

- c) The confidential source files will be kept in a secure location to be designated by the investigations division deputy superintendent.

6) Security of the Confidential Source File:

The Investigations division deputy superintendent is responsible and accountable for formal confidential source activity.

7) Methods to protect identity of confidential sources:

All confidential source contacts are subject to the following control measures, which will be reviewed with the confidential source by the investigating officer for each activity: The amount and kind confidential source payments, if any.

- a) The restrictions that are placed on the confidential source for the expenditure of advance money.
- b) The procedures to be followed in establishing future contacts and meetings.
- c) The procedures that will be followed by the officer and the confidential source if the confidential source is arrested.
- d) The requirements and obligations of the confidential source to provide testimony.
- e) The department's limitations in protecting the identity of the confidential source.
- f) The department's future obligations to the confidential source once contact has been severed.

8) Criteria for paying confidential sources:

- a) The Department will not tolerate criminal activity on the part of any confidential source.

1. If an officer becomes aware of illegal acts by the confidential source, prosecution will be sought.
2. Special attention will be given to ensure the confidential source does not misuse department funds (e.g., by pocketing a portion of buy money so he will benefit financially).
3. Generally, unless required by operational necessity, all payments to confidential sources will be approved by the deputy superintendent of investigations. Payments exceeding \$100.00 per case will be approved by the deputy superintendent.

- b) Fees paid to confidential sources will be predicated upon:

1. Quality of information.
2. Quantity of information.
3. Risk factors involved.

- c) Fees paid to confidential sources will be on a cash-on-delivery basis.
- d) The confidential source will sign a receipt with his CS number and assigned fictitious name for every payment made.

9) The following precautions should be taken with confidential sources:

- a) When meeting the confidential source, the officer should always select the time and place.

1. Location and times should vary to avoid a pattern.
  2. Officers should always prepare a plausible cover story in case they are observed in the company of a confidential source.
- b) The confidential source should always be debriefed prior to terminating contact. Any information related to criminal violations will be documented and investigated or forwarded to the appropriate agency for investigation.
  - c) Confidential sources must be frequently tested for the accuracy of their information.
  - d) Contacts between department personnel and confidential sources will be made in the presence of at least two officers. One officer making the contact with a second officer observing from a nearby position is acceptable.
  - e) Under no circumstances will a female confidential source be contacted in person or be allowed to assist in an investigation unless there are two officers present.
- 10) Special precautions with juvenile confidential sources

Juveniles are not to be used as confidential sources unless approval is granted by the investigations division Deputy Superintendent and appropriate waivers are signed by a parent or a guardian.

    - r. Confidential funds may be used by investigators to purchase evidence with the approval of the deputy superintendent of the investigations division.
    - s. Confidential funds control and audit
      - 1) Accessibility:
        - a) Disbursement of special funds is subject to fiscal controls, including proper receipt (if possible) and record.
        - b) Officers will generally not be given a "bank" or supply of cash to carry on their person. Funds will be requested for each use of buy money.
        - c) The investigations division deputy superintendent is responsible and accountable for the disbursement of all special funds and will ensure the following conditions are met:
          1. The monies are being expended to accomplish a legitimate police purpose.
          2. A receipt and record of each expense is obtained and filed.
        - d) The officer will file a written report detailing the reasons for the payment, investigative case factors, the confidential source to be paid (list by CS number) and the amount requested.
        - e) The confidential source must sign the payment voucher before any monies can be paid. Advance payments will not be allowed unless authorized by the investigations division deputy superintendent.
      - 2) Accounting

The investigations division deputy superintendent will retain a log book detailing all monies currently in use for ongoing investigations, on hand and present and spent between the normal balance and auditing of the fund.
      - 3) Auditing:

- a) Auditing of the confidential funds will occur on a quarterly basis by the Superintendent or his designee.
- b) A regular monthly audit will be conducted by the investigations division Deputy Superintendent.
- c) Spot audits may be conducted at any time by the Superintendent or his designee.
- d) The Superintendent of police retains the right and authority to make unannounced audits of the investigative funds to ensure:
  - 1. Adherence to the procedures set forth in this directive.
  - 2. Proper fiscal control measures are being followed.

4) Criteria for use:

The department allocates special funds to the investigations division for expenses incurred pursuant to:

- a) Confidential source operations,
- b) Drug buys,
- c) Liquor law violation investigations,
- d) Gambling law violation investigations,
- e) Vice investigations,
- f) The use of "flash" money,
- g) The use of "props,"
- h) Other investigations in which formal Department purchase and expense procedures cannot be followed.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 45-01-01**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** CRIME PREVENTION PROGRAMS

**1. POLICY**

The Cicero Police Department will establish guidelines for creating and reviewing crime prevention programs.

**2. PROCEDURES**

a. The planning and research function will:

- 1) Receive information from the crime analysis function for use in developing, operating and evaluating crime prevention programs,
- 2) Recommend crime prevention programs by:
  - a) Reviewing statistics on crime type and geographic area,
  - b) Consulting with employees.
  - c) Consulting with persons outside the department.
  - d) Reviewing and evaluating other programs for appropriateness for The Town of Cicero.
  - e) Reviewing specific information from the crime analysis function.
- 3) Target programs to address community perceptions or mis-perceptions.
- 4) Evaluate the effectiveness of crime prevention programs.

b. The Deputy Superintendents (or their designees) will:

- 1) Assess the need for community crime prevention groups.
- 2) Assist the planning and research unit in the formation of crime prevention groups.
- 3) Serve as liaison with any crime prevention groups established within the town.

c. To aid in crime prevention, the superintendent of police, with input from the research and planning unit, will provide reviews, as requested, to the town board on:

- 1) Zoning policies.
- 2) Building codes.
- 3) Fire codes.
- 4) Residential/commercial permit applications and/or site plans.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 44-01-01**



EFFECTIVE DATE: June 1<sup>st</sup>, 2013

REVIEW DATE: June 1<sup>st</sup>, 2015

SUBJECT: **JUVENILE ENFORCEMENT AND CUSTODY**

**1. POLICY**

The Cicero Police Department requires all officers to be familiar with procedures for handling both criminal and non-criminal juvenile incidents. The department, within its resources, will develop juvenile programs and cooperate with outside juvenile agencies as appropriate. All agency components and personnel share responsibility for supporting the agency's juvenile operations. The agency will provide relevant juvenile related agencies the opportunity to review its juvenile policy.

A small percentage of juveniles may require secure custody. However, most juvenile offenders are likely candidates for non-secure custody and positive diversion and intervention strategies. Officers will, whenever reasonable and justified under this order, take measures to effect positive changes in juvenile offenders that are consistent with state law and the safety and security interests of the community.

The **Cicero Police Department Juvenile Processing Handbook** provides detailed processing procedures. The handbook is hereby adopted as policy of the Cicero Police Department. Employees will be guided by the procedures contained therein.

Officers are directed to the Town of Cicero "Code of Ordinances" Section 25-52, "Parental Responsibility," and 25-52.2, "Improper Supervision of Children" for guidance on city charges that may be appropriate when minors are not receiving appropriate parental supervision.

**2. DEFINITIONS**

- a. **Non-secure Custody:** A condition under which a juvenile's freedom of movement is controlled by members of this agency and, during such time, the juvenile is:
  - 1) Held in an unlocked, multi-purpose area, such as a report writing area or an office that is in no way designed for residential use.
  - 2) At no time handcuffed to any stationary object.
  - 3) Held only long enough to complete identification, investigation and processing and then is released to a responsible adult or transferred to a juvenile facility or court.
  - 4) Under continuous visual supervision until released.
- b. **Responsible Adult:** In the absence of a juvenile's parents or legal guardian, a responsible adult is one who is responsible for the physical custody of a juvenile or who is another adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until parents, legal guardian or next of kin can assume that responsibility.
- c. **Secure Custody:** A condition in which a juvenile is physically detained or confined in a locked juvenile detention room approved by the Illinois Department of Corrections for that purpose, or when a juvenile is physically secured to a cuffing rail or other stationary object.

- d. **Status Offender:** A juvenile who is charged with an offense that would not be a crime if committed by an adult.

### 3. **PROCEDURES**

#### a. Enforcement Alternatives

- 1) Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this order in deciding on appropriate actions.
- 2) Alternatives that may be considered include, but are not limited to:
  - a) Release without further action.
  - b) Informal counseling to inform the youth of the consequences of his actions.
  - c) Informal referrals to community services.
  - d) Referral to parents or responsible adult.
  - e) Informal counseling of parents or responsible adult.
  - f) Limited custody and station house warning.
  - g) Issuance of a summons or complaint.
  - h) Arrest under non-secure custody.
  - i) Arrest under secure custody.

#### b. Enforcement Criteria guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.

- 1) Release without further action, release following informal counseling, referral to community resources or release to parents (or responsible adult) may be appropriate in incidents where property damage or personal injury is not involved but intervention is necessary to avoid potential delinquent actions, and when the youth has had no prior enforcement contacts with the police.
- 2) Examples of these incidents include, but are not limited to:
  - a) Curfew violations.
  - b) Loitering.
  - c) Minor liquor law violations.
  - d) Disorderly conduct.
- 3) Officers may elect to:
  - a) Transport the youth home or direct him to return home.
  - b) Make personal, telephone or mail contact with the youth's parents or guardians to provide them with information and counseling on their child's actions;
  - c) Refer the youth to an appropriate community service agency with or without follow-up.
  - d) Detain the youth at the station house until he is released to a parent, guardian or responsible adult when:
    1. The nature of the incident is of a more serious or potentially serious nature than exemplified in section 3.b.2. of this order.
    2. The youth involved is fully aware of the seriousness or potential seriousness of his actions and/or is acting in alliance or collusion with others to commit such acts.
    3. The youth fails to cooperate or to positively respond to police intervention and direction.

4. The youth has received prior informal warnings or referrals or has engaged in delinquent acts.
  5. The youth's parents or responsible adult have apparently failed to provide appropriate control and supervision.
- 4) Officers may file delinquency charges against a juvenile when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in paragraph 3.b.2. of this order.
- 5) Officers should file delinquency charges against juveniles when they commit:
- a) Acts that if committed by an adult would be felonies.
  - b) Delinquent acts involving deadly weapons.
  - c) Serious gang-related offenses.
  - d) Delinquent acts involving assault;
  - e) Delinquent acts while on probation or parole or when they have charges pending against them.
  - f) Delinquent acts as repeat offenders or when they have refused to participate in diversion or intervention programs.
  - g) When it has been determined that parental or other adult supervision is ineffective.
- 6) An officer may also take a juvenile into custody if the youth is lost, seriously endangered or is a runaway.
- a) In all such cases these juveniles will be held in non-secure custody and officers will contact the child's parents or guardian or a responsible adult) as soon as possible.
  - b) Where parents or guardians (or a responsible adult) cannot be contacted or refuse to accept custody, the officer will contact the department approved youth services agency for placement (Youth Crossroads).
- 7) In cases of alleged child abuse, officers will contact a youth officer or their immediate supervisor in order to conduct an investigation of the complaint unless probable cause justifies immediate action in order to protect the safety and well-being of the child.

c. Status Offenses

- 1) Based on the seriousness of and circumstances surrounding the offense, the background and demeanor of the juvenile and other relevant factors, an officer may release a juvenile to his parents, guardian or other responsible adult.
- 2) Juveniles taken into custody for status offenses will normally be frisked for weapons prior to being transported and may be handcuffed or otherwise restrained at any time if, in the judgment of the officer, the juvenile poses a physical risk to himself, the officer or others.
- 3) Officers will pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.
- 4) Juveniles taken into custody for status offenses will be held in non-secure custody as provided by state law and for the briefest time necessary to conduct identification, investigation and related processing requirements to facilitate their release to a parent or responsible adult or transfer to a juvenile facility.
- 5) Transportation of a juvenile in a caged vehicle is not considered secure custody.
- 6) Status offenders and other juveniles taken into temporary non-secure custody for non criminal-type offenses should not be fingerprinted or photographed for purposes of record.
- 7) Status offenders in temporary custody will not be placed in a holding area with adult suspects and will also be:

- a) Under constant visual supervision
  - b) Afforded reasonable access to toilets and washing facilities.
  - c) Provided food if in need of nourishment to include any special diets necessary for health or medical purposes.
  - d) Provided with reasonable access to water or other beverages.
  - e) Allowed reasonable access to a telephone.
- d. Criminal-Type Offenses
- 1) Juveniles arrested for criminal offenses are subject to the same security requirements as adults and may be handcuffed or otherwise restrained as necessary during transport and processing.
  - 2) Juveniles accused of criminal offenses may be securely detained only for the period of time and in the manner prescribed by state law to allow for identification, investigation, processing and release to parents or a responsible adult, or transfer to the juvenile facility or court.
  - 3) Fingerprints and photographs will be taken of all juveniles taken into custody for criminal offenses. The fingerprint card and mug shot will be marked "Juvenile" and will be maintained in this agency's central repository for such purposes separately from adult fingerprints and mug shots and will be subject to controlled dissemination as provided by law.
  - 4) Juveniles placed in secure detention, whether in cells, locked rooms or other locations, will be sight and sound separated from any incarcerated adults and will:
    - a) Be informed of the approximate period of time that the incarceration will last.
    - b) Be provided with constant auditory access to officers responsible for their supervision.
    - c) Be personally observed by personnel on both a routine and unscheduled basis at least every 15 minutes.
  - 5) Prior to custodial interviews or questioning a juvenile officer should be summoned if available.
  - 6) Police officers assigned to investigate a crime or ordinance violation involving a juvenile offender and/or victims have the right to question the juvenile.
  - 7) Miranda Rights must be given to and be fully understood by juveniles under the same circumstances as adults.
  - 8) A Juvenile Officer or a parent or guardian must be present during the questioning of a juvenile. This is not required by Illinois statute. (Case law makes reference to a juvenile officer's presence during interrogation in order to ensure that there is a person present to make certain the juvenile's rights are not being violated.)
  - 9) Interrogation of juveniles should not extend over periods of time that could be considered unreasonable or harassing and should be conducted by only one officer at a time.
  - 10) The juvenile should be informed of the procedures that will be followed with regard to custody, release, and transport to another facility or to a custody hearing.
- e. When an officer brings a juvenile into the police headquarters, he will notify the shift supervisor of the circumstances. If secure detention is anticipated, or physical or sexual abuse is suspected, the shift commander will assign a juvenile officer to assist the primary officer. The shift supervisor may assign a juvenile officer when he determines that the special training and expertise of a juvenile officer is required.
- f. Record keeping

- 1) Officers who select non-custodial alternatives or engage in informal enforcement contacts with juveniles will complete appropriate field interview and/or other reports as required. These reports will clearly identify the juveniles involved, the nature of the incident and the rationale for the officer's disposition.
  - 2) Juveniles taken into custody for criminal offenses will be subject to the same reporting requirements as adults. Such reports will be clearly marked "Juvenile," maintained in a separate location from adult arrest records and be subject to state law regarding dissemination and access.
- g. Procedures for entering schools: arrest/investigation
- 1) Generally, when an investigation leads to a school, the officer should first contact the principal, dean or designated school contact person. This allows the officer to determine if:
    - a) The individual in question is a student at that school.
    - b) The student is presently in school.
  - 2) Entering a school
    - a) The officer should:
      1. Always conduct himself/herself in a professional manner.
      2. **ALWAYS** check into the principal's office and advise them of the purpose of the visit.
      3. Try not to disturb the normal flow of school official's work.
      4. Enter by a location where the entire school does not see the officer's presence (use back entrances for both entrances and exits, when possible).
      5. Exercise discretion in dealing with the students and school officials.
    - 3) Interviewing or interrogating a student while in school is not a normal activity and should only be done in extraordinary cases.
      - a) When possible, the officer should have previously secured the cooperation of:
        1. The school.
        2. The student's parent or guardian, if the student is a juvenile.
      - b) The interview should be held in a room or office away from casual visitors or students.
      - c) A school official, counselor or parent should be present.
      - d) If, during the interview, it appears the situation will possibly result in the juvenile being referred to juvenile court, the interview **MUST** be stopped.

4) Juvenile custody

a) Restraints

1. The use of restraints on a juvenile can be disturbing to both students and school officials.
2. The use of restraints on a juvenile on school grounds is at the discretion of the officer and will be used to protect the suspect, the officer, and the community.

b) The juvenile, if taken into custody, may be:

1. Referred to the court and released back to the custody of the parents.
2. Referred to the court and returned to school.
3. Taken to a detention facility of the court.

c) An officer with reasonable grounds may legally take a juvenile into custody with or without a warrant.

d) In determining if a youth should be removed from school for further investigation, the officer should consider the following:

1. Is the nature of the offense such that juvenile court action is required immediately?
2. Is the nature of the offense such that the community needs to be protected from the juvenile?

e) In cases where a juvenile is taken into custody at a school, appropriate notification attempts will be made to the minor's parents or legal custodian and recorded as such. Criminal offenses beyond a status offense involving the arrest of a minor (under 17 years old) shall require the assist from a certified juvenile officer specifically during questioning/interrogation to protect and provide the minor with his/her rights under the law.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER NUMBER: 43-01-04**

**EFFECTIVE DATE:** October 15, 2018

**SUBJECT:** 1505 Asset Forfeiture



**1. PURPOSE:**

Pursuant to 725 ILCS 150, 720 ILCS 570/505, 720 ILCS 550/12 and similar federal asset forfeiture statutes, the Cicero Police Department is actively seeking to seize currency and property that is deemed to be used in, or proceeds of, illegal drug transactions. The property and currency from these forfeitures, according to statute, shall then be used by the Cicero Police Department to further combat drug use and sales within the Town of Cicero. The list of items eligible for seizure includes, but is not limited to currency, vehicles, other conveyances, and real property including land.

**2. POLICY:**

A. Several points of criteria exist to justify the recovery of certain items for seizure, and the general guidelines are as follows:

1. In drug seizure, for possession only cases, an individual must possess **2 unit doses** or more of a **controlled substance**.
2. In drug seizures of cash, less than \$100 may not be seized for possession with intent cases or manufacture/delivery cases.
3. For possession only cases, less than \$500 may not be seized.
4. An individual is suspected of any **felony** violation of the Cannabis Control Act defined in 720 ILCS 550 (Felony possession is currently 100 grams or more unless there is a prior conviction, in which case the threshold is 30 grams. Possession with intent may be 10 grams or more).

B. Items eligible for seizure:

1. Currency:

- a. The suspect is in immediate possession of both illegal drugs and currency, and the amount of currency recovered is at least \$100 USC in Possession with Intent cases and \$500 in Possession cases, or
- b. The illegal drugs are in close proximity to the currency, and no immediate suspect is identified, or
- c. A subject is in possession of currency and has no drugs, but admits the money was obtained from drug sales, or
- d. A subject in possession of U.S.C denies ownership and makes written disclaimer of the same or
- e. Under very specific circumstances, the seizure of extremely large amounts of currency without immediate proximity to illegal drugs is possible. If an unusual amount of currency is located, the GCTU should be contacted

immediately for further disposition. Currency should not be seized for the sole reason that it is a large amount unless the person in possession makes written disclaimer of ownership of said monies, admits proceeds are from drug sales, or reasonable circumstances exist to lead an investigator certified in asset forfeiture to believe it was derived from illegal drug sales, or

- f. Probable cause exists

2. Vehicles:

- a. The illegal drugs are found somewhere inside a vehicle or other conveyance other than on someone's immediate person.
- b. Illegal drugs are found in possession of the vehicle's occupants.
- c. The conveyance was used to facilitate or intended to be used for the transporting, selling, concealing, possessing, or receiving of illegal drugs.

3. Other Conveyances:

- a. The seizure of utility vehicles, trucks, motorcycles, scooters, and other such conveyances directly used in the offense shall be governed as listed above.
- b. Other conveyances such as boats, mobile homes, trailers, etc. and all previously listed vehicles that are not directly used in the commission of a drug offense can be considered on a case by case scenario.
- c. Contact the Department Asset Forfeiture Coordinator for determining if a particular item is eligible for final approval.

4. Property:

- a. The seizure of property including, but not limited to jewelry, computers, televisions, precious metals, artwork, firearms, other weapons, surveillance equipment, scales, and other electronics shall be determined by the Department Asset Forfeiture Coordinator certified in asset forfeiture.
- b. All real property seizures including residential and commercial property will be conducted by the Department Asset Forfeiture Coordinator.

3. **PROCEDURES:**

A. Asset forfeiture is done through civil proceedings, and criminal charging is not necessary for a seizure to occur.

B. If the above criteria are met, the following procedures should be followed:

1. Contact a supervisor to determine if the case needs additional assistance from the GCTU.
2. When money is recovered from an individual, conduct an interview to ascertain where the money was obtained, if he/she is employed, his/her hourly wage, hours worked per week, what expenses the person has, and other pertinent information necessary to help establish the illegitimacy of the money. Make sure to document that in your report and if possible in a written offender statement.
3. Document everything that led you to believe that the currency or property was involved in drug activity. This should include, but is not limited to: prior arrest history, citizen tips, informant tips, presence of drug paraphernalia or packaging materials, drug ledgers, scales, the use of an alias, statements by an individual or associates, weapons,

surveillance equipment, lack of employment, association with other subjects involved in drug activity, hidden location recovery, evasive behavior, positive alert by drug detection dog, and hidden vehicle compartments.

4. If a drug-related arrestee is in immediate possession of currency, transport the subject into the booking area as usual and recover the currency after intake by marking the prisoner property form accordingly. Issue the subject a receipt for the recovered currency and place it in the evidence locker with a separate inventory sheet.
5. Have individuals sign the release of liability disclaimer form if they state that they do not know who the owner is, of any particular currency.
6. Make sure to recover packaging material, scales, pagers, cell phones, ledgers or any other indicia of drug sales.
7. Money and vehicles recovered for seizure are not evidence so they should be designated simply as recovered property or indicated for towing.
8. Make sure to detail the method of vehicle use and location within the vehicle that the drugs were located in your incident report.
9. Vehicles should be towed to a tow yard approved by the Town of Cicero and the tow sheet must be marked "Hold for 1505". (The mileage of the vehicle must be documented on the tow sheet).
10. In all seizures, copies of all paperwork shall be forwarded to the Asset Forfeiture Coordinator. This includes: the incident report, all written statements, name checks, Criminal histories, consent to search waivers, vehicle registration information, title search information, tow sheet(s), inventory form(s), copies of complaints, Fair Market Value printout from Kelly Blue Book, vehicle mileage, and all other pertinent information that is related to the case and forfeiture.
11. In cases when Department Asset Forfeiture Coordinator determines no forfeiture proceedings will go forward, after the initial seizure, the initial investigating officer will, after being notified by the Department Asset Forfeiture Coordinator, do the following:
  - a. Vehicles: Advise records and the towing director that the seizure will not proceed further.
  - b. Currency: Advise the Evidence Custodian that the seizure will not proceed further.
  - c. Other Items Seized: Advise the Evidence Custodian that the seizure will not proceed further.

#### C. Supervisory Responsibilities

1. Review Asset forfeiture paperwork to determine its correctness and completeness before the investigating officers forward the paperwork to the asset forfeiture coordinator.

#### D. Asset Forfeiture Coordinator Responsibilities

1. Receives and reviews asset forfeiture packets
2. Determines if forfeiture proceedings will continue based on the review
3. For cases being processed for seizure, distributes asset forfeiture paperwork to the appropriate agencies (Cook County States Attorney's Office and Illinois State Police, as appropriate).

4. For cases not being further processed for seizure, advising the initial investigating officer that no forfeiture will be occurring.
  5. Maintain all asset forfeiture records
  6. Distribute funds and/or assets as awarded by the Cook County States Attorney's Office
  7. Maintain Department records of asset forfeitures in "holding" and "final" bank accounts.
- E. Evidence Custodian Responsibilities
1. Deposit seized funds in the asset forfeiture "holding" account.
  2. Forward requests for reimbursement to Asset Forfeiture Coordinator
- F. Records Division Responsibilities:
1. Change the status of vehicles being held for seizure when notified that asset forfeiture proceedings are no longer being pursued.

By Order of:

  
Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER NUMBER: 43-01-05**



**EFFECTIVE DATE:** October 15, 2018

**SUBJECT:** Article 36 Asset Forfeiture

**1. PURPOSE:**

Pursuant to 720 ILCS 5/36, the Cicero Police Department is actively seeking to seize conveyances (vessels, vehicles or aircraft) which are used in the commission or the attempt commission of the following crimes as cited in Chapter 720 of the Illinois Compiled Statutes. Upon award of seizures, the conveyances will be used by the Cicero Police Department at the direction of the Superintendent of Police or his/her appointee.

**2. POLICY:**

It is the policy of the Cicero Police Department to uniformly enforce the Illinois Compiled Statutes regarding "Article 36" asset forfeitures when it pertains to specific Illinois State Statutes as cited in Chapter 720 ILCS 5/36

**3. GUIDELINES:**

A. Several points of criteria exist to justify the recovery of certain items for seizure, and the general guidelines are as follows:

1. The conveyance must be a vessel, vehicle or aircraft only.
2. Must be used with the knowledge and consent of the owner.
3. Must be used in the commission of, or in the attempt to commit one or more of the following offenses:
  - a). Conveyance Forfeitures under 720 ILCS 5/36 et. al / "Article 36 Seizures"
  - b) Only the following crimes in 720 ILCS 5/
    - i. Section 9-1 (first-degree murder),
    - ii. Section 9-3 (involuntary manslaughter and reckless homicide),
    - iii. Section 10-2 (aggravated kidnapping),
    - iv. Section 11-1.20 (criminal sexual assault),
    - v. Section 11-1.30 (aggravated criminal sexual assault),
    - vi. Section 11-1.40 (predatory criminal sexual assault of a child), subsection (a) of Section 11-1.50 (criminal sexual abuse), subsection (a), (c), or (d) of Section 11-1.60 (aggravated criminal sexual abuse),
    - vii. Section 11-6 (indecent solicitation of a child), Section 11-14.4 (promoting juvenile prostitution except for keeping a place of juvenile prostitution),

- viii. Section 11-20.1 (child pornography), paragraph (a)(1), (a)(2), (a)(4), (b)(1), (b)(2), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05 (aggravated battery),
- ix. Section 12-7.3 (stalking),
- x. Section 12-7.4 (aggravated stalking),
- xi. Section 16-1 (theft if the theft is of precious metal or scrap metal), subdivision (f)(2) or (f)(3) of Section 16-25 (retail theft),
- xii. Section 18-2 (armed robbery),
- xiii. Section 19-1 (burglary),
- xiv. Section 19-2 (possession of burglary tools),
- xv. Section 19-5 (residential burglary),
- xvi. Section 20-1 (arson; residential arson; place of worship arson),
- xvii. Section 20-2 (possession of explosives or explosive or incendiary devices), subdivision (a)(6) or (a)(7) of Section 24-1 (unlawful use of weapons),
- xviii. Section 24-1.2 (aggravated discharge of a firearm),
- xix. Section 24-1.2-5 (aggravated discharge of a machine gun or a firearm equipped with a device designed or used for silencing the report of a firearm),
- xx. Section 24-1.5 (reckless discharge of a firearm),
- xxi. Section 28-1 (gambling), or
- xxii. Section 29D-15.2 (possession of a deadly substance) of this Code;
- xxiii. an offense prohibited by Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel or watercraft, vehicle, or aircraft contains more than 10 cartons of such cigarettes;
- xxiv. an offense prohibited by Section 28, 29, or 30 of the Cigarette Use Tax Act if the vessel or watercraft, vehicle, or aircraft contains more than 10 cartons of such cigarettes;
- xxv. an offense prohibited by Section 44 of the Environmental Protection Act;
- xxvi. an offense prohibited by Section 11-204.1 of the Illinois Vehicle Code (aggravated fleeing or attempting to elude a peace officer);
- xxvii. an offense prohibited by Section 11-501 of the Illinois Vehicle Code (driving while under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof) or a similar provision of a local ordinance, and
  - (A) during a period in which his or her driving privileges are revoked or suspended if the revocation or suspension was for:
    - (i) Section 11-501 (driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof),
    - (ii) Section 11-501.1 (statutory summary suspension or revocation), paragraph (b) of Section 11-401 (motor vehicle accidents involving death or personal injuries), or
    - (iii) reckless homicide as defined in Section 9-3 of this Code;

- (B) has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries;
- (C) the person committed a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision for the third or subsequent time;
- (D) he or she did not possess a valid driver's license or permit or a valid restricted driving permit or a valid judicial driving permit or a valid monitoring device driving permit, or
- (E) he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

- xxviii. an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code;
- xxix. an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; or
- xxx. (A) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under Section 5-16 of the Boat Registry and Safety Act during a period in which his or her privileges to operate a watercraft are revoked or suspended and the revocation or suspension was for operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof.
- (B) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and has been previously convicted of reckless homicide or a similar provision of a law in another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof as an element of the offense or the person has

previously been convicted of committing a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and was involved in an accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; or

(C) the person committed a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under Section 5-16 of the Boat Registration and Safety Act or a similar provision for the third or subsequent time.

4. In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vessels or watercraft, vehicles, and aircraft, and any such equipment shall be deemed a vessel or watercraft, vehicle, or aircraft for purposes of this Article.
5. In addition, when a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (1), (2), (3), or (4) of subsection (a) of this Section.
6. If the spouse of the owner of a vehicle seized for an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (d)(1)(A), (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section 11-501 of the Illinois Vehicle Code, or Section 93 of this Code makes a showing that the seized vehicle is the only source of transportation, and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle

- seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.
7. In addition, property declared contraband under Section 40 of the Illinois Street-gang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.

