mental health issue and is a potential threat to himself or herself, the officer, or any other person, or who may otherwise require law enforcement intervention for humanitarian reasons in accordance with the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/), the following responses should be taken:
 1. Request a backup officer and a supervisor, especially in cases where the person may be taken into custody or transported for a mental health evaluation.
 2. Whenever possible, a member of the Crisis Intervention Team should be dispatched to calls for service involving persons with mental illness. The duties of the Crisis Intervention Team are outlined in Personnel Order 423 – Crisis Intervention Team.
 - a. If a Crisis Intervention Team member is not immediately available to respond, he/she should respond as soon as possible.
 - b. The first Crisis Intervention Team member on the scene will assume responsibility for the call.

3. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the person. Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation.
 4. Move slowly and do not excite the person. Provide reassurance the police officers are there to help and the person will be provided with appropriate care.
 5. Communicate with the person in an attempt to determine what is bothering him/her. Relate concern for his or her feelings and allow the person to express his/her feelings. Where possible, gather information on the person from acquaintances or family members and/or request professional assistance, if available and when appropriate, to assist in communicating with and trying to calm the person.
 6. Avoid making threats of arrest as this will create additional fright, stress and potential aggression.
 7. Avoid topics that may agitate the person and guide the conversation toward subjects and topics that may help bring the person back to reality.
 8. Always attempt to be truthful with a person with a mental illness or a mental health issue. If the person becomes aware of a deception, he or she may withdraw in distrust and may become hypersensitive or retaliate out of anger.
 9. While the person who is mentally ill or experiencing a mental health issue may not be in control of his/her behavior at all times, the person does not necessarily lack intellectual abilities or insight. The person may be provoked by demeaning, condescending, arrogant, or contemptuous attitudes of others, including police officers.
- C. In the event a physician gives telephone direction to paramedics at the scene to transport a person, and there are no indications to officers or paramedics that the person is a danger to him/herself or others or in need of immediate medical attention, the officers shall attempt to persuade the person to go to the hospital, but shall not use physical force or restraints on a person who is not willing to go voluntarily.
- D. If a decision has been made to take a person into custody, it should be done as soon as possible to avoid prolonging a potentially volatile situation. Remove any dangerous weapons from the immediate area.
- E. Transportation to the hospital shall take place as follows:
1. If the person is cooperative and agrees to go to the hospital, the following transportation options may be used:
 - a. A reliable family member while the officer is on the scene.
 - b. Bartlett Fire Department ambulance or designated mutual aid unit.
 2. When a person is reluctant, unwilling, and/or needs to be coerced into going to the hospital, the person must be taken into protective custody for an involuntary admission for evaluation. Officers may restrain the person by use of handcuffs, flexcuffs, or other restraints if necessary.
 - a. Transportation shall be made by a Bartlett Fire Department ambulance or designated mutual aid unit.
 - b. When a person is physically combative, a police officer shall ride in the ambulance.

F.



- d. Avoid extreme prone restraint techniques; do not tie the handcuffs to a leg or ankle restraint.
- e. If the person continues to struggle, do not sit on his/her back or neck.
- f. Do not place the person on his/her stomach during transport to hospital.
- g. Monitor the person carefully.
6. Transport all persons who have exhibited signs of excited delirium, drug-induced psychosis or a psychotic episode to a medical facility, by ambulance. At least one officer should accompany the person in the ambulance, if possible.

G. Reporting:

1. The incident shall be documented on an Incident/Offense Report whether or not the person is taken into custody. Ensure the report is as detailed as possible concerning the circumstances of the incident and the type of behavior observed. Terms such as "out of control" or "psychologically disturbed" should be replaced with descriptions of the specific behaviors involved. The reasons why the person was taken into custody or referred to other agencies should be detailed in the report. The report shall include the method of transport to the hospital and identify, if applicable, which Bartlett Fire Department ambulance was used. Copies of admittance forms and the completed petition shall be obtained and included with the police report.
2. Force, if used, shall be reported in accordance with Operations Order 200 – Use of Force.

V. Mental Health Evaluations

- A. Officers should be aware there are several different ways a juvenile or an adult may be hospitalized for a mental health evaluation:
1. Court Order for Temporary Detention and Examination (section C below)
 2. Informal or Voluntary Admission (section D below)
 3. Minors: Voluntary Admission by a Minor, Application by an Adult for Admission of a Minor, or Emergency Admission of Minors (section E below)
 4. Adults: Petition for Involuntary/Judicial Admission (section F below)
- B. Illinois law provides that all persons acting in good faith and without negligence in connection with the preparation of applications, petitions, certificates or other documents for the apprehension, transportation, examination, treatment, habilitation, detention, or discharge of a person under the provisions of the Illinois Mental Health and Developmental Disabilities Code incur no liability, civil or criminal, by reason of such acts. An act of omission or commission by a peace officer acting in good faith rendering emergency assistance or otherwise enforcing the law does not impose civil liability on the peace officer or his or her supervisor or employer unless the act is a result of willful or wanton misconduct. (405 ILCS 5/6-103(a) and (d))
- C. Court Order for Temporary Detention and Examination:
1. A police officer shall take a person into custody and have him/her transported to a mental health facility for a mental health evaluation when the court finds that it is necessary to order that person to be admitted to a mental health facility for a mental health evaluation pending an examination in order to complete a mental health examination. (405 ILCS 5/3-704)
 2. A police officer shall take a person into custody and have him/her transported to a mental health facility when the court enters an order for the temporary detention and examination of such person when as a result of personal observation and testimony in open court, the court has reasonable grounds to believe that person appearing before it is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization to protect such person or others from physical harm. (405 ILCS 5/3-607)
 3. Such court orders must be honored regardless of the behavior displayed by the individual at the time the police officer is on the scene.
 4. Upon arrival at the mental health facility, the transporting officer must sign the back of the court order.
 5. A court order does not grant legally authority to enter a constitutionally protected area. An order may add to the overall exigency of an incident, but should not be used as the sole factor to force entry or gain entry into a constitutionally protected area.

D. Informal or Voluntary Admission:

1. A police officer should attempt to make a diligent effort to convince a person in need of mental health assistance to appear voluntarily for a mental health examination by a physician, qualified examiner, or clinical psychologist.
 - a. In cases when persons need or want to go to a mental health facility as an informal or voluntary admission, officers should check with the paramedics or the attending hospital staff regarding the completion of the Petition for Involuntary/Judicial Admission or an Application by an Adult for Admission of a Minor.
 - 1) The paramedics or the hospital staff may sometimes prefer the officer to complete the Petition for Involuntary/Judicial Admission or an Application by an Adult for Admission of a Minor in cases where the officer has sufficient basis to do so, because the person is in need of immediate hospitalization to protect such person or others from physical harm. Otherwise, the person may possibly change his/her mind about receiving mental health assistance and then be able to voluntarily discharge him/herself from the mental health facility.
 - b. Physician Request:
In the event a physician gives telephone direction to paramedics at the scene to transport a person, and there are no indications to officers or paramedics that the person is a danger to him/herself or others or in need of immediate medical attention, the officers shall attempt to persuade the person to go to the hospital, but shall not use physical force or restraints on a person who is not willing to go voluntarily.
2. Informal Admission:
 - a. Any person desiring admission to a mental health facility for treatment of a mental illness may be admitted upon his/her request without making formal application therefor if, after examination, the facility director considers that person clinically suitable for admission upon an informal basis. (405 ILCS 5/3-300)
3. Voluntary Admission:
 - a. Any person 16 or older, including a person adjudicated a person with a disability, may be admitted to a mental health facility as a voluntary recipient for treatment of a mental illness upon the filing of an application with the facility director of the facility if the facility director determines and documents in the recipient's medical record that the person (1) is clinically suitable for admission as a voluntary recipient and (2) has the capacity to consent to voluntary admission. (405 ILCS 5/3-400)
 - b. The application for admission as a voluntary recipient may be executed by: (405 ILCS 5/3-401)
 - 1) The person seeking admission, if 18 or older; or
 - 2) Any interested person, 18 or older, at the request of the person seeking admission; or
 - 3) A minor, 16 or older, as provided in 405 ILCS 5/3-502 Admission of Minors.

E. Minors:

1. Voluntary Admission by a Minor:
 - a. Any minor sixteen (16) years of age or older may be admitted to a mental health facility as a voluntary recipient if the minor him/herself executes the Application by an Adult for Admission of a Minor. A minor so admitted shall be treated as an adult. (405 ILCS 5/3-400) The minor's parent, guardian or person in loco parentis shall be immediately informed of the admission. (405 ILCS 5/3-502)
2. Admission on Application of Parent or Guardian:
 - a. A parent or guardian or, in the absence of a parent or guardian, a person in loco parentis may execute an Application by an Adult for Admission of a Minor (Annex III) to have a minor admitted to a mental health facility for inpatient treatment. An Application by an Adult for Admission of a Minor may also be made for a minor who is a youth in the care of the Department of Children and Family Services or by the Department of Corrections. (405 ILCS 5/3-503)
3. Emergency Admissions:
 - a. If a minor has a mental illness or emotional disturbance of such severity that hospitalization is necessary and that the minor is likely to benefit from inpatient treatment and who is in a condition that immediate hospitalization is necessary, a parent or guardian or, in the absence of a parent or guardian, a person in loco parentis may execute an Application by an Adult for Admission of a Minor for the minor.
 - 1) This includes a minor who is a youth in the care of the Department of Children and Family Services or the Department of Corrections. (405 ILCS 5/3-504(a))

- b. A police officer may take a minor into custody and transport the minor to a mental health facility when the officer has reasonable grounds to believe that the minor is eligible for admission under 405 ILCS 5/3-503 and is in a condition that immediate hospitalization is necessary in order to protect the minor or others from physical harm. (405 ILCS 5/3-504(b))
- 1) The officer shall request a supervisor to respond to the scene if the officer has reasonable grounds to believe that the minor is eligible for admission under 405 ILCS 5/3-503 and is in a condition that immediate hospitalization is necessary in order to protect the minor or others from physical harm and the officer believes the parent or guardian's plan of action does not adequately address this concern.
 - i. If the supervisor deems the parent or guardian's desired action endangers the minor, an officer may take protective custody of the child and transport him/her to a medical facility.
 - 2) In the event the minor's parent or guardian is not available, an officer may take a minor into custody and transport him/her to a medical facility when there are reasonable grounds to believe that the minor is eligible for admission under 405 ILCS 5/3-503 and is in a condition that immediate hospitalization is necessary in order to protect the minor or others from physical harm.
 - 3) Upon arrival at the facility, the officer shall complete an application an Application by an Adult for Admission of a Minor under 405 ILCS 5/3-503 unless it will be completed by paramedics or attending hospital staff. The application shall include a detailed statement of the reason for the assertion that immediate hospitalization is necessary, including a description of any acts or significant threats supporting the assertion, the time and place of the occurrence of those acts or threats, and the names, addresses and telephone numbers of other witnesses of those acts or threats.
 - 4) Prior to clearing the call, the officer shall also make reasonable attempts to locate and notify the minor's parent or guardian.

F. Adults—Petition for Involuntary/Judicial Admission:

1. Detainees Requiring Hospitalization:

When an adult who has been arrested by the Department demonstrates a need for immediate hospitalization to protect such person or others from physical harm, he/she will be transported to a mental health facility for an involuntary admission for a mental health evaluation.

- a. The officer who is aware of the detainee's behavior may prepare a Petition for Involuntary/Judicial Admission unless it will be completed by paramedics or attending hospital staff. This Petition will assert the detainee needs treatment and must be completed fully where applicable. It is imperative the Petition for Involuntary/Judicial Admission completely describes the behavior and actions that resulted in the decision that the detainee needs mental health treatment.
- b. The officer will deliver the Petition for Involuntary/Judicial Admission and remain with the detainee until the detainee has received medical treatment or is admitted to the hospital.
- c. A duplicate copy of the Petition will be retained and attached to the Incident/Offense Report.
- d. If the detainee is hospitalized as a result of the Petition, it will be the responsibility of the Shift Supervisor to ensure the provisions of Administrative Order 106 – Holding Facility Procedures as they pertain to medical needs of a detainee in custody are followed.

2. Non-Detainees Requiring Hospitalization:

When an adult requires a mental health evaluation and he/she is not arrested or charged with a crime, the following procedure may be followed:

- a. If a relative, spouse, or other person over the age of 18 years has first-hand knowledge and is able to attest:
 - 1) The person is reasonably expected, unless treated on an inpatient basis, to engage in conduct placing such person or another in physical harm or in reasonable expectation of being physically harmed; or
 - 2) The person is unable to provide for his or her basic physical needs so as to guard himself or herself from serious harm without the assistance of family or others, unless treated on an inpatient basis; or

- 3) The person:
 - i. Refuses treatment or is not adhering adequately to prescribed treatment;
 - ii. Because of the nature of his or her illness, is unable to understand his or her need for treatment; and
 - iii. If not treated on an inpatient basis, is reasonably expected, based on his or her behavioral history, to suffer mental or emotional deterioration and is reasonably expected, after such deterioration, to meet the criteria of either section F.2.a.1 or section F.2.a.2 above
- b. The officer will ask the relative, spouse, or other person to complete the Petition for Involuntary/Judicial Admission in the manner that has been described. The form may be completed at the hospital if necessary. In order to assure accuracy, every effort should be made to have the person completing the Petition for Involuntary/Judicial Admission to accompany the paramedics or the police officer to the hospital to provide the necessary information to the examining doctor and to complete the factual portion of the petition, with the help of hospital staff.
 - 1) If the Petition for Involuntary/Judicial Admission is not completed by the officer, the primary officer's name and badge number shall be included in the Petition for Involuntary/Judicial Admission as a potential witness, as provided in 405 ILCS 5/3-601.
 - 2) The police officer must be sure to also list the names and contact numbers for all those who actually witnessed the patient's behavior as well.
 - 3) When the Petition for Involuntary/Judicial Admission is left for the officer by a third party, the person attesting to the alleged behavior must be personally present to verbally verify the allegations with the officer.
- c. A police officer may take a person into custody and transport him/her to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the officer may complete the petition under 405 ILCS 5/3-601 unless it will be completed by paramedics or attending hospital staff.
 - 1) If the officer is the only person able to attest the person is in need of a mental health evaluation, the officer may complete the Petition for Involuntary/Judicial Admission unless it will be completed by paramedics or attending hospital staff. The officer shall remain at the hospital with the person until there is sufficient transmittal of information to allow the doctor to make an evaluation of the person.

VI. Emergency Admission Forms

- A. Petition for Involuntary/Judicial Admission (Annex I) – The Petition may be signed by any person eighteen (18) years of age or older, who can attest to the need for mental treatment of a person. A Spanish language version is available (Annex II).
- B. Court Order for Temporary Detention and Examination – This is a court order signed by a judge and authorizing a peace officer to take custody of a person in need of mental health treatment and transport that person to a mental health facility. The person taken into custody for examination may not be held for more than twenty-four (24) hours.
- C. Application by an Adult for Admission of a Minor (Annex III) – This form allows a minor to be admitted to mental health facility for treatment of a mental illness or emotional disturbance as provided in (405 ILCS 5/3-500)
- D. These forms are an important legal element in the process and without them a person with mental illness and/or who is in need of mental health treatment cannot be legally restrained. Copies of Petitions will be kept in the Report Writing Room and should be kept in officer's briefcases. These forms are also available in the Emergency Room of hospitals.

VII. Interviewing/Interrogating a Person With a Mental Illness or a Mental Health Issue (41.2.7.c)

- A. Prior to questioning or interrogating a person with a mental illness or a mental health issue about a potential criminal act, careful consideration should be taken as to his/her state of mind and to the validity of the statements provided by the person.
- B. Officers will afford every person who is investigated, interviewed, or interrogated his/her constitutional rights. A person's rights are not diminished because of his/her mental illness.
- C. When possible, a person with a mental illness or a mental health issue should be interviewed or interrogated about a potential criminal act in a calm setting, free from distraction. Officers should ensure the person has access to water, food, and restroom facilities.
- D. The admissibility of a suspect's statement will depend on evidence that the suspect understood his/her rights and understood and answered the questions willingly.
- E. When administering Miranda warnings, officers should try to make every effort to determine the extent to which the person's mental illness or mental health issue impairs his/her ability to comprehend and give informed consent. Medications taken to treat mental illnesses may also impair comprehension and the ability to give informed consent.
- F. If an officer has reason to believe a person being interviewed or interrogated about a potential criminal act is suspected to be suffering from a mental illness or a mental health issue:
 1. The officer must evaluate if the person being interviewed or interrogated understands the nature of an oath, and that he/she appreciates the difference between truth and falsehood, the necessity of telling the truth, and the fact that a person who testifies falsely may be punished.
 2. If the officer believes the person being interviewed or interrogated does not understand right from wrong due to a mental illness or a mental health issue, does not understand his/her rights, or is in need of some other professional assistance, the officer should take no further action.
 - a. A mental health professional may be consulted or the interview should be delayed until a time when the person is deemed healthy enough to complete the interview.

