

The officer's original suspicion is unfounded and no written report is necessary;

Probable cause for an arrest is established and the offender is taken into custody and the arrest report is completed.

5. On all citizen contact stops, when a report is completed, the officer should request the communications operator to initiate a complaint and advise when the stop is complete.
-

PALOS PARK POLICE DEPARTMENT

Title: *POLICE CADET PROGRAM*

Procedure: 4.033

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To outline the general duties and responsibilities of the Police Cadet Program.

POLICY:

The Police Department's Cadet Program is designed to provide a variety of benefits to young adults interested in law enforcement as a career as well as benefit the Police Department and the Village. Police Cadets will experience practical training, service to the community and service to the police department in a variety of activities as station and field assignments. Character development, physical fitness, and good citizenship are integral parts of the program. Police Cadets have no legal authority or police powers as a result of participating in the Police Department Cadet Program.

PROCEDURE:

CADET PROGRAM ESTABLISHED

1. The Police Department Cadet Program is established through the Police Department.

CADET PROGRAM QUALIFICATIONS

1. Requirements for becoming a Police Cadet are as follows:

Applicants must be between 16 and 18 years old and may remain in the program until their 21st birthday;

Be a United States citizen;

Have an acceptable average in their scholastic studies and maintain such an average in order to remain in the program. Agree to enroll in one college level law enforcement course per semester after graduation from High School;

Have no prior arrest record or serious traffic violations;

Agree to furnish his/her uniform and

Sign a waiver of any right to initiate a legal cause of action against the Village, the Police Department and/or any of their agents. Parents must also sign the waiver.

CADET SELECTION CRITERIA

1. The following criteria will be used to select Police Cadets from a pool of applicants and once chosen, a Police Cadet is considered an "at-will" member of the Program:

Oral interview;

Background check; and

Willingness to comply with all Police Department and Cadet Program rules, regulations, training and duty requirements.

CADET PROGRAM REQUIREMENTS

1. Cadets are required to perform the following activities:

Attend monthly meetings or training sessions as required by the Cadet Program Manual, and

Fulfill 16 hours of "duty time" per month:

Duty time consists of such activities as attending training functions, workshops, assisting Police Personnel with clerical functions, and attending parades and special functions in a support capacity to the Patrol Division.

Duty time will be arranged by the Cadet Program Advisor with the approval of the Chief of Police.

3. Any time a Cadet is on duty he shall report directly to the Watch Commander on duty, apprise the Watch Commander of his assignments for that shift and be under the guidance of that Watch Commander for that shift.

4. Conduct themselves in a professional, courteous manner at all times.

PROHIBITED ACTIVITIES

1. Police Cadets are prohibited from the following activities:

Working in the police station detention/prisoner processing area unless accompanied by at least one sworn member of the Department at all times.

Processing prisoners.

Driving marked patrol cars unless authorized to do so, **AND ONLY WITH "CADET" MARKINGS AFFIXED TO THE SQUAD.**

Handling bond money.

Handling evidence.

Possessing any type of firearm on their person except during approved, supervised training.

Possessing anything designated as a weapon.

Possessing or carrying handcuffs.

Participating in any covert operations or related activities for the Police Department or any other law enforcement agency without permission from the Chief of Police.

Appearing in public in uniform or representing themselves as Police Cadets without prior approval from the Cadet Advisor or any other supervisor within the Police Department.

FIELD ASSIGNMENTS

1. During any field assignment of a Police Cadet, the following procedures will apply:

Cadets will be allowed to "ride-along" in police vehicles with designated police personnel with approval of the watch commander.

Cadets will not be allowed to ride-along between the hours of 2300-0700.

The Police Cadet will be under the direct supervision of the Officer to which he is assigned and will not be allowed to perform any functions unless authorized by that Officer.

The Police Cadet will remain in the police vehicle on all assignments unless otherwise directed by the Officer in control of the vehicle.

The Police Cadet will remain an observer at all times and will only operate the police vehicle when authorized by the Officer in charge of the vehicle.

The Police Cadet will not operate the police radio unless authorized to do so or unless the circumstances warrant the immediate use of the police radio (i.e., Officer in need of assistance, etc.).

The Police Cadet will not take an active part in any field activities while

on a ride-along and will not answer any questions pertaining to law enforcement activities that are posed by the general public. Such questions will be referred to a sworn police officer.

In the event an emergency arises during a field assignment, the Police Cadet will remain as uninvolved as possible and will remove himself from the immediate area of the situation without delay. At no time will the Cadet attempt to intervene in an emergency unless directly told to do so by a sworn police officer as authorized under State law.

UNIFORMS

1. Police Cadet uniforms will be distinct from sworn Police Officer uniforms. These uniforms will conform to the standards set forth in the Police Cadet Manual.

PALOS PARK POLICE DEPARTMENT

Title: COMMUNITY SERVICE OFFICER

Procedure: 4.034

Date Issued: August 20, 2010

Review Date: August 20, 2014

Reviewed: October 2014

PURPOSE:

The purpose of this order is to establish the Community Service Officer Program and provide guidelines and direction for all employees with responsibilities as indicated within this directive.

16.4.1. POLICY STATEMENT

The Community Service Officer (C.S.O.) program is designed to assist the Patrol Division in performing all the tasks which are necessary and service oriented by nature. This assistance will afford relief to the Patrol Division in order that the beat officers can better provide the police services and functions for the Village of Palos Park.

The Community Service Officer (C.S.O.) is a civilian position and they will not have the authority to carry weapons or have the power of arrest.

The Community Service Officer (C.S.O.) shall be under the command of the Sergeant or Officer in Charge of the particular shift they are working

The Community Service Officers will obey orders or requests directed to them by any on-duty supervisor.

16.4.2. COMMUNITY SERVICE OFFICER RESPONSIBILITIES

A. Specific In addition to the general and individual responsibilities of all members and employees, the C.S.O. is specifically responsible for the following:

1. Reporting for Duty: The C.S.O. shall report promptly before the designated hour and place in proper uniform for assignment. The C.S.O. shall listen attentively to orders and instructions of the superior officer and read such materials as are made available to them.

2. Inspect the assigned police vehicle or any other assigned equipment and report new or unreported damage prior to leaving the police headquarters. Any such discrepancies shall be noted and/or reported to the Shift Commander.

3. Complete assigned reports for incidents accurately and on the proper report forms.

B. General

The Community Service Officer (C.S.O.) shall be responsible for any assignment given by the Chief of Police, C.S.O. Supervisor or Shift Commander or his designee and shall include, but not be limited to, the following:

1. Traffic Control

a. The issuance of parking citations or warning notices for violations of parking or local vehicle registration ordinances.
b. Vehicle and pedestrian traffic control as authorized by the Shift Commander or designee.

c. Motorist assists, including:

- 1. Disabled vehicles.**
- 2. Vehicle lock-outs.**
- d. Traffic and neighborhood surveys.**
- 2. Enforcement of Ordinance Violations**

- a. Animal control, to include capture of loose running animals, setting of animal traps and transfer of animals to Animal Welfare.
- 3. Intra-department Support Services:
 - a. Desk assignment - maintain working knowledge of desk duties.
 - b. Collect Metra parking lot collections.
 - c. Deliveries of legal notices and inter-departmental mail.
 - d. Assist court officer when assigned.
- 4. School Crossing Guards (relief - assist)
- 5. Vehicle Maintenance (support)

LIMITATIONS OF AUTHORITY

A. A Community Service Officer will not be assigned any calls involving the investigation of a criminal matter. They will immediately call for a sworn officer to take over any assignment they are handling if circumstances indicate a sworn officer is needed. They will observe any actions and report same to the officer whose assistance is called.