#### **4. SEIZURE**

- A. Any property subject to forfeiture under this Article may be seized and impounded by the Director of State Police or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property.
- B. Any property subject to forfeiture under this Article may be seized and impounded by the Director of State Police or any peace officer without process if there is probable cause to believe that the property is subject to forfeiture under Section 36-1 of this Article and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable.
- C. If the seized property is a conveyance, an investigation shall be made by the law enforcement agency as to any person whose right, title, interest, or lien is of record in the office of the agency or official in which title or interest to the conveyance is required by law to be recorded.
- D. After seizure under this Section, notice shall be given to all known interest holders that forfeiture proceedings, including a preliminary review, may be instituted and the proceedings may be instituted under this Article.

#### **5. PROCEDURES:**

##### **A. Officer responsibilities:**

If any officer finds that the above criteria are met, the following procedures should be followed:

1. Contact the Department Asset Forfeiture Officer if the case needs additional assistance.
2. Before initiating asset forfeiture of a vessel or aircraft, when feasible the Department Asset Forfeiture Officer should be consulted.
3. Upon initiation of an "Article 36" asset forfeiture on a vehicle the vehicle should be towed to the authorized towing provider for the Town of Cicero and the seizing officer shall inform the tow provider that there is an "Article 36" hold on the vehicle.
4. The officer will then complete a Cicero Police Department tow report and place a "Hold for Article 36" on the tow report, thus indicating that the vehicle is not eligible for release.
5. The officer will complete the following packet and forward it to the Department Asset Forfeiture Officer for review:
  - a) Copy of the tow form with "Article 36 Hold" on it
  - b) Copy of completed incident report
  - c) Copy of criminal history

- d) Copy of driver abstract
- e) Any statements the vehicle possessor may have made
- f) Copy of any tickets or complaints issued
- g) Copy of printout of SOS vehicle registration from LEADS
- h) Title search on the vehicle with lien holder information
- i) Printout of Fair Market Value (Kelly Blue Book)

**B. Supervisory Responsibilities**

Review Asset forfeiture paperwork to determine its correctness and completeness before the investigating officers forward the paperwork to the asset forfeiture coordinator.

**C. Asset Forfeiture Coordinator Responsibilities**

1. Receives and reviews asset forfeiture packets
2. Determines if forfeiture proceedings will continue based on the review
3. For cases being processed for seizure, distributes asset forfeiture paperwork to the appropriate agencies (Cook County States Attorney's Office and Illinois State Police, as appropriate).
4. For cases not being further processed for seizure, advising the initial investigating officer that no forfeiture will be occurring.
5. Maintain all asset forfeiture records
6. Distribute funds and assets as awarded by the Cook County States Attorney's Office
7. Maintain Department records of asset forfeitures in "holding" and "final" bank accounts.

**D. Evidence Custodian Responsibilities:**

1. Deposit seized funds in the asset forfeiture "holding" account
2. Forward requests for reimbursement to Asset Forfeiture Coordinator

**E. Records Division Responsibilities:**

Change the status of vehicles being held for seizure when notified that asset forfeiture proceedings are no longer being pursued.

By Order of:

*[Redacted]*  
Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 43-01-01**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** VICE, DRUGS AND ORGANIZED CRIME

**1. POLICY**

The Cicero Police Department provides guidelines and procedures to identify and investigate vice, drug, and organized crime offenses.

**2. PROCEDURES**

- a. Any officer of this department may be the initial responder to a complaint involving organized crime, drug trafficking, and/or vice activity, and may at any time, regardless of his duty status, be approached with information concerning these topics.
- b. All officers will be prepared to identify activities and occurrences associated with organized crime, vice or drugs, and will submit such information in memorandum form to the Deputy Superintendent of investigations for appropriate follow up.
- c. This order does not limit an officer's prerogative to affect an immediate arrest if probable cause exists.
- d. A copy of all arrest reports related to vice, drugs, or organized crime matters will be forwarded to the Deputy Superintendent of investigations by the arresting officer.
- e. Activities which should be submitted in report form for review will include, but not be limited to, the:
  - 1) Illegal sale and distribution of liquor and tobacco.
  - 2) Sale and delivery of controlled substances.
  - 3) Gambling operations and like activities.
  - 4) Prostitution.
  - 5) Child pornography.
  - 6) Loan sharking.
  - 7) Labor racketeering.
  - 8) Organized extortion or bribery.
  - 9) Fencing and/or theft rings.
  - 10) Illegal sale or possession of firearms.
  - 11) Corruption.
- f. Organized crime, drug, and vice activities are not always recognized by the public as such, but may be referred to or mentioned in or during the reporting of other criminal activity or complaints. In addition, no complaint at all may be made, but officers should be prepared at all times to recognize activities that might be connected to drugs, vice and/or organized crime.
- g. Forwarding of information
  - 1) All officers of the police department, upon taking a complaint or upon being made aware of any activity which could be considered as organized criminal, drug or vice

- activity, will at his earliest opportunity, and prior to the end of the shift if on duty, by the end of the next working shift if off duty, commit all information to written form.
- 2) This report will be submitted either directly to the Deputy Superintendent of Investigations, or sealed in an envelope addressed to the Deputy Superintendent of Investigations and left for him. **At no time** will such reports be left available for review by anyone, including department personnel, who do not have a "need to know".
  - 3) Reports regarding the illegal sale and distribution of liquor and tobacco; reports regarding the illegal sale or possession of firearms; reports regarding theft rings and all arrest reports will be processed in the normal fashion.
    - a) A copy of these reports will be forwarded to the Deputy Superintendent of Investigations.
    - b) The report original goes to the records section.
  - 4) In the event the information is the result of a citizen's complaint, an appropriate case report will be prepared.
  - 5) In the event the information is intelligence-type information, a memorandum to the deputy superintendent of investigations will suffice.

h. Follow-up Actions

- 1) The Deputy Superintendent of Investigations has the responsibility of assigning cases for follow-up investigation, taking into consideration:
  - a) Available manpower.
  - b) The likelihood of successful prosecution.
  - c) The violation if any of law.
  - d) The availability of funds or equipment needed to investigate the activity.
- 2) Should an investigation be ordered, the procedure governing the investigation will comply with department procedures for any criminal investigation. Should it be called for, the deputy superintendent will authorize the use of required resources.
- 3) Information regarding active investigations and copies of reports and other work generated will generally be limited to review by the investigators assigned to the case, and the deputy superintendent of investigations. Any written information not needed for daily investigation will be kept locked in the Deputy Superintendent of Investigations unit office, or in some other place designated by the Deputy Superintendent of Investigations.
- 4) Should a decision be made not to initiate an investigation or should the information concerning the organized crime, drug or vice activity be deemed "intelligence information" such information will be maintained, as appropriate, as intelligence information by the Deputy Superintendent of Investigations.
- 5) Due to the nature of vice, drugs and/or organized crime offenses and the considerable amount of undercover work involved in the enforcement of these offenses, safeguards must be in place regarding the sensitivity of records.
  - a) The Deputy Superintendent of Investigations has the sole responsibility of maintaining any and all records. Access to the information is on a "need to know" basis.
  - b) The Deputy Superintendent of Investigations will maintain records regarding active vice, drug or organized crime investigations and related intelligence information securely and separately from the department's central records system.

- i. Accounting system for vice, drug and organized crime control confidential funds - see "Criminal Investigations, 42-01-01, for confidential funds procedures.
- j. Raids, decoy, undercover and surveillance operations
  - 1) The Deputy Superintendent of Investigations or his designee will authorize and supervise major operations, and be responsible for coordinating and planning "special" operations encompassing, but not limited to: raids, decoy, undercover, and surveillance operations, including the distribution and use of surveillance and undercover equipment. This requirement does not apply to routine operations normally encountered, such as routine surveillance of drug operations, and normal undercover or covert operations.
  - 2) The Deputy Superintendent of Investigations will determine when a written plan will be prepared for his review and approval.
  - 3) When he determines that a written plan is not required, he will provide written authorization to proceed.
  - 4) Special operations will be planned prior to implementation. Guidelines for planning special operations include, as appropriate, but not limited to, the following items.
    - a) Analyzing crimes and victims to determine the nature and scope of personnel, equipment and activities required to safely and effectively conduct the special operation.
    - b) Identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information that will affect the manner of the special operation and potential prosecution.
    - c) Familiarizing officers involved in the special operation with the neighborhood or target area.
    - d) Determining operational procedures for observation, arrests, high-risk entries, surveillance and "tails" to ensure continuity between the planning and the conduct of the special operation. Officers may be required to be disguised to resemble victims, workers, laborers, and the like.
    - e) Supplying required expense funds to officers involved in the special operation. Use of such funds will adhere to established department procedures.
    - f) Establishing means of routine and emergency communication to be used by officers involved in the special operation.
    - g) Selecting equipment and vehicles required for the conduct of the special operation, to include:
      - 1. Weapons.
      - 2. Vehicles.
      - 3. Communications equipment.
      - 4. Visual monitoring equipment.
      - 5. Undercover or decoy supplies.
    - h) Providing relief for officers involved in the operation so that surveillance may continue over an extended period of time if needed.
    - i) Communicating with the prosecutor to determine legal ramifications.
    - j) Making contact with suspects via undercover personnel and analyze the target area.
    - k) Supplying undercover officers with false identity and necessary credentials as well as maintaining confidentiality of false identities.
    - l) Providing back up security for undercover officers.
    - m) Providing close supervision during implementation of the special operation.
    - n) Make arrests of offenders as required.

- 5) Raids will be planned prior to implementation.
  - a) Guidelines for planning raids include as may be appropriate, but are not limited to:
    1. Developing strategies and tactics for approaching, entering, securing, and leaving the target of the raid.
    2. Searching for and seizing evidence and/or contraband.
    3. Selecting and communicating with specialized support units, especially evidence technicians and medical assistance.
    4. Establishing means of communication to be used by officers involved in the raid.
    5. Arresting suspects as well as transporting to a holding facility or detaining and processing at the scene of mass arrests.
    6. Providing documentation of activities associated with the raid as well as evidence seized and suspects arrested.
    7. Selecting appropriate equipment.
  - b) The Deputy Superintendent of Investigations must grant authorization for a raid.
  - c) Communication, coordination and cooperation can best be accomplished with a concerted effort by all members of the police department. For this reason, the exchange of information at all operational levels is highly encouraged.

k. Exchange of information

- 1) Because organized crime can exist in several communities at one time, successful law enforcement efforts often require coordination and exchange of information.
- 2) The investigations unit will maintain a working relationship with all interested agencies regarding organized crime.

l. Criteria for investigative follow up

- 1) Because investigations into vice, drugs and organized crime offenses can involve a good deal of time, money and manpower allocation, the following criteria will be considered by the deputy superintendent of investigations prior to implementation of a plan of action.
  - a) Is the original intelligence information valid?
  - b) What is the criminal nature of the problem?
  - c) How important is the problem?
  - d) What lead information exists?
  - e) What investigative techniques might be used?
  - f) Does the department have sufficient resources?
  - g) Should the case be referred to another more appropriate agency?
  - h) What possible operational problems exist?
- 2) Surveillance, undercover, and decoy operations may be affected singularly or simultaneously during the investigation of organized crime, vice, drug or other criminal offenses. The Deputy Superintendent of investigations will notify the patrol shift supervisor, of the nature and location of the operation prior to commencing the operation.

m. Organized crime, drugs and vice control quarterly report

A written report will be submitted quarterly by the Deputy Superintendent of the investigations division to the Superintendent of police summarizing complaints, investigations, report of expenditures, and arrests involving vice, drugs and organized crime.

By Order of:

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**Superintendent of Police**

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 42-02-05**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** ABANDONED NEWBORN INFANT

**1. POLICY:**

The Cicero Police Department will establish a procedure to be followed when a parent relinquishes a newborn infant in accordance with the Newborn Infant Protection Act.

**2. DEFINITIONS:**

- a. **Newborn Infant:** A child that is 30 days old or younger.
- b. **Facility:** A hospital, police station, fire station or emergency medical facility.

**3. PROCEDURES:**

- a. If an infant is relinquished to The Cicero Police Department the following procedures will be followed:

- 1) Accept and provide all necessary emergency services and care to relinquished newborn infant.
- 2) Arrange for the transportation of the relinquished infant to the nearest hospital as soon as possible.
- 3) If the parent(s) return to the Cicero Police Department within 72 hours after relinquishing the infant, the officer shall inform the parent(s) of the name and location of the hospital to which the infant was transported.
- 4) Allow the relinquishing parent(s) to remain anonymous and to leave the Cicero Police Department without being pursued, provided that the infant shows no signs of abuse or neglect. Law enforcement personnel should make a physical appraisal of the infant and if any signs of abuse or neglect are observed, the relinquishing parent should be held until an investigation can be completed.
- 5) Inform the parent(s) that by relinquishing the child anonymously he/she will have to petition the court if he/she wants to prevent the termination of parental rights and retain custody.
- 6) Offer the parent(s) an information packet containing prescribed materials.
- 7) Complete a General Report Form (GRF).
- 8) File a report to the state within 12 hours of accepting a relinquished infant.

- b. The investigating officer will make the following notifications:

- 1) The shift Commander who will follow the chain of command.
- 2) Department of Children and Family Services (DCFS).

- c. An envelope with the state supplied forms will be located at the front desk for distribution to the parent(s) of the infant notifying them of their rights.

By Order of: \_\_\_\_\_  
Superintendent of Police

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## CICERO POLICE DEPARTMENT GENERAL ORDER: 42-01-04

EFFECTIVE DATE: April 10, 2019 (revised-minor)  
[Page 4 of 8: IX-8-last sentence from previous order deleted]



**SUBJECT:** **Eyewitness Identification**

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### **I. PURPOSE:**

This policy sets forth guidelines to be used when members of this department employ Eyewitness Identification Techniques.

### **II. DEFINITIONS:**

A. Definitions related to the policy include:

1. **Eyewitness Identification Process**- Any field identification, live lineup or photographic identification.
2. **Field identification (Show-up)**-a live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.
3. **Live lineup**- A procedure in which a group of persons is displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime, but does not include a show-up.
4. **Photographic lineup**- A procedure in which photographs are displayed to an eyewitness for the purpose of determining if the eyewitness is capable of identifying the perpetrator of a crime.
5. **Eyewitness** - A person viewing the line-up whose identification by sight of another person may be relevant in a criminal proceeding.
6. **Fillers** - A person or a photograph of a person who is not suspected of an offense and is included in a line-up.
7. **Independent Administrator** - A lineup administrator who is not participating in the investigation of the criminal offense and is unaware of which person in the line-up is the suspected perpetrator.
8. **Lineup** - Includes a photo lineup or physical lineup.
9. **Lineup Administrator** - The person who conducts a lineup.
10. **Simultaneous Lineup** - A physical or photo lineup in which a group of persons or array of photographs is presented simultaneously to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.

### **III. POLICY**

This department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

#### **IV. INTERPRETIVE SERVICES**

- A. Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.
- B. Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter.
- C. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

#### **V. EYEWITNESS IDENTIFICATION FORM**

- A. The Criminal Investigations Supervisor shall be responsible for the maintenance of an Eyewitness Identification Process for use by members when they are conducting eyewitness identifications.  
The process and any related forms or reports should provide:
  1. The date, time and location of the eyewitness identification procedure.
  2. The name and identifying information of the witness.
  3. The name of the person administering the identification procedure.
  4. If applicable, the names of all of the individuals present during the identification procedure.
  5. An admonishment that the suspect's photograph may or may not be among those presented and that the witness is not obligated to make identification.
  6. An admonishment to the witness that the investigation will continue regardless of whether identification is made by the witness.
  7. A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
  8. The process and related forms should be reviewed at least annually and ~~modified when necessary~~.
  9. Eyewitness Identification Forms-Addendum A- English, Addendum B- Spanish

#### **VI. EYEWITNESS IDENTIFICATION**

- A. Officers are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Officers should avoid mentioning that:
  1. The individual was apprehended near the crime scene. The evidence points to the individual as the suspect.
  2. The evidence points to the individual as the suspect.
  3. Other witnesses have identified, or failed to identify, the individual as the suspect.
- B. In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.
- C. Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

## **VII. PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS**

- A. A photo lineup or photo spread can be used to identify a suspect involved in a criminal investigation. This process should be used when a suspect is not known to the victim or witness to the crime.
- B. A photo lineup or photo spread should consist of six (6) or more photographs. Photos used in the lineup as fillers should bear similar characteristics to the suspect to avoid causing the suspect to stand out.
- C. Each eyewitness who views a photo lineup or photo spread shall sign the Eyewitness Identification Form (Addendum A)
- D. A photo lineup or photo spread should not be administrated if the suspect is in custody unless certain circumstances exist causing a live person lineup to be not practical. In cases in which a suspect is in custody a live person lineup should be conducted using the same guidelines as a photo lineup.
- E. All lineups shall be photographed or otherwise recorded.  
(See Criminal Procedure 725 ILCS 5/107A-5 for further information and requirements pertaining to photo lineups and live person lineups).

## **VIII. PROCEDURE**

### **Factors to Consider in Eyewitness Identification**

- A. In order to determine whether an out-of-court confrontation/identification gives rise to the likelihood of misidentification, the courts have considered the following factors:
  1. The opportunity of the eyewitness to view the criminal at the time of the crime.
  2. The eyewitness' degree of attention.
  3. The accuracy of the eyewitness' prior description of the criminal.
  4. The level of certainty demonstrated by the eyewitness at the confrontation/ identification.
  5. The length of time between the crime and the confrontation/identification.
  6. Whether the eyewitness was a "casual observer" or the victim of the crime. Compliance and non-compliance with legally required practices outlined in this policy.
  7. Courts consider the totality of the circumstances when determining if the confrontation/ identification was suggestive or otherwise unreliable.

## **IX. SHOWUP PROCEDURES**

1. In order to minimize potential suggestiveness, the following procedures shall be utilized in the administration of Show up identifications.
2. Consideration should be given regarding time factors. Generally, Show ups are useful in the identification or elimination of potential suspects at the early stages of an investigation or contemporaneous with the event (measured in minutes or hours and not days).
3. Use Show ups only when suspect is detained within one hour of the offense.
4. Consideration should also be given as to location factors. Generally, potential suspects are located within close proximity or can be linked to the proximity of the crime scene.
5. Courts have ruled that the least intrusive investigative technique reasonably available should be utilized for show ups. Absent exigent circumstances or

- consent, eyewitnesses should be transported in a departmental vehicle to the location of a detained person for identification or elimination as a suspect. Exigent circumstances may include instances such as; the eyewitness was injured or physically unable to be taken promptly to view a detained suspect or the eyewitness was otherwise incapacitated.
6. Prior to performance of any Show up, investigators and officers should obtain (and document) a detailed description of the suspect.
  7. When multiple eyewitnesses are involved, consideration should be given as to how many eyewitnesses should be utilized to perform a Show up identification. It may be beneficial to have additional eyewitnesses perform identification through use of photo or physical lineups on an individual basis as soon as practical. Eyewitnesses should be kept separated and instructed not to discuss details of the case or identification results with other eyewitnesses.
  8. Prior to viewing a detained suspect, eyewitnesses should be advised that the person(s) they will be viewing may or may not be the suspect and that they are not obligated to make an identification.
  9. Personnel shall not provide any verbal or non-verbal cues to any eyewitness that may influence the eyewitness' selection.
  10. In instances where an identification is made, personnel shall avoid reporting to the eyewitness any feedback regarding whether or not they have selected the individual suspected of the crime or otherwise "validate" their identification until after the show up is completed.

## **X. FIELD IDENTIFICATION CONSIDERATIONS**

- A. Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications.
- B. When initiating a field identification, the officer should observe the following guidelines:
  1. Obtain a complete description of the suspect from the witness.
  2. Assess whether a witness should be included in a field identification process by considering:
    3. The length of time the witness observed the suspect.
    4. The length of time that has elapsed since the witness observed the suspect.
    5. The distance between the witness and the suspect.
    6. Whether the witness could view the suspect's face.
    7. The quality of lighting when the suspect was observed by the witness.
    8. Whether there were distracting noises or activity during the observation.
    9. Any other circumstances affecting the witness's opportunity to observe the suspect.
  10. If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
  11. When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
  12. A person should not be shown to the same witness more than once.
  13. In cases involving multiple suspects, witnesses should only be permitted to

- view the suspects one at a time.
14. A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
  15. If a witness positively identifies an individual as the perpetrator, officers should not conduct any further field identifications with other witnesses for that suspect. In such instances officers should document the contact information for any additional witnesses for follow up, if necessary.

## **XI. COMPOSING PHOTO AND PHYSICAL LINEUPS**

- A. The following procedures will be utilized for the development of photo or physical lineups.
  1. Only one suspect shall be used in each identification procedure. If more than one suspect exists, then an individual lineup shall be created for each suspect, utilizing different fillers for each lineup.
  2. Fillers should generally fit the eyewitness description of the suspect. In the event that the eyewitness provides limited or inadequate descriptions of the suspect or when the description of the suspect differs significantly from the actual appearance of the suspect, fillers should be selected that resemble the actual suspect's features.
  3. A reasonable effort shall be made to "harmonize" lineups. A consistent appearance between the suspect and fillers should be created with respect to any unique or unusual features (i.e., race, sex, age, scars, tattoos, glasses, facial hair, hairstyle, and hair color) however, absolute uniformity of features is not required.
  4. A random pattern as to position of the suspect shall be utilized. Suspects shall be placed in different positions in each lineup, with regards to different cases and/or eyewitnesses in the same case.
  5. In the event that multiple photographs of the suspect are reasonably available to the investigator or officer, the most recent available photograph should be selected that resembles the suspect description or appearance at the time of the incident.
  6. If there are multiple suspects in a case and an eyewitness is being shown different lineups for purposes of identifying different perpetrators, each lineup must have different fillers.
  7. For all photo lineups, a minimum of 5 fillers should be selected and displayed for each identification procedure. The identity of persons utilized in photographs should be documented.
  8. For all physical lineups, when practical, 5 fillers should be selected and displayed for each identification procedure. In no event should less than 3 fillers be utilized. The identity of all persons utilized in a physical lineup should be documented.
  9. No personal, criminal history or identification numbers should be visible to eyewitnesses. In the event that suspect photos have such information imbedded in them, the information should be blacked out. All photos in such a lineup shall have the same "blackout" appearance as to not single out any one photo from another.

10. Individuals portrayed in photo lineups should be identified by a number (i.e., 1, 2, 3, 4, 5, 6).
11. Background should either be consistent in all photos or have an equally different amount of backgrounds as to not single out any one photo from another.
12. When possible, participants in physical lineups shall be photographed and the physical lineup photographed or lineup procedure otherwise video recorded and preserved as evidence. Identifiers of all participants will be documented. Photo lineups shall be preserved in their presentation order and original condition.

## **XII. EYEWITNESS INSTRUCTIONS AND IDENTIFICATION PROCEDURES**

1. The following procedures shall be followed in the administration of viewing a photo or physical line up.
2. In instances involving multiple eyewitnesses, each shall be separated as soon as possible to prevent conferring with one another and instructed to avoid discussing details of the case or results of an identification made by other eyewitnesses. If separation is not practical, the lineup administrator shall ensure the eyewitnesses are monitored and that they don't confer with each other while waiting to view the lineup or during the lineup.
3. Eyewitnesses shall view all lineups separately to avoid any degree of improper suggestiveness by other eyewitnesses. To the extent it is possible; the suspected perpetrator shall be placed in a different position in the lineup or photo array for each different eyewitness.
4. All lineups involving minors will be performed with a juvenile officer present in accordance with 705 ILCS 405/5-410(2)(f) and Juvenile Procedures.

## **XII. ALL LINEUPS MUST BE CONDUCTED USING THE FOLLOWING METHODS:**

1. By an independent administrator, unless it is not practical.
2. Using a simultaneous procedure in which an array of photographs is presented simultaneously to an eyewitness.
3. By means of an automated computer program or other device which can automatically display a photo lineup to an eyewitness in a manner that prevents the lineup administrator from seeing which photograph(s) the eyewitness is viewing until after the lineup is completed.
4. Any other procedure which prevents the lineup administrator from knowing the identity of the suspected perpetrator or seeing or knowing the persons or photographs being presented to the eyewitness until after such procedure is completed.
5. There shall not be anyone else present who knows the suspected perpetrator's identity during the lineup administration except the eyewitness and the suspected perpetrator's legal counsel if required by law.
6. Prior to viewing any lineup, eyewitnesses shall be read instructions provided on the Lineup/Photo-Spread Advisory Form (Addendum A-English, Addendum B-Spanish version). The document shall be signed by the

- eyewitness and submitted with the officer's reports. If the eyewitness refused to sign the form, the refusal shall be documented by the administrator by writing, "refused" on the signature line where the eyewitness is supposed to sign.
7. For purposes of accurately documenting all statements made by the eyewitness and the procedures being followed, and whenever practical, the administration of any lineup will be audio or video recorded. Eyewitnesses will be instructed that an audio or video recording of the lineup procedure will be made. If the eyewitness refuses, said refusal will be documented.
  8. Administering personnel shall not provide any verbal or non-verbal cues to any eyewitness that may influence the eyewitness' selection.
  9. In instances where an identification is made, personnel shall not report to the individual suspected of the crime or otherwise "validate" their identification until after the lineup is completed.
  10. Any statements made by eyewitnesses related to the identification or non-identification during a lineup will be accurately documented.
  11. When a physical lineup is utilized, all participants must be out of view of eyewitnesses prior to the lineup. Following eyewitness instruction, eyewitnesses should be allowed to view all participants. Each eyewitness should then be removed from the viewing area before participants are removed.
  12. In the event that a physical lineup is utilized, participants may be asked to perform actions such as speaking specified words/phrases or performing certain motions/actions. In such instances, all such words/phrases and motions/actions should be performed by each individual in the physical lineup.
  13. If any of the procedures are deemed impractical, then the reasons for such impracticality must be documented in the officer's reports.

### **XIII. DOCUMENTATION**

- A. A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the report.
- B. If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report (725 ILCS 107A-5).
- C. All documentation, video oral recordings and photographs shall be processed and submitted into Evidence.

By order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER NUMBER: 42-01-02**

**EFFECTIVE DATE:** April 07, 2016

**SUBJECT:** Preliminary Investigations



**I. Purpose**

This directive informs Department members of policy and immediate procedures for preliminary investigations conducted by all Department members

**II. Policy**

It is the policy of the Department to respond as quickly and safely as possible when the assignment of a field unit is required and to efficiently provide any needed police service.

**III. General Information**

**A.** Upon receipt of an assignment, members will proceed immediately to the assignment location, unless a supervisor orders the dispatcher to reassign the call for service to another unit.

**B.** Members conducting a preliminary investigation will:

1. conduct a thorough and accurate investigation.
2. convey a sense of concern and general interest to all persons in need of police service.

3. complete and submit all necessary reports and notifications, unless otherwise directed by a supervisor.

4. NOT investigate or arrest an individual when the member investigating or arresting is personally or financially involved or when the member's family member, friend, acquaintance, tenant, landlord, or other individual with personal or financial ties is involved.

NOTE: Members will take appropriate police action, including arrest, when failure to take such action will result in a crime being committed, there is an imminent risk of harm to an individual, or there is a risk that evidence of a crime may be lost or destroyed.

5. notify their supervisor when becoming aware of a personal or financial interest to the investigation and request reassignment of the incident to an available response unit. (Cross ref: CPD GO 26-01-03 Rules of Conduct- Relationships)

**C.** When a victim has decided not to proceed with charges, Department members will document the victim's decision not to prosecute and the specific reason(s) given for not prosecuting in the victim's own words in the narrative section of the pertinent report.

1. Department members will refrain from using the term "refusal to prosecute."  
**NOTE:** This is not language that a victim will normally use and can be an obstacle for prosecution if the victim later decides to proceed with criminal charges.
  2. Supervisors will not approve a report that states "victim refuses to prosecute," but will ensure that the victim's terminology and specific reason(s) is documented (e.g., because the victim has stated he/she is moving out of state; the victim stated the relationship has ended; the victim believes this was an isolated incident; the victim wants to think about his/her options, the victim only wanted to document the incident; and the victim refused to provide specific reason when asked by reporting officer).
  3. Members conducting Domestic Violence investigations are reminded that a victim's refusal to sign a complaint does not defeat probable cause to arrest. Department members should refer to the Department General Order 55-02-01, entitled "Domestic Violence," which outlines how to handle these types of incidents.
- D. Radio silence by a supervisor implies consent with the dispatcher's assignment of a unit to a call for service. Radio assignments will take precedence over on-view incidents unless those incidents are of an emergency nature and the safety of a citizen, the general public, or an officer is involved.

#### IV. Procedures

- A. Upon arrival, preliminary investigators will:
1. render aid to the injured.
  2. determine if there is reasonable belief that a crime has been or is being committed.
  3. take appropriate action to protect the victim, other people in the general area, and the victim
  4. take appropriate action to stop the crime, if still in progress.
  5. arrest the offender if still on or near the scene and probable cause for an arrest exists.
  6. protect and preserve the crime scene for the collection and processing of evidence as outlined in the Department directive entitled "Crime Scene Protection and Processing."
  7. locate, identify, and interview the complainant/witness, obtain a description of the offender(s) and, when appropriate, alert other police units by sending a flash message.