VIII. Making Referrals and Accessing Community Mental Health Resources (41.2.7.b)

- A. Officers should consider providing mental health referrals to persons with a mental illness or a mental health issue and to their family members (if available and present) when a criminal offense is not involved or the police officer is unable to take the person into custody and transport him/her to a mental health facility. This may be because the officer does not have reasonable grounds to believe that the person is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization to protect such person or others from physical harm.
- B. Referrals may be made to the following, but not limited to:

Suicide Prevention Services of America (SPSA)

(

DuPage County Crisis Services

Kane County Behavioral Health Council
Northern Kane County Crisis Line
(

National Alliance for the Mentally Ill (NAMI) of DuPage County

(For all residents.)

Cook County Department of Public Health – Behavioral Health

- C. A detailed Incident/Offense Report should be completed when an officer provides a mental health referral. The report should contain the circumstances of the incident, the type of behavior that was observed, and the reason(s) why the person was provided a mental health referral.

IX. Persons on Unauthorized Leave from a Mental Health Institution

- A. Upon notification of an absence by an Illinois Department of Mental Health institution, the appropriate information regarding the person will be provided to officers on the street. If the person is believed to be enroute to the Bartlett area or resides in Bartlett, periodic checks will be made in order to locate the person.
- B. When a person who has been arrested is identified as being on unauthorized leave, the arresting officer will note this on the arrest report. The notation “Do Not Release on Bond” will be placed in the detainee log also. The officer will also notify the institution that reported the person as missing that the person is in custody and the status of the charges.
- C. Arrangements to transfer the custody of the person will be the responsibility of the arresting officer and the supervisor on duty. A Recognizance Bond may be issued at this time.

X. Training

- A. All Department members will receive training on dealing with persons with mental illness as soon as possible upon being hired. Sworn members will receive this training in the police academy. Non-sworn members will receive this training as arranged by the Training Coordinator. Initial training will be documented by the Training Coordinator and maintained in the member’s training files. (41.2.7.d)
- B. All Department members will receive re-training at least annually. Additional training will be designated for members demonstrating a need for it. Re-training will be documented by the Training Coordinator and maintained in the member’s training files. (41.2.7.e)

By Order Of:

Patrick Ullrich
Chief of Police

Annexes I-III

BARTLETT POLICE DEPARTMENT



Subject: Small Unmanned Aircraft Systems (sUAS)
Issued: September 5, 2019
Effective Date: September 5, 2019
Termination Date: N/A
Amended Date: July 23, 2020

Operations Order 224
Rescinds: N/A
Reference CALEA Standards:
17.5.2, 43.1.4, 43.1.5
Related Directives: N/A

PURPOSE: This order establishes guidelines under which a small unmanned aircraft may be utilized, and the storage, retrieval and dissemination of images and data captured by such systems.

POLICY: It is the policy of the Bartlett Police Department to ensure authorized Department members are trained on the use of small unmanned aircraft systems, hereinafter referred to as sUAS, to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of the sUAS shall be in strict compliance to relevant statutes, privacy rights, the Federal Aviation Administration, and 14 CFR 107 requirements.

I. Definitions

- A. **Federal Aviation Administration (FAA)**—A national authority with powers to regulate all aspects of civil aviation. These include the construction and operation of airports, the management of air traffic, the certification of personnel and aircraft, and the protection of US assets during the launch or re-entry of commercial space vehicles.
- B. **Information**—As defined in 725 ILCS 167/, any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.
- C. **Remote Pilot in Command**—Person directly responsible for and is the final authority as to the operation of the small unmanned aircraft.
- D. **Small Unmanned Aircraft System (sUAS)**—A small unmanned aircraft that does not carry a human operator, weighing less than 55 pounds on takeoff, and its associated elements, including communication links and the components that control the aircraft that are required for the safe and efficient operation of the aircraft.
- E. **Visual Observer**—The person designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the flight controls of the aircraft to see and avoid other air traffic or objects aloft or on the ground.

II. Program Coordinator and Team Supervisor

- A. The Investigations and Support Services Commander is designated as the sUAS Program Coordinator, responsible for the management of the Department's small unmanned aircraft program. The Program Coordinator has the following responsibilities:
 1. Supervision of the Team Supervisor in matters related to the sUAS program.
 2. Ensure that policies and procedures conform to current laws, regulations, and best practices.
 3. Coordinate the FAA Certification of Authorization (COA) and/or the 14 CFR 107 application process; ensure all certifications are current.
 4. Ensure authorized remote pilots in command have completed the required Federal Aviation Administration (FAA) and 14 CFR 107 training and Department approved training in the operation, applicable laws, policies and procedures regarding use of the sUAS.
 5. Annually, by April 1, report to the Illinois Criminal Justice Information Authority the number of small unmanned aircraft owned by the Department (725 ILCS 167/35).
- B. A Department supervisor with the rank of Sergeant or above and selected by the Chief of Police is the sUAS Team Supervisor. The Team Supervisor assists the Program Coordinator with the management of the Department's small unmanned aircraft program. The Team Supervisor shall have completed the required Federal Aviation Administration (FAA) and 14 CFR 107 training. The Team Supervisor has the following responsibilities:
 1. Supervision of officers assigned to the sUAS in matters related to the sUAS program.
 2. Develop uniform protocol for submission and evaluation of requests to deploy the sUAS, including urgent requests made during on-going or emerging incidents.

3. Develop protocol for conducting criminal investigations involving the sUAS, including documentation of time spent monitoring a subject.
4. Implement a system for notification to the public and media outlets regarding sUAS deployment, when appropriate.
5. Develop an operational protocol governing the safe deployment and operation of a sUAS, along with documenting all missions.
6. Develop sUAS inspection, maintenance, and record keeping protocols to ensure continuing airworthiness of the sUAS, up to and including its overhaul or life limits.
7. Develop protocol to ensure all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
8. Develop protocol to ensure retention and purge periods are maintained in accordance with established records retention schedules.
9. Facilitate law enforcement access to images and data captured by the sUAS.
10. Recommend program enhancements, especially regarding safety and information security.
11. Ensure established protocols are followed by monitoring and providing quarterly program reports to the commander responsible for the program.
12. Conduct a documented annual audit of the program and flight documentation.

III. Training

- A. Prior to authorization to operate a sUAS, assigned Department members must complete mandatory training provided by the Department to obtain an understanding on how to use the sUAS and the procedures outlined in this policy.
- B. Annually, assigned members shall undergo refresher training on the equipment to ensure continued effective use and operation of the equipment, including changes, updates or other revisions to the FAA and/or 14 CFR 107 requirements, statutes, or Department policy.
- C. Additional training may be provided at periodic intervals for officers displaying a substandard performance in the use of sUAS equipment.

IV. Use of the sUAS

- A. The Department must obtain applicable authorizations, permits, or certificates as required by FAA prior to deploying or operating the sUAS, and ensure these documents are current.
- B. Pursuant to 725 ILCS 167/15, the sUAS may not be used to gather information, except during the following types of situations: **(43.1.4)**
 1. To counter a high risk of a terrorist attack by a specific individual or organization if the United States Department of Homeland Security determines that credible intelligence indicates there is a risk.
 2. Pursuant to a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
 3. Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect, or prevent the destruction of evidence. The use of the sUAS under this paragraph is limited to a period of 48 hours. Within 24 hours of the sUAS initiation under this paragraph, the Chief of Police must report its use, in writing, to the State's Attorney.
 - a. Notification to the applicable State's Attorney's office shall be accomplished using the Notification of Drone Deployment form (Annex III). The remote pilot in command shall complete the form and submit it to the Team Supervisor for approval. The Team Supervisor shall request the Chief of Police, or his/her designee, to sign the form within 24 hours of the deployment. The Team Supervisor shall fax or email the completed form to the State's Attorney's Office and submit the form to the Records Section for filing with the Incident/Offense Report or supplemental report.
 4. To locate a missing person while not also undertaking a criminal investigation.
 5. To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. Use of the sUAS under this paragraph on private property requires either a search warrant or lawful consent to search. As it relates to lands, highways, roadways or areas belonging to the state, a search warrant or consent to search is not required. Reasonable attempts shall be made to only photograph the crime scene or traffic crash scene and to avoid other areas.

6. To obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts. There is no requirement for an official declaration of disaster or public health emergency prior to use.
- C. Requests to deploy the sUAS flight shall be made to the Team Supervisor who will advise as to the status of the proposed flight.
- D. Whenever possible, if the sUAS will be flying within close proximity to a hospital heliport, which could create a hazardous situation for a manned aircraft, notification shall be made to the respective hospital's security office.
- E. When appropriate, notification of the sUAS deployment shall be made to the public and/or media outlets.
- F. At the conclusion of each deployment, the recordings shall be securely downloaded and proper evidence procedures shall be followed.
- G. All uses of the sUAS shall be documented on an Incident/Offense report or supplemental narrative. Information shall include the reason for the flight; the date, time and location; the person who approved of the deployment, assigned staff; and a summary of the activities covered, actions taken, and outcome of the deployment.
- H. All uses of the sUAS shall be documented by the remote pilot in command on an sUAS Flight Report (Annex I) and submitted to the Team Supervisor for approval. Additionally, the remote pilot in command shall complete the sUAS Flight Log (Annex II) which shall be maintained in a binder with the sUAS.

V. Accident Reporting

- A. The FAA requires notification of certain sUAS accidents. Pursuant to 14 CFR 107 Drone Operation and Certification Regulations, within 10 days after the accident, the remote pilot in command must report accidents to the FAA in the following situations:
 1. Serious injury to any person or loss of consciousness.
 2. Damage to any property, other than the sUAS, unless one of the following conditions is satisfied: (a) the cost of repair including materials and labor does not exceed \$500.00, or (b) the fair market value of the property does not exceed \$500.00 in the event of a total loss.
- B. The remote pilot in command is required to initiate a police report for any accident involving the sUAS. The police report shall include the following information:
 1. Name and contact information for operators and witnesses.
 2. Type of operation.
 3. Type of device and registration number/certificate.
 4. Event location and incident details.
 5. Evidence collection such as photos, video, and device confiscation, if necessary.
- C. When the accident meets the criteria listed under Section A, the remote pilot in command shall provide notification to the FAA by using the FAA's DroneZone Portal at: <https://dronezone.faa.gov>

VI. Restrictions

- A. The sUAS shall not be used to:
 1. Conduct random surveillance activities or requests for information.
 2. Target a person based solely on individual characteristics such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
 3. Harass, intimidate, or discriminate against any individual or group.
 4. Conduct personal business of any type.
 5. Any situation outside what is considered an authorized Department use as outlined in this policy.
- B. sUAS deployments by the Department must also adhere to the operating procedures established by the FAA. These rules are outlined below, but are not limited to:
 1. Conduct a pre-flight check to ensure the sUAS is condition for safe operation.
 2. Keep the sUAS in visual line of sight.
 3. Fly during day or twilight hours.
 4. Fly at or below 400 feet above ground level.

5. Fly at or below 100 mph.
 6. Yield right of way to manned aircraft.
 7. Must not fly over people.
 8. Must not fly from a moving vehicle, except in rural areas.
 9. During an emergency situation, deviations from policy are permitted.
- C. The Team Supervisor shall request a certificate waiver from the FAA which authorizes deviation from specific regulations. The certificate waiver will be granted when the FAA determines that the sUAS operation can be safely conducted under the terms of the certificate waiver.
- D. A Department member shall notify the Team Supervisor when he/she knows or has reason to know that he/she has a physical or mental condition that would interfere with the safe operation of the sUAS.

VII. Privacy Considerations

- A. Use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and visual observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy. Operators and visual observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.
- B. When there are specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and/or if the sUAS will be used in a manner that may intrude upon reasonable expectation of privacy, the Department shall obtain a search warrant prior to conducting the flight. (43.1.5)

VIII. Equipment Inspection and Care

- A. The sUAS and related equipment shall be maintained in the state of operational readiness. Assigned officers shall use reasonable care to ensure the proper functioning of the sUAS equipment. Malfunctions shall be brought to the attention of the Team Supervisor as soon as possible. Extra caution must be taken to ensure the equipment is not stored in extreme temperatures. (17.5.2)
- B. Prior to use, assigned officers shall:
 1. Using the sUAS Flight Report (Annex I), inspect the sUAS and related equipment to verify proper functioning and ensure batteries are fully charged in accordance to the manufacturer's recommendations.
 2. Inspect the body of the sUAS, the charging and camera cables to look for signs of visible damage. Ensure the propeller blades are in flight worthy condition.

IX. Security and Retention of Recordings

- A. Department members should be aware that recordings may contain sensitive information and members are responsible for ensuring compliance to the information in this policy. A breach in security, careless handling of the recording, and/or intentional release of recordings to non-authorized individuals may jeopardize relationships with citizens, subject victims to an invasion of privacy, jeopardize prosecutions, and endanger the safety of individuals.
- B. All recordings are considered investigative property of the Bartlett Police Department. The utmost care and caution shall be taken to ensure the recordings are not mishandled or misused.
- C. Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner recordings without written authorization by the Team Supervisor.
- D. Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.
- E. Pursuant to 725 ILCS 167/25, the disclosure of information is prohibited, except to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial.

- F. Pursuant to 725 ILCS 167/20, within thirty (30) days of the recording, the Department shall destroy all information gathered by the sUAS, except when there is reasonable suspicion that the information contains evidence of criminal activity or the information is relevant to an ongoing investigation or pending criminal trial.
- G. When the recording does not fall under the statutory exemptions, documentation pertaining to use of the sUAS, such as location, date, time, and scope of the mission, is not subject to being destroyed within thirty (30) days of a recording.
- H. The retention of recordings that is exempt from the thirty (30) day requirement is at the discretion of the Team Supervisor or determined by the completion of the criminal investigation or criminal trial.

X. Information Obtained from Private Drones

- A. The Department may utilize information from private drones only for the purpose of undertaking the tasks outlined in Section IV.B above.
- B. Private parties may voluntarily submit information acquired by the privately-owned drone to the Department.
- C. The Department shall not disclose any information gathered by the private drone. However, a supervisor may disclose information to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity or the information is relevant to an ongoing investigation or pending criminal trial.

XI. Assistance to Other Agencies

- A. The sUAS equipment shall not be loaned to other agencies. Requests by other agencies for sUAS assistance require that a Department assigned operator respond with the equipment and operate it. All assists shall be documented in an Incident Report and a copy provided to the Team Supervisor. Assists to other agencies shall also require the completion of the sUAS Flight Report, the sUAS Flight Log, and the Notification of Drone Deployment form, if applicable.

By Order of:

Patrick Ullrich
Chief of Police



BARTLETT POLICE DEPARTMENT

**Subject: Handling Hostages/
Barricaded Subjects**
Issued: January 13, 1997
Effective Date: January 13, 1997
Termination Date: N/A

Operations Order 225

Rescinds: G.O. 83-40/G.O. 83.37

**Reference CALEA Standards:
41.2.4, 46.2.4**
**Related Directives:
OO221**

Amended Date: September 18, 2018

PURPOSE: To establish a procedure for dealing with those situations where hostages and/or barricaded subjects are involved and to ensure the safety of all individuals present.

POLICY The Bartlett Police Department recognizes that any situation involving either a hostage situation or a barricaded subject is an extremely difficult situation requiring trained personnel utilized in order to ensure a successful conclusion to the situation. While it is recognized that no amount of preparation or training can guarantee a successful outcome of all hostage/barricaded subject situations, it will be the policy of the Bartlett Police Department to adhere to the guidelines and procedures outlined in this Order.

I. Supervisory Responsibility

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III.

A bar chart illustrating the distribution of 1000 random numbers generated between 0 and 1. The x-axis represents the value of the random numbers, ranging from 0.0 to 1.0. The y-axis represents the frequency of each value, ranging from 0 to 800. The distribution is highly skewed, with the highest frequency occurring at the lowest values and a long tail extending towards 1.0.