B. A C.S.O. shall not be assigned to or become involved in any assignment or investigation which requires the use of any force.

C. A C.S.O. shall obey all traffic laws and shall not drive with emergency equipment in operation.

D. A C.S.O. shall not respond to crime-in-progress.

. COMMUNITY SERVICEOFFICER UNIFORMS

Nothing shall be worn on the C.S.O. uniform unless it is approved through this directive.

A. Pants

1. The uniform pants shall be plain black in color.

B. Shirts

1. The winter shirt shall be long sleeve, black in color.. The uniform tie will be worn whenever the long sleeve shirt is worn.
2. The summer shirts shall be same as the winter shirts but shall have short sleeves. The uniform tie is not to be worn with the short sleeve shirt.
3. CSO rockers are worn on the shirts.

C. Jackets

- 1. Jacket shall be button down in the center of the pocket flap. Jacket shall be black in color with silver buttons.**
- 2. Winter jacket shall be black in color.**
Jacket shall be waist length with zipper front that is covered by a flap that has four buttons down the front from collar.
- 3. CSO rockers are worn on the jackets.**
Socks shall be navy blue.
Pants belt.
Pants belt shall be black leather.
Boots or Overshoes
Boots or overshoes shall be black in color.
Scarves may be worn during the winter months and must be solid navy blue in color.

Any leather accessories worn on the belt shall be plain black.

P. Badge

- 1. Five point silver badge will be worn on the uniform jacket or on the shirt when the jacket is not worn.**
- 2. Name Plate**
- 3. Name plates, silver in color, shall be worn on all uniform shirts and jackets.**

16.4.5. PROCEDURE FOR SELECTION

The selection process for Community Service Officers (C.S.O.) is as follows:

- A. Complete employment application.**
- B. Chief of Police must approve hiring.**
- C. Orientation .**
- D. Oral interview.**
- E. Background investigation, signing of release forms.**
- F. Pre-employment physical examination.**
- G. Any C.S.O. applicant that is deemed by the Chief of Police to be lacking prior significant employment experience must be enrolled in a college law enforcement program while employed by the Palos Park Police Department. (Exception: during college summer session).**
- H. C.S.O. will not work over 32 hours per week, unless approved by the Chief of Police.**

PALOS PARK POLICE DEPARTMENT

Title: *DOMESTIC VIOLENCE*

Procedure: *4.035*

Date Issued: *MAY 01, 2002*

Revised:

Reviewed: *October 2014*

PURPOSE:

To provide guidelines for officers responding to incidents of domestic violence.

To inform officers of their requirements under the Domestic Violence Act.

To establish guidelines, responsibilities and procedures for domestic violence intervention.

POLICY:

It shall be the policy of the Police Department to view domestic violence as a serious crime. Therefore, this department shall take a proactive response to safeguard victim's rights, provide victim assistance and use arrest as a deterrent to future violence. Officers shall familiarize themselves with the Domestic Violence Laws.

DEFINITIONS:

“Domestic violence” means physical abuse, harassment, or intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

“Family or household members” include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement

relationship, and persons with disabilities and their personal assistants.

PROCEDURES:

TELECOMMUNICATOR RESPONSIBILITY

1. Two officers shall be dispatched on all domestic disturbance calls.
2. Because the Telecommunicator is likely to be the first to receive the call, they are the key in determining the type of response. To assist the responding officers, the Telecommunicator shall determine the following information, if possible:

The name of the complainant;

If the incident is in progress;

If there is a weapon involved, or
If there are any weapons in the house

If anyone has been injured and
needs medical attention;

A description of the offender, his
name, his location, direction and
mode of travel;

If any drugs or alcohol are involved;

If there have been prior incidents;

If there are any minors in the house;
and

Check the domestic card file for any
cautions.

3. The Telecommunicator will maintain telephone contact until the officers arrive to monitor the incident and provide support to the victim. Background noises may help to evaluate the situation and provide further information to the responding officers.

OFFICER'S RESPONSIBILITIES

1. Priority of response to domestic violence calls shall be no less than if the incident involved strangers.

2. Upon arrival, officers should verbally identify themselves as police officers and give an explanation for their presence.

3. Officers may enter and conduct a search of the residence if consent has been given to do so. Although a consent search eliminates the need for a search warrant and probable cause, such consent must be freely and voluntarily given. If two people have joint ownership of a place or thing, either one may give a valid consent. However, if one of them exercises sole control over part of the premises, the other cannot give valid consent to search that part.

4. When entry to a residence is refused, officers shall be persistent, explaining that a complaint was received and must be investigated. If entry is still denied, request the telecommunicator to call the residence and establish contact with the victim. If entry is still refused, officers shall request the presence of the Watch Commander.

5. There may be times when sufficient probable cause exists to indicate that a crime is being committed, has been committed or that a life is in danger. In these cases, if entry has been refused, or there is no reply from the premises, forced entry may be necessary. Officers shall evaluate the following elements when considering a forced, warrantless entry:

The degree of urgency involved and the time required to secure a warrant:

The possibility of dangers to others, including police officers;

Whether the offense involves violence;

Whether the officers reasonably believe that persons may be armed.

6. Upon investigation of a domestic violence incident, the officer shall evaluate the circumstances surrounding the incident and determine if probable cause exists to make an arrest.

7. Officers will make an arrest if the officer has probable cause to believe that the person has committed or is committing any crime. Arrest is the preferred response to family violence because arrest offers the greatest potential for ending the violence. Refusal of the victim to sign an official complaint against the offender shall not prevent, nor shall it be a consideration, in an officer's decision to arrest.

8. Under no circumstances will an officer of this department use the threat to arrest all parties involved for the purpose of discouraging the victim from signing a complaint.

9. When a domestic violence crime has occurred, ONLY with extenuating circumstances and the Watch Commander's approval will an arrest not be made. In that instance, a written police report will be made articulating the specific reasons why an arrest was not made.

10. Bonding of offenders arrested for a domestic violence related incident will be in accordance with the rules of the Presiding Judge.

11. Any officer assigned to investigate an allegation of domestic violence, neglect, or exploitation incident between family or household members will make a written police report of any bona fide allegation and the disposition of such investigation even if an arrest is not made. The report will include the victim's statements as to the frequency and severity of prior incidents of domestic violence, neglect, or exploitation by the same family or household member, and

the number of prior calls for police assistance to prevent such further domestic violence, neglect, or exploitation.