**NOTE:** When necessary, the on-scene supervisor will make all required notifications.

8. refrain from discussing the details of any follow-up investigation to be conducted by the Department.
  9. inform the victim/complainant of the General Report number and provide a completed Victim Information Notice (Domestic related, Criminal Sexual Assault, Attorney General's Written Statement and Explanation of Rights.)

NOTE: If applicable, have victim sign and date the bottom of Illinois Attorney General's Written Statement and Explanation of Rights (OAG/CV-01/30/13).
  10. when leaving the scene of the assignment (e.g., arrests, transportation of injured persons, pursuit of offenders, touring the area with victim/complainant):
    - a. inform the dispatcher that they are leaving the scene.
    - b. furnish the exact location of their intended destination, if possible.
    - c. if the intended destination cannot be furnished, maintain continuous radio contact with the dispatcher and report any change in location until available for a subsequent assignment.
  11. upon completion of the preliminary investigation, promptly return to an "in service" status.
- B. For police involved shootings incidents, the Detective Division will retain responsibility for the Department's preliminary and follow-up criminal investigation anytime a police officer shoots or shoots at an individual within the corporate limits of the Town of Cicero.

NOTE: The member responsible for the initial case report will report all factual information, victim, witness, offender, location, etc. within the boxes on the case report. The narrative will state: *"For narrative and investigative details, refer to the Detective Division Supplementary Report filed under this Records Division (GRF) number."*

#### V. Treatment of Witnesses

- A. Witnesses will not be held or detained against their will at the station or other Department facility.

By order of:

  
Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER NUMBER: 43-01-05**

**EFFECTIVE DATE:** October 15, 2018

**SUBJECT:** Article 36 Asset Forfeiture



**1. PURPOSE:**

Pursuant to 720 ILCS 5/36, the Cicero Police Department is actively seeking to seize conveyances (vessels, vehicles or aircraft) which are used in the commission or the attempt commission of the following crimes as cited in Chapter 720 of the Illinois Compiled Statutes. Upon award of seizures, the conveyances will be used by the Cicero Police Department at the direction of the Superintendent of Police or his/her appointee.

**2. POLICY:**

It is the policy of the Cicero Police Department to uniformly enforce the Illinois Compiled Statutes regarding "Article 36" asset forfeitures when it pertains to specific Illinois State Statutes as cited in Chapter 720 ILCS 5/36

**3. GUIDELINES:**

A. Several points of criteria exist to justify the recovery of certain items for seizure, and the general guidelines are as follows:

1. The conveyance must be a vessel, vehicle or aircraft only.
2. Must be used with the knowledge and consent of the owner.
3. Must be used in the commission of, or in the attempt to commit one or more of the following offenses:
  - a). Conveyance Forfeitures under 720 ILCS 5/36 et. al / "Article 36 Seizures"
  - b) Only the following crimes in 720 ILCS 5/
    - i. Section 9-1 (first-degree murder),
    - ii. Section 9-3 (involuntary manslaughter and reckless homicide),
    - iii. Section 10-2 (aggravated kidnapping),
    - iv. Section 11-1.20 (criminal sexual assault),
    - v. Section 11-1.30 (aggravated criminal sexual assault),
    - vi. Section 11-1.40 (predatory criminal sexual assault of a child), subsection (a) of Section 11-1.50 (criminal sexual abuse), subsection (a), (c), or (d) of Section 11-1.60 (aggravated criminal sexual abuse),
    - vii. Section 11-6 (indecent solicitation of a child), Section 11-14.4 (promoting juvenile prostitution except for keeping a place of juvenile prostitution),

- viii. Section 11-20.1 (child pornography), paragraph (a)(1), (a)(2), (a)(4), (b)(1), (b)(2), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05 (aggravated battery),
- ix. Section 12-7.3 (stalking),
- x. Section 12-7.4 (aggravated stalking),
- xi. Section 16-1 (theft if the theft is of precious metal or scrap metal), subdivision (f)(2) or (f)(3) of Section 16-25 (retail theft),
- xii. Section 18-2 (armed robbery),
- xiii. Section 19-1 (burglary),
- xiv. Section 19-2 (possession of burglary tools),
- xv. Section 19-3 (residential burglary),
- xvi. Section 20-1 (arson; residential arson; place of worship arson),
- xvii. Section 20-2 (possession of explosives or explosive or incendiary devices), subdivision (a)(6) or (a)(7) of Section 24-1 (unlawful use of weapons),
- xviii. Section 24-1.2 (aggravated discharge of a firearm),
- xix. Section 24-1.2-5 (aggravated discharge of a machine gun or a firearm equipped with a device designed or used for silencing the report of a firearm),
- xx. Section 24-1.5 (reckless discharge of a firearm),
- xxi. Section 28-1 (gambling), or
- xxii. Section 29D-15.2 (possession of a deadly substance) of this Code;
- xxiii. an offense prohibited by Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel or watercraft, vehicle, or aircraft contains more than 10 cartons of such cigarettes;
- xxiv. an offense prohibited by Section 28, 29, or 30 of the Cigarette Use Tax Act if the vessel or watercraft, vehicle, or aircraft contains more than 10 cartons of such cigarettes;
- xxv. an offense prohibited by Section 44 of the Environmental Protection Act;
- xxvi. an offense prohibited by Section 11-204.1 of the Illinois Vehicle Code (aggravated fleeing or attempting to elude a peace officer),
- xxvii. an offense prohibited by Section 11-501 of the Illinois Vehicle Code (driving while under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof) or a similar provision of a local ordinance, and
  - (A) during a period in which his or her driving privileges are revoked or suspended if the revocation or suspension was for:
    - (i) Section 11-501 (driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof),
    - (ii) Section 11-501.1 (statutory summary suspension or revocation), paragraph (b) of Section 11-401 (motor vehicle accidents involving death or personal injuries), or
    - (iii) reckless homicide as defined in Section 9-3 of this Code,

- (B) has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries;
- (C) the person committed a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision for the third or subsequent time;
- (D) he or she did not possess a valid driver's license or permit or a valid restricted driving permit or a valid judicial driving permit or a valid monitoring device driving permit; or
- (E) he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

- xxviii. an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code;
- xxix. an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; or
- xxx. (A) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under Section 5-16 of the Boat Registry and Safety Act during a period in which his or her privileges to operate a watercraft are revoked or suspended and the revocation or suspension was for operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof;
- (B) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and has been previously convicted of reckless homicide or a similar provision of a law in another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof as an element of the offense or the person has

previously been convicted of committing a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and was involved in an accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; or

(C) the person committed a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination therof under Section 5-16 of the Boat Registration and Safety Act or a similar provision for the third or subsequent time.

4. In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vessels or watercraft, vehicles, and aircraft, and any such equipment shall be deemed a vessel or watercraft, vehicle, or aircraft for purposes of this Article.
5. In addition, when a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (1), (2), (3), or (4) of subsection (a) of this Section.
6. If the ~~spouse of the owner of a vehicle seized for~~ an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (d)(1)(A), (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section 11-501 of the Illinois Vehicle Code, or Section 93 of this Code makes a showing that the seized vehicle is the only source of transportation, and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle

- seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.
7. In addition, property declared contraband under Section 40 of the Illinois Street-gang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.

#### 4. SEIZURE

- A. Any property subject to forfeiture under this Article may be seized and impounded by the Director of State Police or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property.
- B. Any property subject to forfeiture under this Article may be seized and impounded by the Director of State Police or any peace officer without process if there is probable cause to believe that the property is subject to forfeiture under Section 36-1 of this Article and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable.
- C. If the seized property is a conveyance, an investigation shall be made by the law enforcement agency as to any person whose right, title, interest, or lien is of record in the office of the agency or official in which title or interest to the conveyance is required by law to be recorded.
- D. After seizure under this Section, notice shall be given to all known interest holders that forfeiture proceedings, including a preliminary review, may be instituted and the proceedings may be instituted under this Article.

#### 5. PROCEDURES:

##### A. Officer responsibilities:

If any officer finds that the above criteria are met, the following procedures should be followed:

1. Contact the Department Asset Forfeiture Officer if the case needs additional assistance.
2. Before initiating asset forfeiture of a vessel or aircraft, when feasible the Department Asset Forfeiture Officer should be consulted.
3. Upon initiation of an "Article 36" asset forfeiture on a vehicle the vehicle should be towed to the authorized towing provider for the Town of Cicero and the seizing officer shall inform the tow provider that there is an "Article 36" hold on the vehicle.
4. The officer will then complete a Cicero Police Department tow report and place a "Hold for Article 36" on the tow report, thus indicating that the vehicle is not eligible for release.
5. The officer will complete the following packet and forward it to the Department Asset Forfeiture Officer for review:
  - a) Copy of the tow form with "Article 36 Hold" on it
  - b) Copy of completed incident report
  - c) Copy of criminal history

- d) Copy of driver abstract
- e) Any statements the vehicle possessor may have made
- f) Copy of any tickets or complaints issued
- g) Copy of printout of SOS vehicle registration from LEADS
- h) Title search on the vehicle with lien holder information
- i) Printout of Fair Market Value (Kelly Blue Book)

**B. Supervisory Responsibilities**

Review Asset forfeiture paperwork to determine its correctness and completeness before the investigating officers forward the paperwork to the asset forfeiture coordinator.

**C. Asset Forfeiture Coordinator Responsibilities**

1. Receives and reviews asset forfeiture packets
2. Determines if forfeiture proceedings will continue based on the review
3. For cases being processed for seizure, distributes asset forfeiture paperwork to the appropriate agencies (Cook County States Attorney's Office and Illinois State Police, as appropriate).
4. For cases not being further processed for seizure, advising the initial investigating officer that no forfeiture will be occurring.
5. Maintain all asset forfeiture records
6. Distribute funds and assets as awarded by the Cook County States Attorney's Office
7. Maintain Department records of asset forfeitures in "holding" and "final" bank accounts.

**D. Evidence Custodian Responsibilities:**

1. Deposit seized funds in the asset forfeiture "holding" account.
2. Forward requests for reimbursement to Asset Forfeiture Coordinator

**E. Records Division Responsibilities:**

Change the status of vehicles being held for seizure when notified that asset forfeiture proceedings are no longer being pursued.

By Order of:

Superintendent of Police *[Signature]*

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 42-01-01**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** CRIMINAL INVESTIGATIONS

**1. POLICY:**

The Cicero Police Department provides guidelines for the efficient and effective investigation of all reported crimes that occur within the town of Cicero.

**2. DEFINITIONS:**

- a. **Career/Habitual Criminal:** A suspect subject to increased penalties for second or subsequent offenses under the Illinois Compiled Statutes, due to previous convictions.
- b. **Confidential Source:** Any person who provides information that is useful for investigative purposes and who has expectations of receiving personal benefit.
- c. **Follow-up investigation:** Activities undertaken by an investigator(s) and/or officer(s) facilitating the identification and apprehension of a criminal offender and maximizing the probability of successful prosecution.
  - 1) While the definition incorporates many of the elements of a preliminary investigation, it also includes compilation of all investigative reports, statements, items of evidence, data prepared by forensic scientists and other material needed for effective prosecution.
  - 2) The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.
- d. **Major Case:** A real or suspected crime:
  - 1) Of such severity it creates, or seems likely to create, an intense public demand for identification, apprehension and prosecution of the offender;
  - 2) Which necessitates a substantial commitment of resources for a prolonged period of time; or
  - 3) Which requires the application of complex or unusual investigative techniques.
  - 4) Examples of major cases may include, but are not limited, to:
    - a) Death investigations.
    - b) Deviant sexual assaults, other sex related offenses.
    - c) Bank robberies, home invasions and armed robberies that usually necessitate sustained investigative effort.
    - d) Sophisticated burglaries - safe jobs, alarm circumventions.
    - e) Arson.
    - f) Financially based crime, e.g., frauds, forgeries, public aid related crimes.
    - g) Covert investigations.
    - h) Organized criminal activities/offenses.
    - i) Kidnapping.

e. **Preliminary Investigation:** Generally, the activities undertaken by an officer(s) responding to the scene of a crime or incident.

- 1) These activities should continue until such time as a postponement or transfer of responsibility will not jeopardize the successful completion of the investigation.
- 2) These activities include, but are not limited to:
  - a) Responding to immediate needs:
    1. Rendering aid to the injured.
    2. Noting such facts as the position of the victims or injured subjects.
    3. Recording spontaneous statements.
    4. Identify evidence, witnesses and elements of the crime.
    5. Noting unusual actions or activities.
    6. Securing the scene.
    7. Notifying headquarters with an assessment of the scene.
  - b) Determining that a crime has been committed.
  - c) Initiating enforcement action - arresting or pursuing the offender and/or dispatching apprehension information.
  - d) Protecting the crime scene and evidence until relieved of the responsibility.
  - e) Field Supervisors will determine the need for investigative support and request notification, as required, to investigation division personnel. Once the notification is made and support requested the scene must be preserved intact to the maximum extent possible until their arrival.
  - f) Compiling a thorough and accurate report of activities - data recorded should be sufficient to:
    1. Reflect the extent of officer involvement and to identify other Cicero Police Department employee involvement in the activity or investigation,
    2. Assist in determining whether or not a follow-up investigation should be undertaken,
    3. Protect the integrity of the department.

f. **Solvability Factors:** Those elements of information regarding a crime that have in the past proven to be important in determining the likelihood of solving crime. Solvability Factors are listed on the general report form.

### **3. PROCEDURES:**

a. Criminal investigations function

- 1) The Cicero Police Department employs a fully operational investigative component of the department known as the investigations division.
  - a) The function of the division is multi-faceted in nature, but is primarily responsible to conduct and complete follow-up investigations of crimes that occur within the boundaries of the town of Cicero.
  - b) The investigations division plays an integral part in the department's efforts to detain and apprehend offenders who commit crimes within the town.

- 2) A Deputy Superintendent who reports to the Superintendent of Police supervises the investigation division.

b. 24-Hour Investigative Coverage

- 1) The function, personnel and equipment of the investigations division are available to the other components of the department on a 24-hour basis.
- 2) A field supervisor or shift commander may request assistance by contacting an investigations division supervisor.
- 3) When an investigations division supervisor is not on duty, the shift commander will notify the next investigative supervisor from the on-call roster, who will ensure the appropriate response, is made.

c. Case-screening/assignment system

1) Initial review and screening

- a) The investigations division deputy superintendent and/or an investigative unit supervisor will determine the need for follow-up investigation.
- b) They will screen cases and determine the need for follow-up investigation based upon solvability factors, available manpower, the chance of a successful resolution based upon past experience, and the severity of the crime.
- c) If a determination is made that a follow-up investigation is necessary, the assignment of investigative resources will be made.

2) Ongoing review and screening.

- a) In certain cases specific preliminary information may not have been available to the reporting officer.
- b) In such cases the deputy superintendent of investigations or investigative unit supervisor may assign the case and review it with the investigator after further information has been obtained.

1. Further investigative effort may later be discontinued if the criteria set forth in paragraph (a.) cannot be met.
2. The Deputy Superintendent of Investigations, or his designee, will normally conduct a weekly review of all active cases to determine progress and the need to continue case activity.
3. The Deputy Superintendent of Investigations, or his designee, will submit a monthly report of all open major cases.

3) Other factors

- a) Serious offenses may be assigned for follow-up investigation even though few or no solvability factors exist.
- b) The superintendent of police, the first deputy superintendent of police, the deputy superintendent of the investigations division, and the investigative unit commander have the authority to require follow-up investigations in any case.

d. Case file management system

- 1) The Deputy Superintendent of Investigations is responsible for case management.

- a) A weekly status report from each investigative unit supervisor will normally be made to the deputy superintendent will be made. Included in the report will be the status of investigations from the following units:
  - 1. General investigations unit.
  - 2. Any other temporary or permanent investigative component.
- b) Following receipt of the report (by noon each Monday), the deputy superintendent of investigations, will review the reports and, in consultation with the unit supervisor, determine to:
  - 1. Continue the case as open.
  - 2. Close the case.
  - 3. Forward the case for prosecution.
- 2) A case will not be closed until the investigator(s) have provided disposition instructions to the evidence custodian for all items of evidence associated with the case.
- 3) It is the responsibility of the investigator to seek prosecutorial or court dispositions, or otherwise determine the final disposition of all items of evidence.
- 4) The investigator(s) will either notify complainants, victims and/or witnesses of the disposition of the case, or ensure that they have been notified.
- 5) There are three types of department case files (this does not preclude an investigator from maintaining a personal or working file. Such a file is subject to the same security precautions as department files):
  - a) Investigative division case file, maintained by the case investigator(s)
    - 1. No original reports will be kept in this file.
    - 2. Personal notes not transcribed to report(s) will not be kept in this file.
    - 3. This file will be maintained securely within the investigative division.

**e. Original Case File**

- 1) Original case files are maintained in the records section.
- 2) Upon assignment for follow-up investigation, case reports will be placed in a folder and labeled with the case number (the case number is the original general report form number).
- 3) Case assignments and numbers will be logged by the deputy superintendent of investigations. The case folder may also include a proposed investigative plan authorized by a supervisor.
- 4) A typical case file may also include copies of some or all of the following types of reports and support documents:
  - a) Preliminary field case reports.
  - b) Supplemental reports.
  - c) Voluntary statements.
  - d) Lab reports.
  - e) Mug shots or photographic lineups.
  - f) Sworn complaint forms or other court documents.
  - g) Documents related to the same case.
  - h) Advise of rights form(s).
  - i) Consent to search form(s).
  - j) Documented confession(s).

- k) Video taped interview(s)/confession(s).
  - l) Crime scene reports/photos/drawings.
  - m) Other relevant documentation.
- 5) This file contains all original reports, documents, recordings, charts, drawings, photographs, etc.
  - 6) This file is maintained securely in the records section.
  - 7) This file may be reviewed only by employees with a need to access the information contained therein.
  - 8) An access log will be maintained by the records section of file reviews, including the date, time, officer name and ID, person granting access and purpose of access.
  - 9) This file may not be removed from the records section.
  - 10) When the case is closed, and appeals dates have passed, with the approval of the investigator and the deputy superintendent of investigations, this file will be microfilmed and the file contents destroyed. The micro-file copies of this file will be retained indefinitely. The deputy superintendent of investigations will determine the disposition or retention of any items that cannot be microfilmed.
  - 11) It is the responsibility of the assigned investigator to advise the records section when a case is closed, and to set a provisional destruction date.
  - 12) The records section will maintain a destruction log which will include the date after which the records section will advise the investigative division that a case file is ready for destruction, as well as the name of the person(s) authorizing destruction, the date and method of destruction and the persons name who destroyed the file.

f. Court File:

- 1) When a case is prepared for prosecution, a file will be prepared with copies of original case file documents that will be needed by the state's attorney for prosecution.
- 2) No original documents will be included in this file, unless they are required by the court. Original documents will be returned with the case file, unless retained by the court.
- 3) When the case is closed, this file will be destroyed. Original documents included in this file will be returned to the case file and will not be destroyed.
- 4) Investigators are responsible for maintaining all copies of pertinent reports and documents in their individually assigned personal or working file case folders.
- 5) When an original document related to the case being investigated comes into the custody of the assigned investigators, they will either make a copy for the case file and submit the original into evidence or forward it to the records section after supervisory review, as appropriate.

g. Accessibility to the files:

Original documents, when necessary for further investigation, may only be removed from records or evidence by following proper procedures (see Sec. 3.5).c) for exception for case file.

- 1) Investigative case files shall only be accessible to law enforcement personnel with a need to know and approval of an investigations supervisor.
- 2) It is recognized that some criminal investigations contain sensitive information that may compromise the eventual outcome of the investigation (i.e. narcotics cases).
- 3) The Deputy Superintendent of Investigations may authorize that original reports involving such cases be maintained in a locked file cabinet within the investigations division. A supplemental report will be filed with the records section indicating the file is held in investigations. The Deputy Superintendent of the Investigations division is responsible

for the auditing and return to the Records Section of any cases maintained in this fashion.

- 4) In no circumstances will original documents be removed from the building, unless required for the court file.
- 5) A record of all case records and/or information provided to any outside entity will be recorded in the original case file.

h. Purging of investigative division case files

- 1) The Deputy Superintendent of Investigations, based on information and recommendations from the records section and the case investigator, with the approval of the Superintendent of police, is responsible for the decision to purge a personal/working case file from the investigative units.
- 2) The decision to purge case copies will be based on the seriousness of the offense, case status, appeals periods and the likelihood of continued interest.
- 3) All copies of reports to be purged will be reviewed to ensure that all original documents have been transferred to the Records Section.
- 4) If purged, all copies will be destroyed by shredding.

i. Criminal investigation procedures

- 1) Police officers will fairly and impartially investigate all cases assigned to them for follow-up.
- 2) There are certain standard practices and methods that should be considered in all investigations. These practices and methods include:

a) Information development

1. Witnesses.
2. Victims.
3. Neighbors.
4. Relatives.
5. Other law enforcement agencies.
6. Suspects.
7. Confidential sources.

- b) Information received from any of the above sources must be judged objectively, substantiated when possible, documented appropriately and obtained in a manner that is consistent with department policy.

3) Interview and interrogations

- a) Interviews are conducted with those individuals who may have information concerning certain aspects of an investigation.
- b) Interrogations are conducted with individuals who are suspect or those individuals who, in the opinion of the investigator, have been directly involved in the criminal activity in question.
- c) Interviews or interrogations will be conducted in a manner consistent with department guidelines regarding constitutional requirements.

4) Collection, preservation and use of physical evidence

- a) Physical evidence may be searched for, collected, and preserved during the investigation of any crime scene in compliance with all applicable laws and court decisions.
- b) Officers will be mindful of proper evidence collection procedures and their importance in the development of thorough investigations.

5) Surveillance

- a) Surveillance may be used in the investigation of criminal activity when it is necessary to observe suspects or conditions in an unobtrusive manner.
- b) Surveillance often generates new or additional information involving crimes under investigation, creates intelligence information, and often leads to firsthand observation of criminal activity.
- c) All surveillance activity will be conducted in a legally acceptable manner.

j. Conducting preliminary investigations:

- 1) A thorough and comprehensive preliminary investigation often negates the need for an investigative follow-up.
- 2) Patrol officers shall conduct preliminary investigations on all dispatched calls, self-initiated calls, and calls assigned by a supervisor.
  - a) The primary patrol officer investigating an incident will generally be responsible for completion of the initial report.
  - b) The presence of a specialized support unit or supervisor does not transfer responsibility unless they elect to assume control of the investigation.
- 3) Patrol officers are expected to pursue and follow-up investigative leads to the extent that resources permit. Patrol officers should consult a field supervisor prior to conducting lengthy or time consuming follow-ups.
- 4) Appropriate steps in a preliminary investigation may include, but are not limited to, the following:
  - a) Provide aid to the injured.
  - b) Protect the crime scene to ensure that evidence is not lost or contaminated.
  - c) Determine if an offense has actually been committed and, if so, the exact nature of the offense.
  - d) Determine the identity of the suspect(s) and effect an arrest if it can be accomplished at the scene or through immediate pursuit.
  - e) Furnish other field units, through the Communications Center, with descriptions, method and direction of travel, and other relevant information concerning wanted person(s) or vehicles.
  - f) Arrange for specialized assistance that is needed immediately.
  - g) Arrange for the collection of evidence, when appropriate.
  - h) Obtain complete identification of all witnesses.
  - i) Determine what information is known by the victim and witnesses.
  - j) Obtain a written statement from the suspect if a statement can be obtained legally.
  - k) Accurately and completely record all pertinent information on the prescribed report forms.
  - l) Other necessary steps.

- 5) Investigations that appear to be, or will likely become, beyond the scope of the time constraints, technical ability or procedural practicality of patrol division personnel will be turned over to the investigations division.

k. Conducting follow-up investigations

- 1) Upon completion of all preliminary investigations, a decision will be made by the deputy superintendent of the investigations division and/or an investigative unit supervisor to determine if a follow-up investigation is indicated. The assigned investigator will be responsible for further follow-up investigation and final case disposition.
- 2) It is understood that no amount of preparation or experience can provide a list by which every criminal investigation may be completed or successfully dealt with. Officers are expected to take into consideration:
  - a) Their own past experiences.
  - b) Individual training.
  - c) The inherent talent that they may possess.
- 3) Follow-up investigations will be initiated by officers only after they are assigned by the investigations division Deputy Superintendent, shift commander, or field supervisor.
- 4) Under no circumstances will any department personnel conduct any type of self-assigned investigation without the express consent of and coordination with the appropriate member of the command/supervisory staff, with a case being opened and a case number drawn.
- 5) Appropriate steps in a follow-up investigation may include, but are not limited to, the following:
  - a) All officers should review and analyze all preliminary reports that exist having to do with the investigation to which they are assigned.
  - b) Before beginning the investigation, department records should be checked in an attempt to gather further information on an accused suspect and the complainant/victim in a criminal matter.
  - c) If possible, patrol officers who prepare the preliminary reports may be contacted to give their opinion of the offense and in order to answer questions put to them by the follow-up investigator.
  - d) The officer may need to re-interview the victim based on the seriousness of the offense. Statements may need to be taken from witnesses to the offense and/or from persons who may possess information that will aid in the establishment of the truth.
  - e) Any physical evidence collected by the preliminary officer who has been submitted to the evidence custodian should be taken into consideration and, if possible, viewed. Steps should be taken to ensure that proper laboratory examinations are requested of physical evidence. If such requests have been submitted, officers should ensure that they are apprised of the results.
  - f) The officer will ensure any information that will assist in solving the crime or apprehending the offender(s) by dissemination to the public or other agencies is transmitted or released appropriately. Information released publicly will be in accordance with General Order "Media Relations," 54-01-02.
  - g) The officer will normally go to the scene of the offense even if some time has passed since its occurrence. This will give officers a chance to become familiar with the area in which the offense occurred as well as the opportunity to conduct their own search of the scene for whatever evidence and/or witnesses might still be available or overlooked.

- h) As the case progresses, officers will keep track of any information which could allow them to obtain a search warrant for the seizure of further articles or evidence of importance in the investigation.
- i) Upon identifying a suspect in an investigation, officers will check all available records to:
  - 1. Ensure the correct identification of the suspect.
  - 2. Ascertain the suspect's involvement in past offenses.
  - 3. Check with local departments to find out if the suspect is currently thought to be involved in any other criminal activity.
  - 4. Prepare a "Stop Order" if appropriate.
- j) Officers will attempt to obtain a written statement from an accused or suspect in any criminal offense.
- k) Career/Habitual Criminals - Certain specified offenses of the Illinois Compiled Statutes have increased penalties for second or subsequent offenses. Second or subsequent offenses are based on prior convictions, not arrests. Refer to the specific charges to determine if there is a habitual offender penalty. In those cases where the Illinois Compiled Statutes specify a higher penalty for the second or subsequent offense, the officer will:
  - 1. Include the fact there were prior convictions in the arrest report;
  - 2. If the offense is a felony, notify the State's Attorney's Felony Review of the career/habitual criminal status when calling for felony approval.
  - 3. On the first court date, and each subsequent court date, notify the State's Attorney of the prior convictions either during the pretrial conference or prior to the trial if there is no pretrial conference.
- l) Officers will ensure that all phases of the investigation, including reports prepared, statements taken, drawings, sketches, and written material of any kind are such that they could be used without hesitation by prosecuting attorneys in the presentation of the case in court.

#### I. Investigation checklists

- 1) General reports filed upon completion of a preliminary investigation will routinely be used as investigative checklists and the report number from the general report form will serve as the investigative case number. Solvability factors found on the general report form will be used by the reviewing investigations supervisor to aid in determining if further investigation is warranted.
- 2) Some cases require complicated or specialized investigations. Any checklists used in case investigations will be approved by the investigations deputy superintendent prior to use.

#### m. Attendance at roll-call by investigative personnel

- 1) Investigative personnel will periodically attend patrol roll-calls to:
  - a) Foster an atmosphere of cooperation and open communication.
  - b) Share specific information on criminal activity or crime trends.
  - c) Inform patrol personnel of current investigative field activities.
  - d) Update patrol personnel on cases forwarded to the investigations division for follow-up investigation.

- 2) Members of the gang tactical unit and other task forces will attend roll call periodically.
- n. Investigative task forces
- 1) The Deputy Superintendent of Investigations or his designee is responsible for coordinating and planning all task force activities directed by this department or when members of this department are requested to participate in outside agency task force operations.
  - 2) Task force activities will be planned prior to implementation. Guidelines for task force operations include:
    - a) Identifying objectives as they relate to the purpose of the investigation.
    - b) Defining authority and responsibilities as they pertain to jurisdictional boundaries and scope of authority.
      1. The responsibility for task force operations lies with the initiating agency.
      2. Assisting agencies act in a supporting role.
      3. When members of the department are operating under the direction of supervisors from an outside agency they will keep the deputy superintendent of investigations informed of their activities and abide by the rules and regulations of this department.
    - c) Identifying resources available for use in task force operations to include manpower, equipment, funds, and time as permitted.
    - d) The commitment of departmental resources will in no way restrict the delivery of police services to citizens with the town of Cicero.
    - e) Keeping the investigations division deputy superintendent informed of the activities of individuals under his command while they are participating in task force operations.
      1. This is accomplished by periodic updates addressing the continuing necessity of the operation.
      2. At the conclusion of such operations, a debriefing and review session will be conducted.
- o. Deception detection devices
- 1) The use of detection of deception devices such as polygraph examination can be an effective investigative tool when used in conjunction with a thorough follow-up investigative effort.
  - 2) When an investigator determines that he has reached a stage in an investigation where a polygraph would prove beneficial, and the suspect consents to such an examination, he will notify the investigations supervisor who will contact the investigations division deputy superintendent. The investigations division deputy superintendent will review the case and authorize the use of the polygraph, and the polygraph service and/or polygraph to be used.
  - 3) The Cook County Sheriff's Office or the Illinois State Police will be contacted when it becomes desirable to use a detection of deception device such as a polygraph. In the event an examiner from another source must be used, the officer will ensure the examiner is qualified with the appropriate certifications and licenses.
  - 4) Polygraphs will be used in those instances where its use will enhance the possibility of identifying or eliminating suspected offender(s).