Value Range (x)	Frequency (y)
0.0 - 0.1	~850
0.1 - 0.2	~150
0.2 - 0.3	~100
0.3 - 0.4	~100
0.4 - 0.5	~100
0.5 - 0.6	~100
0.6 - 0.7	~100
0.7 - 0.8	~100
0.8 - 0.9	~100
0.9 - 1.0	~100

III. Selection Criteria for Hostage Negotiator

- A. In order to ensure the selection of qualified officers to conduct stressful hostage and barricaded subject negotiations, the following criteria will be used in the selection of any officer for the position of negotiator: (46.2.4)

 1. Street and life experience
 2. Listening skills
 3. Interviewing skills
 4. Verbal skills
 5. Ability to work well with others, especially in stressful situations
 6. Emotional stability and physical fitness
 7. Flexibility
 8. Maturity
 9. Ability to remain calm under pressure/stress
 10. Familiarity with tactical situations and operations

B. The Department hostage negotiator is:

 1. [REDACTED]

VII. Mutual Aid

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

By Order of:

Patrick Ullrich
Chief of Police

BARTLETT POLICE DEPARTMENT



Subject: Arrest Procedures	Operations Order 226
Issued: February 1, 1997	Rescinds: N/A
Effective Date: February 1, 1997	Reference CALEA Standards:
Termination Date: N/A	1.1.3, 1.2.3, 1.2.6, 1.2.7, 42.1.5
Amended Date: April 5, 2019	

PURPOSE: This order establishes procedures regarding the limits of authority, including compliance with applicable constitutional requirements, arrests made with or without a warrant, alternatives to arrest, pre-arraignement confinement and use of discretion by sworn officers.

POLICY: It is the policy of the Bartlett Police Department to vigorously enforce all laws, statutes and ordinances of the State of Illinois and the Village of Bartlett. However, the limits of authority, including compliance with all applicable constitutional requirements, will be adhered to by all sworn officers. Department members are permitted to exercise discretion and may use alternatives to arrest within certain limits and in conformance with Department goals and objectives.

I. Arrest Procedures With or Without a Warrant

- A. 725 ILCS 5/107-2 provides that a Peace Officer may arrest a person when he or she has reasonable grounds to believe that a person is committing or has committed an offense. When a lawful arrest is affected, with or without a warrant, a law enforcement officer may reasonably search the person arrested and the area within the person's immediate presence or under his/her immediate control, immediately with or after the arrest for the authorized purpose of:
 1. Protecting the officer from attack; or
 2. Preventing the person from escaping; or
 3. Discovering the fruits of the crime; or
 4. Discovering any instruments, articles, or things which may have been used in the commission of the offense; or
 5. Discovering any instruments, articles or things that may constitute evidence of the offense (including contraband).
- B. Officers may make arrests in any jurisdiction within the State of Illinois if:
 1. The officer is engaged in the investigation of an offense that occurred in Bartlett's jurisdiction and the arrest is made pursuant to that investigation; or
 2. The officer becomes personally aware of the immediate commission of a felony or misdemeanor violation of the Illinois statutes; or
 3. The officer is requested by another law enforcement official to render aid or assistance to a requesting agency that is outside Bartlett's jurisdiction.
 4. Officers making an arrest outside of Bartlett's jurisdiction will immediately notify the Shift Supervisor and the agency which holds jurisdiction.
- C. Anytime an officer makes an arrest, it will be the responsibility of the arresting officer to ensure there are no minor children at the residence who, because of the arrest, run the risk of becoming neglected. If minor children are located, the officer will be responsible for making arrangements to have the children cared for. (725 ILCS 5/107-2(2))
- D. The phrase "arrestee's immediate presence" has been defined by the Supreme Court as that area within the arrestee's immediate control, (i.e. that area from which the arrestee might gain possession of or seize a weapon or other things to assault the officer or effect an escape or seize concealable or destructible evidence). All detainees will be accorded the protections of the "Rights of the Accused" as provided for in the Illinois Compiled Statutes. (725 ILCS 5/103-1 et. seq.)

- E. Felony Review Process (42.1.5.c)
1. All felony charges must be approved through the appropriate county's State's Attorney's Office (SAO).
 2. The arresting officer will contact the Felony Review Unit of the appropriate county (DuPage [our Sheriff's Office number]; Kane hour contact number) when the investigation is complete or enough facts are known in order to determine the proper charge(s). The officer who makes contact will be aware of the facts of the investigation and the arrest.
 3. If a reasonable period of time has elapsed and there has been no call-back from the SAO, the Shift Commander will decide which misdemeanor charges, if any, will be placed. The Shift Commander will make notification of this to the Investigations Commander, who will notify the SAO the next business day that contact could not be made - Cook County (DuPage County Kane County).
 4. If the reviewing SAO does call back and agrees that a felony charge is appropriate, that charge will be placed against the detainee. No lesser charges, such as misdemeanor or traffic, will be placed in addition to the felony unless approved by the reviewing assistant.
 5. If the reviewing Assistant State's Attorney does not agree that a felony charge is appropriate, the member will notify the Shift Commander, who may, at his discretion, appeal by calling the State's Attorney Supervisor. The Shift Commander will make this appeal personally.
 6. In cases where a State's Attorney and the Shift Commander still disagree about the charges, the Chief of Police, Deputy Chief of Police, or Division Commander may be called for consultation.
 7. If felony charges are not approved, the detainee will be charged with a lesser offense for which probable cause exists.
 8. If additional facts are gathered that were not known when the State's Attorney was first contacted, and those facts would add justification to a felony charge being placed against the detainee, a second or subsequent contact may be made.
 9. Except for original Cook County warrants, felony review is not required when an arrest is made pursuant to a warrant, unless additional charges apply. If an original warrant is obtained with Cook County felony approval, upon arrest the officer will be required to re-contact felony review and notify the State's Attorney's Office that the subject has been taken into custody.
 10. The following information will be documented in the "Felony Review Logbook" kept in the Report Writing Room, every time felony charges are sought:
 - a. Report number
 - b. Officer name and badge
 - c. Date
 - d. County
 - e. Time call was made
 - f. Time call was returned
 - g. Charge(s) being sought
 - h. Name of Assistant State's Attorney
 - i. Whether the charge(s) were approved or denied
 - j. The reasons given for denial.

II. Constitutional Rights

- A. In order to assure compliance with constitutional requirements during criminal investigations, all officers will advise suspects of their constitutional rights pursuant to the Miranda Decision during custodial interviews. The Adult Advisement of Rights form (Annex I) is provided to all officers. These forms specifically outline the statement is being given by the detainee without coercion and is of a voluntary nature, and the individual has been apprised of the appropriate constitutional rights. In the event a suspect requests an attorney and/or decides to remain silent and later decides to waive his/her Miranda rights, the Waiver of Rights (suspect initiated conversation) form (Annex II) will be completed and signed. (1.2.3.a, 1.2.3.b)
- B. In the event of an arrest, state laws governing the time elements of when an arrested individual must appear before a judge will be adhered to.

III. Alternative to Arrest / Prearraignment Confinement (1.2.6)

- A. Officers will comply with the bonding and bail procedures set forth in the applicable statutes and in Article V of the Rules of the Supreme Court of Illinois on Trial Court Proceedings in Traffic and Conservation Offenses, Ordinance Offenses, Petty Offenses and Certain Misdemeanors - Bail Schedules.
 1. Authority to Let to Bail - The following personnel are authorized to let to bail pursuant to Rule 553(a) of the Supreme Court of Illinois: Chief of Police, Deputy Chief of Police, Commander, Sergeant, and any other Police Officer.
 2. Bail may be posted or accepted in any police station, sheriff's officer or jail, or other county, municipal or other building housing governmental units or a district headquarters building of the Illinois State Police.
- B. Individual Bond (Recognizance) - will be issued pursuant to the provisions of Illinois Supreme Court Rule 553 (d), which provides as follows:
 1. Traffic offenses set forth in Supreme Court Rule 526;
 2. Conservation offenses as set forth in Supreme Court Rule 527;
 3. Ordinances offenses, Petty offenses, Business offenses and certain misdemeanor offenses as set forth in Supreme Court Rule 528;
 4. Persons required to deposit both bail and driver's license under Rule 526(e) may be released on \$1,000 cash bail or executing an I-bond by signing the citation or complaint agreeing to comply with its conditions. Under Rule 526(f), specified driver license offenses require a \$1,500 bail.
- C. Referrals - In the course of performing their duties, officers often encounter people in need of help more appropriately provided by another criminal justice agency, public social service agency or private social service agency. The elderly, juveniles, alcoholics, mentally ill, substance abusers, physically sick, handicapped and transients frequently need help from resources outside of the law enforcement realm. Members of the Bartlett Police Department will, when appropriate, refer adults and juveniles to other criminal justice agencies, public social service agencies or private social service agencies within the legal parameters of the state statutes. The purpose of the referral policy is to divert non-serious and/or social problems from the formal criminal justice system to solve individual and community problems by means of community and regional resources. (1.1.3)
 1. Adult Referrals - Based upon the facts presented, the initial investigating officer will make a determination whether or not the party involved in this case needs a type of help best provided by another criminal justice agency or social agency.
 - a. Dependent upon the circumstances of the case, capabilities of the involved parties and available manpower, the initial investigating officer may take one of the following actions:
 - 1). Provide basic information and telephone numbers of the criminal justice or social service agency that may provide assistance.
 - 2). Intervene on behalf of the party or parties by contacting the assisting agency and making the necessary arrangement.
 - 3). Transport the party to the officer or facilities of the assisting agency.
 - b. The Shift Supervisor must review the facts of the case and provide prior approval whenever an officer plans to assist by contacting a social service agency or transporting the party to the agency. The decision about department involvement will be based on the circumstances of the case, capabilities of the involved parties, available manpower and potential harm to the individual or others.
 - c. The initial investigating officer will document any referrals in an Incident/Offense Report.
 2. Juvenile Referrals - Cases involving juveniles will be handled in conformance with state statutes and Department policies and procedures.

IV. Discretion (1.2.7)

- A. It is unrealistic to expect officers to enforce all laws and ordinances regardless of the circumstances encountered. Instead, officers must make discretionary choices in arrests and alternatives to arrests to effectively realize an equitable solution to the situation encountered. In his/her discretion, the officer is limited only by the nature of the resolution itself.
- B. Sworn personnel will always act in accordance with law and Department rules and regulations. When discretion is employed, it must be reasonable, defensible and always accomplish a police purpose.
- C. If the situation is beyond the officer's scope, a supervisor will be consulted on the discretionary action to be considered.

By Order of:

Patrick Ullrich
Chief of Police

Annexes I-II

BARTLETT POLICE DEPARTMENT



Subject: Victim/Witness Assistance	Operations Order 228
Issued: January 10, 2000	Rescinds: N/A
Effective Date: January 10, 2000	
Termination Date: N/A	Reference CALEA Standards: 55.1.1, 55.1.2, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5
Amended Date: March 6, 2020	Related Directives: 00218

PURPOSE: This order establishes procedures for the professional handling of victims and witnesses of criminal activities by Department members, in accordance with the Illinois Rights of Crime Victims and Witnesses Act (725 ILCS 120/), the Illinois Crime Victims Compensation Act (740 ILCS 45/), and the Constitution of the State of Illinois.

POLICY: It is the policy of the Bartlett Police Department to recognize the importance of victims and witnesses in the criminal justice system and that Department members are often the first line of support for victims of criminal activity. The Department will make every reasonable effort to protect the personal rights and safety of victims or witnesses, provide fair, professional treatment to victims and witnesses of criminal activities and assist them in finding support services, and provide assistance to non-crime victims requiring social service assistance. (55.1.1.a)

I. Definitions

- A. **Crime Victim or Victim—**
 - 1. Any natural person determined by the prosecutor or the court to have suffered direct physical or psychological harm as a result of a violent crime perpetrated or attempted against that person or direct physical or psychological harm as a result of:
 - a) A violation of Section 11-501 of the Illinois Vehicle Code (DUI), or similar provision of a local ordinance or
 - b) A violation of Section 9-3 of the Criminal Code (Involuntary Manslaughter and Reckless Homicide);
 - 2. In the case of a crime victim who is under 18 years of age or an adult victim who is incompetent or incapacitated, both parents, legal guardians, foster parents, or a single adult representative;
 - 3. In the case of an adult deceased victim, two representatives who may be the spouse, parent, child or sibling of the victim, or the representative of the victim's estate; and
 - 4. An immediate family member of a victim chosen by the victim. If the victim is 18 years of age or over, the victim may choose any person to be the victim's representative. In no event shall the defendant or any person who aided and abetted in the commission of the crime be considered a victim, a crime victim, or a representative of the victim. (725 ILCS 120/3(a))
 - 5. Any person against whom a non-violent crime or ordinance offense has been committed, or a person with a need for social services, who may or may not be the victim of a crime.
- B. **Crime Victims Compensation Act (740 ILCS 45/ et seq.)**—An Illinois law providing eligible victims of violent crime with up to \$27,000 in financial assistance for out-of-pocket expenses resulting from the crime. The Act was established by the Illinois General Assembly in 1973 with the primary goal of helping to reduce the financial burden imposed on victims of violent crime and their families.
- C. **Rights of Crime Victims and Witnesses Act (725 ILCS 120/1 et seq.)**—The purpose of the Act is to implement, preserve, protect, and enforce the rights guaranteed to crime victims by Article I, Section 8.1 of the Illinois Constitution to ensure that crime victims are treated with fairness and respect for their dignity and privacy throughout the criminal justice system, to ensure that crime victims are informed of their rights and have standing to assert their rights in the trial and appellate courts, to establish procedures for enforcement of those rights, and to increase the effectiveness of the criminal justice system by affording certain basic rights and considerations to the witnesses of crime who are essential to prosecution. (725 ILCS 120/2)

D. **Violent Crime—**

1. Any felony in which force or the threat of force was used against the victim.
2. Any offense involving sexual exploitation, sexual conduct or sexual penetration, child pornography, posting of identifying or graphic information on a pornographic Internet site or possessing graphic information with pornographic material, or non-consensual dissemination of private sexual images.
3. Domestic battery or stalking;
4. Violation of an order of protection, a civil no contact order, or a stalking no contact order;
5. Any misdemeanor which results in death or great bodily harm to the victim.
6. Any violation of 720 ILCS 5/9-3 (Involuntary Manslaughter and Reckless Homicide) or 625 ILCS 5/11-501 (DUI), or a similar provision of a local ordinance, if the violation resulted in personal injury or death. “Personal Injury” shall include any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor’s office or medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.
7. “Violent Crime: includes any action committed by a juvenile that would be a violent crime if committed by an adult. (725 ILCS 120/3(c))

E. **Witness—**Any person who personally observed the commission of a crime and who will testify on behalf of the State of Illinois or a person who will be called by the prosecution to give testimony establishing a necessary nexus between the offender and the violent crime. (725 ILCS 120/3(b)) In addition, any person who personally observed the commission of a non-violent crime and who will testify on behalf of the State of Illinois or the Village of Bartlett in the prosecution of the offense.**II. Rights of Crime Victims and Witnesses (55.1.1)**

A. All Department members will treat the victims or witnesses of criminal activity, and non-crime victims requiring social services, with compassion, dignity and fairness. Members will be familiar with the rights of victims and witnesses as outlined in this order in accordance with Illinois law. To the extent consistent with applicable state and federal laws, employees will strive to ensure the confidentiality of victims and witnesses and their role in case development. (55.1.1.b)

B. Crime victims in the State of Illinois are entitled to the following rights per 725 ILCS 120/4 and the Illinois State Constitution (Illinois Crime Victims' Bill of Rights):

1. The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.
2. The right to notice of and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.
3. The right to timely notification of all court proceedings.
4. The right to communicate with the prosecution.
5. The right to be heard at any post-arrainment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arrainment release decision, plea, or sentencing.
6. The right to be notified of the conviction, the sentence, the imprisonment and the release of the accused.
7. The right to timely disposition of the case following the arrest of the accused.
8. The right to be reasonably protected from the accused throughout the criminal justice process.
9. The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.
10. The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
10. The right to have present at all court proceedings, including proceedings under the Juvenile Court Act of 1987, subject to the rules of evidence, an advocate and other support person of the victim's choice.
11. The right to restitution.