12. If the allegation is not bona fide, Citizen Contact cards will be completed.

13. In all cases domestic violence the victim will be issued a victim information notice and a Domestic Violence Act form.

VICTIM ASSISTANCE

1. Officers will offer victims immediate and adequate information (the Domestic Violence Act form) written in a language appropriate for the victim, which shall include a summary of the procedures and relief available to victims of domestic violence.

2. If the victim requests assistance in leaving the premises, the officer will stand by for a reasonable amount of time to allow the victim to gather some necessary personal belongings and possessions.

3. Officers will provide the victim with a referral to the Family Shelter.

4. Officers will advise the victim about seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property).

5. Officers will provide or arrange for transportation of the victim and, at the victim's request, any minors or dependents in the victim's care, to a medical facility for treatment of injuries or to a nearby place of shelter or safety.

ORDERS OF PROTECTION

1. An Order of Protection is a court order available to family or household members prohibiting the abuser from certain activities or ordering the abuser to take certain actions.

2. The officer should ask the victim if an Order of Protection has been issued.

3. The officer should verify the existence of a valid Order of Protection, and its provisions by referring to the victim's copy.

4. Officers should closely read the Order of Protection for restrictions.

5. Offenders will be arrested for any violation of a valid Order of Protection

6. An Order of Protection can only be issued, extended, modified or revoked by a Judge. The victims cannot "change their minds" and allow a violation of the order of protection.

OUT OF STATE ORDERS OF PROTECTION

1. Out of state Orders of Protection are not enforceable in the State.

LIMITED LAW ENFORCEMENT LIABILITY

1. Any act of omission or commission by any law enforcement officer acting in good faith in rendering emergency assistance or otherwise enforcing the Domestic Violence Act shall not impose civil liability upon the law enforcement officer or his or her supervisor or employer, unless the act is a result of willful or wanton misconduct.

PALOS PARK POLICE DEPARTMENT

Title: **Review of Case Files**

Procedure: 4.200(B)

Date Issued: 3/01/18

Revised: 3/01/22
Reviewed:

PURPOSE:

REVIEW OF "NO FILE" AND "DISMISSED"
CRIMINAL CASES

No File Cases

Occasionally criminal cases are presented to the Cook County State's Attorney's Office for case filings and are declined for prosecution. This is an opportunity for Command staff to review the case and the notice to determine legal or procedural improprieties and/or necessary follow-up investigation. The Command staff may take appropriate action.

Dismissed Cases

Occasionally, case disposition notices are received that indicate the case was dismissed. When these notices are received, they will be forwarded to the appropriate Command staff member or designee of the issuing or arresting officer. We can review why the case was dismissed. If the dismissal was due to officer error or mishandling and offer a critique the case with the goal of improving performance, identifying training needs, or take appropriate action

PALOS PARK POLICE DEPARTMENT

Title: **Sexual Assault and Sexual Abuse Investigations** **Procedure:** **4.200(D)**

Date Issued: **3/01/18**

Revised:

Reviewed: **3/01/22**

100.1 PURPOSE AND SCOPE

The trauma of sexual assault and sexual abuse often leads to emotional, physical, and economic consequences for the victim. The diminished ability of victims to recover from their sexual assault or sexual abuse has been directly linked to the response of others to their trauma. The response of law enforcement can directly impact both a victim's ability to heal and his or her willingness to actively participate in the investigation by law enforcement.

Victim participation is critical to the successful identification and prosecution of sexual offenders, which can prevent victimization. For this reason, improving the criminal justice system's response to victims of sexual assault and sexual abuse is critical to protecting public safety.

100.2 POLICY

The Palos Park Police Department will:

1. Treat sexual assault and sexual abuse as criminal conduct.
2. Respond to sexual assault and sexual abuse calls for assistance without unnecessary delay.
3. Take all reasonable steps to prevent re-traumatization of sexual assault victims and ensure referrals for follow-up services are provided to victims and witnesses.

100.3 AUTHORITY

1. 55 ILCS 80/3, Child Advocacy Advisory Board
2. 210 ILCS 30/4
3. 320 ILCS 20/4, Reports of abuse or neglect
4. 325 ILCS 5/4, Persons required to report; privileged communications; transmitting false report
5. 410 ILCS 70/1a, Definitions
6. 720 ILCS 5/11-1.10(f-g), General provisions concerning offenses described in Sections 11-1.20 through 11-1.60
7. 720 ILCS 5/11-1.20, Criminal sexual assault
8. 720 ILCS 5/11-1.30, Aggravated criminal sexual assault
9. 720 ILCS 5/11-1.50, Criminal sexual abuse
10. 720 ILCS 5/11-1.40, Predatory criminal sexual assault of a child
11. 720 ILCS 5/11-1.60, Aggravated criminal sexual abuse

12. 720 ILCS 5/11-1.70, Defenses with respect to offenses described in Sections 11-1.20 through 11-1.60
13. 725 ILCS 120/4, Rights of crime victims
14. 725 ILCS 120/4.5, Procedures to implement the rights of crime victims
15. 725 ILCS 200/1, Lie detector tests
16. 725 ILCS 202/10, Submission of evidence
17. 725 ILCS 203/1 *et seq.*, Sexual Assault Incident Procedure Act
18. 740 ILCS 45/5.1(b)
19. 77 Ill. Adm. Code 545.60(e)(1), Treatment of sexual assault survivors
20. ISP 6-386 (4/16), Illinois State Police Toxicology Screening Information For Drug Facilitated Sexual Assaults: Patient Information Sheet

100.4 DEFINITIONS

“Consent” means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused will not constitute consent. The victim’s manner of dress at the time of the offense will not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct. [720 ILCS 5/11-1.70]

“Evidence-based, trauma-informed, victim-centered” means policies, procedures, programs, and practices that have been demonstrated to minimize retraumatization associated with the criminal justice process by recognizing the presence of trauma symptoms and acknowledging the role that trauma has played in a sexual assault or sexual abuse victim’s life and focusing on the needs and concerns of a victim to ensure compassionate and sensitive delivery of services in a nonjudgmental manner. [725 ILCS 203/10]

“Law enforcement agency having jurisdiction” means the law enforcement agency in the jurisdiction where an alleged sexual assault or sexual abuse occurred. [725 ILCS 203/10]

“Sexual assault evidence” means evidence collected in connection with a sexual assault or sexual abuse investigation, including, but not limited to, evidence collected using the Illinois State Police Sexual Assault Evidence Collection Kit as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act or a urine sample collected when there is reasonable cause to believe that a person has consumed a controlled substance without his or her consent. [410 ILCS 70/1a; 725 ILCS 203/10]

“Sexual assault or sexual abuse” is defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act. An act of nonconsensual sexual conduct or sexual penetration, as defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012. [725 ILCS 203/10]

100.5 PROCEDURES

Procedures for responding to and investigating allegations of sexual assault and sexual abuse.