- 5) The following factors may prohibit the use of polygraph examinations:
  - a) A polygraph examination will not be conducted on any person if the polygraph examiner feels the person may be physically or mentally unfit or the examination may be a detriment to his health.
  - b) An examination will only be given to a person who has voluntarily agreed to submit to the examination in writing, except when ordered by the court. (NOTE: Review 725 ILCS 200/1, Polygraph Examinations of Sex Offense Victims. Alleged victims or certain victims cannot be required to submit to a lie detector test as a condition for proceeding with an investigation. The test may only be administered to the victim solely at the victim's request.)
  - c) Juvenile subjects:
    1. Some juvenile subjects under the age of 14 years may be difficult to examine because of a lack of maturity, both physically and mentally. Guidance from the examiner should be sought in such cases.
    2. Consent forms for juveniles to be tested must be signed by a parent or legal guardian.

p. Physical or psychological factors:

- 1) The investigator will be aware that there may be other factors, especially of a physical or psychological nature, that sometimes may be the cause for non-examination.
- 2) Questionable subjects are:
  - a) Females that are pregnant.
  - b) Persons with paralysis.
  - c) Persons with amputations affecting placement of instrument attachments.
  - d) Persons recovering from recent major surgery.
  - e) Persons with physical disabilities, high or low blood pressure and heart trouble.
  - f) Persons suffering from a severe cold or respiratory disorder.
  - g) Narcotic addicts and alcoholics, especially during their withdrawal period.
  - h) Persons with emotional instability resulting from their involvement in an incident, especially if the incident was of a violent nature. (Examples: The victim of an armed robbery being given a polygraph examination shortly after he had allegedly been robbed, or a husband coming home from work and finding wife murdered.)
- 3) The investigator will seek guidance from the examiner if he has questions regarding the suitability of a subject.

q. Confidential Informant (CI):

- 1) Management and control
  - a) The procedures set forth in this section are to be used in the management and control of confidential sources.
  - b) These procedures will be followed strictly and uniformly unless the investigations division deputy superintendent deems an exception to be an operational necessity.
- 2) Recruitment of confidential sources:

- a) Confidential sources may generally be recruited from the following sources:
    - 1. Department arrestees pending adjudication proceedings,
    - 2. Referrals from patrol or other officers,
    - 3. Volunteers.
    - 4. Confidential sources of other law enforcement agencies.
  - b) No persons who are wanted on warrants from any agency will be accepted or used as confidential sources.
- 3) Inclusion of confidential sources in a master file
- a) Upon recruiting a confidential source, the investigations division deputy superintendent will be notified.
  - b) A confidential source number (CS #) will be drawn from the logbook.
  - c) The Confidential Source Master File logbook will be retained by the criminal investigations division deputy superintendent in a secure location.
- 4) Content of the confidential source file
- a) All in-person contacts with confidential sources will be documented in writing. Information will include persons present, date/time, location, reason for meeting, information exchanged, and amount of payment, if any.
  - b) The investigator will begin a dossier on the confidential source to be kept in the Confidential source file, which includes:
    - 1. The results of a discreet background investigation.
    - 2. A complete criminal history check, including warrant check, of the confidential source.
    - 3. Verification of residence, address, telephone and place of employment.
    - 4. Completion of Personal History form.
    - 5. Fingerprinting of the confidential source (except juveniles).
    - 6. Color photograph of the confidential source (except juveniles).
    - 7. Assignment of a false name and CS # for future contacts to ensure confidentiality.
    - 8. Completion of a signed waiver.
    - 9. Results of an oral interview, or "debriefing," Intended to provide the investigator with an understanding of the benefits of using the confidential source (including the potential persons, places and criminal activities that the confidential source can provide to the investigator).
    - 10. Completion of the confidential source checklist.
    - 11. Reports of the success, or the lack of success, in each investigation in which the confidential source participates.
  - c) In addition to the initial check for warrants, the officer will check for warrants monthly on active confidential sources.
- 5) Maintenance of the confidential source file
- a) No person will be allowed access to confidential source files without the express permission of the investigations division deputy superintendent.
  - b) Each confidential source file will contain a File Review Sheet detailing the time, date, reason, and person inspecting the file.

- c) The confidential source files will be kept in a secure location to be designated by the investigations division deputy superintendent.

6) Security of the Confidential Source File:

The Investigations division deputy superintendent is responsible and accountable for formal confidential source activity.

7) Methods to protect identity of confidential sources:

All confidential source contacts are subject to the following control measures, which will be reviewed with the confidential source by the Investigating officer for each activity: The amount and kind confidential source payments, if any.

- a) The restrictions that are placed on the confidential source for the expenditure of advance money.
- b) The procedures to be followed in establishing future contacts and meetings.
- c) The procedures that will be followed by the officer and the confidential source if the confidential source is arrested.
- d) The requirements and obligations of the confidential source to provide testimony.
- e) The department's limitations in protecting the identity of the confidential source.
- f) The department's future obligations to the confidential source once contact has been severed.

8) Criteria for paying confidential sources:

- a) The Department will not tolerate criminal activity on the part of any confidential source.

1. If an officer becomes aware of illegal acts by the confidential source, prosecution will be sought.
2. Special attention will be given to ensure the confidential source does not misuse department funds (e.g., by pocketing a portion of buy money so he will benefit financially).
3. Generally, unless required by operational necessity, all payments to confidential sources will be approved by the deputy superintendent of investigations. Payments exceeding \$100.00 per case will be approved by the deputy superintendent.

- b) Fees paid to confidential sources will be predicated upon:

1. Quality of information.
2. Quantity of information.
3. Risk factors involved.

- c) Fees paid to confidential sources will be on a cash-on-delivery basis.
- d) The confidential source will sign a receipt with his CS number and assigned fictitious name for every payment made.

9) The following precautions should be taken with confidential sources:

- a) When meeting the confidential source, the officer should always select the time and place.

1. Location and times should vary to avoid a pattern.
  2. Officers should always prepare a plausible cover story in case they are observed in the company of a confidential source.
- b) The confidential source should always be debriefed prior to terminating contact. Any information related to criminal violations will be documented and investigated or forwarded to the appropriate agency for investigation.
  - c) Confidential sources must be frequently tested for the accuracy of their information.
  - d) Contacts between department personnel and confidential sources will be made in the presence of at least two officers. One officer making the contact with a second officer observing from a nearby position is acceptable.
  - e) Under no circumstances will a female confidential source be contacted in person or be allowed to assist in an investigation unless there are two officers present.

10) Special precautions with juvenile confidential sources

Juveniles are not to be used as confidential sources unless approval is granted by the investigations division Deputy Superintendent and appropriate waivers are signed by a parent or a guardian.

- r. Confidential funds may be used by investigators to purchase evidence with the approval of the deputy superintendent of the investigations division.
- s. Confidential funds control and audit

1) Accessibility:

- a) Disbursement of special funds is subject to fiscal controls, including proper receipt (if possible) and record.
- b) Officers will generally not be given a "bank" or supply of cash to carry on their person. Funds will be requested for each use of buy money.
- c) The investigations division deputy superintendent is responsible and accountable for the disbursement of all special funds and will ensure the following conditions are met:

1. The monies are being expended to accomplish a legitimate police purpose.
  2. A receipt and record of each expense is obtained and filed.
- d) The officer will file a written report detailing the reasons for the payment, investigative case factors, the confidential source to be paid (list by CS number) and the amount requested.
  - e) The confidential source must sign the payment voucher before any monies can be paid. Advance payments will not be allowed unless authorized by the investigations division deputy superintendent.

2) Accounting

The investigations division deputy superintendent will retain a log book detailing all monies currently in use for ongoing investigations, on hand and present and spent between the normal balance and auditing of the fund.

3) Auditing:

- a) Auditing of the confidential funds will occur on a quarterly basis by the Superintendent or his designee.
- b) A regular monthly audit will be conducted by the investigations division Deputy Superintendent.
- c) Spot audits may be conducted at any time by the Superintendent or his designee.
- d) The Superintendent of police retains the right and authority to make unannounced audits of the investigative funds to ensure:
  - 1. Adherence to the procedures set forth in this directive.
  - 2. Proper fiscal control measures are being followed.

4) Criteria for use:

The department allocates special funds to the investigations division for expenses incurred pursuant to:

- a) Confidential source operations,
- b) Drug buys,
- c) Liquor law violation investigations,
- d) Gambling law violation investigations,
- e) Vice investigations,
- f) The use of "flash" money,
- g) The use of "props,"
- h) Other investigations in which formal Department purchase and expense procedures cannot be followed.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 44-01-01**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** **JUVENILE ENFORCEMENT AND CUSTODY**

## **1. POLICY**

The Cicero Police Department requires all officers to be familiar with procedures for handling both criminal and non-criminal juvenile incidents. The department, within its resources, will develop juvenile programs and cooperate with outside juvenile agencies as appropriate. All agency components and personnel share responsibility for supporting the agency's juvenile operations. The agency will provide relevant juvenile related agencies the opportunity to review its juvenile policy.

A small percentage of juveniles may require secure custody. However, most juvenile offenders are likely candidates for non-secure custody and positive diversion and intervention strategies. Officers will, whenever reasonable and justified under this order, take measures to effect positive changes in juvenile offenders that are consistent with state law and the safety and security interests of the community.

The **Cicero Police Department Juvenile Processing Handbook** provides detailed processing procedures. The handbook is hereby adopted as policy of the Cicero Police Department. Employees will be guided by the procedures contained therein.

Officers are directed to the Town of Cicero "Code of Ordinances" Section 25-52, "Parental Responsibility," and 25-52.2, "Improper Supervision of Children" for guidance on city charges that may be appropriate when minors are not receiving appropriate parental supervision.

## **2. DEFINITIONS**

- a. **Non-secure Custody:** A condition under which a juvenile's freedom of movement is controlled by members of this agency and, during such time, the juvenile is:
  - 1) Held in an unlocked, multi-purpose area, such as a report writing area or an office that is in no way designed for residential use.
  - 2) At no time handcuffed to any stationary object.
  - 3) Held only long enough to complete identification, investigation and processing and then is released to a responsible adult or transferred to a juvenile facility or court.
  - 4) Under continuous visual supervision until released.
- b. **Responsible Adult:** In the absence of a juvenile's parents or legal guardian, a responsible adult is one who is responsible for the physical custody of a juvenile or who is another adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until parents, legal guardian or next of kin can assume that responsibility.
- c. **Secure Custody:** A condition in which a juvenile is physically detained or confined in a locked juvenile detention room approved by the Illinois Department of Corrections for that purpose, or when a juvenile is physically secured to a cuffing rail or other stationary object.

- d. **Status Offender:** A juvenile who is charged with an offense that would not be a crime if committed by an adult.

**3. PROCEDURES**

a. Enforcement Alternatives

- 1) Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this order in deciding on appropriate actions.
- 2) Alternatives that may be considered include, but are not limited to:

- a) Release without further action.
- b) Informal counseling to inform the youth of the consequences of his actions.
- c) Informal referrals to community services.
- d) Referral to parents or responsible adult.
- e) Informal counseling of parents or responsible adult.
- f) Limited custody and station house warning.
- g) Issuance of a summons or complaint.
- h) Arrest under non-secure custody.
- i) Arrest under secure custody.

b. Enforcement Criteria guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.

- 1) Release without further action, release following informal counseling, referral to community resources or release to parents (or responsible adult) may be appropriate in incidents where property damage or personal injury is not involved but intervention is necessary to avoid potential delinquent actions, and when the youth has had no prior enforcement contacts with the police.
- 2) Examples of these incidents include, but are not limited to:

- a) Curfew violations.
- b) Loitering.
- c) Minor liquor law violations.
- d) Disorderly conduct.

3) Officers may elect to:

- a) Transport the youth home or direct him to return home.
- b) Make personal, telephone or mail contact with the youth's parents or guardians to provide them with information and counseling on their child's actions;
- c) Refer the youth to an appropriate community service agency with or without follow-up.
- d) Detain the youth at the station house until he is released to a parent, guardian or responsible adult when:
  1. The nature of the incident is of a more serious or potentially serious nature than exemplified in section 3.b.2. of this order.
  2. The youth involved is fully aware of the seriousness or potential seriousness of his actions and/or is acting in alliance or collusion with others to commit such acts.
  3. The youth fails to cooperate or to positively respond to police intervention and direction.

4. The youth has received prior informal warnings or referrals or has engaged in delinquent acts.
  5. The youth's parents or responsible adult have apparently failed to provide appropriate control and supervision.
- 4) Officers may file delinquency charges against a juvenile when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in paragraph 3.b.2. of this order.
- 5) Officers should file delinquency charges against juveniles when they commit:
- a) Acts that if committed by an adult would be felonies.
  - b) Delinquent acts involving deadly weapons.
  - c) Serious gang-related offenses.
  - d) Delinquent acts involving assault;
  - e) Delinquent acts while on probation or parole or when they have charges pending against them.
  - f) Delinquent acts as repeat offenders or when they have refused to participate in diversion or intervention programs.
  - g) When it has been determined that parental or other adult supervision is ineffective.
- 6) An officer may also take a juvenile into custody if the youth is lost, seriously endangered or is a runaway.
- a) In all such cases these juveniles will be held in non-secure custody and officers will contact the child's parents or guardian or a responsible adult) as soon as possible.
  - b) Where parents or guardians (or a responsible adult) cannot be contacted or refuse to accept custody, the officer will contact the department approved youth services agency for placement (Youth Crossroads).
- 7) In cases of alleged child abuse, officers will contact a youth officer or their immediate supervisor in order to conduct an investigation of the complaint unless probable cause justifies immediate action in order to protect the safety and well-being of the child.

c. Status Offenses

- 1) Based on the seriousness of and circumstances surrounding the offense, the background and demeanor of the juvenile and other relevant factors, an officer may release a juvenile to his parents, guardian or other responsible adult.
- 2) Juveniles taken into custody for status offenses will normally be frisked for weapons prior to being transported and may be handcuffed or otherwise restrained at any time if, in the judgment of the officer, the juvenile poses a physical risk to himself, the officer or others.
- 3) Officers will pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.
- 4) Juveniles taken into custody for status offenses will be held in non-secure custody as provided by state law and for the briefest time necessary to conduct identification, investigation and related processing requirements to facilitate their release to a parent or responsible adult or transfer to a juvenile facility.
- 5) Transportation of a juvenile in a caged vehicle is not considered secure custody.
- 6) Status offenders and other juveniles taken into temporary non-secure custody for non criminal-type offenses should not be fingerprinted or photographed for purposes of record.
- 7) Status offenders in temporary custody will not be placed in a holding area with adult suspects and will also be:

- a) Under constant visual supervision
  - b) Afforded reasonable access to toilets and washing facilities.
  - c) Provided food if in need of nourishment to include any special diets necessary for health or medical purposes.
  - d) Provided with reasonable access to water or other beverages.
  - e) Allowed reasonable access to a telephone.
- d. Criminal-Type Offenses
  - 1) Juveniles arrested for criminal offenses are subject to the same security requirements as adults and may be handcuffed or otherwise restrained as necessary during transport and processing.
  - 2) Juveniles accused of criminal offenses may be securely detained only for the period of time and in the manner prescribed by state law to allow for identification, investigation, processing and release to parents or a responsible adult, or transfer to the juvenile facility or court.
  - 3) Fingerprints and photographs will be taken of all juveniles taken into custody for criminal offenses. The fingerprint card and mug shot will be marked "Juvenile" and will be maintained in this agency's central repository for such purposes separately from adult fingerprints and mug shots and will be subject to controlled dissemination as provided by law.
  - 4) Juveniles placed in secure detention, whether in cells, locked rooms or other locations, will be sight and sound separated from any incarcerated adults and will:
    - a) Be informed of the approximate period of time that the incarceration will last.
    - b) Be provided with constant auditory access to officers responsible for their supervision.
    - c) Be personally observed by personnel on both a routine and unscheduled basis at least every 15 minutes.
  - 5) Prior to custodial interviews or questioning a juvenile officer should be summoned if available.
  - 6) Police officers assigned to investigate a crime or ordinance violation involving a juvenile offender and/or victims have the right to question the juvenile.
  - 7) Miranda Rights must be given to and be fully understood by juveniles under the same circumstances as adults.
  - 8) A Juvenile Officer or a parent or guardian must be present during the questioning of a juvenile. This is not required by Illinois statute. (Case law makes reference to a juvenile officer's presence during interrogation in order to ensure that there is a person present to make certain the juvenile's rights are not being violated.)
  - 9) Interrogation of juveniles should not extend over periods of time that could be considered unreasonable or harassing and should be conducted by only one officer at a time.
  - 10) The juvenile should be informed of the procedures that will be followed with regard to custody, release, and transport to another facility or to a custody hearing.
- e. When an officer brings a juvenile into the police headquarters, he will notify the shift supervisor of the circumstances. If secure detention is anticipated, or physical or sexual abuse is suspected, the shift commander will assign a juvenile officer to assist the primary officer. The shift supervisor may assign a juvenile officer when he determines that the special training and expertise of a juvenile officer is required.
- f. Record keeping

- 1) Officers who select non-custodial alternatives or engage in informal enforcement contacts with juveniles will complete appropriate field interview and/or other reports as required. These reports will clearly identify the juveniles involved, the nature of the incident and the rationale for the officer's disposition.
- 2) Juveniles taken into custody for criminal offenses will be subject to the same reporting requirements as adults. Such reports will be clearly marked "Juvenile," maintained in a separate location from adult arrest records and be subject to state law regarding dissemination and access.

g. Procedures for entering schools: arrest/investigation

- 1) Generally, when an investigation leads to a school, the officer should first contact the principal, dean or designated school contact person. This allows the officer to determine if:
  - a) The individual in question is a student at that school.
  - b) The student is presently in school.
- 2) Entering a school
  - a) The officer should:
    1. Always conduct himself/herself in a professional manner.
    2. **ALWAYS** check into the principal's office and advise them of the purpose of the visit.
    3. Try not to disturb the normal flow of school official's work.
    4. Enter by a location where the entire school does not see the officer's presence (use back entrances for both entrances and exits, when possible).
    5. Exercise discretion in dealing with the students and school officials.
  - 3) Interviewing or interrogating a student while in school is not a normal activity and should **only** be done in extraordinary cases.
    - a) When possible, the officer should have previously secured the cooperation of:
      1. The school.
      2. The student's parent or guardian, if the student is a juvenile.
    - b) The interview should be held in a room or office away from casual visitors or students.
    - c) A school official, counselor or parent should be present.
    - d) If, during the interview, it appears the situation will possibly result in the juvenile being referred to juvenile court, the interview **MUST** be stopped.

4) Juvenile custody

a) Restraints

1. The use of restraints on a juvenile can be disturbing to both students and school officials.
2. The use of restraints on a juvenile on school grounds is at the discretion of the officer and will be used to protect the suspect, the officer, and the community.

b) The juvenile, if taken into custody, may be:

1. Referred to the court and released back to the custody of the parents.
2. Referred to the court and returned to school.
3. Taken to a detention facility of the court.

c) An officer with reasonable grounds may legally take a juvenile into custody with or without a warrant.

d) In determining if a youth should be removed from school for further investigation, the officer should consider the following:

1. Is the nature of the offense such that juvenile court action is required immediately?
2. Is the nature of the offense such that the community needs to be protected from the juvenile?

e) In cases where a juvenile is taken into custody at a school, appropriate notification attempts will be made to the minor's parents or legal custodian and recorded as such. Criminal offenses beyond a status offense involving the arrest of a minor (under 17 years old) shall require the assist from a certified juvenile officer specifically during questioning/interrogation to protect and provide the minor with his/her rights under the law.

By Order of:

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Superintendent of Police

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## CICERO POLICE DEPARTMENT GENERAL ORDER: 43-01-02



**EFFECTIVE DATE:** August 1, 2018

**SUBJECT:** **Establishment of Informants, Other Sources of Information and Confidential Source Files**

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### 1. PURPOSE:

The purpose of this Order is to set forth the standard operating procedures to be followed by members of the Cicero Police Department in the establishment and utilization of informants and other sources of information.

### 2. POLICY:

It is the policy of the Cicero Police Department, to utilize Informants and other resources of information to combat and investigate criminal activity, to include but not be limited to, violations of the Controlled Substance Act (720 ILCS 570) and the Cannabis Control Act (720 ILCS 550). Although this is the primary function of the GCTU, all units (with the exception of the Internal Affairs Division) within the Department will utilize the outlined procedure contained in this order. It is the policy of the Cicero Police Department that any individual acting in the capacity of a Confidential Source **MUST** be registered with this department.

### 3. DEFINITIONS

#### A. Informant:

An informant is generally defined as any source that is in a position to furnish information and/or perform a service or activity under the specific direction and control of Law Enforcement. In exchange for such intelligence information or other services provided by an informant, there may be an expectation of monetary compensation or some other consideration.

#### B. Confidential Source File

A separate confidential file, which includes, but is not limited to, the identity of the confidential source, their work history, their criminal history, and any related investigative reports and/or administrative information related to the C.S.

### 4. CLASSIFICATIONS:

#### A. SOURCE OF INFORMATION (SOI)

A source of information is an individual or group such as a civic organization or business that provides information on an occasional basis but not under the specific direction of Law Enforcement. Such an SOI does not expect compensation and is not an active participant in investigative activities. As with all sources, confidentiality will be protected to the extent

permitted by law.

**B. Registered Confidential Sources:** Various types of registered confidential sources are:

**1) REGULAR USE INFORMANT**

A regular use informant is an individual who assists by providing information regarding drug and/or non-drug related criminal activity and may also assist law enforcement with the initiation and development of drug or non-drug related criminal investigations. A regular use informant has a reasonable expectation of confidentiality and works under the direction and control of at least two Law Enforcement Officers. However, a regular use informant has no history of prior felony convictions, and there are no current pending criminal charges.

**2) DEFENDANT INFORMANT**

A defendant informant is one who has been arrested for a state or federal offense or who is subject to arrest and prosecution for such an offense. Prior to any use, coordination will be made with the appropriate prosecutor. No representations or assurances will be made to a defendant informant other than an agreement to make known to the prosecutor the nature and extent of any cooperation given by the informant.

**3). RESTRICTED USE INFORMANT**

A restricted use informant is an individual who meets any of the following criteria: The use of a restricted use informant requires the approval of the director of the GCTU or higher authority.

- One or more prior drug convictions or two or more other felony related convictions.
- Person(s) less than 18 years of age. In all such cases, written consent of the parent(s) or legal guardian must first be obtained. Should that individual be a ward of the court, approval will be first obtained from the court
- Person(s) with a history of drug dependency or those who are currently participants in a drug treatment program.
- Person(s) with a history of mental illness.
- Person(s) on federal or state probation, parole or supervised release. Permission to utilize such individuals will be required if the use of such an individual would violate the terms and conditions of that person's parole, probation or supervised release.
- Any individual with a criminal history or reputation for violence.
- "Catch and Release"- a subject who is in the custody by this Department for an offense wherein probable cause has been established and who voluntarily offered to cooperate with law enforcement as relief from formal charges.

**4) The Cicero Police Department WILL NOT utilize the following person(s) as registered Confidential Sources:**

- Person(s) that have an active, serviceable arrest warrant issued for their arrest.
- Person(s) that are registered, or a non-registered sex offender.
- Person(s) with an active/pending criminal case CAN be registered and utilized as an active C.S , but they CANNOT be paid.

**5. OPERATIONAL PROCEDURES:**

**A. All meetings with informants will be attended by a minimum of two Officers.**

Contacts with active or inactive informants and their immediate families by Officers will be conducted in a professional manner. All employees are expressly prohibited, in other than a

General Order 43-01-02

Establishment of Informants, Other Sources of  
Information and Confidential Source Files

strictly professional capacity, from any association with individuals known, reputed or suspected to be or to have been engaged in drug trafficking or other criminal activity.

- B. During contacts with informants, every effort will be made to minimize the informant's knowledge and/or familiarity with the office facilities, floor plan, security procedures, operations, investigative activities, personnel, investigative techniques/ methods and the identity of other informants.
- C. Expressly prohibited are any romantic, sexual or social contacts, direct or indirect business or financial relationships with any informant or the acceptance of any gifts, loans or services of value from an informant.

## 6. REACTIVATION:

- A. Reactivation of the Informant may be accomplished by updated LEADS and NCIC inquiries and a memorandum to the informant setting forth information obtained by a debriefing of the informant. Under no circumstances will an informant whose cooperation has proven unsatisfactory in the past be reactivated without the prior approval of the Director of the Gang Crimes Tactical Unit.
- B. Despite stringent measures to ensure the confidentiality of informants, there are occasions when the informant's identity may be compromised and threats made and/or assaults may occur. In these circumstances, every effort is to be immediately, to ensure the safety of the informant and/or their family as needed. Such occurrences will require that the immediate notification of the Narcotics Unit Supervisor, and the Director of the Gang Crime Tactical / Narcotics Unit as well the appropriate prosecutor.

## 7. PROCEDURES FOR A CONFIDENTIAL INFORMANT FILE:

- A. The establishment of a Confidential Informant File will require the preparation and submission, by the Case Officer, of the following documents, via their supervisors, to the Office of the Commander of the Gang Crimes Tactical/Narcotics Unit:
  - 1) A classifiable fingerprint card (state arrest card)
  - 2) A current photograph of the confidential informant revealing his / her front view.
  - 3) A completed confidential informant agreement (confidential informants should NOT be given one-word names i.e. Red, Bear, Snickers etc., they should be given full names (i.e. John Smith, Juan Gonzalez).
  - 4) A completed personal history report.
  - 5) Printouts of NCIC and LEADS inquiries (C.Q.H.).
  - 6) A supplemental report documenting the initial contact and debriefing of the source.
  - 7) A supplemental report documenting at least one in-depth debriefing of the source per calendar quarter.
- B. An expenditure report.
- C. The CS file information will be submitted as a completed packet (with the exception of the quarterly debriefing) to the case officer's immediate supervisor PRIOR to the informant being approved or used for ANY investigations.
- D. The case officer's immediate supervisor will approve and enclose any additional documentation in an envelope marked "CONFIDENTIAL" and forward the packet to the Director of the Gang Crimes Tactical Unit for review and final approval.

- E. All CS files will be stored and maintained in the designated locked file cabinet located in the GCTU drug unit's secure storage room.
- F. No person less than 18 years of age will be used as a CS without obtaining the parent's approval or guardian's written permission. In addition, authorization to use a person under the age of 18 years of age must be granted by the Director of the Gang Crimes Tactical / Narcotics Unit; if approved as an informant a parental consent form will be submitted into the file.

## 8. PAYMENT PROCEDURES:

- A. Payments to active informants for information and services can be authorized by the appropriate section's Commanding Officer. However, all authorized payments will be commensurate with the value of the information provided or the assistance rendered. Payments will always be made by two Officers who will obtain the signature of the informant on a Source of Information Receipt of Funds Form at the time of payment. Defendant informants will only be reimbursed for expenses incurred as a direct result of participation made in an investigation.
- B. All payments to Confidential Sources MUST be approved by the Narcotics Unit Supervisor and the Gang Crimes Tactical / Narcotics Unit Director PRIOR to the payment being dispersed. This approval is to be made in writing with the use of the preprinted "Request for Official advanced funds "form.
- C. When an informant is to participate in an undercover operation in which the informant may be exposed to Official Advance Funds, controlled substances or any other items of potential evidentiary value, the informant will be thoroughly searched both before and after the operation by two Officers of the same sex as the informant. All such searches and the results will be documented in the appropriate investigative report as well as in a brief factual typed or handwritten statement given by the informant. All statements will consist of the following format:

**HEADING:** The heading will read, "Statement of (informant code number) given at (location) on (date) to (name and title of at least two Officers taking the statement) regarding (activity such as negotiations, acquisition, purchase of drugs, or non-drug evidence) from (subject) relative to (case report number).

**BODY:** The body of the statement will be composed to the extent possible in the informant's own words, but the organization of the text should fully cover the subject's matter. The material may be set by the Officers.

**CONCLUSION:**

A closing statement will read, "I (informant code number) have read the foregoing statement consisting of (number) pages. I have initialed each page as well as any corrections. This statement is true and correct to the best of my knowledge and belief and is freely and voluntarily given by me without threats, coercion, or promises.

**SIGNATURES:**

The Officers who take the statement, as well as the informant, will sign the

original statement. The original will be submitted to the informant's file, and a copy of the statement with the informant's signature and initials deleted will be placed in the investigative file.

## **9. SUPERVISOR RESPONSIBILITIES:**

- A.** the Case Officer's immediate supervisor has a number of responsibilities PRIOR to any C.S. being utilized. The most important responsibility that the supervisor has is to ensure that the C.S. is credible. In the event that a C.S. is determined not to be credible, the supervisor will immediately terminate the interview with the C.S. and he will prepare a detailed supplemental report detailing the interview and detailing the facts as to why the C.S. was deemed non-credible.
- B.** The case officer's immediate supervisor will be responsible for contacting a Gang Crimes Unit supervisor, who will then log the C.S. in the master log book and assign the C.S. a confidential source number. NO number will be issued prior to the case officer completing ALL the required paperwork and the paperwork being approved by the case officer's immediate supervisor.
- C.** Once ALL required paperwork is completed, and the case officer's immediate supervisor has reviewed and approved the whole packet, the supervisor will then forward the COMPLETED packet to the Director of the Gang Crimes Tactical Unit for final approval.