- C. A person who is considered to be a witness is entitled to the following rights in accordance with 725 ILCS 120/5:
 - 1. To be notified by the Office of the State's Attorney of all court proceedings at which the witness' presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance in court, where possible;
 - 2. To be provided with the appropriate employer intercession services by the Office of the State's Attorney or the victim advocate personnel to ensure that employers of witnesses will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances.
 - 3. To be provided, whenever possible, with a secure waiting area during court proceedings that does not require witnesses to be in close proximity to defendants and their families and friends.
 - 4. To be provided with notice by the Office of the State's Attorney, where necessary, of the right to have a translator present whenever the witness' presence is required and, in compliance with the federal Americans with Disabilities Act of 1990, to be provided with notice of the right to communications access through a sign language interpreter or by other means.
- D. Law enforcement officers are required by statute to inform crime victims of the Illinois Crime Victims Compensation Act. (725 ILCS 120/4(b))
 - 1. Any law enforcement agency that investigates an offense committed in this State shall provide a crime victim with a written statement and explanation of the rights of crime victims within 48 hours of law enforcement's initial contact with a victim. Officers will have the crime victim sign and date the Attorney General's Written Statement and Explanation of Rights form (Annex II). The officer will give one copy of the form to the victim and return the second copy to the Records Section for scanning into the RMS.
 - 2. Victims who meet the following criteria will be referred to the Attorney General's Office:
 - a. A person is the victim of a violent crime.
 - b. A person is a survivor of a victim of a violent crime and was dependent on the victim for support.
 - c. A person is related to the victim and incurs reasonable funeral and/or medical expenses.
 - d. A person is the parent of a child who is a victim of a violent crime.
 - e. A person is an Illinois resident who becomes a victim of a violent crime in another state or country that does not have a compensation fund for crime victims.
 - f. A person under the age of 18 whose immediate family member is a victim of violent crime.
 - g. The crime must have been reported to law enforcement authorities within 72 hours, unless prevented by exceptional circumstances, and the victim must cooperate fully with law enforcement officers.
 - h. The victim must not have contributed to his or her injury by engaging in wrongful conduct or provocation.
 - 3. The Illinois Attorney General's web site contains information and forms for Crime Victims Compensation at <http://www.illinoisattorneygeneral.gov/victims/index.html>. The Crime Victims Assistance Line is available toll-free at: 1-800-228-3368 (Voice) and 1-877-398-1130 (TTY).
- E. Responding officers will inform the victim/witness of their rights to have a criminal complaint filed, when appropriate.

III. Initial Assistance

- A. The Records Section shall provide 24-hour access to victim/witness assistance information, to include:
 - 1. Assistance by the Department directly. Should a victim/witness call the Police Department for assistance, the caller will be connected with DuComm for dispatching of an officer. The victim/witness will be advised to contact 911 in the event the caller is accidentally disconnected. **(55.2.1.a)**
 - 2. Referrals to services offered by other governmental or private sector agencies for victims/witnesses in need of assistance. **(55.2.1.b)**

- B. The Bartlett Police Department does not have a dedicated Social Services component. Victims/witnesses shall be referred to appropriate outside service agencies for medical attention, counseling, shelter and financial assistance.

C. [REDACTED]

[REDACTED]

IV. Assistance During Preliminary Investigations

- A. Patrol officers will provide assistance during preliminary investigations to victims and witnesses, including applicable services, counseling, medical attention, victim compensation, emergency financial assistance, and victim advocacy. Officers will answer any and all questions that the victim/witness may have to the best of the officer's ability and ensure the victim/witness is aware of available services. A list of local social service agencies will be kept in Records. (55.2.3.a)
 - 1. Crime victims shall be provided with a written statement and explanation of their rights as required in section II.D above.
- B. Officers are required to advise victims and witnesses of what steps should be taken if the offender, offender's companions, or members of the offender's family attempt to contact, threaten, or otherwise try to intimidate them. (55.2.3.b)
- C. Officers will be required to furnish the victim/witness with the report number of the case, the officer's name and badge number and the appropriate State's Attorney's Office that will be handling the case. The officer will also provide the victim/witness with the administrative phone number of the Police Department should the victim/witness need to contact the officer. The officer will also advise the victim/witness to call 911 should there be any other problems. (55.2.3.c, 55.2.3.d)
- D. If the individual is a victim of domestic violence, ensure the victim is informed of his/her rights under the domestic violence laws and handle the matter in accordance with Operations Order 218 – Domestic Violence Protocol.

V. Victim/Witness Intimidation and Threats (55.2.2)

- A. The Department will provide appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the Department, express specific credible reasons for fearing intimidation or further victimization. Appropriate assistance is determined by the nature of the case and the potential danger of the threat posed. It may range from the immediate arrest of the person making the threat, arranging for protective custody of the victim/witness who was threatened, or referral to the appropriate agency or person.
- B. Any threat to a victim or a witness will be documented and immediately forwarded to the Investigations Section for follow-up and possible charges.
- C. If the victim/witness is in another jurisdiction, the Department will immediately contact the appropriate agency to advise it of the situation and request that reasonable precautions be taken.
- D. The State's Attorney's Office with jurisdiction in the matter will be notified as soon as possible and will be provided with the reports that document the incident. This notification may be made by phone, in person or in writing depending on the circumstances of the case.

VI. Follow-Up Assistance - Investigations Section

- A. In some cases, it will be necessary for a follow-up investigation to be conducted by members of the Investigations Section. This follow-up will be conducted in accordance with Investigations Order 300 – Investigations Section and will include the following at a minimum:
 - 1. Contacting the victim/witness periodically to ensure any needed assistance is made available. (55.2.4.a)

2. Explain the procedures involved in the process and the prosecution of the case and the role the victim/witness may play in that process. Ensure the information provided does not jeopardize the prosecution of the case. (55.2.4.b)
 3. Attempt to schedule interviews, line-ups and all other required meetings at the convenience of the victim/witness. When necessary, make arrangements for the transportation of the victim/witness. (55.2.4.c)
 4. As soon as is possible, arrange for the return of property taken as evidence. (55.2.4.d)
 5. Ensure the victim/witness is aware of the services available through the various local social service programs and the State's Attorney's Office, and arrange for a victim advocate, if available. (Annex I) (55.2.4.e)
 6. Ensure copies of incident and supplemental reports are forwarded to the State's Attorney's office, if required. (55.2.4.f)
- B. Victims are entitled by law to be informed about their cases by law enforcement agencies responsible for the investigation of the victim's case. To afford crime victims their rights, the Department shall provide information, as appropriate, in the following circumstances. Department members shall note these notifications in their Incident or Supplemental Reports.
1. At the request of the crime victim, Department members investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed. (725 ILCS 120/4.5(a))
 2. When a Department member re-opens a closed case to resume investigating, the member shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation. (725 ILCS 120/4.5(a-5))

VII. Arrest and Post Arrest Victim/Witness Assistance (55.2.5)

- A. In cases of crimes considered serious in nature in which the victim was traumatized, sustained great bodily harm, or who observed the occurrence of a serious injury or death of an individual, the victim will be notified as soon as possible following the arrest of the subject. This notification will be limited to advising the victim/witness that the subject is in custody and the nature of the charges. The circumstances surrounding the arrest of the subject will not be released.
1. The arresting officer or the detective assigned to the case will be responsible for making the notification.
 2. The arresting officer or the detective assigned to the case will ensure that information relating to the Illinois Rights of Crime Victims and Witnesses Act (725 ILCS 120/), the Illinois Crime Victims Compensation Act (740 ILCS 45/), and victim advocacy resources, has been provided.
 2. In cases where the offense occurred in another jurisdiction and the subject is arrested in this jurisdiction, notification will be the responsibility of the investigating jurisdiction.
- B. [REDACTED]
- C. All other information that pertains to court proceedings and the imprisonment of the subject will be directed to the appropriate State's Attorney's Office having jurisdiction over the matter.
- D. Victims and witnesses should also be referred to the Illinois Automated Victim Notification System (AVN), which provides victims and concerned citizens with a toll-free number they can call for up-to-date information on the custody and/or case status of an offender.
1. Illinois AVN operates through interfaces with the jail booking system, the Illinois Department of Corrections, the Illinois Department of Human Services, and circuit court clerks throughout the state.
 2. Illinois AVN is available online at www.vinelink.com, a public website that allows visitors to search for offender custody and case status. Users can register online for notification of changes

in an offender's custody and/or court case status. Notifications are available by email, text messages, or phone calls.

VIII. Victim/Witness Assistance Public Information

- A. The Department will make available to the public and the media information on the various services available to the community. This will be accomplished through pamphlets distributed or made available in the Police Department lobby and during neighborhood and/or community meetings, news releases, social media, and on the Village's website. The Community Services for Victims and Witnesses list (Annex I) will be available to all Department members for referrals to outside assistance programs. **(55.1.1.c)**

IX. Review of Victim/Witness Needs

- A. At least once every two (2) years, the Planning and Research function of the Department will complete a documented review of victim/witness needs and available services in the Village of Bartlett. This review will include: **(55.1.2)**
1. The extent and major types of victimization within the service area;
 2. An inventory of information and service needs of victims/witnesses in general and special victims, such as those victimized by domestic violence, abuse and neglect (especially children and the elderly), sexual crimes, and drunken drivers;
 3. Victim assistance and related community services available within the service area;
 4. Identification of unfulfilled needs; and
 5. Identification of needs that are appropriate for the Department to meet.
- B. This Operations Order will be updated following the review, if necessary, to reflect accurate and up-to-date services available to victims and witnesses as well as any changes to legal requirements.

By Order of:

Patrick Ullrich
Chief of Police

Annexes I-II



WRITTEN STATEMENT AND EXPLANATION OF RIGHTS

General Rights:

Victims of violent crimes have constitutional and statutory rights. These rights apply whether the offender is an adult or a juvenile. Violent crimes include homicide, felony assaults and batteries, kidnapping, sexual assault and abuse, arson, domestic battery, misdemeanors that result in death or great bodily harm, stalking, driving under the influence, and violations of orders of protection, civil no contact orders and stalking no contact orders.

Some of the victims' rights become rights only if you request them. These rights are marked with an asterisk (*). Contact your local state's attorney to request these rights. If you have questions or need referral services in your area, please call the Attorney General's Crime Victims Assistance Line, 1-800-228-3368 (TTY: 1-877-398-1130.)

You may be eligible for financial assistance for your out-of-pocket expenses under the Illinois Crime Victims Compensation Act. For information and applications, contact the Attorney General's Crime Victims Assistance Line at 1-800-228-3368 (TTY: 1-877-398-1130) or visit the Attorney General's website at www.illinoisattorneygeneral.gov/victims/cve.html.

After Charges Are Filed:

You should be treated with fairness and respect for your dignity and privacy throughout the criminal justice process.

You can ask the police for information about the status of the investigation. The police must notify you if they reopen a closed case.

You can hire an attorney to represent you.

You have the right to have a translator or sign language interpreter for all court proceedings.

You may have an advocate or support person with you in the courtroom, subject to the rules of evidence.

*You have the right to be notified of court proceedings and when proceedings are cancelled or rescheduled.

You can attend court proceedings.

You can attend the trial, unless the court finds that your testimony will be affected if you hear the testimony at trial.

*You can be notified when the offender is released from custody.

After Sentencing:

You have a right to a prompt disposition of the charges after the arrest of the accused.

You can get information about the changes from the prosecutor.

You can get information about victim services, social services and financial assistance from the prosecutor.

The judge must consider your safety when setting release conditions for the offender.

The prosecutor can assist you in having your property that was seized by police returned to you as soon as possible.

The prosecutor can communicate with your employer to minimize your loss of pay and benefits when you attend court proceedings.

The prosecutor will tell you if there is a secure waiting area during court proceedings so you are not near the offender or the offender's family.

*You have the right to talk to the prosecutor about plea offers before the prosecutor negotiates with the offender, if practical.

If the Offender is Convicted or Found Not Guilty By Reason of Insanity:

You can make a written statement about how the crime has affected you for sentencing. If you are in the courtroom for the sentencing hearing, you can make an oral statement. Your written victim impact statement can be sent to the Prisoner Review Board.

You can have the prosecutor ask the judge to order the offender to pay restitution for your crime-related expenses.

*You can ask the prosecutor to explain in non-technical terms what the plea, verdict and sentence mean.

*You can get information about the final disposition of charges, whether the defendant appeals the conviction or sentence, and whether the defendant challenges the conviction in other ways.

*If the defendant is sentenced to jail or prison, you can be notified when the defendant is released on parole, mandatory supervised release, electronic detention, work release, or furlough, or when the defendant is discharged or escapes. You can also be notified if the defendant is being considered for parole, submit information for consideration by the Prisoner Review Board, and be notified if parole is granted.

*You can provide information to the Prisoner Review Board for consideration by the Board at proceedings to determine conditions of release and revocation of parole or mandatory supervised release.

*If the defendant was convicted of a felony, you can get a picture of the offender when the offender is released from custody.

*If the defendant goes to a Department of Human Services facility, you can be notified when the court approves passes and when the offender leaves the facility on a pass, leaves on conditional release, escapes or is discharged.

*You can be notified if an offender escapes from custody, is caught after an escape or dies before final discharge.

Acknowledgment of Rights

Victim's Signature: _____

Date: _____

BARTLETT POLICE DEPARTMENT



Subject: Persons with Disabilities	Operations Order 229
Issued: August 17, 2020	Rescinds: N/A
Effective Date: August 17, 2020	Reference CALEA Standards:
Termination Date: N/A	
Amended Date: N/A	Related Directives: AO103, AO109, OO223, TSO504

PURPOSE: This order ensures that the Bartlett Police Department provides a consistent level of service to all persons who have disabilities. It establishes guidelines for Department members when providing services to, or interacting with, persons who have disabilities. It provides a balance that reasonably ensures meaningful access by persons who have disabilities to critical services, while not imposing undue burdens on or jeopardizing the safety of Department members.

POLICY: Bartlett Police Department shall afford persons with disabilities the same access to programs, services and employment provided to all citizens. Members shall assure the rights of all persons with disabilities are protected. Diminished communication with victims, witnesses, suspects, and community members who are deaf or hard of hearing can present the Department with safety, evidentiary, and ethical challenges. It is the policy of the Bartlett Police Department to take all reasonable steps to insure timely and equal access to all persons, regardless of disability, in accordance with the Americans with Disabilities Act of 1990 (ADA).

I. Definitions:

- A. **Auxiliary Aids and Services**—The term “auxiliary aids and services” includes:
 - 1. Qualified interpreters or other effective methods of making aurally delivered materials available to persons with hearing impairments, including hearing aids, cochlear implants, the exchange of written notes, telecommunications devices for the deaf (TDDs) also called text telephones (TTs) or teletypewriters (TTYs), telephone handset amplifiers, assistive listening systems, videotext displays, and hearing assistance dogs;
 - 2. Qualified readers, taped texts, or other effective methods of making visually delivered materials available to persons with visual impairments;
 - 3. Acquisition or modification of equipment or devices; and
 - 4. Other similar services and actions.
- B. **Disability**—A physical or mental impairment that substantially limits one or more major life activities. A person with a disability also includes someone who has a “record of” such an impairment and someone who is “regarded as” having such an impairment.
- C. **Lip Reading**—Also referred to as speech reading; the ability to use information gained from movements of the lips, face, and body to increase understanding.
- D. **Major Life Activity**—The term “major life activity” includes:
 - 1. Activities of central importance to daily life including, but not limited to, caring for one’s self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
 - 2. Activities including the operation of major bodily functions, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- E. **Person Who is Deaf**—A person whose hearing is totally impaired or whose hearing, with or without amplification, is so seriously impaired that the primary means of receiving or providing verbal communication is through visual input such as lip-reading, sign language, reading, or writing.

- F. **Person Who is Hard of Hearing**—A person whose hearing is impaired to the extent that, with or without amplification, hearing is difficult, but the understanding of verbal communication is not automatically eliminated.
- G. **Qualified Interpreter**—A qualified sign language or oral interpreter is a person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The qualified interpreter must be able to interpret in the language the person who is deaf uses (e.g. American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. A qualified interpreter must be able both to sign to the person who is deaf what is being said by the hearing person, and to voice to the hearing person what is being signed by the person who is deaf. Because a qualified interpreter must be able to interpret impartially, a family member or friend may not be qualified to render the necessary interpretation.
- H. **Service Animal**—A dog that has been individually trained to do work or perform tasks for a person with a disability. A miniature horse may also be considered a service animal.
- I. **Sign Language**—American Sign Language (ASL) is the form of sign language most often used in the United States. Signs convey concepts or ideas even though a sign may stand for a separate English word. Signing person letters by finger spelling can supplement sign language.
- J. **Visual Impairment or Blindness**—Significant limitations of visual capability resulting from either disease, trauma, or congenital or degenerative conditions that cannot be corrected by conventional means, such as refractive correction, medication, or surgery.