100.5.1 DISPATCH/CALL TAKER RESPONSE

Telecommunicators will provide a trauma-informed response to victims of sexual assault and sexual abuse in accordance with standards established by the Office of the Statewide 9-1-1 Administrator pursuant to 20 ILCS 2605/2605-53(a)(1) and should implement the following procedures when receiving allegations of sexual assault and sexual abuse:

1. Assess immediate safety of victim and need for emergency medical services.
2. Gather vital information for responding officers.
3. Provide information to the victim on preserving evidence.

100.5.2 INITIAL RESPONDING OFFICER DUTIES

Responding to initial reports of sexual assault or sexual abuse:

1. Contact victim as soon as possible and address safety concerns.
2. Assess need for hospital emergency and forensic services and summon emergency medical assistance, if needed, or offer to provide or arrange for transportation. [725 ILCS 203/25(a)(2)]
 - a. If the victim consents to a medical forensic exam, the officer will not be present during the physical exam, unless requested by the victim.
 - b. An officer may conduct a joint interview with health care providers, with victim consent.
3. Provide victim or third-party reporter with the "Mandatory Notice for Survivors of Sexual Assault Form" (P.A. 99-0801 - Form A) and document in the narrative of the report that the form was provided. [725 ILCS 203/25(a)(1); (b)] See Appendix.
4. Provide victim or third-party reporter with the Written Statement of Explanation of Crime Victim Rights - Statement of Marsy's Rights within 48 hours of initial contact to inform victims of their rights under the Illinois Constitution, the Rights of Crime Victims and Witnesses Act, and the Crime Victims Compensation Act and document in the narrative of the report that the form was provided. [725 ILCS 120/4(b)] See Appendix.
5. Assist victim.
 - a. Inform the victim that he or she does not need to make a decision about participating in the criminal justice process at this time.
 - b. If the responding officer speaks with the victim after the close of court business hours and if a judge is available, the officer will offer to provide or arrange accessible transportation for the victim to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency civil no contact order or an order of protection. [725 ILCS 203/25(a)(3)]
 - c. Contact an agency social worker or victim advocate, if available, or identify other resources for the victim, including the National Sexual Assault Hotline (1-800-656-4673).
 - d. Determine the best way to contact the victim for follow-up based on the victim's concerns about privacy, confidentiality, and safety.
6. Assess for drug-facilitated sexual assault. See Section 100.5.6.
7. Notify an investigating officer, if other than the responding officer. After January 1, 2019, the investigation will be assigned to an officer trained in sexual assault and sexual abuse investigations pursuant to Section 10.19(d) of the Illinois Police Training Act. If no trained investigating officer is available, the agency will seek assistance from another law enforcement agency with officers trained in sexual assault and sexual abuse investigations pursuant to Section 10.19(d) of the Illinois Police Training Act pursuant to [725 ILCS 203/20(g)]
8. Follow evidence collection, crime scene processing, and chain of custody policies and protocols. See Section 100.5.6.
 - a. Preserve crime scene, if possible.
 - b. Follow Palos Park Police on crime scene processing, documentation of evidence collected, and chain of custody.

- c. Look for evidence suggesting co-occurring, serial, and/or interconnected crimes.
9. Conduct preliminary/initial victim interview utilizing evidence-based, trauma-informed, victim-centered interview questions and techniques.
- a. Determine the primary language of victim and any translation needs. If the interview is conducted at a hospital, the officer may request interpretive services from the hospital. [725 ILCS 203/25(c)] If the interview is conducted at another location, refer to agency policy regarding the use of interpreters. Use of friends and family as interpreters should be avoided, if at all possible.
 - b. Victim will not be required to submit to an interview. [725 ILCS 203/20(e)]
 - c. Victim will not be asked or required to submit to a polygraph examination or any form of a mechanical or electrical lie detector test. [725 ILCS 200/1]
 - d. A private location should be secured, if possible.
 - e. A victim's request for a person, advocate, or attorney for the purposes of support or consultation should be accommodated, if possible. If such person is needed but not available, the interview should be paused to allow the victim to contact the National Sexual Assault Hotline (1-800-656-4673) for immediate support.
 - f. Utilize a Children's Advocacy Center for a forensic interview of a child victim, when available, in accordance with the Children's Advocacy Center's written operational protocol as required by Section 3(c) of the Children's Advocacy Center Act. [55 ILCS 80/3(c)]
 - g. Concerns or needs of specific populations/communities should be taken into consideration. See Section 100.5.10.
10. Fulfill mandatory reporting requirements and document any notifications made in the narrative of the report.
- a. If responding to report of sexual assault or abuse of a child, a Children's Advocacy Center will be notified, if available in the jurisdiction.
 - b. Suspected abuse or neglect of any child will be immediately reported to the Department of Children and Family Services at 1-800-252-2873. [325 ILCS 5/4]
 - c. If responding to a report of sexual assault or abuse, which has occurred within the previous 12 months, of an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation, who because of a disability or other condition or impairment is unable to seek assistance for himself or herself, the officer will report this suspicion, within 24 hours, to the Department on Aging at 1-866-800-1409. [320 ILCS 20/4]
 - d. Officer will immediately report any long-term care facility resident subjected to abuse or neglect, with whom the officer has had direct contact, to the Department of Public Health at 1-800-252-4343. [210 ILCS 30/4]
11. Identify potential conflicts of interest and respond in accordance with Village of Palos Park Police regulation regarding conflicts of interest.
12. Complete a written report. See Section 100.5.3.
13. Send a copy of the written report, if the incident occurred in another jurisdiction, to the law enforcement agency having jurisdiction in person or via fax or email within 24 hours of receiving the reported information using the "Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction Form" (P.A. 99-0801 – Form D). [725 ILCS 203/20(c)] See Appendix. If confirmation from the law enforcement agency having jurisdiction of its receipt of the report is not received within 24 hours of sending the report, the agency will follow up with the agency having jurisdiction. [725 ILCS 203/20(d)]

100.5.3 MANDATORY REPORT WRITING

1. Reporting methods. A written report will be completed when receiving information about a sexual assault or sexual abuse crime from the following:
 - a. A victim. [725 ILCS 203/20(b)(1)]
 - b. Hospital or medical personnel. [725 ILCS 203/20(b)(7)]
 - c. A witness. [725 ILCS 203/20(b)(6)]
 - d. A third-party reporter who has the consent of the victim. [725 ILCS 203/22]
 - i. The name and contact information of the third-party reporter will be documented in the report.
 - ii. The reporter's affirmation that he or she is reporting with the consent of the victim will be documented in the report.
2. Documentation of facts in the report. The report will include information required by 725 ILCS 203/20(b), if known, whether provided at the time of initial report or obtained through investigation and should:
 - a. Include documentation of signs of physical and psychological trauma to the victim.
 - b. Include documentation of any aggravating factors present included in 720 ILCS 5/11-1.30; 11-1.40; 11-1.60 or other relevant statutes.
 - c. Detail and describe the victim's lack of consent, with documentation of the victim's subtle and overt actions. Silence does not imply consent.
 - d. Clearly document, if a consensual encounter turned non-consensual, the details of how and when the suspect's behavior changed and how the victim expressed or demonstrated non-consent to the continued acts.
 - e. As accurately as possible, use the victim's, witness's, and/or suspect's own words in writing. The language used by the victim will not be sanitized or cleaned up.