## **10. CONFIDENTIALITY:**

The disclosure of an informant's identity will be avoided whenever possible. Informant confidentiality will be discussed with the prosecutor as warranted and all alternatives to disclosure are to be given full consideration. If disclosures of the informant's identity might adversely affect the outcome of a significant investigation, then any recommendation to dismiss a case to preclude disclosure will be approved by the Director of the Gang Crimes Tactical Unit. Access to an informant file will be limited to the Case Officers who manage and have direct control over the informant and the concerned administrative officials approved by the Director of the Gang Crimes Tactical Unit.

The procedures in this order are to be implemented as administrative controls in order to protect the integrity of the Officers and their investigations and the confidentiality of the cooperating informants.

RECORDED ON:

Department of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 43-01-03**



**EFFECTIVE DATE:** August 1, 2018

**SUBJECT:** Firearm Turn-In Program

**1. MISSION:**

- a) The Cicero Police Department will aggressively target and remove illegally possessed firearms from the streets of Cicero. This will reduce the possession of firearms by criminals, reduce firearm-related crimes, and enhance the quality of life for the citizens of Cicero.

**2. DEFINITIONS:**

- a) **FTIP (Firearm Turn-In Program)** - Any firearm legally and willingly turned over to the Cicero Police Department in an effort to promote public safety.
- b) **Drop Location** - The agreed location designated by the police officer and civilian to recover an illegal or unwanted firearm. This procedure is a result of a preliminary investigation or a public citizen who requests anonymity.
- c) **Offender Ambush** - Is an attempt by offenders to retaliate against the police and possibly acquire the firearms of the investigating officers.
- d) **Recovery Team** - A team of Cicero Police Officers assigned to recover a firearm. The Recovery Team will consist of no less than (2) two officers to ensure officer safety and guard against the possible offender ambush.

**3. PROCEDURES FOR INVESTIGATING OFFICERS:**

- a) The investigating officers conducting an arrest pursuant to a criminal investigation will inquire of the offender/arrestee if they would be willing to participate in the FTIP.
- b) One of the investigating officers will personally notify his/her supervisor of any preliminary investigation involving a possible FTIP prior to the turn-in of any firearm, as well as notify his/her supervisor immediately after the recovery of any firearm. All officers involved in said investigation are responsible for ensuring that a supervising officer has been notified of both the possible FTIP and any successful FTIP.
- c) The primary investigating officers will take control of any recovered firearm(s), and handle the recovered firearm(s) consistent with standard evidence recovery protocols.
- d) In discussing the FTIP, the investigating officers will offer the arrestee/offender a prompt processing related to the arrest (as is afforded other arrestees). When applicable, advise the prosecuting assistant state's attorney that the arrestee/offender is willing to cooperate with law enforcement via the FTIP, and in specific situations, secure the offender's vehicle from impound.
- e) The investigating officers will ask the arrestee/offender for any information regarding the existence of any illegally possessed or unwanted firearms, including the location of such firearms.

- f) The investigating officers will make clear that the arrestee/offender will not be charged for offenses related to the simple possession of any firearm(s) that is seized through the FTIP, but will not provide immunity to the arrestee/offender for any other offenses that could be related to the firearm(s) seized (e.g. aggravated battery, attempted murder, etc.).
- g) The investigating officers will follow all policies regarding the recovery and storage of evidence when recovering a firearm(s) through the FTIP, including ensuring that the recovered firearm(s) are properly inspected, secured, and all ammunition is extracted and properly stored as evidence.
- h) If a "drop location" is used to recover a firearm, assisting officers arriving at the "drop location" will:
  - 1) In advance of the planned drop time, notify dispatch via phone, canvass the "drop location" area for pedestrians and vehicles to ensure officers and public safety.
  - 2) Assisting Officer(s) will assist in the recovery of the weapon(s) while a second officer (or officers) provide security for the recovering officer(s).
  - 3) As soon as practicable after recovery of the firearm(s), a recovering officer will render the firearm safe and extract all ammunition.
- i) The investigating officers will conduct a firearm LEADS and NCIC inquiry for each recovered firearm through the Cicero Police Department Communications Division.
- j) The investigating officers will complete and submit to their supervisors an ATF trace form for supervisory review prior to trace form being submitted to the ATF.
- k) The investigating officers will transport all recovered firearm(s) and related items to the Cicero Police Department evidence vault
- l) The investigating officers will prepare a detailed case report documenting the recovery of the firearm(s) including the:
  - 1) Name of the individual providing the information regarding the firearm(s);
  - 2) Specific representations made to the arrestee/offender regarding the benefits and protections provided based on their cooperation.
- m) In a FTIP "Catch/Release" investigation where a subject is involved, the investigating officers will ensure the subject is processed as a Source/CI status (pursuant to G.O. 43-01-02 Establishment of Informants, Other Sources of Information and Confidential Source Files).
  - 1) Prior to allowing a FTIP "catch/release," the officer(s) who will monitor the subject must obtain supervisory approval from the on-duty Watch Commander (Divisions/Units outside of patrol will utilize their Division/Unit head for approval) for FTIP "catch / release."
  - 2) In considering approval, supervisors shall not approve FTIP "catch/release" for any individual who is under 18 years of age without written consent of the parent(s) or legal guardian. Should that individual be a ward of the court, approval will be first obtained from the court.
  - 3) In considering approval, supervisors shall not approve FTIP "catch/release" where the subject has been convicted (or has pending) a felony offense considered as an offense against a person including but not limited to aggravated assaults, sex offenses, and similar or more serious offenses.

- i. Further, and specifically, FTIP "Catch and release" will not be used in the following circumstances, without the approval of a Department Deputy Superintendent or Division Commander, or above:
  - a) When a subject is in custody on a complaint signed by a victim
  - b) When a subject is in custody for Domestic Battery
  - c) The subject's criminal history indicates convictions for:
    - 1) DUI
    - 2) Sex Offenses
    - 3) Domestic Battery
    - 4) Forcible Felonies
    - 5) Subject has an active, serviceable arrest warrant issued for their arrest
- 4) Officers responsible for monitoring the individual as part of the FTIP "catch/release" shall complete all paperwork identified in this policy, including reports of recovery, and other paperwork for each occurrence of assistance that the individual provides.
- n) Any firearms recovered as a result of an investigation outside the borders of the Town of Cicero will be recovered and processed according to Cicero Police Department policy regarding evidence handling (General Order: 84-01-01-A Recovered/Seized Firearms Evidence).

**4. SHIFT/IMMEDIATE SUPERVISOR RESPONSIBILITIES:**

- a) The Shift/Immediate Supervisor will document the FTIP firearm in the Daily Activity Report.

By Order of:

Superintendent of Police

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 43-01-01**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** VICE, DRUGS AND ORGANIZED CRIME

**1. POLICY**

The Cicero Police Department provides guidelines and procedures to identify and investigate vice, drug, and organized crime offenses.

**2. PROCEDURES**

- a. Any officer of this department may be the initial responder to a complaint involving organized crime, drug trafficking, and/or vice activity, and may at any time, regardless of his duty status, be approached with information concerning these topics.
- b. All officers will be prepared to identify activities and occurrences associated with organized crime, vice or drugs, and will submit such information in memorandum form to the Deputy Superintendent of investigations for appropriate follow up.
- c. This order does not limit an officer's prerogative to affect an immediate arrest if probable cause exists.
- d. A copy of all arrest reports related to vice, drugs, or organized crime matters will be forwarded to the Deputy Superintendent of investigations by the arresting officer.
- e. Activities which should be submitted in report form for review will include, but not be limited to, the:
  - 1) Illegal sale and distribution of liquor and tobacco.
  - 2) Sale and delivery of controlled substances.
  - 3) Gambling operations and like activities.
  - 4) Prostitution.
  - 5) Child pornography.
  - 6) Loan sharking.
  - 7) Labor racketeering.
  - 8) Organized extortion or bribery.
  - 9) Fencing and/or theft rings.
  - 10) Illegal sale or possession of firearms.
  - 11) Corruption.
- f. Organized crime, drug, and vice activities are not always recognized by the public as such, but may be referred to or mentioned in or during the reporting of other criminal activity or complaints. In addition, no complaint at all may be made, but officers should be prepared at all times to recognize activities that might be connected to drugs, vice and/or organized crime.
- g. Forwarding of information
  - 1) All officers of the police department, upon taking a complaint or upon being made aware of any activity which could be considered as organized criminal, drug or vice

- activity, will at his earliest opportunity, and prior to the end of the shift if on duty, by the end of the next working shift if off duty, commit all information to written form.
- 2) This report will be submitted either directly to the Deputy Superintendent of Investigations, or sealed in an envelope addressed to the Deputy Superintendent of Investigations and left for him. **At no time** will such reports be left available for review by anyone, including department personnel, who do not have a "need to know".
  - 3) Reports regarding the illegal sale and distribution of liquor and tobacco; reports regarding the illegal sale or possession of firearms; reports regarding theft rings and all arrest reports will be processed in the normal fashion.
    - a) A copy of these reports will be forwarded to the Deputy Superintendent of Investigations.
    - b) The report original goes to the records section.
  - 4) In the event the information is the result of a citizen's complaint, an appropriate case report will be prepared.
  - 5) In the event the information is intelligence-type information, a memorandum to the deputy superintendent of investigations will suffice.

h. Follow-up Actions

- 1) The Deputy Superintendent of Investigations has the responsibility of assigning cases for follow-up investigation, taking into consideration:
  - a) Available manpower.
  - b) The likelihood of successful prosecution.
  - c) The violation if any of law.
  - d) The availability of funds or equipment needed to investigate the activity.
- 2) Should an investigation be ordered, the procedure governing the investigation will comply with department procedures for any criminal investigation. Should it be called for, the deputy superintendent will authorize the use of required resources.
- 3) Information regarding active investigations and copies of reports and other work generated will generally be limited to review by the investigators assigned to the case, and the deputy superintendent of investigations. Any written information not needed for daily investigation will be kept locked in the Deputy Superintendent of Investigations unit office, or in some other place designated by the Deputy Superintendent of Investigations.
- 4) Should a decision be made not to initiate an investigation or should the information concerning the organized crime, drug or vice activity be deemed "intelligence information" such information will be maintained, as appropriate, as intelligence information by the Deputy Superintendent of Investigations.
- 5) Due to the nature of vice, drugs and/or organized crime offenses and the considerable amount of undercover work involved in the enforcement of these offenses, safeguards must be in place regarding the sensitivity of records.
  - a) The Deputy Superintendent of Investigations has the sole responsibility of maintaining any and all records. Access to the information is on a "need to know" basis.
  - b) The Deputy Superintendent of Investigations will maintain records regarding active vice, drug or organized crime investigations and related intelligence information securely and separately from the department's central records system.

- i. Accounting system for vice, drug and organized crime control confidential funds - see "Criminal Investigations, 42-01-01, for confidential funds procedures.
- j. Raids, decoy, undercover and surveillance operations
  - 1) The Deputy Superintendent of Investigations or his designee will authorize and supervise major operations, and be responsible for coordinating and planning "special" operations encompassing, but not limited to: raids, decoy, undercover, and surveillance operations, including the distribution and use of surveillance and undercover equipment. This requirement does not apply to routine operations normally encountered, such as routine surveillance of drug operations, and normal undercover or covert operations.
  - 2) The Deputy Superintendent of Investigations will determine when a written plan will be prepared for his review and approval.
  - 3) When he determines that a written plan is not required, he will provide written authorization to proceed.
  - 4) Special operations will be planned prior to implementation. Guidelines for planning special operations include, as appropriate, but not limited to, the following items.
    - a) Analyzing crimes and victims to determine the nature and scope of personnel, equipment and activities required to safely and effectively conduct the special operation.
    - b) Identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information that will affect the manner of the special operation and potential prosecution.
    - c) Familiarizing officers involved in the special operation with the neighborhood or target area.
    - d) Determining operational procedures for observation, arrests, high-risk entries, surveillance and "tails" to ensure continuity between the planning and the conduct of the special operation. Officers may be required to be disguised to resemble victims, workers, laborers, and the like.
    - e) Supplying required expense funds to officers involved in the special operation. Use of such funds will adhere to established department procedures.
    - f) Establishing means of routine and emergency communication to be used by officers involved in the special operation.
    - g) Selecting equipment and vehicles required for the conduct of the special operation, to include:
      - 1. Weapons.
      - 2. Vehicles.
      - 3. Communications equipment.
      - 4. Visual monitoring equipment.
      - 5. Undercover or decoy supplies.
    - h) Providing relief for officers involved in the operation so that surveillance may continue over an extended period of time if needed.
    - i) Communicating with the prosecutor to determine legal ramifications.
    - j) Making contact with suspects via undercover personnel and analyze the target area.
    - k) Supplying undercover officers with false identity and necessary credentials as well as maintaining confidentiality of false identities.
    - l) Providing back up security for undercover officers.
    - m) Providing close supervision during implementation of the special operation.
    - n) Make arrests of offenders as required.

- 5) Raids will be planned prior to implementation.
  - a) Guidelines for planning raids include as may be appropriate, but are not limited to:
    1. Developing strategies and tactics for approaching, entering, securing, and leaving the target of the raid.
    2. Searching for and seizing evidence and/or contraband.
    3. Selecting and communicating with specialized support units, especially evidence technicians and medical assistance.
    4. Establishing means of communication to be used by officers involved in the raid.
    5. Arresting suspects as well as transporting to a holding facility or detaining and processing at the scene of mass arrests.
    6. Providing documentation of activities associated with the raid as well as evidence seized and suspects arrested.
    7. Selecting appropriate equipment.
  - b) The Deputy Superintendent of Investigations must grant authorization for a raid.
  - c) Communication, coordination and cooperation can best be accomplished with a concerted effort by all members of the police department. For this reason, the exchange of information at all operational levels is highly encouraged.

k. Exchange of information

- 1) Because organized crime can exist in several communities at one time, successful law enforcement efforts often require coordination and exchange of information.
- 2) The investigations unit will maintain a working relationship with all interested agencies regarding organized crime.

l. Criteria for investigative follow up

- 1) Because investigations into vice, drugs and organized crime offenses can involve a good deal of time, ~~money and manpower allocation~~, the following criteria will be considered by the deputy superintendent of investigations prior to implementation of a plan of action.
  - a) Is the original intelligence information valid?
  - b) What is the criminal nature of the problem?
  - c) How important is the problem?
  - d) What lead information exists?
  - e) What investigative techniques might be used?
  - f) Does the department have sufficient resources?
  - g) Should the case be referred to another more appropriate agency?
  - h) What possible operational problems exist?
- 2) Surveillance, undercover, and decoy operations may be affected singularly or simultaneously during the investigation of organized crime, vice, drug or other criminal offenses. The Deputy Superintendent of investigations will notify the patrol shift supervisor, of the nature and location of the operation prior to commencing the operation.

m. Organized crime, drugs and vice control quarterly report

A written report will be submitted quarterly by the Deputy Superintendent of the investigations division to the Superintendent of police summarizing complaints, investigations, report of expenditures, and arrests involving vice, drugs and organized crime.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 42-02-06**



**EFFECTIVE DATE:** 01 January 2018

**SUBJECT:** **ILLINOIS SEXUAL ASSAULT INCIDENT PROCEDURES ACT**

**I. PURPOSE:**

This Directive:

- A. Documents the Department's sexual assault and sexual abuse procedural requirements in compliance with the Illinois Sexual Assault Incident Procedure Act, 725 ILCS 203, effective 01 January 2017, including:
  1. Sexual assault/abuse reporting policies, including third party reporting.
  2. Sexual assault/abuse victim notification requirements.
  3. Sexual assault/abuse victim transport requirements.
  4. Specific training for Assigned officers responding to or investigating a complaint of sexual assault or sexual abuse.
- B. Introduces into the order provisions of the IL Attorney General's revised Sexual Assault Incident Notice (Rev. 1/17).

**II. GENERAL INFORMATION**

- A. The Illinois "Sexual Assault Incident Procedure Act," parts of which are effective 1 January 2017, implements new reporting procedures for law enforcement, provides sexual assault/abuse victims with increased notification and protections during the evidence-collection and testing process, and ensures transfer of evidence from the hospital to law enforcement agencies for testing. It also implements statewide training standards and guidelines for 9-1-1 operators and police in handling sexual assault and sexual abuse cases.
- B. To ensure compliance with the Illinois Sexual Assault Incident Procedure Act, 725 ILCS 203, Assigned officers conducting a preliminary investigation of a sexual assault or abuse incident will follow the procedures established in this directive concerning incident reporting, victim notifications, and victim transport.

**III. SEXUAL ASSAULT AND SEXUAL ABUSE REPORTS**

- A. Assigned officers will complete a written police report upon receiving the following, regardless of where the incident occurred:
  1. An allegation by a person that he or she has been sexually assaulted or sexually abused regardless of jurisdiction.
  2. Information provided from hospital or medical personnel that a victim has been sexually assaulted or sexually abused.
  3. Information from a witness who personally observed what appeared to be a sexual assault or sexual abuse or attempted sexual assault.
  4. In cases in which the victim may have been intoxicated or otherwise impaired, and is unsure if a sexual assault occurred or not.
    - a. While not required by the Sexual Assault Incident Procedures Act, officers will prepare a report for these instances.

- B. Pursuant to the Sexual Assault Incident Procedures Act, no law enforcement agency may refuse to complete a written report as required by the Act on any grounds (except in specific cases of third party reporting listed in Section III-E of this directive). The written report will include the following, if known:
1. the victim's name or other identifier;
  2. the victim's contact information;
  3. time, date, and location of the offense;
  4. information provided by the victim;
  5. the suspect's description and name, if known;
  6. names of persons with information relevant to the time before, during, or after the sexual assault or sexual abuse, and their contact information;
  7. names of medical professionals who provided a medical forensic examination of the victim and any information they provided about the sexual assault or sexual abuse;
  8. whether an Illinois State Police Sexual Assault Evidence Collection Kit was completed, the name and contact information for the hospital, and whether the victim consented to testing of the Evidence Collection Kit by law enforcement;
  9. whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement;
  10. other relevant information.

**NOTE:** No officer will require a victim of sexual assault or sexual abuse to submit to an interview; however, information the victim related to medical professionals during the medical forensic examination and that the victim consented to disclose to law enforcement, will be included in the police report.

- C. The assigned officer taking a report of a sexual assault/abuse that occurred outside of the Town of Cicero will, within 24 hours, send a copy of the report via fax or email to the law enforcement agency having jurisdiction in the location of the offense.

**NOTE:** Assigned officers taking a report of a sexual assault/abuse that occurred in another country will notify the foreign embassy of that country and will fax or email a copy of the report to the embassy.

- D. Within 24 hours of receiving a report from another law enforcement agency of a sexual assault or abuse that took place in the Town of Cicero, the Assigned officer receiving the report will submit a written confirmation via fax or email to the law enforcement agency that sent the report. The written confirmation will confirm receipt of the report and will contain the name and identifier of the person sending the receipt and the name and contact number that will be given to the victim.

1. Any officer receiving an email or fax from another jurisdiction containing a report of a sexual assault/abuse that took place in Cicero will notify his or her immediate supervisor.
2. Any supervisor receiving notification of a sexual assault or abuse reported in another jurisdiction but that took place in Cicero will ensure a preliminary investigation is completed, the appropriate reports and notifications are completed, and a notice of receipt is sent to the originating jurisdiction.

E. **Third Party Reports**

A victim of sexual assault/abuse may give another person consent to provide information about the sexual assault/abuse to a law enforcement officer. Assigned officers will complete a written report unless:

1. The person contacting law enforcement fails to provide his or her name and contact information; or
2. The person contacting law enforcement fails to affirm that he or she has the consent of the victim of the sexual assault or sexual abuse.

**NOTE:** At the time of initial contact with a person making a third-party report, officers will provide the victim with the Sexual Assault Incident Notice and advise the victim of the information listed in Section IV of this directive.

- F. If interpretation services are needed, officers will contact their immediate supervisor or Watch Commander for assistance in locating the appropriate interpreter. However, if the interpretation services are required in a hospital, then the hospital will assist in providing the interpretation services.

#### **IV. VICTIM NOTIFICATION**

At the time of the first contact with the victim, officers will:

- A. Provide the victim with the Sexual Assault Incident Notice and advise the victim of the following information, including but not limited to:
  1. information about seeking medical attention and preserving evidence, including specifically, collection of evidence during a medical forensic examination at a hospital and photographs of injury and clothing;
  2. notice that the victim will not be charged for hospital emergency and medical forensic services;
  3. information advising the victim that evidence can be collected at the hospital up to 7 days after the sexual assault or sexual abuse, but that the longer the victim waits, the less the likelihood of obtaining evidence;
  4. the location of nearby hospitals that provide emergency medical and forensic service and, if known, whether the hospitals employ any sexual assault nurse examiners;
  5. a summary of procedures and relief available to victims of sexual assault or sexual abuse under the Civil No Contact Order Act or the Illinois Domestic Violence Act of 1986;
  6. the Department member's name and star number;
  7. at least one referral to an accessible service agency and information advising the victim that sexual assault crisis centers can assist with obtaining civil no contact orders and orders of protection; and
  8. If the sexual assault or sexual abuse occurred in another jurisdiction, provide in writing the address and phone number of a specific contact at the law enforcement agency having jurisdiction.
- B. Advise the victim of the 5-year window for written consent for release of sexual assault evidence to law enforcement for testing.
  1. A victim shall have 5 years from the completion of an Illinois State Police Sexual Assault Evidence Collection Kit, or 5 years from the age of 18, whichever is longer, to sign a written consent to release the sexual assault evidence to law enforcement for testing.
  2. If the victim or a person authorized under Section 8.5 of the Sexual Assault Survivors Emergency Treatment Act does not sign the written consent at the completion of the medical forensic examination, he or she may sign the written release at the law enforcement agency having jurisdiction, or in the presence of a sexual assault advocate who may deliver the written release to the law enforcement agency having jurisdiction.
  3. The victim may provide verbal consent to law enforcement and shall verify consent via email or fax.

**NOTE:** The assigned officer will ensure the consent form is completed and sent with the evidence kit to the appropriate State Police laboratories.

  4. Upon receipt of written or verbal consent, the law enforcement agency having jurisdiction shall submit the sexual assault evidence for testing in accordance with the

Sexual Assault Evidence Submission Act. No law enforcement agency having jurisdiction may refuse or fail to send the sexual assault evidence for testing that the victim has released for testing.

5. Per Section 8.5 of the Sexual Assault Survivors Emergency Treatment Act:
  - a. In the case of a victim who is a minor 13 years of age or older, evidence and information concerning the sexual assault may be released at the written request of the minor.
  - b. If the victim is a minor who is under 13 years of age, evidence and information concerning the alleged sexual assault may be released at the written request of the parent, guardian, investigating law enforcement officer, or Department of Children and Family Services.
  - c. If the survivor is an adult who has a guardian of the person, a health care surrogate, or an agent acting under a health care power of attorney, then consent of the guardian, surrogate, or agent is not required to release evidence and information concerning the sexual assault.
  - d. If the adult is unable to provide consent for the release of evidence and information and a guardian, surrogate, or agent under a health care power of attorney is unavailable or unwilling to release the information, then an investigating law enforcement officer may authorize the release.

**NOTE:** A sexual assault advocate may deliver the written release to law enforcement.

- C. Advise and provide a written notice to a victim who does not sign a written consent to release the sexual assault evidence prior to discharge from the hospital with the following information:
  1. that the sexual assault evidence will be stored by the Cicero Police Department for 5 years;
  2. that the victim may sign a written release to test the sexual assault evidence at any time during the 5-year period by contacting the Cicero Police Department or by working with a sexual assault advocate;
  3. the name, phone number, and email address of the Cicero Police Department; and
  4. the name and phone number of a local sexual assault crisis center.
- D. Advise the victim of the Department procedure for those who may, in the future, want to sign a written consent to release the sexual assault evidence and for those who want to be notified or have a designee notified prior to the end of the 5-year period.

## **V. VICTIM TRANSPORTATION**

The officer completing the preliminary report will offer to provide or arrange accessible transportation for the victim to:

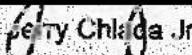
- A. a hospital for emergency and forensic services, including contacting emergency medical services.
- B. to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency civil no contact order under the Civil No Contact Order Act or an order of protection under the Illinois Domestic Violence Act of 1986.
  1. During the hours in which court is in session, officers will assist the victim with transportation to the Domestic Violence court to obtain a protection order.
  2. For all other hours, the officer will request his or her supervisor or appropriate supervisor contact the Detective Division who can assist the victim to attempt to acquire the above from the Duty Judge.

## VI. EVIDENCE COLLECTION AND PROCESSING

The Deputy Superintendent of Detectives, will ensure bureau-level procedures are established to ensure compliance with the evidence and notification requirements outlined in the Illinois Sexual Assault Incident Procedure Act, 725 ILCS 203, including but not limited to:

- A. taking custody of the sexual assault evidence and submitting the evidence to the Illinois State Police Crime Laboratory.
- B. responding to victims who want to consent to release the evidence for testing, in particular, after the initial collection of the evidence.
- C. the storage of sexual assault evidence for at least five years from the completion of the kit or five years from when the victim turns 18 years of age.
- D. the release of information to the victim regarding the submission of the evidence for testing and the status and results of the testing.

By the order of:



**Superintendent of Police**

## MANDATORY NOTICE OF VICTIM'S RIGHT TO INFORMATION REGARDING SEXUAL ASSAULT EVIDENCE TESTING\*

You have consented to the testing of sexual assault evidence collected in your case.

This law enforcement agency must provide you with the following information regarding the testing of the evidence, at your request. You may designate another person to receive this information on your behalf.

### You are entitled to the following information:

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory by this agency. If you request this information, it must be provided to you within seven (7) days of the transfer of the evidence to a lab by this law enforcement agency.
2. Test results provided to this agency by the laboratory, including, but not limited to:
  - DNA test results, and
  - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If you request this information, it must be provided to you within seven (7) days of this law enforcement agency receiving the results from the laboratory.

### Requesting the information

You may submit a request for this information at this time or by contacting this law enforcement agency at the address or phone number below at a later date.

Law Enforcement Agency	
Address	
Phone Number	Email (if available)
Report Number	

You or your designee must keep the law enforcement agency informed of the name, address, phone number and email of the person to whom information should be provided and any changes to that information.

\* This form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate pursuant to 715 ILCS 203/35(c). This requirement is effective January 1, 2017.

# SEXUAL ASSAULT INCIDENT PROCEDURE BULLETIN FOR LAW ENFORCEMENT—PUBLIC ACT 099-0801

A new law, Public Act 099-0801, contains requirements for law enforcement agencies regarding the handling of sexual assaults and sexual abuse crimes.

This document outlines the provisions of the Act that must be implemented by law enforcement agencies on January 1, 2017:

- Mandatory Report Writing
- Additional Responding Officer Responsibilities
- Collecting, Storing, and Testing of Sexual Assault Evidence
- Release of Information to the Victim Relating to Evidence Testing

Several other provisions, such as developing and implementing agency policy and training for all officers and those investigating sexual assault and sexual abuse cases, have delayed effective dates to allow for the development of policy guidelines and training curricula.

## MANDATORY REPORT WRITING

Officers must document every allegation of sexual assault or sexual abuse and prepare a written report when contacted by any of the following:

1. a person who alleges to have been sexually assaulted or sexually abused,
2. hospital or medical personnel, when reporting under the Criminal Identification Act, or
3. a witness who personally observed what appeared to be a sexual assault or sexual abuse or an attempt of either crime.

The victim is under no obligation to speak to an officer or submit to an interview. The officer shall still prepare a report and document any information made available to the officer.

The officer shall write the report without making a determination of whether the statute of limitations has expired.

## Third-Party Reports

A victim of sexual assault or sexual abuse may give consent to another person to provide information about the incident to law enforcement. The third-party reporter does not have to disclose the victim's name. The officer must complete a written report if the person contacting law enforcement:

1. provides their own name and contact information, and
2. affirms that he or she has the consent of the victim to make the report.

Officers must give the person making the third party report a copy of all victim notices required under this Act and ask that the person give the notices to the victim.

## Reports Regarding an Incident Occurring in Another Jurisdiction

Officers must write a report regardless of the jurisdiction where the incident took place. An officer who receives information about an incident in another jurisdiction must prepare a written report. Within 24 hours of receiving the information, the officer must submit the report to the agency having jurisdiction. Agencies may use the Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction (P.A. 99-0801 – Form D) for this requirement. The law enforcement agency that receives a report from another jurisdiction must confirm receipt. The written confirmation must include:

1. the name of the person who received the report, and
2. a name and phone number of a contact person that can be given to the victim.

## Contents of Reports

The written report shall include the following, if known:

1. the victim's name or other identifier and contact information,
2. the time, date, and location of the offense,
3. information provided by the victim,
4. information about the suspect, including description and name,
5. names and contact information of persons with knowledge of what happened before, during, or after the sexual assault,
6. names of the medical professionals who examined the victim and any information they provide,
7. if sexual assault evidence was collected, the name and contact information for the hospital, and whether the victim consented to testing of the evidence,
8. if a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen,
9. information the victim consented to allow the medical professionals to disclose, and
10. all other relevant information.