II. Persons with Disabilities

- A. The information in this order provides a brief overview of several categories of disabilities, and how members may respond to the needs of persons with these disabilities. The categories are not all-inclusive, and members shall be guided by their experience and training.
- B. On occasion, Department members will have contact with persons who have mental or physical disabilities. Members shall take any reasonable steps necessary to assist persons with disabilities in accessing the full range of services provided by the Department. Members should use any reasonable method which will lead to a positive experience with the Department, while maintaining the safety of all Department members and the public. In all cases, safety is the top priority. No member should jeopardize his or her safety or that of others in an attempt to accommodate a person with a disability.
- C. Members should be aware that many persons have multiple disabilities, and many disabilities are not readily apparent. A person's condition, whether a disability under the ADA or some other disability, puts the person in a greater position of vulnerability during a police contact.
- D. Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, Department members shall remain alert to the possibility of communication problems. Department members shall exercise special care in the use of all gestures, verbal and written communication, in an effort to minimize initial confusion and misunderstanding when dealing with any person with known or suspected disabilities or communication impairments.
- E. Some of the common issues that persons with disabilities have when dealing with law enforcement may form the basis for claims of wrongful arrest if the law enforcement officer misperceives a person's conduct based upon a disability as unlawful or suspicious conduct. For example:
 1. Unexpected or extreme actions taken by some persons with disabilities might be misconstrued as suspicious, illegal, uncooperative, or resistive behavior.
 2. People who are deaf or hearing impaired, or who have speech disabilities, or intellectual disabilities, or who are blind or visually impaired, may not recognize or be able to respond to directions from police officers. These people with disabilities might erroneously be perceived as being uncooperative.
 3. Some people with disabilities may have a staggering gait, or slurred speech as a result of the disabilities they experience, or the medications they take. The characteristics, which may be

associated with neurological forms of disabilities, mental or emotional disturbances or conditions, or medical conditions such as hypoglycemia, might be perceived by police officers as intoxication.

- F. Because the nature of any law enforcement contact may vary substantially from one situation to the next, Department members should consider all information reasonably available to them when determining how to interact with a person with disabilities. These factors may include, but are not limited to:
 - 1. The extent to which the disability is obvious or otherwise made known to the involved Department member.
 - 2. The nature of the disability (e.g. total deafness vs. hard of hearing).
 - 3. The nature of the law enforcement contact (e.g. emergency versus non-emergency, custodial versus consensual contact, etc.).
- G. Depending on the balance of the above three factors, Bartlett Police Department shall make every reasonable effort to provide meaningful and timely assistance to persons with disabilities through a variety of services, where available.

III. Availability of Services—Persons Who are Deaf or Hard of Hearing

- A. Persons who are deaf or hard of hearing may elect to accept interpreter services offered by the Department at no cost, or choose to provide their own interpreter services at their own expense. Department provided interpretive services may include, but are not limited to:
 - 1. Department Staff—Members need not be certified as qualified interpreters, but need only have a competent understanding of sign language. When Department members who use sign language are not available, members from other departments within the area may be requested by a supervisor depending on the circumstances. DuComm shall maintain a compiled list of available sign language interpreters from other police agencies.
 - 2. Telephone Communication Equipment—DuComm shall utilize TTY, TDD, Telecommunications Relay Service and/or other auxiliary aid technology to assist callers who are deaf or hard of hearing. All calls placed by such persons through such services or technology shall be accepted by this Department.
 - 3. Contracted In-Person Sign Language Interpreters—An outside person or company which provides professional, qualified sign language services for a fee.
 - 4. Community Volunteers—Depending on the circumstances, location and availability, community volunteers may provide informal sign language interpreter services. Sources for these persons may include local businesses, banks, churches, neighborhood leaders, hospitals and school officials.
 - 5. Family and Friends of Persons Who are Deaf or Hard of Hearing—While family and friends of a person who is deaf or hard of hearing may frequently offer to assist with interpretation, members should carefully consider the circumstances before relying on such persons. Further, the nature of the contact and relationship between the person who is deaf or hard of hearing and the person offering services shall be carefully considered (e.g. victim/suspect).
 - 6. People who are deaf or hard of hearing shall not be charged for the cost of an available auxiliary aid(s) or service(s) provided by the Department.

IV. Communications Responsibilities—Persons Who are Deaf or Hard of Hearing

- A. In order to provide persons who are deaf or hard of hearing with meaningful access to police services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, the Bartlett Police Department has designated its 9-1-1 lines as its top priority lines for deaf or hard of hearing services. DuComm TDD/TTY equipment and policy accommodate persons who are deaf or hard of hearing utilizing 9-1-1 lines.
 - 1. While 9-1-1 calls shall receive top priority, it is also important that all Department members make a reasonable effort to accommodate persons who are deaf or hard of hearing who call or visit the Department seeking routine access to services and information.
 - 2. DuComm may also receive third party calls from persons speaking on behalf of persons who are deaf or hard of hearing. The Telecommunicator shall follow standard operating procedures for incoming calls.

3. DuComm notes in information sent to the responding officers via the CAD system that the 9-1-1 caller is a person who is deaf or hard of hearing. Telecommunicators shall dispatch a signing member to the assignment, if available.

V. Field Contacts—Persons Who are Deaf or Hard of Hearing

- A. Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control, and other routine field contacts which may involve persons who are deaf or hard of hearing. Because the scope and nature of these activities and contacts will vary, the Department recognizes that it would be impossible to provide immediate access to complete interpretation services to every member in the field. However, each member and/or supervisor must assess each such situation to determine the need and availability for interpretation services to any and all involved persons who are deaf or hard of hearing.
- B. To serve each person effectively, primary consideration should be given to providing the type of communication aid or service requested by the person. Officers should find out from the person who is deaf or hard of hearing what type of auxiliary aid or service he or she needs. Officers should defer to those expressed choices, unless:
 1. There is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
 2. Doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial burden.
- C. It is important that an officer effectively communicate to a person who is deaf or hard of hearing the reason for a contact, the need for information, and the meaning or consequences of any enforcement action taken. Officers shall review and have a working knowledge of these publications:
 1. Communicating with People Who are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers (Annex I)
 2. Commonly Asked Questions about the ADA and Law Enforcement (Annex II)
 3. Deaf or Hard of Hearing Assistance Card (Annex III)
- D. Department members are encouraged to utilize resources immediately available to them in any field contact with a known or suspected person who is deaf or hard of hearing. Examples of this would include:
 1. Hand gestures or written communications exchanged between the member and a person who is deaf or hard of hearing. Members using written communications should be aware that many persons who are deaf or hard of hearing may not possess sufficient literacy skills to be able to read or write effectively.
 2. Utilizing lip reading, by standing facing the person and speaking slowly and clearly.
- E. Department field members may call upon outside assistance to interpret during encounters with victims, witnesses, or suspects. Members shall attempt to identify the person who is deaf or hard of hearing's level of disability, and then attempt to acquire the most efficient and effective interpretation for the situation.
 1. Under exigent circumstances, members shall use the most reliable, temporary interpreter available, such as signing Department members, signing members from surrounding police agencies, or family, friends or bystanders. Examples may include the need to obtain descriptive information on a fleeing suspect or identifying information of an injured person. However, once an exigency has passed, all members are expected to revert to the general procedures in this order.
 2. In non-exigent circumstances, members should only use family, including minor children, friends, or bystanders to interpret in very informal, non-confrontational contexts, and only to obtain basic information. Using family, friends, or bystanders to interpret in other than non-exigent circumstances could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation.
- F. Field members may request assistance from DuComm to locate interpretation assistance. Telecommunicators may call to surrounding agencies or transmit a Type III LEADS message.

VI. Interviews and Interrogations—Persons Who are Deaf or Hard of Hearing

- A. These scenarios potentially involve statements with evidentiary value upon which a witness may be impeached in court. Therefore, accuracy is a priority. Moreover, failure to protect the rights of persons who are deaf or hard of hearing during arrests and interrogations threatens the integrity of the investigation. Department members must recognize that miscommunication during interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation or taking of a formal statement where the suspect's or witness' legal rights could be adversely impacted. Whenever possible, contracted in-person interpretation service shall be utilized.

VII. Persons with Disabilities in Arrest Situations

- A. Officers shall follow all policies and procedures applicable at any other time when taking a person with disabilities into custody. Consideration shall be given to the special needs of persons with disabilities during an arrest. The type and amount of restraint used, mode of transportation, and assistance with moving the subject should be a part of these considerations. Appropriate responses in these situations require discretion and will be based, in part, on the officer's knowledge of the characteristics of the disability. Officers shall make a reasonable search for an identifying device (bracelet, necklace, metal tag, or similar item), which contains emergency medical information. This information may also be found on an Illinois driver's license. Whenever feasible, this effort shall be made before the person is charged with a crime or taken to a place of detention.
- B. In addition to searching the detainee, officers shall search service animals and medical equipment for contraband and weapons, when placing the person under arrest and prior to entry into the Holding Facility.

VIII. Detainee Processing—Persons Who are Deaf or Hard of Hearing

- A. In an effort to ensure that rights of persons who are deaf or hard of hearing are protected during the booking process, the Department places a priority on providing competent sign language interpretation during such situations. Medical screening questions are required to elicit information on a person's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms upon withdrawal from certain medications, or the need to segregate the arrestee from other prisoners, and so miscommunication could have serious consequences. Department members providing sign language interpretation services in these situations shall make every reasonable effort to accurately interpret all communications with persons who are deaf or hard of hearing.
- B. Persons who require communication aids (e.g. hearing aids) should be permitted to retain such devices while in custody.

IX. Contracted In-Person Interpreters—Persons Who are Deaf or Hard of Hearing

- A. Contracted in-person interpretation services shall be available to all Department members when interacting with persons who are deaf or hard of hearing. While this service is available to all Department members, it is best suited for investigations operating under non-emergency situations, such as witness interviews and criminal interrogations.
- B. Department members who believe they need this service shall consult with their immediate supervisor. Supervisors shall obtain approval from a Deputy Chief of Police if there will be a cost to the Department for a contracted in-person interpreter. Members may seek referrals for contracted in-person interpreters from the DuPage County, Cook County, or Kane County State's Attorney's Office.
- C. Upon the arrival of the interpreter, the officer or investigator shall record the interpreter's name and company affiliation in the investigative report along with the interpreter's arrival and departure times. Once the interpreter is prepared to begin, Department members shall ask all questions through the interpreter.

1. It is the Department member's responsibility to develop and ask any questions. Under no circumstances shall an interpreter independently question a person who is deaf or hard of hearing. The interpreter's role is to serve as a neutral third party.
 2. The interpreter should vocally speak words as they are being signed.
- D. If the officer or investigator believes that there is any conflict of interest with the assigned interpreter, any bias being shown, or any other reason why the interpreter should be recused, the officer or investigator shall consult with his/her supervisor to decide if another interpreter is warranted.

X. Internal Affairs Complaint Procedures—Persons Who are Deaf or Hard of Hearing

- A. Any person who is deaf or hard of hearing who wishes to file an internal complaint with the Department regarding language access or the discharge of the Department's duties, shall be provided with an affidavit complaint form, in accordance with Administrative Order 103 – Internal Affairs Manual/ Procedure – Sworn and Administrative Order 109 – Non-Sworn Employee Disciplinary Procedures. The assigned investigator shall utilize a contracted in-person interpretation service (see section IX above) when conducting any interviews of complainants or witnesses who are deaf or hard of hearing. In the event formal disciplinary charges result from a deaf or hard of hearing complaint, the Department shall ensure that a contracted in-person interpreter is available for any scheduled hearings.

XI. Visual Disabilities

- A. One of the most difficult issues facing vision impaired persons in times of need is that of identifying police officials. Officers may respond to persons who are blind or visually impaired with the following strategies:
1. Introduce and identify the officer immediately as a law enforcement officer.
 2. Ask DuComm to make telephone contact with the person to affirm that a member of the Department is at the scene, or allow the person to call the Department to verify the officer's identity.
 3. Present wallet or shirt badges to the person, to help verify identity.
 4. Do not speak loudly; most people who are visually impaired hear well.
 5. Identify the person(s) to whom you are speaking when conversing in a group.
 6. Avoid lapses of conversation in your interview without informing the person.
 7. Offer to fill out forms and read aloud written information for the person.
 8. Never pet guide dogs without permission.
 9. Orient persons to their surroundings.

XII. Speech and Language Disabilities

- A. Persons who have speech and language disabilities experience the same barriers as people who have mobility, sensory, and other disabilities. In addition, they may experience unique communication barriers due to their speech and language disability. These barriers may include:
1. Not being able to call or text 9-1-1 in an emergency.
 2. Police and Telecommunicators not understanding information being provided.
 3. Police assuming they are drunk, on drugs, or cognitively unable to give evidence or testify.
 4. Not being able to give information or ask questions in ways they can understand and/or answer.
 5. Police not understanding the difference between cognitive capacity and communication skills.
 6. Not using strategies and communication supports to ensure they can effectively communicate.
 7. Not knowing when and how to engage an arms-length communication assistant or intermediary.
 8. Lack of trained communication intermediaries to assist in communicating with police.
 9. Police assuming the person with the subject is the person the subject wants to assist with communication.
- B. In order to effectively communicate with persons with speech and language disabilities, members should:
1. Ask the person for direction on how to communicate. The person may provide an instruction card.
 2. If necessary, move to a quiet area.
 3. Use everyday language and show pictures and objects of what is being discussed.
 4. Concentrate on what the person is saying.

5. Be patient.
6. Do not speak for the person or attempt to finish his or her sentences.
7. Try to ask questions which require only short answers or a nod of the head.
8. Do not pretend to understand something the person says. Ask the person to repeat what he or she said and then repeat it back.
9. Consider writing as an alternative means of communicating, but first ask the person if this is acceptable.

XIII. Mental, Emotional and Psychological Disabilities

- A. If a person with this type of disability is taken into custody, officers should make reasonable efforts, while recognizing officer safety issues, to use only the restraint necessary and to protect the arrested person from self-injury. Officers should request a medical response to rule out serious injury or illness as the cause of a psychiatric incident. A family member, friend or Crisis Intervention Team (CIT) officer is a good resource in calming a person exhibiting unusual behavior as a result of this category of disability.
- B. Specific procedures for interactions with persons with mental illness are contained in Operations Order 223 – Persons with Mental Illness.

XIV. Developmental Disabilities

- A. Developmental disabilities should not be confused with mental illness. In all situations involving persons with developmental disabilities, members should: ask short questions, be patient when waiting for answers, repeat questions and answers if necessary, have persons repeat the question in their own words, and provide reassurance. The aid of family, friends and neighbors is invaluable in meeting the needs of persons with severe or profound developmental disabilities.
- B. Officers are reminded that in cases where a Miranda warning is appropriate, the person's ability to waive his/her rights is dependent on the ability to competently understand the warnings.

XV. Mobility Impairments

- A. In critical emergency situations, members should consider alternative methods for assisting persons with mobility impairments to avoid causing them unnecessary strain or injury, while maintaining officer safety as a priority.
- B. Department members shall exercise care when transporting a detainee who requires the assistance of an ambulatory device (e.g. crutch, cane, walker, wheelchair, etc.). Members shall not lift or remove a person from a wheelchair unless that person has requested assistance. Members shall not lift a wheelchair off the ground by hand while it is occupied, except in incidents where life threatening circumstances exist.
- C. The fact that a detainee is physically disabled does not in itself preclude the use of a restraining device (e.g. handcuffs, restraining straps, stretcher, etc.). However, handcuffing a detainee to a wheelchair is prohibited.

XVI. Service Animals

- A. Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for a person with a disability. The task(s) performed by the dog must be directly related to the person's disability. The ADA does not restrict the type of dog breeds that can be service animals.
 1. Service animals hold allegiance to their masters and as such are working animals.
 2. Do not pet nor give a treat to a service animal unless asking its handler first.
 3. When a service animal is present, assume the service animal is working.
 4. Keep conversation directed to the person.

5. The person using the service animal may introduce the animal, as this provides an opening for conversation.
 6. In addition to provisions about service dogs, ADA regulations have provisions about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) The Bartlett Police Department shall permit miniature horses in the police facility where reasonable. There are four assessment factors to assist in determining whether miniature horses can be accommodated in the police facility. The assessment factors are:
 - a. Whether the miniature horse is housebroken.
 - b. Whether the miniature horse is under the owner's control.
 - c. Whether the facility can accommodate the miniature horse's type, size, and weight.
 - d. Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.
- B. If it is not obvious what services the service animal provides, it is appropriate to ask if the dog is a service animal. It is also appropriate to ask what work the dog has been trained to perform. No other inquiry is allowed. A member shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- C. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the person's disability prevents using these devices. In that case, the person must maintain control of the animal through voice, signal, or other effective controls. The ADA does not require service animals to wear a vest, ID tag, or specific harness.
- D. Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA.
1. Note: There are organizations that sell service animal certification documents online. These documents do not convey any rights under the ADA and the Department of Justice does not recognize them as proof that the dog is a service animal.
- E. When a detainee is accompanied by a service animal, as defined in this order, the service animal shall be allowed to remain with the detainee throughout the arrest process. The service animal should not be separated from the owner. The detainee shall be accompanied by a Department member when the detainee needs to take the service animal outside the facility to relieve itself.
- F. If the detainee is placed in a cell, a cell separate from other detainees shall be used. The service animal's leash shall be removed and placed in the detainee's property whenever possible. If the leash must remain with the service animal, the detainee shall be monitored at all times in person by an officer.
- G. If the detainee is arrested for a felony or a misdemeanor for which bond cannot be posted and the detainee is scheduled to be transported to the County Jail or another law enforcement agency, the arresting officer shall:
1. Assist the detainee in contacting a friend or family member to pick up the service animal.
 2. If the detainee has no one to pick up the animal or the person cannot pick up animal before the detainee is transported to county or court, contact DuPage County Animal Services and explain that there is a service dog that requires impoundment. The officer shall arrange for the impoundment at DuPage County Animal Services.
 3. Explain to the detainee that the Department will transport the animal to DuPage County Animal Services. The detainee shall be given the location of DuPage County Animal Services so the detainee can arrange for the animal to be picked up by the detainee or a person designated by the detainee.
 4. Provide the detainee's information, including the incident number, to DuPage County Animal Services.
- H. If the animal cannot be controlled by the detainee, members can assume that the animal is not a legitimate service animal. The officer or a Community Service Officer shall impound the animal in accordance with procedures outlined in Technical Services Order 504 – Animal Control.