100.5.4 DUTIES OF OFFICERS INVESTIGATING SEXUAL ASSAULT AND SEXUAL ABUSE

Prior to January 1, 2019, all investigations of sexual assault and sexual abuse should be assigned to an officer who has completed training in sexual assault investigations pursuant to Section 10.19(d) of the Illinois Police Training Act, if one is available. After January 1, 2019, all investigations of sexual assault and sexual abuse will be assigned to an officer who has completed the required training. [725 ILCS 203/20(g)]

Investigating sexual assault and sexual abuse cases:

1. Determine the primary language of the victim, witnesses, and suspects and any translation needs. If a victim interview is conducted at a hospital, the officer may request interpretive services from the hospital. [725 ILCS 203/25(c)] If the interview is conducted at another location, refer to we will utilize third party interpreters. Use of friends and family members as interpreters should be avoided, if at all possible.
2. Interview the victim utilizing evidence-based, trauma-informed, victim-centered interview questions and techniques.
 - a. Victim will not be required to submit to an interview. [725 ILCS 203/20(e)]
 - b. Victim will not be asked or required to submit to a polygraph examination or any form of a mechanical or electrical lie detector test. [725 ILCS 200/1]
 - c. A comprehensive follow-up interview should be conducted after the victim has been medically examined and treated and personal needs have been met.
 - d. A victim should be allowed to complete at least two full sleep cycles before an in-depth interview occurs, if at all possible; however, a victim's request to complete the interview sooner should be honored.
 - e. A private location should be secured, if possible.
 - f. A victim's request for a person, advocate, or attorney for the purposes of support or consultation should be accommodated, if possible. If such person is needed but not available, the interview should be paused to allow the victim to contact the National Sexual Assault Hotline (1-800-656-4673) for immediate support.
 - g. The role or impact of drugs or alcohol should be taken into consideration.

- h. Sources of additional evidence during the victim interview, including electronic communications or knowledge of prior victims, should be explored.
 - i. Concerns or needs of specific communities/populations should be taken into consideration. See Section 100.5.10.
 - j. Officers should be aware of possible defense strategies, including denial, identity, alibi, and consent, and document the relevant information provided.
 - k. Officers should be conscious of the timing of releasing information to the victim or the public if the use of a photo array is possible.
 - l. A case should not be automatically closed following a recantation by the victim; additional inquiry is necessary to determine the cause of the recantation.
 - m. When concluding the follow-up victim interview, the officer should:
 - i. Inform the victim about the next steps in the investigation. Let the victim know when he or she can expect to be contacted again.
 - ii. Encourage the victim to contact the officer if he or she remembers any additional information or evidence and assure the victim that it is common to remember additional information with the passage of time.
 - iii. Help the victim develop a safety plan, if there are safety concerns, and encourage the victim to call the police if the suspect violates any criminal or court orders, or if the suspect (or the suspect's family or associates) contacts the victim in any way (in person, by phone, through social media, etc.).
 - iv. Encourage the victim to work with an advocate to assess future needs.
3. Conduct witness interviews.
- a. Identify and interview individuals present during assault.
 - b. Identify and interview individuals who witnessed pre-assault or post-assault conduct or statements of the suspect or the victim.
 - c. Identify and interview outcry (disclosure) witnesses.
 - d. Identify and interview prior victims for evidence of the suspect's propensity to commit sexual abuse or sexual assault.
4. Conduct suspect investigations.
- a. Prior to contacting the suspect, officers should attempt to:
 - i. Conduct a background check and criminal history for victim and officer safety.
 - (a) Look for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.
 - (b) Conduct LEADS or NCIC search that shows all law enforcement contacts.
 - ii. Evaluate sources of digital evidence. See Section 100.5.4(5).
 - iii. Consider conducting pretext communications with consideration given to minimizing the emotional impact on the victim. Consult the state's attorney's office regarding legal requirements.
 - iv. Develop a timeline of pre- and post-assault behaviors and communications.
 - b. Assess the circumstances for either a noncustodial interview or a custodial interview.
 - c. Conduct suspect interviews.
 - i. Attempt to interview every suspect identified.
 - ii. Audio and video record the entire interview.
 - d. Consider a suspect medical forensic exam.
 - i. Immediately after the preliminary suspect interview, determine whether a forensic sexual assault examination should be obtained for the suspect.
 - ii. Consider legal requirements.
 - (a) Obtain a search warrant to collect any evidence from the body of the suspect, take photographs of any findings on the body, or collect clothing; or

- (b) Obtain consent from the suspect to collect any evidence from the body of the suspect, take photographs of any findings on the body, or collect clothing. If an exam is conducted with the suspect's consent, document that the suspect was informed of his or her right to decline any part of the examination and to leave at any time.
 - iii. Collect evidence.
 - (a) If a health care provider is conducting the forensic examination of the suspect, a law enforcement officer will be present at all times.
 - (b) If in custody, the suspect will be given a Miranda warning before being asked medical history questions by the health care provider or investigator.
 - e. When possible, enter information into the FBI Violent Criminal Apprehension Program Database or forward to the appropriate agency for entry.
 - f. Identify potential modus operandi when suspect is unknown.
5. Evaluate sources of digital evidence including photographs, video, social networking sites, blogs or forums, hidden video recording devices, and computer spyware programs for information related to the sexual assault or sexual abuse. Look for evidence of, investigate, and document any monitoring, surveillance, targeting, and grooming behaviors employed by the suspect through technological means.
6. Follow evidence collection, crime scene processing, and chain of custody policies and protocols. See Section 100.5.6.
7. Complete mandatory report writing requirements. See Section 100.5.3.
8. Consult with State's Attorney's Office to determine what additional information is needed.

100.5.5 SUPERVISOR DUTIES

Supervisors should have an understanding of the impact of trauma on a victim and proper trauma-informed responses by officers. Officers supervising officers responding to and investigating sexual assault and sexual abuse cases should:

- 1. Ensure that officers responding to and investigating sexual assault and sexual abuse utilize evidence-based, trauma-informed, victim-centered policies, procedures, programs, and practices.
- 2. If requested by an officer, or when deemed necessary, respond to assist officers investigating sexual assault and sexual abuse.
- 3. Review all sexual assault police reports for accuracy, consistency, and victim-centered responses.
- 4. Provide officer mentoring and accountability.
- 5. Work to increase interagency communication between law enforcement and prosecutors to ease the transition for victims moving from the investigation phase to prosecution.
- 6. Ensure officers and investigators understand case coding and appropriately clearing sexual assault cases.
- 7. Review all sexual abuse or sexual assault cases cleared by exception or unfounded to ensure cases were not prematurely closed. A case should not be cleared by exception or unfounded until the results of the sexual assault evidence testing are returned and all evidence is reviewed.
- 8. Suspend, inactivate, or otherwise remove cases not cleared by arrest, cleared by exceptional means, or unfounded from an officer's active caseload when all leads have been exhausted and no further investigation is possible.
- 9. Ensure officer and investigator training requirements are met.