## ADDITIONAL RESPONDING OFFICER RESPONSIBILITIES

Officers responding to incidents involving sexual assault or sexual abuse must:

1. provide victims with written information advising them of their rights and options. The written information can be found on the Illinois Attorney General's website, [www.ilattnygeneral.gov](http://www.ilattnygeneral.gov), and is linked below (P.A. 99-0801-Form A),
2. offer to provide or arrange transportation to a hospital emergency room for medical and forensic services, and
3. if the courthouse is closed but a judge is available, offer to provide or arrange transportation so the victim may file for an order of protection or civil no contact order.

## COLLECTION, STORAGE, AND TESTING OF SEXUAL ASSAULT EVIDENCE

All sexual assault evidence collected at the hospital will be released to the custody of law enforcement whether or not the victim has signed a consent form for testing of the evidence. The evidence may include an Illinois State Police Sexual Assault Evidence Collecting Kit, clothing, blood and/or urine samples, and other items.

The hospital will notify the law enforcement agency having jurisdiction when evidence has been collected. The agency shall take custody of the evidence as soon as practicable, but not later than 5 days after the medical forensic exam was completed. If the evidence is not picked up, the hospital will notify the local State's Attorney's Office, which will contact the law enforcement agency within 72 hours to request that the agency take immediate physical custody of the evidence. The mandatory written report of the sexual assault or sexual abuse must include the date and time the evidence was picked up from the hospital.

If the Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form has been signed, the law enforcement agency must, within 10 days of the receipt of the evidence, send the evidence to an Illinois State Police Crime Laboratory or other appropriate laboratory (Northeastern Illinois Regional Crime Laboratory or DuPage County Forensic Science Center) for testing under the Sexual Assault Evidence Submission Act.

If Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form has not been signed, the law enforcement agency must store the evidence. If the victim is an adult, the evidence must be stored for 5 years.

If the victim is under 18 years of age, the evidence must be stored until the victim's 23rd birthday. If a law enforcement agency adopts a longer storage policy, it shall notify the victim or the victim's designee in writing of the longer period. The hospital will provide the original consent form to test the evidence to the law enforcement agency which picks up the evidence, for the agency's case file. A sample of the Patient Consent, Collect and Test Evidence or Collect and Hold Evidence Form is linked below.

After leaving the hospital, the victim may consent to testing in any of the following ways:

1. signing the original Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form, given to the officer who picked up the evidence, at the law enforcement agency where the evidence is stored.
2. signing a consent form in the presence of a sexual assault advocate who will deliver the written consent to the law enforcement agency on behalf of the victim, or
3. providing verbal consent to the law enforcement agency and confirming the verbal consent by email or fax.

Each law enforcement agency shall develop and implement a protocol for providing information to victims on how to consent to testing after leaving the hospital and the process for notifying a victim or the victim's designee of the impending expiration of the storage period, if such notice is requested by the victim.

#### RELEASE OF INFORMATION TO THE VICTIM RELATED TO EVIDENCE TESTING

Upon request, each law enforcement agency shall provide the following information in writing to a victim.

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory. If this information is requested, it must be provided to the victim within seven days of the transfer of the evidence to the laboratory.
2. Test results provided to the agency by the laboratory, including, but not limited to:
  - whether a DNA profile was obtained from the testing of the evidence;
  - whether the DNA profile developed from the evidence has been searched against the DNA Index System or any state or federal DNA database;
  - whether an association was made to an individual whose DNA profile is consistent with the sexual assault evidence DNA profile, provided that disclosure would not impede or compromise an ongoing investigation; and
  - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If this information is requested, it must be provided to the victim within 7 days of the law enforcement agency receiving the results from the laboratory.

When a victim has signed a consent form to test evidence at the hospital, the law enforcement agency shall provide the victim, either at the hospital or during the investigating officer's follow-up interview, with written information informing the victim of his or her right to request this information. This information must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate. A victim may designate another person or agency to receive this information.

**FORMS FOR LAW ENFORCEMENT USE**

*Available at [www.illinoisaag.org/forms/](http://www.illinoisaag.org/forms/)*

- **Mandatory Notice for Survivors of Sexual Assault (P.A. 99-0801 – Form A)**
  - Pursuant to 725 ILCS 203/25(a), at the time of first contact with a victim, a law enforcement officer shall advise the victim of the information on this form, written in a language appropriate for the victim or in Braille, or communicate this information in the appropriate sign language.
- **Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Testing (P.A. 99-0801 – Form B)**
  - Pursuant to 725 ILCS 203/35(c), this form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate.
- **Storage and Future Testing of Sexual Assault Evidence (P.A. 99-0801 – Form C)**
  - Pursuant to 725 ILCS 203/30(e), this form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview.
- **Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction (P.A. 99-0801 – Form D)**
  - Pursuant to 725 ILCS 203/20(c), a law enforcement agency which receives a report of an incident occurring in another jurisdiction must prepare a written report and send the report to the agency having jurisdiction in person or via fax or email within 24 hours.
  - Pursuant to 725 ILCS 203/20(d), the law enforcement agency that receives a report from another jurisdiction must confirm receipt in person or via fax or email within 24 hours.
- **Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form** (Presented to the victim for completion by the hospital and provided to the law enforcement agency picking up the evidence.)
  - Pursuant to 410 ILCS 70/6.5, the hospital will provide the original consent form to test the evidence to victim for completion. The hospital will provide the consent form to the law enforcement agency which picks up the evidence, for the agency's case file.

If you have questions regarding this document,  
please contact Jessica O'Leary, Assistant Attorney General,  
Office of Illinois Attorney General Lisa Madigan, Policy Division  
at [joleary@illinoisag.state.il.us](mailto:joleary@illinoisag.state.il.us) or 312-514-1003  
or  
your agency's legal counsel.



## STORAGE AND FUTURE TESTING OF SEXUAL ASSAULT EVIDENCE\*

A consent form to test the sexual assault evidence collected today must be signed before law enforcement can send this evidence to a laboratory to be tested. You have indicated that you do NOT want to sign the consent for testing at this time.

If you are an adult, this evidence will be stored by law enforcement for five (5) years from today's date, \_\_\_\_\_.

If you are under 18 years of age, this evidence will be stored until your 23rd birthday.

You may request to be notified prior to the destruction of the evidence at the end of the storage period. This evidence will be stored at the law enforcement agency listed below.

A consent form for the testing of this evidence may be signed at any time during the storage period. This can be done by contacting the law enforcement agency listed below or by working with an advocate from a rape crisis center.

Law Enforcement Agency
Address
Phone Number
Report Number

Rape Crisis Center
Address
Phone Number

\*This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.

**Confirmation of Transfer of Sexual Assault Report  
to Law Enforcement Agency Having Jurisdiction**

Within 24 hours of receiving a sexual assault report of an incident in your jurisdiction from another law enforcement agency, you must provide that agency with the following information.

<b><u>Law Enforcement Agency That Received the Initial Sexual Assault Report</u></b>		
Initial Agency Name: _____	Case Number: _____	
Initial Agency Contact Name: _____		
Title: _____	Phone: _____	Fax: _____
Email: _____		
Date Transferred: _____	Time Transferred: _____	

<b><u>Confirmation of Receipt of Sexual Assault Report to be completed by Law Enforcement Agency with Jurisdiction Receiving Report</u></b>		
Agency with Jurisdiction Name: _____	Case Number: _____	
Name of Person Receiving Report: _____		
Title of Person Receiving Report: _____		
Date Received: _____	Time Received: _____	

<b><u>Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim</u></b>		
Agency with Jurisdiction Name: _____	Case Number: _____	
Name of Contact Person: _____		
Title: _____	Phone: _____	
Email: _____	Fax: _____	

This written confirmation shall be delivered in person or via fax or email to  
the law enforcement agency that received the initial report.

## MANDATORY NOTICE FOR SURVIVORS OF SEXUAL ASSAULT\*

### MEDICAL AND FORENSIC SERVICES

Survivors of sexual assault should seek medical attention as soon as possible. You may request transportation to the hospital.

#### Services Available

If you request medical forensic services, the hospital must offer a general medical exam, treat injuries, evaluate the need for medications, and collect forensic evidence. Upon request, a hospital must perform a forensic exam and complete an evidence kit up to 7 days after the assault regardless of your age.

#### Evidence Preservation

You may not be sure whether or not you want to participate in the criminal justice process right now, but it is important to know that critical evidence may be lost if you change clothes; bathe, shower or douche; use the restroom; eat; smoke; or brush teeth or gargle, depending on the nature of the attack.

The sooner the medical forensic exam is performed, the more evidence is available for collection.

#### Storage of Evidence

If evidence is collected from you, but you are unsure about allowing law enforcement to test the evidence, the evidence will be stored for 5 years or, if you are under the age of 18, until your 23<sup>rd</sup> birthday. You can consent to test the evidence at any time during this period.

**You will NOT be billed for any services provided in the emergency room.** In addition, if you are eligible, the hospital will give you a voucher for 90 days of follow-up care.

### HOSPITAL INFORMATION

The nearby hospital below provides emergency medical and forensic services for sexual assault survivors:

Hospital Name

Hospital Address

This hospital employs a Sexual Assault Nurse Examiner: Yes / No / Unknown (Circle One)

\*This form must be provided by the responding law enforcement agency at time of initial contact pursuant to 725 ILCS 203/25(a). This requirement is effective January 1, 2017.

## CIVIL NO CONTACT ORDERS / ORDERS OF PROTECTION

Survivors of sexual assault may petition for a Civil No Contact Order (CNCO) or an Order of Protection (OP) that can order the offender to:

- Stay away from you and away from specific locations, such as your residence, your work, and your school
- Have no contact with you

The CNCO or OP can be obtained in civil court at a local courthouse. You will not pay a fee for requesting the order. While you can obtain a CNCO or OP on your own, it is best done with the assistance of an advocate or attorney. If the courthouse is closed but a judge is available, you may request that the officer provide or arrange transportation to the judge.

*You may be able to obtain sexual assault support services for free. These services include advocacy, counseling, assistance with information about the medical forensic exam, understanding the criminal justice system, and obtaining a Civil No Contact Order or an Order of Protection. You are encouraged to contact:*

Rape Crisis Center Name	Hotline Number
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## RESPONDING LAW ENFORCEMENT AGENCY

Responding Officer's Name	Star/Badge Number
Responding Law Enforcement Agency Name	Agency Phone Number
Report Number	Date

## LAW ENFORCEMENT AGENCY WHICH WILL COMPLETE INVESTIGATION

Law Enforcement Agency Name
Law Enforcement Agency Address
Law Enforcement Agency Phone Number

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 42-02-04**



**EFFECTIVE DATE:** June 1<sup>st</sup>, 2013

**REVIEW DATE:** June 1<sup>st</sup>, 2015

**SUBJECT:** CHILD SEXUAL ABUSE INVESTIGATION

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines to ensure the coordination and cooperation among all agencies involved in a child sexual abuse cases. These guidelines will be strictly adhered to.

**2. PROCEDURES:**

a. Children who are victims of sexual abuse require a wide variety of services.

- 1) Police officers must be mindful of the special circumstances that exist when a child has been victimized by a sexual abuser.
- 2) Officers must also be aware that a reported incident of sexual abuse may represent more extensive unreported incidents.
- 3) Special precautions must be taken if the alleged offender is employed or volunteers in organizations that include groups of children.

b. Responding to calls of alleged sexual abuse of a child

- 1) The first officer on the scene of a suspected child abuse case will limit the preliminary investigation and interview of the victim to background information pertaining to the case.
- 2) It should be remembered that if the physical safety of the child is at risk, or other facts so warrant, the child might be removed immediately to a safer environment.
- 3) If the incident is reported by an adult, do not interview the child. If the child is reporting the incident, gather minimal information - do not inquire into details.
- 4) If there is sufficient reason to believe sexual abuse may have occurred the officer will make immediate notification to a department investigator who will notify, without delay, the Illinois Department of Children and Family Services (DCFS) at 1/800-25-ABUSE.

c. Multidisciplinary response planning. The Deputy Superintendent of Investigations will ensure that there is a cooperative agreement between the department and child sex abuse related agency that establishes a general protocol to be followed in child sex abuse cases. This protocol will be provided to each investigator. It will provide for the following (but not be limited to) for child sex abuse cases:

- 1) The department will request multi-disciplinary planning and coordination in investigations of child sexual abuse cases.
- 2) Each participating agency must be contacted and notified about a potential case.
- 3) These participating agencies must determine the following:
  - a) When the interview should be held (day and time).
  - b) Where the interview should be held.
  - c) Who should conduct the interview.
  - d) Who will document the interview.

- 4) It is strongly recommended that participating agency representatives meet prior to the interview to exchange pertinent information and discuss the plan for the interview.
  - 5) After the initial interview has been completed the participating agencies will maintain contact to determine the course of the investigation.
  - 6) There are numerous outside agencies that may be called upon to assist, depending upon the nature of the case. In such cases, the deputy superintendent will ensure that appropriate notifications and requests for assistance are made.
- d. Officers investigating cases of alleged sexual abuse of a child will complete a general report form that will be forwarded to the investigations division for follow-up.

By Order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 71-01-01**



**EFFECTIVE DATE:** **August 1<sup>st</sup>, 2013**

**REVIEW DATE:** **August 1<sup>st</sup>, 2015**

**SUBJECT:** **PRISONER TRANSPORTATION**

**1. POLICY:**

The Cicero Police Department will establish procedures regarding precautions necessary while transporting prisoners to protect the lives and safety of officers, the public, and the person in custody.

**2. PROCEDURE:**

**a. Search of transport vehicle**

- 1) At the beginning and end of each tour of duty, all vehicles that may be used for prisoner transport will be inspected, by the officer operator, for readiness as follows:
  - a) The safety screen (where available) will be securely in place and undamaged.
  - b) All windows will be intact, and outer door latches in proper working order.
  - c) Rear-seat door handles and window controls will be deactivated.
  - d) The interior will be thoroughly searched to ensure that no weapons or contraband are left behind or hidden within the vehicle.
- 2) The vehicle will be searched after any person has been transported.

**b. Handcuffing/use of restraints**

- 1) Officers will handcuff (double-locked) all prisoners with their hands behind their back and palms facing outward.
- 2) The officer may handcuff the prisoner with his/her hands in front, or use other appropriate and approved restraining device(s) where the prisoner
  - a. Is in an obvious state of pregnancy,
  - b. Has a physical handicap, or
  - c. Have injuries that could be aggravated by standard handcuffing procedures.
- 3) Females will be subject to the same handcuffing and restraint policy as males unless in an obvious state of pregnancy or otherwise exempted by this order.
- 4) Officers may use discretion in handcuffing young juveniles but will use authorized restraints necessary to control unruly or potentially violent juveniles of any age.
- 5) Prisoners will not be handcuffed to any part of the vehicle during transport.
- 6) Additional approved restraint devices may be used to secure a prisoner who violently resists arrest or who manifests mental disorders such that he or she poses a threat to

- himself or to the public. In such cases, the officer should request a transport van or another officer to assist in the transport.
- 7) Individual officers are prohibited from transporting prisoners in a prone position. In such cases, the officer should request a transport van or another officer to assist in the transport.

c. Prisoner search and transport

- 1) Prior to any transport, all prisoners will be thoroughly searched by the arresting officer for weapons or contraband.
  - a) When a search by an officer of the same sex as the prisoner is not practical, the transporting officer will conduct a pat down search adequate to ensure officer safety.
  - b) The transporting officer will search the prisoner regardless of searches that may or may not have been conducted by arresting officers.
- 2) Females will not be handcuffed to male arrestees and should normally be separated during transport.
- 3) Juveniles will not be handcuffed to adult prisoners or transported in the same area of a vehicle with adult prisoners.
- 4) Special precautions will be employed when transporting high-risk prisoners. In particular rival gang members should not be transported together.
- 5) Prior to initiating the transport, the officer will provide the communications center with the following information when possible:
  - a) Arrest location and destination of transport; and
  - b) Mileage readings before and after transport of a person of the opposite sex.
- 6) The officer should use care when assisting a prisoner into the vehicle for transport.
- 7) Prisoners will be transported in a manner that allows for constant visual observation. Seating of officers and prisoners should conform with the following:
  - a) Any officer operating a vehicle without a security barrier who needs to transport a prisoner should, whenever possible, make arrangements for a police car with a security barrier or a transport van to perform the transport.
  - b) When the vehicle is not equipped with a security screen and has only one transporting officer, the prisoner will be placed in the right front seat and will be secured with a seatbelt.
  - c) Where the vehicle has a security screen but only one transporting officer, the prisoner will be placed in the back seat on the right-hand side of the vehicle, and will be secured with a seatbelt.
  - d) When a prisoner is being transported in a two-officer vehicle without a security screen, the prisoner will be placed in the right rear seat and will be secured with a seatbelt. The second officer will sit in the left rear seat behind the driver.
  - e) Leg restraints will be used when an officer believes the prisoner has a potential for violent behavior.
  - f) One transporting officer should not attempt to transport more than one prisoner in a vehicle without a security barrier, but should request transport assistance.
  - g) All prisoners will be secured in the vehicle by proper use of a seat belt.
- 8) The physical well-being of prisoners will be monitored during transit. Particular attention will be directed to persons reported or suspected of being under the influence of drugs and/or alcohol or who have a history or propensity for violence.

- a) When prisoners report or display symptoms of serious injury or illness, they will be transported by ambulance to the nearest emergency room for treatment.
  - b) Escorting officers will remain with the patient at all times unless relieved by other authorized personnel, or the officer receives authorization from the shift commander to leave the subject.
  - c) Potentially violent persons in custody will be restrained at all times in the treatment facility unless such restraint would interfere with essential treatment.
  - d) When a prisoner is suspected to have swallowed any narcotics or contraband they will be immediately transported to an emergency medical facility for treatment.
- 9) Prisoners will not be permitted to communicate with other persons during transport.
  - 10) Symptoms or reports of physical or mental illness (such as threats of suicide or psychotic behavior) will be reported to the booking officer.
  - 11) Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner.
  - 12) Prisoners will not be left unattended during transport.
  - 13) Officers will not engage in enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another. In non-life-threatening yet serious situations, officers should call for back-up assistance and may remain on scene until such assistance has arrived.
  - 14) Any escape will be immediately reported to the communications center together with a complete description of the fugitive, mode and direction of travel, crime, and propensity for violence if known.
  - 15) The appropriate report(s) documenting the incident will be prepared.

d. Destination

- 1) The transporting officer will abide by the rules of the receiving lock-up facility regarding firearms. The officer's firearm(s) will be secured in a locked cabinet at the facility, or will be securely locked in the officer's vehicle.
- 2) Care will be taken when removing restraining devices. If necessary, assistance will be summoned prior to their removal.
- 3) The officer will deliver the appropriate records and reports with the prisoner.
- 4) The officer will obtain the signature of the receiving officer and/or written documentation detailing the prisoner transaction.
- 5) The officer will advise the receiving personnel of any known medical or security hazards associated with the prisoner.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 72-03-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **HOLDING FACILITY SAFETY AND SANITATION**

**1. POLICY:**

The Cicero Police Department will establish procedures and rules for maintaining safe and sanitary conditions in the department holding facilities.

**2. PROCEDURES:**

a. Fire prevention equipment and practices

1) Equipment and location

a) The jail facility is equipped with the following fire prevention equipment:

1. A fire alarm system.
2. A heat and smoke detection system.
3. A fire detection sprinkler system.

b) Fire extinguishers are readily available in the main corridor and in the corridors outside the male cells and the female cells.

2) Fire prevention practices and procedures in the holding facility will include, but not be limited to the following:

- a) The use of smoking materials in the holding facility is prohibited.
- b) All mattresses and blankets will be flame retardant.
- c) All lighters and matches will be confiscated from prisoners during intake search procedures.

3) In the event of a fire:

- a) All prisoners will be evacuated to a secure area in accordance with the Emergency Evacuation Plan outlined below.
- b) The Cicero Fire Department will be notified immediately. Attempts may be made to suppress the fire with fire extinguishers that are available.

4) Inspection and testing of fire equipment

- a) The Deputy Superintendent of Administration will coordinate and ensure the completion of all inspections and testing of fire equipment.

- b) The Cicero Police Department will request fire prevention and protection services inspection from the Cicero Fire Department. These services will be requested and completed prior to February 15 of each year.
  - c) All fire suppression equipment in the holding facility will be inspected weekly as part of the weekly documented security inspection to verify the presence of the equipment and detect any damage or tampering.
  - d) A documented semi-annual testing of the fire suppression equipment will be conducted by qualified personnel to determine if the equipment is operational and functional as designed.
  - e) Fire extinguishers will be examined and tagged with the date of inspection and initials of the inspector.
  - f) All inspections will be documented in a holding facility safety and sanitation log, noting the person conducting the inspection, the type of inspection, the date and time of the inspection, and any problems noted.
- b. Emergency prisoner evacuation plan
- 1) There will be an emergency evacuation procedure plan posted in the holding facility for the evacuation of persons from the holding facility to areas that are safe from the hazards of the emergency.
  - 2) Removal of all prisoners from the holding facility in fire, disaster, or other emergency situation will conform, if at all possible, to the following:
    - a) In case of a fire or other life-threatening emergency, immediately use radio or telephone equipment to notify the communications center of the fire, and to request fire department or other appropriate assistance. The communications center will notify the shift commander, who will respond to the jail and take command of the situation.
    - b) In any other non-life threatening emergency situation, immediately notify the shift commander of the nature and extent of the emergency and the type of assistance needed.
    - c) In the event the shift commander is not immediately available, the communications center will be advised of the situation. The communications center will proceed with emergency and administrative notifications, including the shift commander.
  - 3) In case of fire, access to the holding facility will be provided by unlocking the electrical "cipher" locks into the department corridor and the outside.
  - 4) If the emergency allows, there should be a minimum of two officers present prior to prisoners being released from the holding facility. If the safety of any persons is threatened by a delay the evacuation plan should progress with whatever assistance is available.
  - 5) Prisoners removed from the holding facility who cannot be released will be handcuffed and placed in prisoner transportation vans (the vans will be in the "off" position) and held there temporarily, until the shift commander develops an alternative detention plan appropriate for the situation (the number of prisoners, age and sex of the prisoners, estimated length of time for the emergency situation, etc.).
    - a) At least two officers or lock up keepers will be assigned to secure the prisoners outside of the jail. Depending upon the security risk of the individual prisoners and at the direction of the shift commander, more officers may be posted.
    - b) Avoid placing prisoners in any area that may be needed for the approach of fire and rescue personnel.
    - c) Prisoners will be handcuffed as soon as is practical and not life threatening.

- d) Each prisoner will have their name and cell number written on their right forearm with permanent marker for identification purposes.
- 6) Prisoners should not be removed from the building during evacuation unless the entire police facility is involved and is in danger.
  - a) If this danger exists, the prisoners are to be moved from the building through the safest exit point to the transport vans.
  - b) Prisoners will be temporarily held in the police transport vehicles or other police vehicles.
  - c) Prisoners will be held in these temporary alternative placements until alternative detention arrangements are made or the emergency is resolved.
  - d) When it appears unlikely that prisoners will be returned to the holding facility, arrangements should be made by the shift commander to transfer the prisoners to neighboring municipal or Cook County detention facilities.
  - e) Under such circumstances, the shift commander should release any eligible prisoners on an Individual Recognizance Bond.

c. Sanitation in the holding facility

- 1) Occupied cells will be cleaned daily.
- 2) Occupied cells will be supplied with toilet tissue.
- 3) Showers are provided when needed for sanitation reasons, and when adequate personnel are available to provide proper supervision. When a shower is provided to a female prisoner, a female will be used to supervise the female prisoner.
- 4) Areas adjacent to the cells will be kept clean and orderly.
- 5) Walkways and corridors will not be used for storage areas.
- 6) A daily inspection of the holding facility will be conducted for proper sanitation and cleanliness.
  - a) This inspection will be completed as part of the weekly documented security inspection.
  - b) The inspection will include inspecting for conditions conducive to the harboring or breeding of insects, rodents, or other vermin. If these conditions exist, they will be noted and corrected. If there are signs that vermin or rodents are present, the facility will be treated by a pest control professional.
- 7) In the event of a biohazard clean up (human bodily fluids), Aftermath will be contacted by the appropriate Watch Commander to arrange a proper clean up and removal of the waste.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-06-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** HOLDING FACILITY MEDICAL CARE

**1. POLICY:**

The Cicero Police Department will establish rules and procedures for handling the medical and dental needs of the prisoners under their care.

**2. PROCEDURES:**

a. Prisoner emergency health care procedures

- 1) Emergency health care services are available to all prisoners held in the Cicero Police Department holding facility through the Cicero Fire Department.
- 2) Cicero police department employees assigned to the holding facility on a regular basis will be trained, as a part of their orientation to the facility, in emergency first aid services.

b. When it is determined by department personnel that a prisoner is in need of immediate medical treatment due to an illness or an injury, the following procedure will be followed:

- 1) Personnel discovering the medical need or having it brought to their attention, will render whatever immediate aid is necessary and they are qualified to render.
- 2) Personnel will immediately, or as soon as possible, notify the shift commander of the situation and type of assistance needed. The shift commander will determine the action to be taken. In the event that the situation is life threatening, and the shift commander is not immediately available, the communications center will be requested to summon emergency medical assistance.
- 3) In situations where the illness or injury is not obvious or readily discernable, a supervisor will be contacted to determine if medical assistance will be summoned.
- 4) Upon arrival, paramedics will examine the prisoner and determine whether the condition warrants transportation to the hospital emergency room.
- 5) If the prisoner is transported to the hospital, the shift commander will assign a sworn officer to accompany the prisoner to the hospital to provide the necessary security.
- 6) In all cases of prisoner illness or injury, a separate general report form prepared setting forth the facts pertinent to the incident.
- 7) Any seriously injured, seriously ill or unconscious prisoner, prior to, upon, or while in confinement, will not be admitted to, nor remain in the holding facility, until a medical examination is conducted by a physician and the prisoner is released from medical care.

c. First aid equipment in holding facility

- 1) A first aid kit is readily available within the holding facility. The kit is located at the lock-up keepers desk, and is adequately supplied with materials to accommodate a broad range of anticipated medical emergencies.
- 2) The first aid equipment will be inspected weekly as part of the weekly documented security inspection, documented in the safety and sanitation log.

- 3) Should shortages be discovered during the inspection, the employee conducting the inspection will note the shortage and replenish the needed materials.

d. Receiving/Screening Information

- 1) All prisoners will undergo a detailed "receiving screening" interview. The purpose of this interview is primarily to identify those prisoners who pose a health risk or safety threat to themselves or others.
- 2) Prompt completion of the interview is the responsibility of the arresting officer, unless relieved of processing duties by a supervisor.
  - a) The receiving/screening interview will then become the responsibility of the employee processing the prisoner.
  - b) The receiving/screening interview is to be completed and recorded upon admission to the holding facility and prior to any transfer of the prisoner to any other facility.
- 3) Receiving/Screening interviews will include inquiries as to:
  - a) Current health of the prisoner including communicable diseases.
  - b) Medications taken by the prisoner.
  - c) Behavioral observations, including state of consciousness and mental state.
  - d) Notation of body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.
- 4) Any information developed through this interview that may indicate special attention, or an indication that the prisoner may be classified as "high risk" will immediately be brought to the attention of the shift commander. Any prisoner found or believed to be seriously ill or injured, unconscious, heavily intoxicated by drugs or alcohol or otherwise at similar risk will not be admitted into the Cicero Police Department holding facility until they are examined by a physician.

e. Prisoner Access to Medical Attention

- 1) Signs indicating the availability of medical attention for prisoners will be conspicuously posted within the holding facility.

f. Prisoner Medication

- 1) Any medication in the possession of a prisoner upon admission into the holding facility will be withheld from the prisoner until verification of its proper use is obtained. This verification will be made as soon as possible, but within the time interval specified for administration of the medication on the prescription container.
- 2) Once medication prescribed by a physician and brought in with a prisoner is verified, it may be administered with the express approval of the shift commander.
  - a) All medication that is to be administered to prisoners will be kept with their personal property in a locker in the holding facility.
  - b) The distribution of medications and who authorized it will be documented on the prisoner's lock-up record.
  - c) If the medication requires an injection, paramedics will be summoned to handle accordingly.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 72-05-01 A**



EFFECTIVE DATE: June 1, 2018

**SUBJECT: DETAINEE PROPERTY INVENTORY PROCEDURE**

**A. Purpose**

The purpose of this order is to establish specific guidelines for the inventory of, packaging of (to accommodate the Cook County Sheriff's requirements) and the processing of detainee property.

**B. Policy**

All persons detained in the Cicero Police Department Detention Facility shall have their property inventoried as outlined in this policy. It is the responsibility of the transporting/arresting officer to ensure that the subject's property is inventoried and properly documented.

**C. Procedure**

1. The property shall be separated into two categories:

- A. Compliant Arrestee Property – Property determined to be acceptable by the Cook County Sheriff's Office that will be transported with the arrestee to the Circuit Court of Cook County Bond Court Facility. Compliant Arrestee Property shall be heat sealed in a clear plastic bag separate from any other property.
- B. Non-Compliant Property – Property that is not accepted by the Cook County Sheriff's Office.