XVII. Access to Department Facilities and Services by the General Public

- A. Department members shall:
 - 1. Make reasonable modifications in procedures to accommodate people with disabilities when a Department facility is not accessible due to physical barriers (e.g. steps, doorways, etc.).
 - 2. Utilize an alternative method to provide the requested service (e.g. speaking with or interviewing the person outside the Department facility).
 - 3. Permit entrance through an alternate area of the facility and provide the requested service.

XVIII. Reporting Procedures

- A. In order to track and appropriately document services provided to persons with disabilities, Department members shall include in their Incident or Supplemental Reports, any known use of TTY/TDD lines, any auxiliary aids and services, use of an in-house Department interpreter or an interpreter called in from another agency, or the use of a contracted in-person interpreter, during the course of an investigation. The documentation shall include the type of service provided, and the name and affiliation of the person doing the interpretation.

XIX. Community Outreach

- A. Bartlett Police Department shall work with community and neighborhood groups, churches, and businesses to provide equal access to programs and services to persons with disabilities.

XX. Training

- A. The Department shall provide periodic training to members about the Department's policies regarding persons with disabilities. Training shall include training upon initial hire, in-service training, and roll call training. Training shall include a review of this order, available resources, and current legal requirements.

By Order of

Patrick Ullrich
Chief of Police

Annexes I-III

U.S. Department of Justice
Civil Rights Division
Disability Rights Section



Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers

As a law enforcement officer, you can expect to come into contact with people who are deaf or hard of hearing. It is estimated that up to nine percent of the population has some degree of hearing loss, and this percentage will increase as the population ages.

Under the Americans with Disabilities Act (ADA), people who are deaf or hard of hearing are entitled to the same services law enforcement provides to anyone else. They may not be excluded or segregated from services, be denied services, or otherwise be treated differently than other people. Law enforcement agencies must make efforts to ensure that their personnel communicate effectively with people whose disability affects hearing. This applies to both sworn and civilian personnel.



Your agency has adopted a specific policy regarding communicating with people who are deaf or hard of hearing. It is important to become familiar with this policy.

Requirements for Effective Communication

The ADA requires that . . .

- Law enforcement agencies must provide the communication aids and services needed to communicate effectively with people who are deaf or hard of hearing, except when a particular aid or service would result in an undue burden or a fundamental change in the nature of the law enforcement services being provided.
- Agencies must give primary consideration to providing the aid or service requested by the person with the hearing disability.
- Agencies cannot charge the person for the communication aids or services provided.
- Agencies do not have to provide personally prescribed devices such as hearing aids.
- When interpreters are needed, agencies must provide interpreters who can interpret effectively, accurately, and impartially.
- Only the head of the agency or his or her designee can make the determination that a particular aid or service would cause an undue burden or a fundamental change in the nature of the law enforcement services being provided.

Your agency's policy explains how to obtain interpreters or other communication aids and services when needed.

Communicating with People Who are Deaf or Hard of Hearing

Officers may find a variety of communication aids and services useful in different situations.

- Speech supplemented by gestures and visual aids can be used in some cases.
- A pad and pencil, a word processor, or a typewriter can be used to exchange written notes.
- A teletypewriter (TTY) can be used to exchange written messages over the telephone.
- An assistive listening system or device to amplify sound can be used when speaking with a person who is hard of hearing.
- A sign language interpreter can be used when speaking with a person who knows sign language.
- An oral interpreter can be used when speaking with a person who has been trained to speech read (read lips). Note: Do not assume that speech reading will be effective in most situations. On average, only about one third of spoken words can be understood by speech reading.

The type of situation, as well as the individual's abilities, will determine which aid or service is needed to communicate effectively.

Practical Suggestions for Communicating Effectively

- Before speaking, get the person's attention with a wave of the hand or a gentle tap on the shoulder.
- Face the person and do not turn away while speaking.
- Try to converse in a well-lit area.
- Do not cover your mouth or chew gum.
- If a person is wearing a hearing aid, do not assume the individual can hear you.
- Minimize background noise and other distractions whenever possible.
- When you are communicating orally, speak slowly and distinctly. Use gestures and facial expressions to reinforce what you are saying.
- Use visual aids when possible, such as pointing to printed information on a citation or other document.
- Remember that only about one third of spoken words can be understood by speech reading.
- When communicating by writing notes, keep in mind that some individuals who use sign language may lack good English reading and writing skills.
- If someone with a hearing disability cannot understand you, write a note to ask him or her what communication aid or service is needed.
- If a sign language interpreter is requested, be sure to ask which language the person uses. American Sign Language (ASL) and Signed English are the most common.
- When you are interviewing a witness or a suspect or engaging in any complex conversation with a person whose primary language is sign language,

Communicating with People Who Are Deaf or Hard of Hearing ADA Gu...

<https://www.ada.gov/lawenfcomm.htm>

- a qualified interpreter is usually needed to ensure effective communication.
- When using an interpreter, look at and speak directly to the deaf person, not to the interpreter.
 - Talk at your normal rate, or slightly slower if you normally speak very fast.
 - Only one person should speak at a time.
 - Use short sentences and simple words.
 - Do not use family members or children as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively.

What Situations *Require* an Interpreter?

Generally, interpreter services are not required for simple transactions – such as checking a license or giving directions to a location – or for urgent situations – such as responding to a violent crime in progress.

Example: An officer clocks a car on the highway going 15 miles per hour above the speed limit. The driver, who is deaf, is pulled over and is issued a noncriminal citation. The individual is able to understand the reason for the citation because the officer points out relevant information printed on the citation or written by the officer.

Example: An officer responds to an aggravated battery call and upon arriving at the scene observes a bleeding victim and an individual holding a weapon. Eyewitnesses observed the individual strike the victim. The individual with the weapon is deaf. Because the officer has probable cause to make a felony arrest without an interrogation, an interpreter is not necessary to carry out the arrest.

However, an interpreter may be needed in lengthy or complex transactions – such as interviewing a victim, witness, suspect, or arrestee – if the person being interviewed normally relies on sign language or speech reading to understand what others are saying.

Example: An officer responds to the scene of a domestic disturbance. The husband says the wife has been beating their children and he has been trying to restrain her. The wife is deaf. The officer begins questioning her by writing notes, but her response indicates a lack of comprehension. She requests a sign language interpreter. In this situation an interpreter should be called. If the woman's behavior is threatening, the officer can make an arrest and call for an interpreter to be available later at the booking station.

It is inappropriate to ask a family member or companion to interpret in a situation like this because emotional ties may interfere with the ability to interpret impartially.

Example: An officer responds to the scene of a car accident where a man has been seriously injured. The man is conscious, but is unable to comprehend the officer's questions because he is deaf. A family member who is present begins interpreting what the officer is saying.

A family member or companion *may* be used to interpret in a case like this, since it is an emergency involving an imminent threat to the safety or welfare of an individual and no interpreter is available. However, in general, do not expect or demand that a deaf person provide his or her own interpreter. As a rule, when interpreter service is needed, it must be provided by the agency.

List your agency's contact information for obtaining an interpreter, an assistive listening device, or other communication aid or service here.

For further information on the Americans with Disabilities Act contact:

ADA Website

www.ada.gov

ADA Information Line

800-514-0301 (voice)

800-514-0383 (TTY)

This pamphlet was developed by the U.S. Department of Justice for law enforcement personnel.

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The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.

U.S. Department of Justice
Civil Rights Division
Disability Rights Section



COMMONLY ASKED QUESTIONS ABOUT THE AMERICANS WITH DISABILITIES ACT AND LAW ENFORCEMENT

I. Introduction

Police officers, sheriff's deputies, and other law enforcement personnel have always interacted with persons with disabilities and, for many officers and deputies, the Americans with Disabilities Act (ADA) may mean few changes in the way they respond to the public. To respond to questions that may arise, this document offers common sense suggestions to assist law enforcement agencies in complying with the ADA. The examples presented are drawn from real-life situations as described by police officers or encountered by the Department of Justice in its enforcement of the ADA.

1. Q: What is the ADA?

A: The Americans with Disabilities Act (ADA) is a Federal civil rights law. It gives Federal civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in State and local government services, public accommodations, employment, transportation, and telecommunications.

2. Q: How does the ADA affect my law enforcement duties?

A: Title II of the ADA prohibits discrimination against people with disabilities in State and local governments services, programs, and employment. Law enforcement agencies are covered because they are programs of State or local governments, regardless of whether they receive Federal grants or other Federal funds. The ADA affects virtually everything that officers and deputies do, for example:

- receiving citizen complaints;
- interrogating witnesses;
- arresting, booking, and holding suspects;
- operating telephone (911) emergency centers;
- providing emergency medical services;
- enforcing laws;
- and other duties.

3. Q: Who does the ADA protect?

A: The ADA covers a wide range of individuals with disabilities. An individual is considered to have a "disability" if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment; or is regarded as having such an impairment.

Major life activities include such things as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. To be substantially limited means that such activities are restricted in the manner, condition, or duration in which they are performed in comparison with most people.

- The ADA also protects people who are discriminated against because of their association with a person with a disability.

Example: Police receive a call from a woman who complains that someone has broken into her residence. The police department keeps a list of dwellings where people with AIDS are known to reside. The woman's residence is on the list because her son has AIDS. Police fail to respond to her call, because they fear catching the HIV virus. The officers have discriminated against the woman on the basis of her association with an individual who has AIDS.

4. Q: What about someone who uses illegal drugs?

A: Nothing in the ADA prevents officers and deputies from enforcing criminal laws relating to an individual's current use or possession of illegal drugs.

II. Interacting with People with Disabilities

5. Q: What are some common problems that people with disabilities have with law enforcement?

A: Unexpected actions taken by some individuals with disabilities may be misconstrued by officers or deputies as suspicious or illegal activity or uncooperative behavior.

Example: An officer approaches a vehicle and asks the driver to step out of the car. The driver, who has a mobility disability, reaches behind the seat to retrieve her assistive device for walking. This appears suspicious to the officer.

- Individuals who are deaf or hard of hearing, or who have speech disabilities or intellectual disabilities, or who are blind or visually

impaired may not recognize or be able to respond to police directions. These individuals may erroneously be perceived as uncooperative.

Example: An officer yells "freeze" to an individual who is running from an area in which a crime has been reported. The individual, who is deaf, cannot hear the officer and continues to run. The officer mistakenly believes that the individual is fleeing from the scene. Similarly, ordering a suspect who is visually impaired to get over "there" is likely to lead to confusion and misunderstanding, because the suspect may have no idea where the officer is pointing.

- Some people with disabilities may have a staggering gait or slurred speech related to their disabilities or the medications they take. These characteristics, which can be associated with neurological disabilities, mental/emotional disturbance, or hypoglycemia, may be misperceived as intoxication.

Example: An officer observes a vehicle with one working headlight and pulls the vehicle over. When the driver hands the registration to the officer, the officer notices that the driver's hand is trembling and her speech is slurred. The officer concludes that the individual is under the influence of alcohol, when in fact the symptoms are caused by a neurological disability.

Example: A call comes in from a local restaurant that a customer is causing a disturbance. When the responding officer arrives at the scene, she discovers a 25-year-old man swaying on his feet and grimacing. He has pulled the table cloth from the table. The officer believes that the man has had too much to drink and is behaving aggressively, when in fact he is having a seizure.

What can be done to avoid these situations?

Training, sensitivity, and awareness will help to ensure equitable treatment of individuals with disabilities as well as effective law enforcement. For example:

- When approaching a car with visible signs that a person with a disability may be driving (such as a designated license plate or a hand control), the police officer should be aware that the driver may reach for a mobility device.
- Using hand signals, or calling to people in a crowd to signal for a person to stop, may be effective ways for an officer to get the attention of a deaf individual.
- When speaking, enunciate clearly and slowly to ensure that the individual understands what is being said.
- Finally, typical tests for intoxication, such as walking a straight line, will be ineffective for individuals whose disabilities cause unsteady gait. Other tests, like breathalyzers, will provide more accurate results and reduce the possibility of false arrest.

6. Q: What if someone is demonstrating threatening behavior because of his or her disability?

A: Police officers may, of course, respond appropriately to real threats to health or safety, even if an individual's actions are a result of her or his disability. But it is important that police officers are trained to distinguish behaviors that pose a real risk from behaviors that do not, and to recognize when an individual, such as someone who is having a seizure or exhibiting signs of psychotic crisis, needs medical attention. It is also important that behaviors resulting from a disability not be criminalized where no crime has been committed. Avoid these scenarios:

- A store owner calls to report that an apparently homeless person has been in front of the store for an hour, and customers are complaining that he appears to be talking to himself. The individual, who has mental illness, is violating no loitering or panhandling laws. Officers arriving on the scene arrest him even though he is violating no laws.
- Police receive a call in the middle of the night about a teenager with mental illness who is beyond the control of her parents. All attempts to get services for the teenager at that hour fail, so the responding officer arrests her until he can get her into treatment. She ends up with a record, even though she committed no offense.

7. Q: What procedures should law enforcement officers follow to arrest and transport a person who uses a wheelchair?

A: Standard transport practices may be dangerous for many people with mobility disabilities. Officers should use caution not to harm an individual or damage his or her wheelchair. The best approach is to ask the person what type of transportation he or she can use, and how to lift or assist him or her in transferring into and out of the vehicle.

Example: An individual with a disability is removed from his wheelchair and placed on a bench in a paddy wagon. He is precariously strapped to the bench with his own belt. When the vehicle begins to move, he falls off of the bench and is thrown to the floor of the vehicle where he remains until arriving at the station.

- Some individuals who use assistive devices like crutches, braces, or even manual wheelchairs might be safely transported in patrol cars.
- Safe transport of other individuals who use manual or power wheelchairs might require departments to make minor modifications to existing cars or vans, or to use lift-equipped vans or buses. Police departments may consider other community resources, e.g., accessible taxi services.

8. Q: What steps should officers follow to communicate effectively with an individual who is blind or visually impaired?

A: It is important for officers to identify themselves and to state clearly and completely any directions or instructions -- including any information that is posted visually. Officers must read out loud in full any documents that a person who is blind or visually impaired needs to sign. Before taking photos or fingerprints, it is a good idea to describe the procedures in advance so that the individual will

COMMONLY ASKED QUESTIONS ABOUT THE AMERICANS WI...

https://www.ada.gov/q&a_law.htm

know what to expect.

9. Q: Do police personnel need to take special precautions when providing emergency medical services to someone who has HIV or AIDS?

A: Persons with HIV or AIDS should be treated just like any other person requiring medical attention. In fact, emergency medical service providers are required routinely to treat all persons as if they are infectious for HIV, Hepatitis B, or other bloodborne pathogens, by practicing universal precautions. Many people do not know that they are infected with a bloodborne pathogen, and there are special privacy considerations that may cause those who know they are infected not to disclose their infectious status.

- Universal precautions for emergency service providers include the wearing of gloves, a mask, and protective eyewear, and, where appropriate, the proper disinfection or disposal of contaminated medical equipment. Protective barriers like gloves should be used whenever service providers are exposed to blood.

Example: Police are called to a shopping mall to assist a teenager who has cut his hand and is bleeding profusely. As long as the attending officers wear protective gloves, they will not be at risk of acquiring HIV, Hepatitis B, or any other bloodborne pathogen, while treating the teenager.

- Refusing to provide medical assistance to a person because he or she has, or is suspected of having, HIV or AIDS is discrimination.

Example: Police are called to a shopping mall, where an individual is lying on the ground with chest pains. The responding officer asks the individual whether she is currently taking any medications. She responds that she is taking AZT, a medication commonly prescribed for individuals who are HIV-positive or have AIDS. The officer announces to his colleagues that the individual has AIDS and refuses to provide care. This refusal violates the ADA.

III. Effective Communication

10. Q: Do police departments have to arrange for a sign language interpreter every time an officer interacts with a person who is deaf?