100.5.6 EVIDENCE COLLECTION, CRIME SCENE PROCESSING, AND CHAIN OF CUSTODY

1. An officer will take possession of sexual assault evidence collected by hospital personnel within no more than five days of the completion of the medical forensic exam and document the possession of the evidence in the report. [725 ILCS 203/30(a); 725 ILCS 203/30(b)]
2. If a victim declines to consent to testing the evidence, the agency will store evidence for five years from completion of medical forensic exam or five years from victim's 18th birthday, whichever is longer.¹ [725 ILCS 203/30(d)]
 - a. The victim or the victim's designee will be provided the information on "Storage and Future Testing of Sexual Assault Evidence Form" P.A. 99-0801 - Form C may be used. [725 ILCS 203/30(e)] See Appendix.
 - i. The evidence will be stored at the Palos Park Police Department 8999 W 123rd
 - ii. The victim may provide consent for testing at a later date by [725 ILCS 203/30(d)]:
 - (a) Contacting the
 - (b) Working with a sexual assault advocate for the Crisis Center of South Suburbia
3. If a victim consents to testing the sexual assault evidence, the officer will:
 - a. Submit evidence, including but not limited to the Illinois State Police Sexual Assault Evidence Collection Kit, urine specimen, clothing, and crime scene evidence such as condoms, tissue, and bedding, for testing within 10 days of receipt of consent pursuant to the Sexual Assault Evidence Submission Act and document the submission in the case report. [725 ILCS 202/10; 725 ILCS 203/30(b)] No law enforcement agency having jurisdiction may refuse or fail to send sexual assault evidence for testing that the victim has consented to be tested. [725 ILCS 203/30(c)]
 - b. Provide the victim or victim's designee with written information informing the victim of his or her right to request information regarding the submission and results of the testing. "Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Form" P.A. 99-0801 - Form B may be used. [725 ILCS 203/35] See Appendix.

VICTIMS' RIGHTS AND VICTIM NOTIFICATION

1. Officers will provide the Statement of Marsy's Rights to victims within 48 hours of initial contact, informing victims of the rights provided by the Illinois Constitution, the Rights of Crime Victims and Witnesses Act, and the Crime Victims Compensation Act. [725 ILCS 120/4(b)]
2. Officers will advise victims of the availability of crime victim compensation and that any information concerning the Crime Victims Compensation Act and the filing of a claim may be obtained from the Office of the Attorney General. [740 ILCS 45/5.1(b)]
3. Crime victims have the right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process. [725 ILCS 120/4(a)(1)]
4. At the request of the crime victim, officers will provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed. [725 ILCS 120/4.5(a)]

¹ A law enforcement agency having jurisdiction may adopt a storage policy that provides for a period of time exceeding five years. 725 ILCS 203/30(d)

5. Officers will provide notice to a victim if a closed case is reopened to resume the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation. [725 ILCS 120/4.5(a-5)]

6. Victims may have a person, advocate, or attorney with them for the purposes of support or consultation.

7. A victim has a right to request information regarding the submission and testing of forensic evidence.

Upon the request of the victim who has consented to the testing of sexual assault evidence, officers will provide the following information in writing [725 ILCS 203/35(a)]:

- a. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory (Northeastern Illinois Regional Crime Laboratory or DuPage County Forensic Science Center), within seven days of submitting the evidence to a laboratory.
- b. Any test results provided to the law enforcement agency by the laboratory, within seven days of receipt of the results by the agency, including, but not limited to whether:
 - i. a DNA profile was obtained from the testing of the sexual assault evidence from the victim's case;
 - ii. the DNA profile developed from the sexual assault evidence has been searched against the DNA Index System or any state or federal DNA database;
 - iii. 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
 - iv. any drugs were detected in a urine or blood sample analyzed for drug-facilitated sexual assault and information about any drugs detected.

100.5.8 WORKING WITH THE PROSECUTOR

An officer should contact the Cook County State's Attorney's office for assistance with an investigation or felony review, when appropriate.

100.5.9 FOLLOW-UP INVESTIGATIVE PROCEDURES

1. Forensic and offender hits (CODIS matches) relating to sexual assault and sexual abuse cases from Illinois State Police Crime Laboratories or other laboratories are to be received and should include:
 - a. Log receipt of hit information from laboratories;
 - b. Assign an officer to investigate the CODIS hit and potential impact on the investigation;
 - c. Document all investigative steps taken as a result of the CODIS hit; and
 - d. Consult with the local state's attorney's office about the results of the investigation following the CODIS hit.
2. Victim Notification.
 - a. If the status of a cold case changes, including instances where a case is reopened to resume investigation, a crime lab has notified law enforcement of a DNA database "hit," or an offender has been arrested on a warrant, notice to the victim will be provided unless it would unreasonably interfere with the investigation. [725 ILCS 120/4]
 - b. Prior to notification and communication with the victim, officers should consult with the agency social worker or rape crisis advocate. Notification to the victim should be coordinated with the social worker or rape crisis advocate to permit the social worker or advocate to be present if possible. Officers should attempt to notify the victim at a time, place, and manner that provides as much privacy as possible.

100.5.10 CONSIDERATION FOR SPECIFIC POPULATIONS/COMMUNITIES

Each agency should demonstrate a commitment to making sure all officers have the best training and skills necessary to provide services to every community. Resources regarding specific populations/communities can be found at http://www.illinoisattorneygeneral.gov/victims/improvingresponseto_il.html.

APPENDIX

Sexual Assault Incident Procedure Act – Policy Requirements

(725 ILCS 203/15)

Sec. 15. Sexual assault incident policies.

(a) On or before January 1, 2018, every law enforcement agency shall develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse consistent with the guidelines developed under subsection (b) of this Section. In developing these policies, each law enforcement agency is encouraged to consult with other law enforcement agencies, sexual assault advocates, and sexual assault nurse examiners with expertise in recognizing and handling sexual assault and sexual abuse incidents. These policies must include mandatory sexual assault and sexual abuse response training as required in Section 10.19 of the Illinois Police Training Act and Sections 2605-53 and 2605-98 of the Department of State Police Law of the Civil Administrative Code of Illinois.

(b) On or before July 1, 2017, the Office of the Attorney General, in consultation with the Illinois Law Enforcement Training Standards Board and the Department of State Police, shall develop and make available to each law enforcement agency, comprehensive guidelines for creation of a law enforcement agency policy on evidence-based, trauma-informed, victim-centered sexual assault and sexual abuse response and investigation.