2. Compliant Property will be inventoried in the following manner:

A. United States Currency.

- 1). All United States Currency will be counted and the amounts will be indicated on the Compliant Property Form.
- 2). The currency will be placed in an envelope, which will then be sealed.
- 3). The total amount of currency will be indicated on the outside flap of the envelope.
- 4). The arrestee, inventorying officer, and a witness will sign the envelope across the seal.
- 5). The currency envelope will be heat sealed within a property bag separately from other compliant property.

**B. Remaining Compliant Property.**

- 1). The following list of Compliant Property will be placed into the subject's property bag above the currency section and heat sealed.
  - a. Credit Card(s) – only credit cards bearing the name of the subject.
  - b. Transit Card(s).
  - c. One Government Issued Identification.
  - d. One plain wedding ring without engraving or stones.
  - e. Personal keys.
  - f. Prescription eyeglasses – limit two.
  - g. Soft covered legal documents and /or religious texts.
  - h. One belt.
  - i. One pair of shoe laces.
  - j. Necessary medical items, directly related to the treatment of a medical condition, which are not a risk to safety or security.
  - k. The second copy of the **completed** Non-Compliant Property Form receipt.
  - l. A Compliant Property Form receipt with the subject's name visible.
- 2). Prescription Medication with a pharmacy label matching the subject's identification will be heat sealed within the property bag separately from other compliant property.
3. Non-Compliant Property will be inventoried in the following Manner:
  - A. Each item will be noted on the Non-Compliant Property Form and place in a property bag.
  - B. The subject's information will be filled in on the form.
  - C. The form will be signed by both the subject and the officer inventorying the property.
  - D. The third copy of the completed Non-Compliant Property form will be placed into the property bag.
  - E. The property bag will be heat sealed.
  - F. The subject's name and date of arrest will be written in permanent marker on the outside of the property bag.
4. Both the Compliant Property bag and the Non-Compliant Property bags will be secured in a property locker in the detention facility until the subject is released.
5. Dispersal of property when a subject is released.
  - A. Subjects being released from the Detention Facility other than Bond Court.

- 1). The subject will sign the Compliant Property and Non-Compliant Property Forms indicating that they have received all of their property.
- 2). The subject will be given both their compliant and non-compliant property bags upon their exit from the facility.

**B. Subjects being transported to Bond Court by this Department.**

**1). Compliant Property**

- a. The subject will sign the Compliant Property Form indicating that they have received their property.
- b. The subject's compliant property will be given to the transporting officer to accompany the subject to the bond court facility.

**2). Non-compliant Property**

- a. The Detention Officer will document the non-compliant property in the Non-Compliant Property Log Book.
- b. The subject's non-compliant property will be placed in the appropriate container in the detention area property room.
- c. Non-compliant property will be held for 30 days.
  - i. Non-compliant property will be disposed of after the 30 days.
  - ii. The Detention Officer and the Evidence Custodian will be present at the time of property disposal. In the event the Evidence Custodian is unavailable, a Detention Facility Supervisor may substitute in their place.
  - iii. The Detention Officer will stamp the property's receipt with the date of disposal.
  - iv. The Detention Officer and the Evidence Custodian will sign the stamped receipt in the appropriate location.
  - v. The Detention Officer will mark the property's entry in the Non-compliant Property Log book as 'DISPOSED'.

By order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-04-01**

**EFFECTIVE DATE: August 1<sup>st</sup>, 2013**



**REVIEW DATE: August 1<sup>st</sup>, 2015**

**SUBJECT: HOLDING FACILITY SECURITY AND CONTROL**

**1) POLICY:**

The Cicero Police Department maintains current policies and procedures for the safe, efficient and effective operation of the Cicero Police Department holding facility.

**2) PROCEDURES:**

**a. Weapons in the holding facility**

- 1) All sworn officers, prior to entering the Holding facility, will remove and secure all firearms from their person and deposit them into one of the firearm lockers provided. The firearm lockers are key locked. The key will be removed and retained by the officer when securing firearms.
  - a) Weapon lockers are provided at either entrance to the holding facility.
  - b) This procedure applies to Cicero officers as well as officers from any other department.
  - c) No employee of this department will permit entry into the holding facility of any person possessing any firearm on their person.
  - d) Signs prohibiting this action will be posted at both doorways and shall not be removed unless authorized by the Superintendent of Police.
- 2) All knives, heavy-duty flashlights, collapsible batons or any other items of similar nature must be secured in a gun locker or in a personal locker prior to entering the holding facility.
- 3) Officers entering the holding facility may retain the following equipment:
  - a) Department issued OC spray secured in holder on duty belt.
  - b) Department issued Electro-Muscular (EMD) secured in holder on duty belt.
- 4) Exceptions to the holding facility weapons policy may be made in emergency situations, such as, but not limited to:
  - a) Escape.
  - b) Officer/Lock-up personnel in trouble.
  - c) Condition that warrant additional non-lethal force against a prisoner to affect control and/or restore order that is beyond physical hand control.
  - d) Hostage situations.

**b. Detention cell access**

- 1) In the interest of officer safety, and in an effort to ensure that prisoners do not have an opportunity to escape, employees will not enter occupied cells alone.

c. Use of cells

- 1) Juvenile and male and female prisoners will be separated by sight and sound, so that a normal conversation cannot be overheard.
- 2) Prisoners will be placed one per cell. If no female and/or male and/or juvenile is present, female, male and juvenile cells may be used for other categories of prisoners.
- 3) When all available cells have single prisoners, then lock-up keepers may place additional persons in each cell.

d. Control of holding facility keys

- 1) All keys that control the security of the holding facility are on one key ring and located with the on-duty lockup keeper.
- 2) Additional identical sets of holding facility security keys are kept in the shift supervisor's desk. The extra set of security keys will remain there for emergencies. The Deputy Superintendent of Patrol securely maintains a third set of keys.
- 3) In the event a key (keys or set of keys) is misplaced or discovered missing, a verbal report will be made to the shift commander immediately.
  - a) If the key or keys are not found, a written report will be submitted by the shift supervisor to the Deputy Superintendent of Administration to make notification of the loss.
  - b) The Deputy Superintendent of Patrol will determine what course of action will be taken i.e. uniform search, internal investigation, ETC.
  - c) An employee losing a holding facility key(s) is subject to disciplinary action.

e. Holding facility door security

- 1) Corridor door(s)
  - a) The door(s) leading into the holding facility will remain closed and locked at all times.
  - b) Video cameras throughout the lock-up facility are monitored from the shift supervisor's desk.
- 2) Detention cell doors
  - a) Doors to vacant cells will be kept closed and locked.
  - b) Soiled, contaminated and/or damaged cells will have their doors closed and secured to prevent use and indicate the need of attention by facility maintenance staff.

f. Prisoner property storage lockers

- a) Prisoner storage lockers not in use will remain locked at all times. This will eliminate unauthorized removal and/or lock being used as weapons by prisoners.
- b) When in use, the locker key will be secured by the lock-up keeper at all times.

g. Prisoner visitation room

Attorneys whom are granted the right to speak with their client via the glass/screen holding facility. Physical contact will **NEVER** be permitted other then for medical treatment.

h. Detention cell security check

- 1) Any officer, prior to placing a prisoner into a detention cell, will make a thorough security check of the cell.
- 2) The purpose of this security check is to look for contraband, search for weapons, and to make a note of any cell damage.
- 3) This search will be made by the officer placing the prisoner into the cell regardless of who the arresting officer may be.
- 4) The lock-up keeper, prior to releasing a prisoner for bonding or transfer, will make an additional security check of the detention cell.
  - a) If cell damage or contraband is found the shift supervisor will be immediately notified so he may document the discovery and take any further action as necessary.
  - b) Officers performing this security check will proceed with due caution and not allow the efforts of the check to distract them from the actions and demeanor of the prisoner.
  - c) If the officer must be alone during this check, the prisoner should be secured prior to its initiation.

i. Shift inspections and reviews

- 1) Documented inspections will be conducted at the beginning of each shift of each unoccupied cell, to ensure no contraband has been left behind by a prisoner, and that the area is sanitary.
- 2) Incoming shift personnel will review each prisoner's situation with outgoing shift personnel in order to ensure that they are aware of any unusual circumstances regarding any prisoner.

j. Physical restraints

- 1) Physical restraints, including therapeutic restraints, will only be used to confine movements within a cell or detention room:
  1. To prevent the detainee from injuring himself or herself or others.
  2. To prevent the detainee from damaging or destroying property.
- 2) A written report will be placed on file whenever restraint devices are applied. The report will include:
  3. The date(s) and time(s) when restraints are applied.
  4. The purpose for which the restraints are applied.
- 3) Persons placed in therapeutic restraints will be monitored as recommended by the jail physician.
- 4) Each individual case will be reviewed at least once during each shift to determine the necessity for such restraints. The documented review will include the identity of the

person conducting the review, the date and time, and either the reason for continued use of restraints or the discontinuance of restraint.

k. Accounting of tools and utensils

- 1) Prisoners will be served using paper or Styrofoam products only.
- 2) A Department employee will be appointed by the shift supervisor to escort any tradesman or other worker who is not an employee of the department. The escorting employee will ensure that no tools are left behind and that work activities are confined to the area needing attention.
- 3) It will be the responsibility of the shift supervisor to document all names and titles of any outside personnel escorted into the lock-up facility for repair or inspection purposes onto their daily activity report.

l. Prisoner monitoring

1) Video monitoring

- a) The video equipment supplements personal supervision by department staff.
- b) Video monitoring is continuous.
- c) Cameras are placed so as to preserve arrestees' personal privacy except in instances where the prisoner may be of danger to himself or herself.
- d) The shift supervisors' desk serves as a designated monitoring point.

2) Personal observation

- a) Adult subjects will be visually observed in person at least every (15) fifteen minutes.
- b) Juvenile subjects will be visually observed in person at least every (15) fifteen minutes.
- c) Restrained subjects will be visually observed in person at least every (15) fifteen minutes.

m. Use of force

- 1) Officers will not strike or lay hands on a detainee or employ the use of chemical agents except:
  - a) In self-defense.
  - b) To prevent escape.
  - c) To prevent serious injury or damage to person or property.
  - d) To quell a disturbance.
  - e) To effect detention.
  - f) To establish control.
- 2) Force will be employed only as a last resort or when other means are unavailable or inadequate and only to the degree reasonably necessary to achieve a permitted purpose.
- 3) Following the use of chemical agents, appropriate measures as recommended by the manufacturer will be taken to minimize the effect of the chemicals.
- 4) Any use of force will not be prohibited simply because the jail officer or staff member using such force is not of the same gender as the detainee.

n. Prisoner escapes

- 1) In the event of escape from custody by a prisoner, immediate efforts will be made for apprehension.
- 2) The following steps will be taken at the discretion of the shift commander, though not necessarily in the given order:
  - a) Activation of the remote-control emergency alarm system, if in the holding facility.
  - b) The employee discovering the escape will notify the communications center and the shift commander.
  - c) The discovering employee will determine if anyone was injured during the escape and summon emergency medical assistance if necessary.
  - d) The person discovering the escape or escape attempt will immediately secure all doors under their control.
  - e) Sufficient personnel will be dispatched to secure the holding facility and/or the entire police facility, if necessary.
  - f) Descriptions, identities and offenses for which an escapee was incarcerated will be dispatched via Cicero Police Department local radio frequency, ISPERN and LEADS, along with any other pertinent information to aid in the capture of the escapee.
  - g) Once the holding facility is secure, officers will check to see that all corridor doors and cell doors are functioning properly. Also, a check of all remaining prisoners will be conducted.
  - h) A complete search of the police facility may be necessary.
  - i) Depending upon the circumstances of the escape the shift commander will consider the need of support from other agencies and request it if necessary.
  - j) Insure proper notification is made to command staff.

o. Holding facility unusual occurrence

- 1) Pursuant to the Illinois Municipal Jail and Lockup Standards, all extraordinary or unusual occurrences that involve or endanger the lives or physical welfare of employees or prisoners in the holding facility will be **documented in writing**.  
Extraordinary or unusual circumstances will include, but not be limited to:
  - a) Death, regardless of the cause.
  - b) Attempted suicide (if hospitalization or medical treatment is required).
  - c) Serious injury, to include accidental or self-inflicted.
  - d) Escape or attempted escape.
  - e) Serious fire, resulting in property damage, personal injury or evacuation.
  - f) Detainee disturbance involving four or more individuals, riot, or hostage situation.
  - g) Battery on a staff member, visitor, or volunteer by a detainee,
  - h) Battery on an employee by a prisoner.
  - i) Battery on detainee by an employee.
  - j) Battery on detainee by another detainee if hospitalization or extensive medical treatment is required.
  - k) Sexual assault.
  - l) Occurrences of contagious or infectious disease or illness within the facility, excluding names of detainees or others involved.
  - m) Discovery of firearms or weapons, as defined in 720 ILCS 5/31A-1.1 in cells, detention rooms, or other detainee areas.
  - n) A written or oral act of intimidation by a detainee on detainees or staff for which criminal charges result.

- o) Use of chemical agents or EMD.
  - p) Major property damage.
- 2) The shift supervisor on duty at the time of the incident is responsible for completion of the Department of Corrections Report of Extraordinary or Unusual Occurrences as soon as possible.
  - a) The shift commander will forward the report through the chain of command for administrative review by the superintendent of police, or designee.
  - b) Subsequent to review and approval of the superintendent of police, the deputy superintendent of administration will prepare and send the completed Department of Corrections Report to the Bureau of Detention Standards and Services in Springfield.
  - c) The Division of Police Administration will maintain a copy of the report.
- p. Lock-up Emergency Alarm System:
  - 1) Personnel assigned to lockup duties will be required to possess on or about his person a remote control alarm pad which will activate an alarm system throughout the police department.
  - 2) Activation of his remote will be utilized whenever lockup personnel is/are dealing with an emergency situation that requires immediate personnel assistance.
  - 3) Whenever an emergency alarm is activated all available sworn personnel will immediately respond to the lockup area. The shift supervisor will assume responsibility of proper actions and required notifications.
  - 4) The Cicero Police Department will conduct periodic activation drills to ensure proper procedures and to verify working order of the alarm system.
  - 5) All activations, whether training, testing or emergency directed, will be recorded within the lockup records log and onto the shift supervisor's daily activity report.
  - 6) The alarm control panel is located behind the shift supervisor's desk. Numeric code digits are used for de-activation.

By order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-05-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** HOLDING FACILITY DETAINEE PROCESSING

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines regarding searching and processing of detainee's in the department's lock-up facility.

**2. DEFINITION:**

Strip Search means having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person.

**3. PROCEDURES:**

a. Prisoner searches

- 1) Any officer who becomes responsible for the transportation of a prisoner will conduct a thorough search of the prisoner for contraband, weapons, valuables and money.
- 2) It should never be assumed by any officer that someone else has searched a prisoner.
- 3) Prisoners should be searched each time they come into custodial officers custody, including to and from court appearances.
- 4) All prisoners must be searched and all property listed below must be taken and inventoried on property sheet from each prisoner prior to the prisoner being placed in a cell.
  - a) All items carried including currency/coins.
  - b) All jewelry.
  - c) Belts.
  - d) All outdoor wear.
  - e) Shoes and/or laces.
  - f) Purses and all items therein.
  - g) Clothing draw strings.
  - h) Eye glasses.
- 5) All property including unauthorized items and confiscated contraband taken from a prisoner will be listed on a Cicero Police Property Inventory Form.
- 6) Contraband will then be recovered and inventoried under department evidence procedures.
- 7) Any seized US currency will be inventoried on a Cicero Police Department Inventory Form. A photocopy of the inventory form will be provided as a receipt to the person from whom it was seized.

b. Strip searches

- 1) In accordance with 725 ILCS 5/103-1 et al, and due to the seriousness of the penalty upon law enforcement officers for violating same, along with concern for the human and ethical treatment of all who are taken into custody by sworn police officers of this department, the following guidelines are to be strictly adhered to by all members of this department. **VIOLATIONS OF THIS POLICY, IF SUBSTANTIATED THROUGH BOARD OF POLICE, FIRE AND PUBLIC SAFETY COMMISSION PROCEEDINGS, OR OTHER ADJUDICATOR HEARINGS, MAY LEAD TO DISMISSAL FROM THIS DEPARTMENT AND THE LAW ENFORCEMENT SERVICES. COMPLIANCE IS MANDATORY.**
  - a) No person arrested for a traffic, regulatory or misdemeanor offense, except in cases involving weapons or a controlled substance, shall be strip-searched unless there is reasonable belief that the individual is concealing a weapon or controlled substance.
  - b) No strip search will be conducted without the written authorization of the shift commander, deputy superintendent of the patrol division or their designee whose responsibility it will be to insure that the strip search request is within the provisions of the Strip Search Law, (725 ILCS 5/103-1) and this order.
  - c) The person authorizing a strip search will complete the appropriate written report, insuring that a copy is provided to the subject searched with the original form filed with the arrest reports. The report must include the written authorization required above, the name of the person subjected to the search, the names of the persons conducting the search, and the time, date and place of the search.
  - d) All strip searches will be performed by persons of the same sex as the arrested person and in a location where the search cannot be observed by persons not physically conducting the search.
  - e) No search of any body cavity, other than the mouth, will be conducted without a duly executed search warrant. When a warrant is issued to conduct such a search, it must specify that the search will be conducted by or under the supervision of a physician licensed to practice medicine in all of its branches in the State of Illinois, and will be carried out under sanitary conditions.
  - f) All strip searches will be reported via the chain of command to the superintendent of police.

c. Prisoner property storage

- 1) Property belonging to a prisoner will be stored in a locked storage locker.
- 2) Any item removed from a prisoner that is determined to be evidence or contraband is to be inventoried separately in accordance with department evidence procedures.

d. Jail detention log

- 1) In addition to an arrest report, the jail detention log will be completed on each prisoner housed in the holding facility.
- 2) The jail detention log will include arrest information.

e. Holding area segregation of prisoners

- 1) Males, females and juveniles will be held separately in such a way as not to be visible to one another and so that a conversation held in a normal voice will be inaudible to members of the opposite sex or juveniles.

f. High risk prisoners

- 1) Arrestees who are under the extreme influence of alcohol or drugs, or who appear to be suicidal, violent, or prone to self-destructive acts may pose special security problems.
- 2) These high-risk prisoners are to be housed in a cell separate from all other prisoners, such as the video-monitored cell.
- 3) The on-duty supervisor must be notified of any high-risk prisoner before said prisoner is placed in a cell.
- 4) Prisoner checks may be more frequent depending on the circumstances as determined by the on-duty supervisor.
- 5) Should a high-risk prisoner require medical treatment, he/she will be transported to an authorized medical facility.

g. Verification of outside agency personnel

- 1) If a prisoner is received from an outside agency, the Cicero officer receiving the prisoner must verify the transporting officer's authority to make the commitment.
- 2) The transporting officer's name, star number and department will be logged in the Jail Detention Log Book along with the prisoner's identifying information.

h. Group arrests

- 1) If a group arrest exceeds the maximum capacity of our lock-up facility, the following procedure will be followed:

i. Detention arrest

- 1) In the event of a mass arrest where charges are such that detainees will only be held long enough for arrest and booking procedures, it is acceptable to place more than one individual in a cell.
- 2) Excess prisoners will be transported to neighboring police lock-up facilities. Prisoners may be transported to an outside police agency lock-up facility only after receiving approval from the shift commander.

j. Prisoner Booking/Processing

- 1) Whenever possible prisoners are to be booked in the Cicero Police Department holding facility by Cicero Police Officers handling the arrest/detainment.

k. Prisoner checks

- 1) Unless other arrangements have been made, the housing agency shall assume the responsibility for conducting routine prisoner checks. Checks are to be conducted about every 30 minutes or as soon thereafter.

l. Personnel requirements

- 1) The shift supervisor, or his/her designee shall be responsible for obtaining any additional personnel needed to assist in the processing of a group arrest and transportation.

m. Verification of prisoner identification

- 1) Prior to releasing a prisoner from custody, the releasing officer must identify the prisoner as the one being authorized for release.
- 2) Arrest reports, property reports and the prisoner logbook will be used to positively identify each prisoner.
- 3) Fingerprint identification through the Livescan System or the ink roller method will be utilized when applicable to the arrest situation (e.g. Felony arrest, as apposed to a local A/O violation).

n. Returning prisoner property

- 1) When prisoners are released, all property taken from the prisoner at the time of incarceration (other than evidence or contraband) will be returned to the prisoner.
- 2) Prisoners shall acknowledge receipt of their property by signing the Property Inventory Report prepared by the arresting officer at the time of incarceration.
  - a) If a prisoner refuses to sign the Property Inventory Report, the releasing officer will check the property against the inventory and, if all is in order, the releasing officer will then sign the Property Inventory Report.
  - b) In addition, the supervisor will also sign the report as a witness.
  - c) The officer shall indicate on the report that the prisoner refused to sign for the returned property.
  - d) The property can then be returned to the bonded prisoner.
- 3) When a prisoner is being transferred to another agency the releasing Cicero officer shall have either the detainee or the other agency's officer sign the prisoner's Property Inventory Report, indicating they have taken custody of the property. A copy of the Property Inventory will be included the prisoners property.

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By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-02-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** HOLDING FACILITY PHYSICAL PLANT

**1. POLICY**

The Cicero Police Department will establish standards to maintain adequate facilities for the housing of prisoners.

**2. PROCEDURES**

Holding facility conditions

1. The Cicero Police Department holding facility will conform to the building, fire, safety and health requirements of the Town of Cicero and the State of Illinois, including the standards established by the Illinois Department of Corrections for such facilities.
2. All electrical conduits, fixtures, switches, and outlets will be inaccessible to detainees.
3. The holding facility will provide the following minimum conditions for prisoners:
  1. Adequate lighting within the processing area and detention room area as required by the building codes and ordinances of the town of Cicero.
  2. Circulation of fresh or purified air and a seasonally adjusted heating and cooling system in accordance with the public health standards of the town of Cicero and state of Illinois.
  3. Prisoner access to a wash basin, shower, toilet and fresh drinking water.
  4. A bed for prisoners held in detention rooms in excess of eight hours.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 74-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **LEGAL PROCESS**

**1. POLICY:**

The Cicero Police Department will adapt a procedure for the service of civil process, when legally mandated, and/or the execution of criminal process in support of the judicial function, in order to ensure efficiency of information, accuracy, timeliness, accessibility and fiscal accountability in the delivery of these services.

**2. PROCEDURES:**

a. Department warrants

- 1) Cicero Police Department warrants will be maintained in the records section and verified through the Cook County Fourth District Court - Maybrook.
- 2) The Deputy Superintendent of Patrol, or his/her designee, is responsible for accurate and up-to-date maintenance of department warrants.
- 3) A warrant clerk reports to the Deputy Superintendent of Patrol, and is assigned to handle warrants. The warrant clerk is responsible for:
  - a) Entering the information into LEADS.
  - b) Maintaining information in the in-house records system.
  - c) Maintaining the warrant records system.
  - d) Checking warrants with the Cook County Fourth District Court - Maybrook system.

b. Warrant cancellation

- 1) Modify the LEADS file, and
- 2) Modify the in-house system and files.

c. Warrant Follow up

- 1) The warrant clerk will provide a weekly "Hot Sheet" listing to the front desk each Friday.
- 2) Shift commanders will assign warrants for service at shift roll calls.
- 3) Any attempted service (successful or not) of these documents will be recorded.
- 4) Always verify the warrant with the communications center prior to service.
- 5) If the warrant cannot be served, the warrant will remain active in the in-house system, LEADS and the Maybrook system.
- 6) Generally speaking, all warrants within the jurisdiction of Cicero will be followed up within fourteen (14) working days of receipt by a sworn member of the department.
- 7) When an arrest warrant names someone who is not in the State of Illinois, extradition assistance will be sought from the State's Attorney's Office.

- 8) Cicero officers will not serve a warrant out of state or cross state lines to serve a warrant unless authorized by the superintendent of police.

d. Outside agency warrants:

- 1) Outside agency warrants received by the department will not be entered or maintained. The deputy superintendent of investigations may make exceptions.
- 2) When an arrest is made and a local and outside warrant exists, Cicero Police Department will process the outside warrant. If only an outside warrant exists an attempt will be made to contact the jurisdiction holding the warrant to pick up the subject. If no contact is made or the jurisdiction does not have the ability to pickup the subject, the warrant will be processed by the Cicero Police Department.

e. Civil process

- 1) No sworn member of the department will serve any civil subpoena, writ, or summons, unless directly appointed by the court as a process server, and then directly ordered by the court in writing to make such service. Exception to this policy will include:
  - 2) If so ordered, the sworn officer assigned will execute the service and document the service by written report.
  - 3) Service of writs requiring the seizure of real or personal property is an activity with a hazard potential for officers. Backup officers will be assigned in such situations.
  - 4) All civil process not specifying a sworn department member, and presented for service to this department, will be returned to the originator.
  - 5) All subpoenas duces tecum received by the department will be delivered to the Deputy Superintendent of Patrol and notification will be made to the persons named therein. The Deputy Superintendent of Patrol will coordinate preparation of the necessary reports, documents, materials, etc. for delivery or have them available for the subpoenaed person on the stated appearance date, subject to the approval of superintendent.
  - 6) When officers receive court issued subpoenas to appear at civil proceedings as a direct result of their action as a Cicero Police Officer (and not as a defendant):
    - a) These subpoenas are generally requested by private counsel who in turn issues a check to the individual officer for "travel time."
    - b) When these situations arise and the officer does appear, the check will be endorsed by the officer, the notation: "Pay to the order of the Town of Cicero" written on the back of the check, and turned over to the officer's supervisor who will forward the check with an explanation as to its purpose to the deputy superintendent of administration.
    - c) The officer who testifies will be paid by the Town of Cicero in accord with the applicable contract or Town policy.
  - 7) Under no circumstances will Cicero officers serve civil process documents issued by courts outside of the state of Illinois.

f. Documentation

- 1) Upon the execution of any warrant involving an arrest, arrest reporting procedures will be followed.
- 2) Information regarding warrants is recorded in the in-house central records system and/or in the warrant office, and will include, but not be limited to:
  - a) Date and time received;

- b) Type of legal process (civil/criminal);
  - c) Nature of the document;
  - d) Source of the document;
  - e) Name of plaintiff/complainant or name of defendant/respondent;
  - f) Officer assigned for service;
  - g) Date of assignment;
  - h) Court docket number; and
  - i) Date service due.
- 3) A record will be maintained on the execution or attempted service of legal process, including warrants, will be maintained, and will include, but not be limited to:
- a) Date and time services was executed/attempted;
  - b) Name of officer(s) executing/attempting service;
  - c) Name of person on whom legal process was served/executed/attempted;
  - d) Method of service or reason for non-service; and
  - e) Address of service/attempt.
- g. Authorization
- 1) The service of any warrant and the process of any service as directed by the court or other authorized person or entity will be performed by sworn department personnel only.
- h. Arrest and search procedures (warrant and warrantless)
- 1) The key element to any arrest or search is probable cause.
  - 2) Search warrants will be executed within the time limits specified by the issuing authority.
  - 3) Arrest and search warrants executed outside the town of Cicero require the presence and assistance of a sworn police agency representative with peace officer jurisdiction at the location of service.
  - 4) Any use of force will be in accord with established orders of the Cicero Police Department, see GO 01-03-01, Use of Force.
  - 5) Illinois peace officers may make arrests without warrant for ~~felony, misdemeanor, quasi-criminal and ordinance violations when probable cause exists.~~

i. Financial management

- 1) Receipt and disbursement
  - a) The administration of the legal process function is through the department budget.
  - b) No other revenues are used for this purpose.
- 2) Funds seized - Any funds seized as a result of the legal process function are handled in accord with current department orders regarding evidence and seizure and forfeiture orders.
- 3) Property - All property acquired through the legal process function will be treated and stored as if it is evidence.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 72-01-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **HOLDING FACILITY MANAGEMENT**

**1. POLICY:**

The Cicero Police Department provides standards for the management of the jail facility.

**2. PROCEDURES:**

- a. The jail is the entire area between the front and rear access doors to the jail, including the hallway, sally ports, interview rooms, and elevators when used when transporting subjects to and from the jail.
- b. The overall supervision of the jail is the responsibility of the Deputy Superintendent of Patrol.
- c. The Deputy Superintendent of Patrol will designate a jail supervisor. This will normally be the shift supervisor for the day shift.
- d. The jail supervisor will have the administrative responsibility of ensuring:
  - 1) Reporting and inspection requirements are carried out.
  - 2) Facilities, equipment and other materials are kept in a clean and working condition.
  - 3) Standards established by the Illinois Department of Corrections are met.
  - 4) Recommendations from inspections, both internal and from the Illinois Department of Corrections are brought to the attention of the Deputy Superintendent of Patrol.
  - 5) Assigned personnel receive appropriate training.
  - 6) Other administrative/management tasks are carried out.
- e. Personnel assigned to the jail facility as full or part-time lock-up keepers will be trained in at least the following topics:
  - 1) Fire and emergency evacuation procedures,
  - 2) General orders numbered 72-01-01 through 72-01-09,
  - 3) Prisoner control, searching and handcuffing, and
  - 4) Such other topical areas as directed by the superintendent and/or the Illinois Department of Corrections.
- f. Persons will not be permitted access beyond the front and rear entrances to the jail that do not have immediate business in the jail.
- g. No visitors will be permitted in the jail.
- h. Prisoners requesting to speak with an attorney will be allowed to speak through a holding room glass/screen window. Absolutely no physical contact will be permitted.
- i. Detainee records will be maintained in the jail until the subject is released or transferred from the jail.
- j. Upon release or transfer from the jail, detainee records will be transferred to the records section for permanent retention and held in accordance with the detainee's privacy rights.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-09-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** HOLDING FACILITY TEMPORARY DETENTION

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines for temporary detention in the Cicero Police Department lock-up.