A: No. Police officers are required by the ADA to ensure effective communication with individuals who are deaf or hard of hearing. Whether a qualified sign language interpreter or other communication aid is required will depend on the nature of the communication and the needs of the requesting individual. For example, some people who are deaf do not use sign language for communication and may need to use a different communication aid or rely on lipreading. In one-on-one communication with an individual who lipreads, an officer should face the individual directly, and should ensure that the communication takes place in a well-lighted area.

- Examples of other communication aids, called "auxiliary aids and services" in the ADA, that assist people who are deaf or hard of hearing include the exchange of written notes, text telephones (TTY's), telephone handset amplifiers, assistive listening systems, and videotext displays.
- The ADA requires that the expressed choice of the individual with the disability, who is in the best position to know her or his needs, should be given primary consideration in determining which communication aid to provide. The ultimate decision is made by the police department. The department should honor the individual's choice unless it can demonstrate that another effective method of communication exists.
- Police officers should generally not rely on family members, who are frequently emotionally involved, to provide sign language interpreting.

Example: A deaf mother calls police to report a crime in which her hearing child was abused by the child's father. Because it is not in the best interests of the mother or the child for the child to hear all of the details of a very sensitive, emotional situation, the mother specifically requests that the police officers procure a qualified sign language interpreter to facilitate taking the report. Officers ignore her request and do not secure the services of an interpreter. They instead communicate with the hearing child, who then signs to the mother. The police department in this example has violated the ADA because it ignored the mother's request and inappropriately relied on a family member to interpret.

- In some limited circumstances a family member may be relied upon to interpret.

Example: A family member may interpret in an emergency, when the safety or welfare of the public or the person with the disability is of paramount importance. For example, emergency personnel responding to a car accident may need to rely on a family member to interpret in order to evaluate the physical condition of an individual who is deaf. Likewise, it may be appropriate to rely on a family member to interpret when a deaf individual has been robbed and an officer in hot pursuit needs information about the suspect.

Example: A family member may interpret for the sake of convenience in circumstances where an interpreter is not required by the ADA, such as in situations where exchanging written notes would be effective. For example, it would be appropriate to rely on a passenger who is a family member to interpret when an individual who is deaf is asking an officer for traffic directions.

11. Q: If the person uses sign language, what kinds of communication will require an interpreter?

A: The length, importance, or complexity of the communication will help determine whether an interpreter is necessary for effective communication.

- In a simple encounter, such as checking a driver's license or giving street directions, a notepad and pencil normally will be sufficient.
- During interrogations and arrests, a sign language interpreter will often be necessary to effectively communicate with an individual who uses sign language.
- If the legality of a conversation will be questioned in court, such as where Miranda warnings are issued, a sign language interpreter may be necessary. Police officers should be careful about miscommunication in the absence of a qualified interpreter --

a nod of the head may be an attempt to appear cooperative in the midst of misunderstanding, rather than consent or a confession of wrongdoing.

- In general, if an individual who does not have a hearing disability would be subject to police action without interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

Example: An officer clocks a car on the highway driving 15 miles above the speed limit. The driver, who is deaf, is pulled over and issued a noncriminal citation. The individual is able to understand the reasons for the citation, because the officer exchanges written notes with the individual and points to information on the citation. In this case, a sign language interpreter is not needed.

Example: An officer responds to an aggravated battery call and upon arriving at the scene observes a bleeding victim and an individual holding a weapon. Eyewitnesses observed the individual strike the victim. The individual with the weapon is deaf, but the officer has probable cause to make a felony arrest without an interrogation. In this case, an interpreter is not necessary to carry out the arrest.

12. Q: Do I have to take a sign language interpreter to a call about a violent crime in progress or a similar urgent situation involving a person who is deaf?

A: No. An officer's immediate priority is to stabilize the situation. If the person being arrested is deaf, the officer can make an arrest and call for an interpreter to be available later at the booking station.

13. Q: When a sign language interpreter is needed, where do I find one?

A: Your department should have one or more interpreters available on call. This is generally accomplished through a contract with a sign language interpreter service. Communicating through sign language will not be effective unless the interpreter is familiar with the vocabulary and terminology of law enforcement, so your department should ensure that the interpreters it uses are familiar with law enforcement terms.

14. Q: Is there any legal limit to how much my department must spend on communication aids like interpreters?

A: Yes. Your department is not required to take any step that would impose undue financial and administrative burdens. The "undue burden" standard is a high one. For example, whether an action would be an undue financial burden is determined by considering all of the resources available to the department. If providing a particular auxiliary aid or service would impose an undue burden, the department must seek alternatives that ensure effective communication to the maximum extent feasible.

15. Q: When would an officer use an assistive listening device as a communication aid?

A: Assistive listening systems and devices receive and amplify sound and are used for communicating in a group setting with individuals who are hard of hearing.

- At headquarters or a precinct building, if two or more officers are interrogating a witness who is hard of hearing, or in meetings that include an individual who is hard of hearing, an assistive listening device may be needed.

2. Q: What is a TTY and does every police station have to have one?

A: A text telephone (TTY) is a device used by individuals with hearing or speech disabilities to communicate on the telephone. A TTY is a keyboard with a display for receiving typed text that can be attached to a telephone. The TTY user types a message that is received by another TTY at the other end of the line.

- Arrestees who are deaf or hard of hearing, or who have speech disabilities, may require a TTY for making outgoing calls. TTYS must be available to inmates with disabilities under the same terms and conditions as telephone privileges are offered to all inmates, and information indicating the availability of the TTY should be provided.
- TTYS typically cost \$200-300 each and can be used with a standard telephone. It is unlikely that the cost of purchasing a TTY will be prohibitive. Still, a small department with limited resources could arrange to share a TTY with a local courthouse or other entity, so long as the TTY is immediately available as needed.

3. Q: What about "911" calls? How are those made accessible to people with speech or hearing disabilities?

A: Individuals with hearing and speech disabilities must have direct access to "911" or similar emergency telephone services, meaning that emergency response centers must be equipped to receive calls from TTY and computer modem users without relying on third parties or state relay services. It is important that operators are trained to use the TTY when the caller is silent, and not only when the operator recognizes the tones of a TTY at the other end of the line. For additional information, please refer to the Department of Justice's publication, *Access for 9-1-1 and Telephone Emergency Services*. For information about how to obtain this and other publications, see the resources section at the end of this document.

4. Q: Procedures at my office require citizens to fill out forms when reporting crimes. What if the person has a vision disability, a learning disability, an intellectual disability or some other disability that may prevent the person from filling out a form?

A: The simplest solution is to have an officer or clerk assist the person in reading and filling out the form. Police officers have probably been doing this for years. The form itself could also be provided in an alternative format. Providing a copy of the form in large print (which is usually as simple as using a copy machine or computer to increase type size) will make the form accessible to many individuals with moderate vision disabilities.

IV. Architectural Access

19. Q: Does the ADA require all police stations to be accessible to people with disabilities?

A: No. Individuals with disabilities must have equal access to law enforcement services, but the ADA is flexible in how to achieve that goal. The ADA requires programs to be accessible to individuals with disabilities, not necessarily each and every facility. Often, structural alterations to an existing police station or sheriff's office will be necessary to create effective access. In some situations, however, it may be as effective to use alternative methods, such as relocating a service to an accessible building, or providing an officer who goes directly to the individual with the disability. Whatever approach to achieving "program access" is taken, training of officers and deputies, well-developed policies, and clear public notice of the approach will be critical to ensuring successful ADA compliance.

Example: A police station in a small town is inaccessible to individuals with mobility disabilities. The department decides that it cannot alter all areas of the station because of insufficient funds. It decides to alter the lobby and restrooms so that the areas the public uses -- for filling out crime reports, obtaining copies of investigative reports for insurance purposes, or seeking referrals to shelter care -- are accessible. Arrangements are made to conduct victim and witness interviews with individuals with disabilities in a private conference room in the local library or other government building, and to use a neighboring department's accessible lock-up for detaining suspects with disabilities. These measures are consistent with the ADA's program accessibility requirements.

Example: An individual who uses a wheelchair calls to report a crime, and is told that the police station is inaccessible, but that the police department has a policy whereby a police officer will meet individuals with disabilities in the parking lot. The individual arrives at the parking lot, waits there for three hours, becomes frustrated, and leaves. By neglecting to adequately train officers about its policy, the police department has failed in its obligation to provide equal access to police services, and has lost valuable information necessary for effective law enforcement.

20. Q: What about holding cells and jails that are not accessible?

A: An arrestee with a mobility disability must have access to the toilet facilities and other amenities provided at the lock-up or jail. A law enforcement agency must make structural changes, if necessary, or arrange to use a nearby accessible facility.

- Structural changes can be undertaken in a manner that ensures officer safety and general security. For example, grab bars in accessible restrooms can be secured so that they are not removable.
- If meeting and/or interrogation rooms are provided, those areas should also be accessible for use by arrestees, family members, or legal counsel who have mobility disabilities.

21. Q: Is there a limit to the amount of money my agency must spend to alter an existing police facility?

A: Yes. It is the same legal standard of "undue burden" discussed earlier with regard to the provision of communication aids. Your agency is not required to undertake alterations that would impose undue financial and administrative burdens. If an alteration would impose an "undue burden", the agency must choose an alternative that ensures access to its programs and services.

22. Q: We are building a new prison. Do we need to make it accessible?

A: Yes. All new buildings must be made fully accessible to, and usable by, individuals with disabilities. The ADA provides architectural standards that specify what must be done to create access.

- The 2010 ADA Standards for Accessible Design (ADA Standards) must be used. The ADA Standards have specific scoping requirements for prisons that require, among other things, that 3% of all cells be made accessible to individuals with mobility disabilities.
- Unlike modifications of existing facilities, there is no undue burden limitation for new construction.
- In addition, if an agency alters an existing facility for any reason -- including reasons unrelated to accessibility -- the altered areas must be made accessible to individuals with disabilities.

V. Modifications of Policies, Practices, and Procedures**23. Q: What types of modifications in law enforcement policies, practices, and procedures does the ADA require?**

A: The ADA requires law enforcement agencies to make reasonable modifications in their policies, practices, and procedures that are necessary to ensure accessibility for individuals with disabilities, unless making such modifications would fundamentally alter the program or service involved. There are many ways in which a police or sheriff's department might need to modify its normal practices to accommodate a person with a disability.

Example: A department modifies a rule that prisoners or detainees are not permitted to have food in their cells except at scheduled intervals, in order to accommodate an individual with diabetes who uses medication and needs access to carbohydrates or sugar to keep blood sugar at an appropriate level.

Example: A department modifies its enforcement of a law requiring a license to use motorized vehicles on the streets, in order to accommodate individuals who use scooters or motorized wheelchairs. Such individuals are pedestrians, but may need to use streets where curb cuts are unavailable.

Example: A department modifies its regular practice of handcuffing arrestees behind their backs, and instead handcuffs deaf individuals in front in order for the person to sign or write notes.

Example: A department modifies its practice of confiscating medications for the period of confinement, in order to permit inmates who have disabilities that require self-medication, such as cardiac conditions or epilepsy, to self-administer medications that do not have

abuse potential.

Example: A department modifies the procedures for giving Miranda warnings when arresting an individual who has an intellectual disability. Law enforcement personnel use simple words and ask the individual to repeat each phrase of the warnings in her or his own words. The personnel also check for understanding, by asking the individual such questions as what a lawyer is and how a lawyer might help the individual, or asking the individual for an example of what a right is. Using simple language or pictures and symbols, speaking slowly and clearly, and asking concrete questions, are all ways to communicate with individuals who have intellectual disabilities.

- Informal practices may also need to be modified. Sometimes, because of the demand for police services, third party calls are treated less seriously. Police officers should keep in mind that calling through a third party may be the only option for individuals with certain types of disabilities.

VI. Resources

24. Q: It sounds like awareness and training are critical for effective interaction with individuals with disabilities. How can I find out more about the needs of my local disability community?

A: State and local government entities were required, by January 26, 1993, to conduct a "self-evaluation" reviewing their current services, policies, and practices for compliance with the ADA. Entities employing 50 or more persons were also to develop a "transition plan" identifying structural changes that needed to be made. As part of that process, the ADA encouraged entities to involve individuals with disabilities from their local communities. Continuing this process will promote access solutions that are reasonable and effective. Even though the deadlines for the self-evaluation, transition plan, and completion of structural changes have passed, compliance with the ADA is an ongoing obligation.

25. Q: Where can I turn for answers to other questions about the ADA?

A: The Department of Justice's toll-free ADA Information Line answers questions and offers free publications about the ADA. The telephone numbers are: 800-514-0301 (voice) or 800-514-0383 (TTY). Publications are also available from the ADA Website www.ada.gov.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

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Note: Reproduction of this document is encouraged.

Last Revised February 25, 2020

I AM DEAF OR HARD OF HEARING.

This card is for law enforcement officers during a traffic stop with a person with hearing loss. This card will help you communicate with me.

Quick Communication Tips

- Maintain eye contact with me while speaking.
- Speak slowly & clearly.
- Give me a chance to understand you but I may still not be able to understand even with a hearing aid.
- Repeat, rephrase or write your request.
- Be sure there is light for me to see you (please don't shine the flashlight in my face because then that means I can't see you).

If I am going to be arrested or asked to come in for questioning, I may need:

- A licensed sign language interpreter (one can be found via IDHHC's interpreter directory at <http://wwwqa.illinois.gov/idhhc/licensure/Pages/DirectoryHome.aspx>).
- A Communication Access Real-time Translation (CART) services (one can be found via IDHHC's website at <http://wwwqa.illinois.gov/idhhc/community/Pages/CART.aspx>).
- In order to make a phone call, I may need some type of assistive technology- please ask me what I need in order to make a phone call.

In this case, my communication request in how to best communicate with me:



This assistance card was made through a cooperative effort by the State of Illinois Deaf & Hard of Hearing Commission and the AIM Center for Independent Living.



State of Illinois
Deaf & Hard of Hearing
Commission



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COMMUNICATION SIGNS

Please point at pictures to help me understand the reason for contact.

INFORMATION NEEDED



VIOLATIONS



ASSISTANCE NEEDED



BARTLETT POLICE DEPARTMENT



Subject: Limited English Proficiency Services	Operations Order 230
Issued: August 17, 2020	Rescinds: N/A
Effective Date: August 17, 2020	Reference CALEA Standards:
Termination Date: N/A	
Amended Date: N/A	Related Directives:

PURPOSE: This order establishes policies and procedures for Department members when interacting with persons who have Limited English Proficiency (LEP). This order provides a balance that reasonably ensures meaningful access by LEP persons to critical services, while not imposing undue burdens on the Bartlett Police Department or its members.

POLICY: Language barriers can sometimes inhibit or even prohibit persons with Limited English Proficiency (LEP) from gaining meaningful access to important rights, obligations and services. Hampered communication with LEP victims, witnesses, suspects, and community members can present the Department with safety, evidentiary, and ethical challenges. It is the policy of the Bartlett Police Department to take all reasonable steps to insure timely and equal access to all persons in any encounters with the Department, regardless of national origin, primary language, or limited ability to speak, read, write, or understand English, in accordance with Title VI of the Civil Rights Act of 1964, § 601, 42 U.S.C. 2000d.

I. Definitions

- A. **Bilingual**—The ability to use two languages proficiently.
- B. **Direct Communication**—Communication in a language other than English between a qualified bilingual Department member or representative and an LEP person (e.g. Spanish to Spanish).
- C. **Interpretation**—The act of listening to a communication in one language and orally converting it to another language.
- D. **Limited English Proficiency (LEP)**—A designation for persons whose primary language is not English and who have a limited ability to read, write, speak, or understand English. LEP persons may be competent in certain types of communication (e.g. speaking or understanding), but still be LEP for other purposes (e.g. reading or writing). Similarly, LEP designations are context-specific: a person may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.
- E. **Primary Language**—A person's native tongue or the language in which a person most effectively communicates. Department members shall make every effort to ascertain a person's primary language to ensure effective communication.
- F. **Translation**—The replacement of written text from one language into an equivalent written text in another language.

II. Limited English Proficiency Services—Factors

- A. The Bartlett Police Department shall use four factors in determining the measures which will provide reasonable and meaningful access to various rights, obligations, services and programs in a native language to everyone. Because it is recognized that law enforcement contacts and circumstances will vary, this analysis requires an ongoing balance of the following four factors:
 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by officers, or who may benefit from programs or services within the Department's jurisdiction or a particular geographic area;
 2. The frequency with which LEP persons are likely to come in contact with officers, programs or services;

3. The nature and importance of the contact, program, information or service provided, including consideration of the exigency of circumstances in any given situation; and
 4. The cost of providing LEP assistance and the resources available.
- B. The above analysis shall be utilized to determine the availability and level of assistance provided to any LEP person or group.