These guidelines shall include, but not be limited to the following:

- (1) dispatcher or call taker response;
- (2) responding officer duties;
- (3) duties of officers investigating sexual assaults and sexual abuse;
- (4) supervisor duties;
- (5) report writing;
- (6) reporting methods;
- (7) victim interviews;
- (8) evidence collection;
- (9) sexual assault medical forensic examinations;
- (10) suspect interviews;
- (11) suspect forensic exams;
- (12) witness interviews;
- (13) sexual assault response and resource teams, if applicable;
- (14) working with victim advocates;
- (15) working with prosecutors;
- (16) victims' rights;
- (17) victim notification; and
- (18) consideration for specific populations or communities.

(Source: P.A. 99-801, eff. 1-1-17.)



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 23rd 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
-------------------------	----------------

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

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 725 ILCS 203/35(c). This requirement is effective January 1, 2017.



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 list 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.

Law Enforcement Agency That Received the Initial Sexual Assault Report

Initial Agency Name: _____ **Case Number:** _____

Initial Agency Contact Name: _____

Title: _____ **Phone:** _____ **Fax:** _____

Email: _____

Date Transferred: _____ **Time Transferred:** _____

Confirmation of Receipt of Sexual Assault Report to be completed by Law Enforcement Agency with Jurisdiction Receiving Report

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Person Receiving Report: _____

Title of Person Receiving Report: _____

Date Received: _____ **Time Received:** _____

Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim

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.**



PALOS PARK POLICE DEPARTMENT

Title: *CRIMINAL INVESTIGATIONS*

Procedure: 4.200

Date Issued: MAY 01, 2002

Reviewed: October 2014

POLICY:

To outline the administrative and operational guidelines for efficient and effective criminal investigations.

To outline the administrative and operational guidelines of the Criminal Investigations Unit.

To establish a component within the police department to conduct follow-up investigations.

PURPOSE:

The function of the Criminal Investigations Unit is to supplement the efforts of the Patrol division by ensuring those follow-up investigations of criminal offenses are conducted by trained detectives. The Detective's responsibility begins when the Patrol Officer has reached a point in the preliminary investigation when he can no longer continue because of time, area, workload or specialized skills are needed. The Department's responsibility is to ensure that criminal offenses are thoroughly investigated and that the offenders are promptly and efficiently brought to justice.

PROCEDURE:

SUPERVISOR RESPONSIBILITY

1. The Criminal Investigations Unit is a component of the Support Services Division.
2. The Criminal Investigations Unit is under the command of the Lieutenant of Police who is responsible for the direct

supervision of all detectives and their activities, as well as for their conduct and efficiency, and to insure that all rules, regulations, policies and procedures are carried out by detectives and that the operation of the Unit conforms to the highest ethical standards.

3. The supervisor shall ensure that all cases meeting the criteria for follow-up investigation are effectively and aggressively investigated in a manner that will facilitate the apprehension and prosecution of criminal offenders and/or clearance of reported crime.

4. The supervisor shall assign reports to the detective for follow-up.

5. The supervisor will review and approve all supplementary reports submitted by the detective.

6. The supervisor will ensure that all reports submitted are of the highest quality and correctly reflect the proper direction of the investigation.

7. Determine work schedules and ensure that an on-call schedule for the detective is maintained. A copy shall be given to all supervisors.

8. Ensure that the Chief of Police, through the chain of command is informed concerning all major investigations.

9. Submit monthly reports, to the Lieutenant of Police indicating the number of cases assigned, and their status.

10. Cooperate with all other supervisors to ensure unity of Department goals, and achievement of organizational objectives.
11. Insure that crime analysis, trends and general criminal information is disseminated to Patrol in a timely manner.
12. Insure that investigation logs, records, and files are maintained and updated.
13. Insure the maintenance and security of juvenile records.
14. Annually evaluate all investigative personnel.

DETECTIVE RESPONSIBILITY

1. A detective holds the rank of patrolman and is assigned to the Criminal Investigations Unit by the Chief of Police.

2. Each of the following duties, responsibilities and tasks are performed on an ongoing basis:

Conduct follow-up investigations on each assigned case, until there is an approved disposition.

Investigate delinquent and status offenses committed by juveniles.

Inform the supervisor of all progress in cases assigned by promptly submitting detailed supplementary reports.

Develop intelligence information regarding criminal activity and identification, and forward such information to the Patrol Division by regularly attending roll call.

Develop confidential sources of information to further investigative effectiveness.

Maintain a cooperative liaison with law enforcement agencies at the local, state, and federal levels, sharing information and cooperating in investigations whenever appropriate.

Assist and cooperate with other Department members in the investigation of offenses, toward the objectives of apprehension and prosecution of criminals and the recovery of property.

Assist State evidence technicians in the collection of physical evidence on major cases, ensuring proper preservation and chain of custody.

Prepare cases for court, testifying at each stage of the trial process and cooperate with the prosecutor whenever requested.

Use a major case check list whenever assigned to a major or critical investigation.

Insure civil treatment and the protection of constitutional rights of all persons coming within the scope of the investigation.

Submit daily and monthly activity reports on case assignments.

3. The Chief of Police may assign patrol officers temporarily, to the Criminal Investigations Unit to benefit the Department in the following ways:

Strengthen the investigation process;

Improve criminal investigation reporting;

Improve and provide more complete preliminary investigations;

Create a pool of patrol officers with investigation experience; and

Enhance career development for the individual officer.

CASE SCREENING

1. All reports shall be forwarded to the supervisor of the Criminal Investigation unit for review and assignment.

2. Utilizing the solvability factors, the Criminal Investigation Supervisor shall determine which offenses, shall be investigated.

3. The supervisor of the Criminal Investigations Unit shall also consider the type of crime, seriousness, frequency, impact on the community, research conducted by the Department and from other agencies, and documented experiences of the Department or from other agencies, when screening cases for follow-up.

4. All cases assigned to the Criminal Investigations Unit shall be given a due date. Investigative supplements shall be returned with the proper Uniform Reporting code indicating the case status.

5. All case extensions must be approved by the Criminal Investigation Unit supervisor.

CASE ASSIGNMENT

1. The supervisor of the Criminal Investigations Unit will assign cases to unit personnel.

2. Cases requiring specialized skill, knowledge, and ability should be assigned to personnel having those credentials.

3. All cases assigned shall be logged in the case assignment book.

4. The detective assigned a case for follow-up will become the primary detective and is responsible for the conduct and results of the investigation.

5. All supplementary reports, including records of statements, results of examinations of physical evidence, case report status and all other reports, shall be forwarded to the supervisor for review and approval.

6. In all major cases, i.e., murder, major sex offenses, arson, major burglary, drug cases, etc., or any case where there are extensive files involved, a major case folder will be constructed and maintained by the assigned detective.

7. The supervisor of the Criminal Investigations Unit can authorize the suspension of an assigned case. The determination to suspend shall be based upon the following:

All leads have been exhausted;

Unavailability of Department resources;

Seriousness of crime; and

Impact on the community.

8. All major cases suspended shall periodically be reviewed to determine if any new techniques, information or evidence has surfaced which would result in a reassignment.