**2. PROCEDURES:**

a. Temporary detention

- 1) In order to provide a safe and secure setting for detainees and persons to be interviewed, interview and interrogation areas are established.
- 2) These areas will not be used to incarcerate persons who are subject to incarceration.
- 3) Officers bringing a detainee into the station will notify the shift commander of the name of the subject(s) and the reason they are in the station.
  - a) This information will also be entered in the lock-up book.
  - b) If there are multiple detainees, an accompanying officer will be responsible for each detainee until and unless relieved of that responsibility by another officer, the subject is released, or the subject is moved to the jail facility.
- 4) The subject should be handcuffed to a stationary object to reduce the possibility of flight. If this risk continues, the subject should be removed to the jail area.
- 5) Persons will not be handcuffed to an object that is not intended for that purpose.
- 6) Juveniles, females, and males will be placed in separate areas.

b. Physical conditions

- 1) Upon request, washroom facilities and drinking water will be accommodated as soon as is practical.
- 2) Lighting will be on whenever a temporary holding room is in use.
- 3) The arresting officer or lock-up keeper will attend to the reasonable needs of the prisoner and provide strict supervision.

c. Time restraints

- 1) Temporary holding facilities are to be used when conducting interviews and during the arrest process to provide a semi-private work area for the officer. They are not designed to be used as a jail facility.
- 2) When the interview or arrest process is completed, the subject will be moved to another area appropriate to their final disposition.
- 3) No detainee will be held more than two (2) hours in an area designated as a temporary holding facility.

- 4) Persons held in a temporary detention area, interview or interrogation room, and who is not free to leave the facility, will be under the constant personal observation of a department employee. Under no circumstances will a subject be cuffed, secured or locked within such an area without being under constant personal observation.
- 5) Juveniles being held temporarily for pick up by parents/guardians, or for questioning, will normally be held in the open interrogation room located behind the squad room.
- 6) A subject who is not under arrest and who is free to leave the building will not be placed in custody in any way, such as being locked in an interview room or handcuffed to a stationary object.
- 7) See General Order 44-01-01, "Juvenile Enforcement and Custody" for additional information regarding juveniles.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 72-08-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **HOLDING FACILITY SUPERVISION OF DETAINEES**

**1. POLICY:**

The Cicero Police Department will establish rules and a guideline governing the supervision of detainees in the department's holding facility.

**2. PROCEDURES:**

a. Prisoner supervision

- 1) Prisoners detained in the lock-up facility shall be under the constant supervision of lock-up personnel, and the shift commander via television monitors. The holding facility population is documented on the shift report.
- 2) It is the responsibility of the lock-up keepers to make an in-person visual inspection of each prisoner every 15 minutes. Each visual inspection shall be documented in the Jail Detention Log.
- 3) Prisoners that are high risk require closer monitoring, such as being placed in the video monitored cell.

b. Detention by gender

- 1) Whenever possible, department members responsible for the supervision of detainees will be the same sex as the detainee. When this cannot be followed due to special circumstances, department members will take necessary precautions to insure the privacy and dignity of the detainee.

c. Prisoner mail and/or packages

- 1) Due to the temporary nature of detention, no personal items, mail, packages or property other than needed medication that has been prescribed by a physician will be accepted by any member of this agency for a prisoner.
- 2) When medication is accepted, the procedures outlined in General Order 72-06-01, "Holding Facility Medical Care," will be followed.
- 3) The shift commander will verify the need for the medication.
- 4) If the medication is accepted, the shift commander will verify the medication being accepted is in fact the medication that was prescribed for the arrestee, and will add the medication to the prisoner's property inventory.

d. Visitation

- 1) Visitors are not allowed inside the lock-up facility.

- 2) At the discretion of the shift commander or his/her designee, visitation may be arranged in the visiting area.
- 3) In-person visits are not permitted.
- 4) Visitors, other than legal counsel, will be searched upon entry to headquarters.
- 5) Visitors names, along with the date, times of arrival and departure, and the prisoner visited will be logged in the "comments" section of the Jail Detention Log.
- 6) The provisions of General Order 91-01-01, "Facility Management and Security" regarding visitors to police headquarters will be followed.

By Order of:

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Superintendent of Police

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**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER: 72-07-01**



**EFFECTIVE DATE:** August 1<sup>st</sup>, 2013

**REVIEW DATE:** August 1<sup>st</sup>, 2015

**SUBJECT:** **HOLDING FACILITY DETAINEE RIGHTS**

**1. POLICY:**

The Cicero Police Department will establish rules and guidelines to ensure the constitutional and legal rights of persons being detained in the department holding facility. Signs in English and Spanish advising of prisoner rights will be conspicuously posted in the jail area.

**2. PROCEDURES:**

a. Court

- 1) Detainees' constitutional rights of access to the courts will be strictly adhered to.
- 2) The dictates of 725 ILCS 5/109-1 will be followed.
- 3) Any person arrested will be taken without unnecessary delay before the nearest and most accessible judge having jurisdiction.

b. Bonding opportunities

- 1) Persons detained by the Cicero Police Department who are charged with misdemeanors or violations of local ordinances will be permitted to post bond in accordance with Illinois Supreme Court Rule 501.
  - a) Exception to this rule will apply where charges under the Domestic Violence Act are filed against a defendant. These charges will require the order of a judge to determine bond amount
- 2) Persons charged with felonies who cannot post bond will be taken before a judge without unnecessary delay, for a bond hearing. During weekends, holidays, or after normal court business hours, the emergency bond procedures will be followed which are set forth by the 4th District of Cook County Court.

c. Prisoner access to an attorney and family member

- 1) Detainees will have the right to communicate with an attorney and a family member.
- 2) 725 ILCS 5/103-3 states "persons who are arrested will have the right to communicate with an attorney of their choice and a member of their family by making a reasonable number of telephone calls or in any other reasonable manner. Such communication will be permitted within a reasonable time after the first place of custody."
- 3) The prisoner will also be given the right to consult with attorney as stated in 725 ILCS 5/103-4 "any person committed, imprisoned or restrained of his liberty for any cause whatever and whether or not such person is charged with an offense will, except

in cases of imminent danger of escape, be allowed to consult with any licensed attorney at law of this State whom such person may desire to see or consult, alone and in private at the place of custody, as many times and for such period each time as is reasonable."

- 4) Confidential and secure access locations will be determined by the shift Supervisor.

d. Prisoner telephone access

- 1) All prisoners will be allowed access to a non-recorded telephone within a reasonable time after being placed in custody.
- 2) All dates and times of the telephone calls will be documented in the Jail Detention Log Book for prisoners being held in the holding facility.
- 3) Telephone access will be allowed for:
  - a) Communicating with an attorney.
  - b) Notifying a family member of his/her whereabouts.
  - c) Securing bond.
- 4) If a prisoner is unable to complete the call without assistance, the jailing or arresting officer will provide the assistance necessary to complete the call.

e. Meals

- 1) Prisoners being detained in the lock-up facility will be provided meals as follows:
  - a) Breakfast - Served early on day shift.
  - b) Lunch - Served mid-day.
  - c) Dinner - Served during the afternoon shift.
- 2) Food must be of sufficient nutritional value and provide a daily minimum of 1,800 - 2,000 calories for adults and 2,500 - 3,000 calories for juveniles.
- 3) Food quantity must be sufficient to satisfy, within reason, the detainee's needs.
- 4) A drink other than water will be served with each meal.
- 5) Of the three daily meals provided, at least one shall be a balanced and complete hot meal.
- 6) All meals provided to prisoners will be documented in the Jail Detention Log Book.
- 7) A copy of the menu served will be retained for a period of at least three months.
- 8) Prisoners will be served in their cells or detention rooms.
- 9) If a prisoner is on a special diet ordered by a Doctor, special arrangements will be made to accommodate the Prisoner.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 25-01-01**

**EFFECTIVE DATE: April 1<sup>st</sup>, 2019 (revised)**



**SUBJECT: GRIEVANCE PROCEDURE**

**1. POLICY**

- a. The Cicero Police Department will give individual employees an opportunity to discuss their grievances with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. The filing of a grievance will not result in any restraint, interference, discrimination, or reprisal.

**2. DEFINITIONS**

***Grievance:*** A grievance is any dispute or difference of opinion raised by an officer/supervisor or group of officers/supervisors (with respect to a single common issue) against the Town, involving the meaning, interpretation, or application of the provisions of their respective collective bargaining agreements. Any time period provided for under the steps of the grievance procedure may be mutually extended or contracted. By mutual agreement, the Town and the labor council involved may by-pass any step in the procedure and proceed to the next step.

**3. PROCEDURES**

- a. Grievance procedures are detailed in the collective bargaining agreements for employees in collective bargaining units.
- b. For other employees, the procedure established by the Town of Cicero for non-collective bargaining unit employees will be followed. Questions regarding this procedure may be directed to the employee's supervisor or the Human Resources Director for the Town of Cicero.

By Order of:

Superintendent of Police

**CICERO POLICE DEPARTMENT**  
**GENERAL ORDER NUMBER: 22-03-02**



**EFFECTIVE DATE:** April 1<sup>st</sup>, 2013

**REVIEW DATE:** April 1<sup>st</sup>, 2015

**SUBJECT:** BLOODBORNE PATHOGENS

**1. POLICY:**

a. The Cicero Police Department will:

1. Take all reasonable measures to allow its employees to perform their duties in a safe and effective manner. The AIDS threatens the safe performance of daily operations and hepatitis B viruses that can be contracted through exposure to infected blood and several types of bodily secretions.
2. Continuously provide employees with information and education on prevention of these diseases, provide up-to-date safety equipment and procedures that will minimize their risks of exposure and to institute post-exposure reporting evaluation and treatment for all employees exposed to these diseases.

**2. DEFINITIONS:**

- a. **Blood:** Human blood, human blood components and products made from human blood.
- b. **Blood-borne Pathogens:** Pathogenic microorganisms present in human blood that can cause disease in humans. These pathogens include (but are not limited to) Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).
- c. **Contaminated:** Presence or reasonably anticipated presence of blood or other potentially infectious materials.
- d. **Contaminated Laundry:** Laundry soiled with blood or other potentially infectious materials or that may contain sharps.
- e. **Decontamination:** Using physical and/or chemical means to remove, inactivate or destroy blood-borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.
- f. **Engineering Controls:** Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the blood borne pathogens hazard from the work place.
- g. **Exposure Incident:** A specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that results from an employee's duties.
- h. **Hand-washing Facilities:** A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.
- i. **Hepatitis B:** A viral infection caused by hepatitis B virus (HBV) that causes death in one to two percent of the patients who become infected.
  - 1) Most people with hepatitis B recover completely, but approximately five to ten percent become chronic carriers of the virus. Most of the chronic carriers have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis.
  - 2) HBV also appears to be a causative factor in the development of liver cancer.

- 3) Immunization against hepatitis B can prevent acute hepatitis and also reduce sickness and death from chronic active hepatitis, cirrhosis and liver cancer.
- j. HIV: Human Immunodeficiency Virus.
- k. Occupational Exposure: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
- l. OPIM: Other Potentially Infectious Material:
  - 1) Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva and any body fluid contaminated with blood; all body fluids in situations where it is difficult or impossible to differentiate between body fluids;
  - 2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead);
  - 3) HIV-containing cell or tissue cultures, organ cultures and HIV- or HBV-containing culture medium or other solutions, and blood, organs, or other tissues from experimental animals infected with HIV or HBV.
- m. Personal Protective Equipment (PPE): Specialized clothing or equipment such as rubber gloves or goggles worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.
- n. Regulated Waste: Liquid or semi-liquid blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps, and pathological and microbiological wastes containing blood or other potentially infectious materials.
- o. Sterilize: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.
- p. Universal Precautions: The approach to infection control that treats all human blood and certain human body fluids as if known to be infectious for HIV, HBV and other blood borne pathogens.
- q. Vaccine: The RECOMBIVAX HB (Hepatitis B Vaccine Recombinant, Merck & Co., Inc.) is a noninfectious sub-unit viral vaccine derived from hepatitis B surface antigen (HbsAg) produced in yeast cells.
  - 1) A portion of the hepatitis B virus is produced from cultures of this recombinant yeast strain according to methods developed by Merck & Co., Research and Development Division.
  - 2) The HbsAg protein is released from the yeast cell-by-cell disruption and purified by a series of physical and chemical methods.
  - 3) The vaccine contains no detectable yeast, but may contain up to four percent yeast protein. The vaccine thus prepared from recombinant yeast cultures, is free of association with human blood or blood products.
  - 4) RECOMBIVAX HB is indicated for immunization of persons at risk of infection from Hepatitis B virus including all known subtypes. The incidence of side effects is relatively low.
    - a) Injection site soreness is the most common adverse reaction.
    - b) Less common local reactions are erythema, swelling, warmth or indurations that usually subsides within 48 hours.
    - c) Low-grade fever (less than 101 F) occurs occasionally and is usually confined to the 48-hour period following vaccination.

- d) Systemic complaints including malaise, fatigue, headache, nausea, dizziness, myalgia and arthralgia are infrequent and have been limited to the first few days following vaccination.
- r. **Work Practice Controls:** Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

### **3. PROCEDURES:**

- a. All job classifications/employees of the Cicero Police Department can be reasonably anticipated to be involved in an occupational exposure to blood or other infectious material, including:
  - 1) Sworn police officers, including part time and reserves.
  - 2) Non-sworn personnel, including volunteers and auxiliaries.
- b. All employees of the department will receive an initial familiarization-training program, including such topics as awareness, prevention, universal precautions, exposure incident reporting and the use of personal protective equipment. In accord with federal requirements, at least annually, refresher training will be presented to all employees, which will include any new information, procedures, universal precautions, exposure incident reporting and personal protective equipment. Refresher training may be combined with other training, such as first aid, use of force or CPR certification.
- c. Precautions:
  - 1) Universal precautions as defined under section 29 CFR 1910, 1930 (b), Occupational Safety Health and Health Act (OSHA), will be taken by all employees of the department to prevent contact with blood or other potentially infectious materials.
  - 2) Department employees will treat all blood and other potentially infectious materials as defined in the Environmental Protection Agency (EPA) and OSHA regulations as potentially infectious, and follow all precautionary measures outlined in this document at all times.
  - 3) Whenever any employee's skin comes in contact with blood or other potentially infectious materials, the employee will immediately, or as soon as possible, wash their hands and any other skin with soap and warm water, or flush mucous membranes with water following the contact.
  - 4) Employees exposed to blood or other potentially infectious materials, who are in the field and not in the police facility, will use antiseptic hand cleaners or towelettes, when washing facilities are not available. When antiseptic hand cleaners or towelettes are used, the exposed areas will be washed with soap and warm running water as soon as possible.
  - 5) Employees wearing protective gloves or other personal equipment, as soon as possible after removal of same, will wash their hands immediately or as soon as possible, using soap and water.
- d. Crime/Crash Scene Clean-up
  - 1) In order to protect the public from possible exposure, when quantities of blood/body fluids are present at a crime or crash scene located in a public location (such as, but not limited to, streets, alleys, sidewalks and parking lots), the Cicero Fire Department will be requested to assist in cleaning up/hosing down the area upon completion of investigative activities.

e. Personal protective equipment (PPE)

- 1) The department will provide PPE in each department vehicle (a minimum of two per vehicle), and in the lock-up, booking, evidence processing, evidence storage and squad room areas within the headquarters, and at any off-site location, for the purpose of shielding the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or mucous membranes, under normal conditions when the personal protective equipment is worn.
- 2) PPE supplies will be maintained and issued by the Administrative Division.
  - a) The shift commander who will maintain a supply of PPE at the front desk will issue PPE. He will replenish PPE from the Administrative Division as needed.
  - b) Any employee who has used PPE will advise the shift commander so replacement equipment can be issued.
  - c) The shift commanders, as required by the Administrative Division, will maintain records on PPE issuance.
- 3) Department PPE will consist of the following contents:
  - a) Disposable gown,
  - b) Pair latex gloves,
  - c) Eye shield/mask,
  - d) Veridical towelettes,
  - e) Bio-hazard disposal bag,
  - f) Shoe covers and
  - g) Hair cover.
- 4) PPE will be worn by employees as follows:
  - a) Disposable gloves will be worn whenever an employee can be reasonably expected to have contact with blood, OPIM, mucous membranes, and non-intact skin, and also whenever an employee handles or touches contaminated items or surfaces.
  - b) Employees will wear face shields, masks and gowns whenever splashes, spray, spatter or droplets of blood or OPIM may be generated and eye, nose, or mouth contamination can be reasonably expected.
  - c) Surgical caps or hoods and/or shoe covers will be worn in instances where gross contamination can reasonably be expected. (Example: autopsy)
- 5) Supervisors will ensure subordinates use appropriate PPE as required in this order.
- 6) When, under rare and extraordinary circumstances, it is the employee's professional judgment that in the specific instance the use of PPE would prevent the delivery of health care or public safety services or would have posed an increased hazard to the safety of the employee or another employee, the employee will report to his/her supervisor the circumstances under which PPE was not used. The circumstances will be investigated and documented by the supervisor to determine whether changes can be instituted to prevent such occurrences in the future.
- 7) PPE will be:
  - a) A disposable type, and not laundered or re-used.
  - b) Will be removed by employees leaving the location of the incident where protective equipment was necessary.
  - c) Disposed of by the employee who used the equipment, in the following manner:
    - i. Placed in the bio-hazard labeled bag provided with each personal protective kit;

- ii. The biohazard labeled bag will be placed in the biohazard marked disposal container located in the security cage in the garage area of the Cicero Police Department.
- 8) Biohazard labels will conform to the requirements of the OSHA and be either fluorescent orange or orange-red in color.
- 9) A company specifically designated to handle such material will collect biohazard material.
  - a) Employees will ensure all work site areas where they are assigned are maintained in clean and sanitary conditions.
    - i. Employees will notify their supervisor when an area needs to be cleaned/disinfected.
    - ii. The supervisor will notify department maintenance personnel to have the area cleaned/disinfected.
  - b) Maintenance personnel will clean and decontaminate all such working surfaces with an appropriate disinfectant as soon as possible after coming into contact with blood or OPIM. Disinfectants will be of a tuberculocidal type.
  - c) Surfaces (i.e., the inside of police vehicles) where blood or OPIM are overtly contaminated, or after any spill of blood or OPIM has occurred will, whenever possible be cleaned and decontaminated immediately after the spill or overt contamination incident.
  - d) Contaminated needles and sharps will be disposed of without shearing or breaking. These items will be disposed of in a puncture resistant, biohazard labeled container, having leak proof sides and bottoms.
  - e) Receptacles used for disposing of blood or OPIM will be inspected for contamination on a daily basis, and cleaned and decontaminated immediately or as soon as possible once visibly contaminated. These containers, in addition to bearing the required bio-hazard labels will:
    - i. Be constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping.
    - ii. Be closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.
    - iii. Be placed inside a second biohazard receptacle (meeting the standards in (a) and (b) above) when the outside of the first container is contaminated.
  - f) Disposal of all such regulated waste will be in accordance with applicable regulations of the United States, state of Illinois, and any other county or municipal regulations.
- 10) Laundry:
  - a) Contaminated laundry will include, but not necessarily be limited to the following:
    - i. Employee uniforms and clothing items worn on duty, including undergarments, socks, shoes and outer-wear, whether supplied by the department or personally owned, which have been exposed to blood or OPIM while an employee was performing his/her official duties.

- ii. All non-disposable blankets, bedding materials, prisoner clothing supplied by the department, and wiping cloths of a non-disposable nature, used in the lock-up facility, regardless of whether the aforementioned items were exposed to blood or other potentially infectious material or not.
- b) Contaminated laundry will be contained in the location where used, and handled as little as possible, with a minimum of agitation, and bagged or containerized at the location where it was used, and not sorted or rinsed in the location of use.
- c) Containers and bags used for storing contaminated laundry will be constructed of materials which prevent soaking through or leakage of fluids to the exterior.
- d) Any employee handling contaminated laundry will wear disposable protective gloves. When circumstances indicate the possibility of splashing or spillage of blood or OPIM on or from laundry, whether contained or not, the appropriate additional PPE will be worn by an employee handling said laundry.
- e) In the case of employee's uniforms or clothing items being exposed to blood or OPIM, the employee will exchange clothes as soon as possible after the exposure incident occurs. In such cases, the additional procedures apply:
  - i. Contaminated uniform items, such as shirts, trousers, jackets, etc. (excluding leather goods), will be cleaned and decontaminated by the department at the department's expense. The department will designate an authorized cleaner for this purpose.
  - ii. Contaminated uniform items will be bagged in a biohazard bag and containerized in the large red receptacle marked "Uniforms Only," located in the security cage in the police garage. This is the only container in the police facility for the depositing of contaminated uniform items.
  - iii. In no case will an employee launder in their home, in a commercial Laundromat or cleaners, or at the police department any clothing items, including uniform items, exposed to blood or OPIM.
  - iv. Upon receipt of a notification that a uniform item needs to be cleaned due to possible exposure to blood or OPIM, the department will arrange for the cleaning and decontamination of such items
    - 1) Employees will be notified by memo when items which have been decontaminated are ready to pickup.
    - 2) The employee will pick up such items.
  - v. Contaminated leather items such as jackets, belts and shoes must be cleaned by the employee with a tuberculocidal disinfectant.
    - 1) Employees cleaning such items must wear PPE during the cleaning process.
    - 2) Disinfectant materials are located both in the lockup area and the garage area.
    - 3) Any disposable wiping cloths or personal protective equipment used for disinfecting leather items will be disposed of by the employee in the biohazard disposal receptacle located in the cage area of the police garage.
- f) Post-exposure evaluation and follow-up
  - i. If an employee has an exposure incident, the department will make immediately available to the employee a confidential medical evaluation and follow-up to include at least the following elements:

- 1) Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred.
  - 2) Identification and documentation of the source individual, unless the department can establish that identification is infeasible or prohibited by state or local law.
- ii. The source individual's blood will be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infections.
- 1) If consent is not obtained, the department will establish that legally required consent cannot be obtained.
  - 2) When law does not require the source individual's consent, the source individual's blood, if available, will be tested and the results documented.
- iii. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
- iv. Results of the source individual's testing will be made available to the exposed department employee, and the employee will be informed of applicable laws and regulation concerning disclosure of the identity and infectious status of the source individual.
- v. Collection of blood from department employees who may have been exposed to HBV or HIV will be in accordance with state and federal regulations pertaining to it.
- vi. Post-exposure prophylaxis, counseling and an evaluation of reported illness may also be recommended by the treating health care professional for any department employee.
- 1) The department may indicate which facility to use for such care.
  - 2) If the employee desires to make personal arrangements for treatment, the employee will have to get permission from the first deputy superintendent of police.
  - 3) The department will ensure the treating health care professional is given a copy of OSHA standards on blood borne pathogens in all cases where the health care professional is evaluating an employee after an exposure incident.
  - 4) Additionally, the health care professional will receive the following:
    - A. A description of the exposed officer's duties as they relate to the exposure incident.
    - B. Documentation on the route(s) of exposure and circumstances under which exposure occurred.
    - C. Results of the source individual's blood testing, if available.
    - D. All medical records relevant to the appropriate treatment of the employee, including vaccination status, which the department is responsible for maintaining.
- vii. The department will obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.
- viii. The health care professional's written opinion for hepatitis B vaccination will be limited to whether hepatitis B vaccination is indicated for an employee, and if the employee has received such vaccination. This paragraph only applies on those cases where an employee, by himself or herself, was vaccinated for hepatitis B

- prior to the implementation of this procedure, or in the event any employee at any time elects to be vaccinated other than as provided by the department.
- ix. In the case of a post-exposure incident, the following information will be provided by the health care professional to the department:
- 1) If the employee has been informed of the results of the evaluation; and
  - 2) If the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
- x. All other findings or diagnoses will remain confidential and will not be included in the written report.
- xi. Employees who have an exposure incident will immediately notify their supervisor and seek treatment for occupational health injury at a department approved medical facility.
- xii. Any employee involved in an exposure incident will, first receive first aid for the injury. Then he/she along with their supervisor will fully document, in a general report format, the first injury report, an incident evaluation explaining the routes of exposure, circumstances surrounding the exposure and the description of the protective gear used if applicable.
- 1) The report will be forwarded through the chain of command to the superintendent, with a copy to the deputy superintendent of administration.
  - 2) The report will then be processed through the county Health Department.
  - 3) All billings will be processed through the town insurance department, but no evaluation reports are to be sent to the insurance department or placed in the employee's personnel file on any employee injuries pertaining to his order.

g) Vaccination regimen

NOTE: The decision to receive the hepatitis B vaccine is strictly voluntary.

- i. The regimen consists of three doses of vaccine given intramuscularly into the deltoid muscle.
    - 1) First dose at an elected date.
    - 2) Second dose one month later.
    - 3) Third dose six months from the first dose.
  - ii. The hepatitis B vaccine is available at the Health Department located in the Cicero Town Hall.
  - iii. Wednesday between the hours of 8:30 a.m. and 4:00 p.m. has been established as the time to receive this vaccine from the health department.
  - iv. Employees will receive the vaccine on their own time unless their work schedule has them on duty during the vaccination times.
- h) All employees are instructed that any information obtained on an incident regarding this order, will be held in the strictest confidence.

By Order of:

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Superintendent of Police

**CICERO POLICE DEPARTMENT  
GENERAL ORDER: 21-01-07**



**EFFECTIVE DATE:** April 11, 2016

**SUBJECT:** Patrol Division Productivity Standards-  
as part of the Department's Evaluation System

**1. POLICY**

The Cicero Police Department recognizes that effective job performance from all personnel is essential for achieving the department's goals and objectives. The objectives of Productivity Standards are to record and evaluate work performance of police officers assigned to field duties within the Patrol Division; giving recognition for good work and providing a guide for improvement when needed. Achievement of the Department's goals and objectives is in part dependent on satisfactory work performance from all employees. It is the overall goal of the enacting of Productivity Standards, as part of the Performance Evaluation System, to establish specific performance expectations for patrol officers as well as guidelines for supervisors to follow during performance evaluations, thus providing a more standardized approach in evaluating the performance of their officers.

The cornerstone of all activity related to these productivity standards described is ethical proactive policing and crime reduction, at all times. Nothing in this order is intended to be or should be construed as a "quota" system or a "daily" requirement.

**Policy with regard to Probationary Police Officers and Field Training Officers while in training:**

The production standards in this policy do not apply to Probationary Police Officers (PPO's) while in their field training program and assigned to a Field Training Officer (FTO). Further, the production standards in this policy do not apply to FTO's for the police periods they are actively training a PPO in a phase of their field training. However, the production standards do apply to all Field Training Officers not involved in a training phase with a PPO. PPO's after field training will have a graduated escalating evaluation scale that allows for growth and knowledge building. Specifically their meeting standards criteria will be the following:

- Post FTO training and up to first 12 Periods of employment= 2.0
- Periods 13-15 of employment= 2.5
- Periods 16-18 of employment= 3.0

Nothing contained in this Policy constitutes a waiver of the Town's right to terminate employment of a probationary employee at any time without cause. Also, this policy in no way prohibits the evaluation of probationary officers based upon other Department criteria, nor does this policy constitute a guarantee of employment.

## 2. OBJECTIVE

- 1) The Cicero Police Department strongly encourages supervisors and police officers to formally and informally discuss job performance and goals on an on-going basis. Formal Performance Evaluations are to be conducted on a semi-annual basis to:
  - a) provide both supervisors and police officers the opportunity to discuss job tasks,
  - b) identify and correct weaknesses (accomplished through the production evaluation system and the counseling process).
  - c) encourage and recognize strengths, establish goals, and at the same time discuss positive, purposeful approaches to meeting these goals.

The nature and quality of our officer's performance has a direct bearing on their work life within the department, on the manner in which they accept supervision, on how they relate to management and on their assignments and self-initiated activity.

- 2) The review of productivity standards is an ongoing process and is reviewed by supervisors on a regular basis.
- 3) Proactive ethical policing is central to this Productivity Standards system.
- 4) **All enforcement actions** (tickets, AO's, arrests) should be based on probable cause and in compliance with the constitutions of the United States, the State of Illinois, and all applicable statutes of the State of Illinois and the United States.

## 3. RESPONSIBILITY

- 1) Supervisors are to evaluate the performance of their subordinates on an on-going basis as appropriate. This will include coaching, counseling, mentoring and directing of subordinates.
- 2) Supervisors should perform the following critical tasks in order to evaluate job performance:
  - a) Ensure that subordinates are provided the training that they need to accomplish their job
  - b) Appraise subordinate performance on assignments on a continuous basis
  - c) Reinforce that satisfactory performance is the minimum and exceeding expectations is the goal in work performance
  - d) Correct performance that does not meet expectations and is unacceptable
  - e) Properly prepare the formal performance evaluations of an officer
  - f) Maintain documentation of all noteworthy informal and formal interaction with the officers within their span of control.

## 4. DEFINITIONS

- 1) Productivity Factor: Certain patrol activity, as determined by the Superintendent and their command staff, considered when measuring overall activity/productivity. These productivity factors apply to police officers assigned to field duties within the Patrol Division.
- 2) Quantity: Amount of a specific activity conducted per period
- 3) Value: Weight assigned value, as determined by the Department, for each Productivity Factor.