III. Limited English Proficiency Services—Availability

- A. Depending on the balance of the above four factors, the Bartlett Police Department shall make an effort to provide meaningful and timely assistance to LEP persons through a variety of services, where available.
- B. LEP persons may elect to accept interpreter services offered by the Department at no cost, or choose to provide their own interpreter services at their own expense. Department provided interpreter services may include, but are not limited to:
 1. Bilingual Staff—Officers and members need not be certified as interpreters, but need only have a competent understanding of the language involved. When bilingual members of this Department are not available, other Village staff may be requested by a supervisor. DuComm shall maintain a compiled list of available interpreters from other police agencies.
 2. Written Forms and Guidelines—The Bartlett Police Department shall endeavor to provide frequently used and critical forms and guidelines in languages most commonly represented within the community.
 3. Audio Recordings—The Bartlett Police Department may develop recordings of important information needed by LEP persons. These recordings may be broadcasted on the Village's cable channel.
 4. Telephone Interpreter Services—DuComm utilizes the Voyance interpreter service, which may be contacted to assist LEP persons calling 9-1-1 in emergencies.
 5. Contracted In-Person Interpreters—An outside person or company which provides professional, qualified translation services for a fee.
 6. Community Volunteers—Depending on the circumstances, location and availability, members of the community may be available to provide formal or informal interpreter services. Sources for these persons may include local businesses, banks, churches, neighborhood leaders, hospitals and school officials.
 7. Family and Friends of LEP Person—While family and friends of an LEP person may frequently offer to assist with interpretation, members should carefully consider the circumstances before relying on such persons. Further, the nature of the contact and relationship between the LEP person and the person offering services shall be carefully considered (e.g. victim/suspect).

IV. Telecommunications Responsibilities

- A. In order to provide LEP persons with meaningful access to police services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, DuComm utilizes the Voyance language service for interpreter services. Telecommunicators shall promptly accommodate such LEP persons utilizing 9-1-1 lines.
- B. The Telecommunicator shall note in information sent to the responding officers via radio and the CAD system that the 9-1-1 caller is an LEP person and indicate the language. Telecommunicators shall dispatch a corresponding bilingual officer to the assignment, if available.

V. LEP Assistance—Field Encounters

- A. Field encounters will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control, calls for service, criminal investigations, and other routine field contacts which may involve LEP persons. Because the scope and nature of these activities and contacts will vary, the Department recognizes that it would be impossible to provide immediate access to complete interpretation and translation services to every member in the field. However, each member and/or

supervisor must assess each such situation to determine the need and availability for interpretation and translation services to any and all involved LEP persons.

- B. It is important that a member effectively communicate to an LEP person the reason for a contact, the need for information, and the meaning or consequences of any enforcement action taken.
- C. Department members may call upon outside assistance to interpret during encounters with victims, witnesses, or suspects. Members shall attempt to identify the LEP person's primary language, and then shall attempt to acquire the most efficient and effective interpretation for the situation.
 - 1. Under exigent circumstances, members shall use the most reliable, temporary interpreter available, such as bilingual Department members, bilingual personnel from surrounding police agencies, or family, friends or bystanders. Examples may include the need to obtain descriptive information on a fleeing suspect, or identifying information of an injured person. However, once an exigency has passed, all members are expected to revert to the general procedures in this order.
 - 2. In non-exigent circumstances, members should only use family, including minor children, friends, or bystanders to interpret in very informal, non-confrontational contexts, and only to obtain basic information. Using family, friends, or bystanders to interpret beyond this could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation.
 - 3. Members may utilize published language identification guides or interpretation guides to assist in identifying the LEP's primary language. The "I Speak" Language Identification Guide is attached to this order (Annex I) and is available at <https://www.dhs.gov/xlibrary/assets/crci/crci-i-speak-booklet.pdf>.
 - 4. Online and smart phone interpretation software and web sites such as Google Translate may be utilized.
- D. Members may request assistance from DuComm in locating interpretation assistance. Telecommunicators may call to surrounding agencies or transmit a Type III LEADS message.

VI. Interviews and Interrogations

- A. These scenarios potentially involve statements with evidentiary value upon which a witness may be impeached in court. Therefore, accuracy is a priority. Moreover, failure to protect the rights of LEP persons during arrests and interrogations threatens the integrity of the investigation. Department members must recognize that miscommunication during interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation or taking of a formal statement where the suspect's or witness' legal rights could be adversely impacted. Whenever possible, contracted in-person interpretation service shall be utilized.
 - 1. Miranda warnings, and all other vital written materials, shall be made available to the suspect or witness in his or her primary language. In the case of a language into which forms have not been translated and in the case of illiteracy, forms will be read to the suspect or witness in his/her primary language using the contracted interpretation service.

VII. Detainee Processing

- A. In an effort to ensure that rights of LEP persons are protected during the booking process, the Department places a priority on providing competent interpretation during such situations. Medical screening questions are required to elicit information on a person's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms upon withdrawal from certain medications, or the need to segregate the arrestee from other prisoners, and so miscommunication could have serious consequences. Department members providing interpretation services in these situations shall make an effort to accurately interpret all communications with LEP persons.

VIII. Contracted In-Person Interpreters

- A. Contracted in-person interpretation services shall be available to all Department members when interacting with LEP persons. While this service is available to all Department members, it is best suited for

investigations operating under non-emergency situations, such as witness interviews and criminal interrogations.

- B. Department members who believe they need this service shall consult with their immediate supervisor. Supervisors shall obtain approval from a Deputy Chief of Police if there will be a cost to the Department for a contracted in-person interpreter. Members may seek referrals for contracted in-person interpreters from the DuPage County, Cook County, or Kane County State's Attorney's Office or the DuPage County Language Access Resource Center [REDACTED].
- C. Upon the arrival of the interpreter, the officer or investigator shall record the interpreter's name and company affiliation in the investigative report along with the interpreter's arrival and departure times. Once the interpreter is prepared to begin, Department members shall ask all questions through the interpreter.
 - 1. It is the Department member's responsibility to develop and ask any questions. Under no circumstances will an interpreter independently question an LEP person. The interpreter's role is to serve as a neutral third party.
- D. If the officer or investigator believes that there is any conflict of interest with the assigned interpreter, any bias being shown, or any other reason why the interpreter should be recused, the officer or investigator shall consult with his/her supervisor to decide if another interpreter is warranted.

IX. Reporting Procedures

- A. In order to track and document services provided to LEP persons, Department members shall include in their Incident or Supplemental Reports any known use of Voyance by DuComm, use of an in-house Department interpreter or an interpreter called in from another agency, or the use of a contracted in-person interpreter, during the course of an investigation. The documentation shall include the type of service provided, and the name and affiliation of the person doing the interpretation.

X. Internal Affairs Complaint Procedures for LEP Persons

- A. Any LEP person who wishes to file an internal complaint with the Department regarding language access or the discharge of the Department's duties, shall be provided with an affidavit form, in accordance with Administrative Order 103 – Internal Affairs Manual/Procedure - Sworn. The assigned investigator shall utilize a contracted in-person interpretation service (see section VIII above) when conducting any interviews of LEP complainants or witnesses. The Department shall provide written notice of the disposition of any LEP complaint in the complainant's primary language. In the event formal disciplinary charges result from an LEP complaint, the Department shall insure that a contracted in-person interpreter is available for any scheduled hearings.

XI. Requests for Document Translation During Investigations

- A. A victim, witness, or suspect may make a written statement in his/her native language. Normally, translating these documents will be the responsibility of the State's Attorney's Office for prosecution purposes. However, if a Department member identifies a need for a specific document to be translated formally for investigative purposes, the member shall submit a memorandum to his/her supervisor along with a photocopy of the original document. The supervisor shall confirm the need for the translation and then process the request through an appropriate translation service.

XII. Requests for In-House Document Translation

- A. The Department may identify a need to have an official Department report form, newsletter, flyer, other document or web page translated into another language. The Department shall seek a qualified translator to assist in translating the item.

XIII. Community Outreach

- A. Community outreach programs and other such services offered by the Department have become increasingly recognized as important to the ultimate success of the law enforcement function and mission. The Bartlett Police Department shall work with community and neighborhood groups, churches, and businesses to provide equal access to programs and services to LEP persons and groups.

XIV. LEP Training

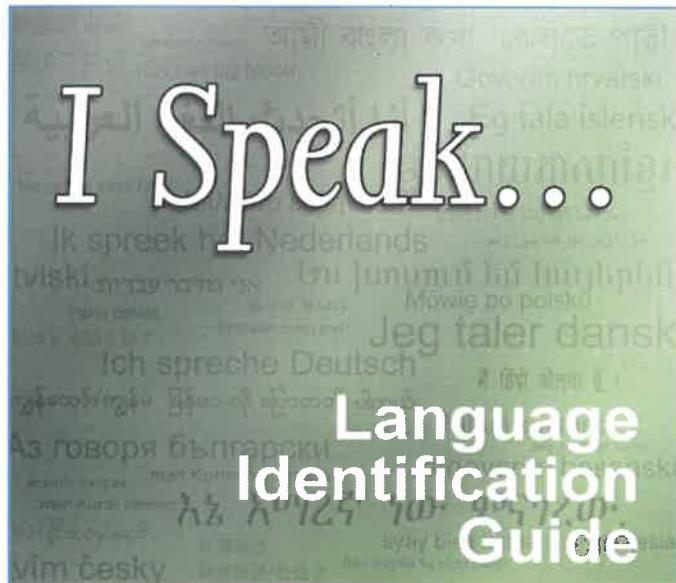
- A. The Department shall provide periodic training to members about the Department's LEP policies, including how to access Department authorized telephone and in-person interpreters. Training shall include field training upon initial hire, in-service training, and roll call training. Training shall include a review of this procedure, available language resources, and current legal requirements.
- B. The Department shall send members to foreign language interpretation in-service training as classes become available and as manpower allows.

By Order of

Patrick Ullrich
Chief of Police

Annex I

Language Identification Guide



This guide assists literate individuals who are not proficient in English to identify a preferred language.



Homeland Security

I speak ...

A

Amharic

እኔ አማርኛ ነው ብዙን ብዙን.

Arabic

أنا أتحدث اللغة العربية

Armenian

Ես խոսում եմ հայերեն

B

Bengali

আমী বাংলা কথা বোলতে পারো

Bosnian

Ja govorim bosanski

Bulgarian

Аз говоря български

Burmese

ကျွန်ုတ်/ကျွန်ုမ် မြန်မာ လို ပြောတတ် ပါတယ်!

C

Cambodian

ខ្មែរ

Cantonese

我講廣東話 (Traditional)

我讲广东话 (Simplified)

Catalan

Parlo català

Croatian

Govorim hrvatski

Czech

Mluvím česky

4

D

Danish

Jeg taler dansk

Dari

من دری حرف می زنم

Dutch

Ik spreek het Nederlands

E

Estonian

Ma räägin eesti keelt

F

Finnish

Puhun suomea

French

Je parle français

5

G

German

Ich spreche Deutsch

Greek

Μιλώ τα ελληνικά

Gujarati

હું ગુજરાતી બોલુણું છું

H

Haitian Creole

M pale kreyòl ayisyen

Hebrew

אני מדבר עברית

Hindi

मैं हिंदी बोलता हूँ ।

Hmong

Kuv has lug Moob

Hungarian

Beszélek magyarul

I

Icelandic

Ég tala íslensku

Ilocano

Agsaonak ti Ilokano

Indonesian

syay bisa berbahsa Indonesia

Italian

Parlo italiano

J

Japanese

私は日本語を話す

K

Kackchiquel

Quin chagüic'ká chábal' ruin' rí tzújon cakchiquel

Korean

한국어 합니다

Kurdish

man Kurdii zaanim

Kurmanci

man Kurmaanji zaanim

L

Laotian

ຂ້ອຍປາກພາສາລາວ

Latvian

Es runāju latviski

Lithuanian

Ačiū bu lietuviš kai

M**Mandarin**

我講國語 (Traditional)

我讲国语/普通话 (Simplified)

Mam

Bán chiyola tuj kíyol mam

Mon

ଓঁ পুঁ অগুর্ণ এৰু

N**Norwegian**

Jeg snakker norsk

P**Persian**

من فارسي صحبت می کنم.

Polish

Mówię po polsku

PortugueseEu falo português do Brasil
(for Brazil)Eu falo português de Portugal
(for Portugal)**Punjabi**

ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।

Q**Qanjobal**

Ayin tí chí walq' anjob' al

Quiche

In kinch'aw k'uin ch'e quiche

R**Romanian**

Vorbesc românește

Russian

Я говорю по-русски

S**Serbian**

Ја говорим српски

Sign Language (American)**Slovak**

Hovorím po slovensky

Slovenian

Govorim slovensko

Somali

Waxaan ku hadlaa af-Soomaali

Spanish

Yo hablo español

Swahili

Ninaongea Kiswahili

Swedish

Jag talar svenska

T**Tagalog**

Marunong akong mag-Tagalog

Tamil

நான் தமிழ் பேசுவேன்

Thai
ພູດກາປາ່ຽນໄທຍ່

Turkish
Türkçe konuşurum

U

Ukrainian
Я розмовляю українською мовою

Urdu
میں اردو بولتا ہوں

V

Vietnamese
Tôi nói tiếng Việt

W

Welsh
Dwi'n siarad

X

Xhosa
Ndithetha isiXhosa

Y

Yiddish
אַךְ רַעַד יִידִישׁ

Yoruba
Mo nso Yooba

Z

Zulu
Ngiyasikhuluma isiZulu

Agrupación Lingüística	Variante Lingüística	Frase en español	Frase en lengua
chichimeo jonaz	chichimeco jonaz	yo hablo chichimeca	ikáuj úza' ér~í
mazateco	mazateco del norte	yo hablo mazateco Hablo la lengua de Santa María Chilchotla	Cha'ña enná Cha'ña énn nda xo
maya	maya	Yo hablo maya	teen k-in t'aan maya
mixe	mixe bajo	Yo hablo mixe	Madyakpiéch ayuuk
	mixe alto, de Tlahuitolpec	Yo hablo mixe	Xaamkéjxpét ayuujk éts nkajpyxypy
mixteco	mixteco del oeste de la costa	yo hablo mixteco	Yuu kain se'en savi ñu ñundua

16

Agrupación Lingüística	Variante Lingüística	Frase en español	Frase en lengua
náhuatl	náhuatl de la huasteca veracruzana (se entiende junto con Veracruz y San Luis Potosí)	yo hablo náhuatl	Na nitlajtowa náhuatl
tojolabal	tojolabal	yo hablo tojolabal	Ja'ke'ni wala kúmamion tojol-abál
tríqui	tríqui de la baja	yo hablo tríqui	'unj a'mii xna' ánj nu' a
tseltal	tseltal (variante unificada)	Yo hablo tseltal	Te jo'one ja k'op te bats'il k'op tseltal
tsotsil	tseltal (variante unificada)	Yo hablo tsotsil	Vu'une jna'xi k' opoj ta bats'i k'op
zapoteco	zapoteco de la planicie costera	yo hablo zapoteco	Naa riné' diidxazá
chinanteco	chinanteco del sureste medio	yo hablo chinanteco	Jnea lo'n jujmii kiee 'dsa mo'kuöö

17

A - pg. 3	G - pg. 6	M - pg. 10	T - pg. 13, 14
Amharic	German	Mandarin	Tagalog
Arabic	Greek	Mam	Tamil
Armenian	Gujarati	Mon	Thai
			Turkish
B - pg. 3	H - pg. 7	N - pg. 10	U - pg. 14
Bengali	Haitian Creole	Norwegian	Ukrainian
Bosnian	Hebrew		Urdu
Bulgarian	Hindi	P - pg. 11	
Burmese	Hmong	Persian	
	Hungarian	Polish	V - pg. 14
C - pg. 4	I - pg. 8	Portuguese	Vietnamese
Cambodian	Icelandic	Punjabi	
Cantonese	Ilocano	Q - pg. 11	Welsh
Catalan	Indonesian	Qanjobal	
Croatian	Italian	Quiche	X - pg. 15
Czech			Xhosa
D - pg. 5	J - pg. 8	R - pg. 12	
Danish	Japanese	Romanian	Y - pg. 15
Dari		Russian	Yiddish
Dutch	K - pg. 9	Kackchiquel	Yoruba
		S - pg. 12, 13	
E - pg. 5	Korean	Serbian	Z - pg. 15
Estonian	Kurdish	Sign Language	Zulu
	Kurmanci	Slovak	
F - pg. 5		Slovenian	See page 16, 17
Finnish	L - pg. 9	Somali	for selected
French	Laotian	Spanish	indigenous
	Latvian	Swahili	languages
	Lithuanian	Swedish	of Mexico.

Limited English Proficiency Resources

www.lep.gov

"I Speak" is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL).

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