9. In all cases where the investigation is suspended, or administratively closed, the victim/complainant will be notified and advised of the change. This notification shall be documented in the supplemental report.

FOLLOW-UP INVESTIGATION PROCEDURES

1. After preliminary investigation and the determination that an investigation follow-up is required, the case will be assigned to the detective. The assigned detective is accountable for conducting the follow-up investigation. All folllow-up investigations should practice acceptable methods of developing information through witnesses, victims, informants and other sources of available information. The following should be considered when conducting an investigation:

Information Development -- use department record systems, contact outside agencies and LEADS/NCIC computer system for background, supportive and historical data.

Interview/Interrogations -- valuable information is obtained by interviewing victims, witnesses and officer that were at the scene. Interrogations of suspects and offenders will provide information on involvement, intent and knowledge of the crime.

Physical Evidence -- the collection and preservation of evidence is often critical in the prosecution of many cases. Every effort should be made to use the best available techniques for gathering evidence. The rules of evidence, proper packaging and chain of custody must be thoroughly understood and applied.

Surveillance -- observations of suspects, offenders and fixed locations are helpful in documenting activities. Surveillance often detects criminal behavior and provides a basis for obtaining a search warrant.

2. When a case is received by a detective he shall notify the victim or complainant, and other principals involved.

3. The detective should discuss the merits of the case, outline the basic course of the investigation and stress the importance of the victim's cooperation in any prosecution. The detective shall notify the victim any time there is a change in the status of their case.

4. Follow-up investigation supplementary reports will be submitted within 10 days of assignment.

5. The following steps shall be considered by officers when conducting a follow-up investigation:

Review and analyze all reports from the preliminary phase,

Conduct additional interviews and interrogations,

Review Department records,

Seek additional information (uniform officers, informants),

Review results from laboratory examinations,

Arrange for dissemination of information as appropriate,

Plan, organize and conduct searches,

Prepare cases for court presentations,

Assist in prosecution,

Identify and apprehend suspects,

Collect physical evidence,

Determine involvement of suspects in other crimes, and

Check suspects criminal histories.

6. The following steps shall be considered by officers when conducting a preliminary investigation for a homicide or major case:

Upon arrival, enter the scene by the route least likely to disturb evidence, noting your route of travel.

Check the victim for signs of life.

Summon medical assistance if necessary.

Be aware of dying declarations. Ask the victim if they know who did this to them, if they can give a description and if they know that they may die.

If the victim is unconscious and being transported to a hospital an officer will remain with the victim at all times for the purpose of a dying declaration

If the victim must be removed from the scene and if possible, photograph the victim's position before removal. If not possible, note and sketch the victim's position.

Accompany the victim to the hospital to collect and mark items of evidence. If doctors and nurses are involved in the evidence recovery process, note the time recovered and identity of that person.

If the victim remains on the scene, secure the scene.

Prevent anyone from touching the body or disturbing anything, pending the arrival of the investigators, evidence technicians or the medical examiner.

Detain and identify witnesses.

Prevent the destruction of fragile evidence such as footprints, tire tracks, etc.

7. Investigation personnel may, on occasion, request that a polygraph examination be conducted to aid an investigation. All such requests must be approved by the Criminal Investigations Supervisor.

8. Any detective who has received approval to use a polygraph examination shall only use the services of the State.

9. All constitutional rights, guaranteed suspects of crimes, shall be strictly adhered to by all sworn personnel. Sworn personnel of the department SHALL NOT:

Use coercion for confessions or admissions;

Unnecessarily delay a suspect's arraignment;

Fail to inform a suspect of his rights;

Deprive a suspect of counsel;

Release pretrial publicity tending to prejudice a fair trial.

BACKGROUND INVESTIGATIONS

1. The Criminal Investigations Unit shall be responsible for conducting background investigations. Background investigations may be necessary to aid criminal investigations or identify organized crime figures.

2. Pre-employment and liquor license background investigations shall be conducted by an investigator.

3. The following sources of information will aid the detective during the background investigation:

F.B.I.
State Police
Secretary of State
Credit Checks
I.R.S.
Utility Companies
Banks
State Welfare Agencies
Local Law Enforcement Agencies
Military Criminal Investigations
Educational Institutions
Associates -- neighbors, family, acquaintances
Employers
Social Security Number verification

4. Information obtained in a background investigation will be controlled through the Criminal Investigations Unit. Files will be separated from other police and investigation records, and shall not be distributed without the approval of the Chief of Police.

5. All information obtained as a result of a criminal background investigation shall be periodically updated and purged as circumstances dictate, and in accordance with State and Federal Law.

MAINTENANCE OF CASE FILES

1. Detectives will maintain a file on cases assigned for follow-up investigation. A typical case file may include reports and support documents.

2. Case assignment information will be logged in the master logbook maintained by the CIU supervisor.

3. Detectives will be responsible for maintaining all copies of pertinent reports and documents in their case file. When an original document relating to the case comes into the custody of the detective he will make a copy for his file and forward the original to the Records unit for inclusion into the master file.

4. Only active cases will be kept by the detective and once the investigation is

complete the case will be turned over to the supervisor for review.

5. Access to investigation case files will be on a need to know basis, with permission of the assigned detective or Investigations supervisor.

6. Case files will be purged according to the Illinois Records Act.

INVESTIGATION OPERATION FUNDS

1. The Department maintains a special fund to support operations by the investigative personnel. The Investigations Unit supervisor is responsible for the security, maintenance, records and accountability of this fund. Only the Investigations supervisor and the Chief of Police are authorized access to the fund.

2. Funds may be used for purchasing contraband as evidence, expenses for surveillance activities, and other related investigation assignments.

3. Fiscal and procedural management of this fund will include the following:

Authorization of the CIU supervisor as responsible for the fund, including acceptance of money into the fund account and disbursement of funds;

Maintaining the fund in a secured location;

Submission of requests for funds prior to use;

Maintaining a ledger that identifies the date, amount and purpose of the expenditure;

Quarterly audit of expenditures to the Chief of Police; and,

Annual financial statement of the fund.

4. The Chief of Police must give prior approval for all expenditures from the fund. If there is an emergency, and the Chief of Police cannot be reached, the Investigation unit supervisor may authorize the

expenditure. However, the supervisor will, as soon as possible, inform the Chief of Police of the expenditure. When the Chief of Police is out of town the supervisor will contact his designee for approval.

5. The Chief of Police will annually request a financial statement of the Investigation Operation Funds. This statement will detail all transactions of the fund.

6. The Chief of Police, or his designee, will conduct periodic audits of the Investigation Operations Fund. These audits will check to ensure that funds are properly detailed, that the funds are maintained in a secure location, records of all transactions are documented, and funds have been disbursed for approved activities.

INVESTIGATION TASK FORCES

1. When members of this department take part in an investigation task force, the following concerns will be addressed:

The purpose is identified;

Responsibilities and authority are defined;

Accountability is established;

Available resources will be identified; and

Results of the task force and their continued necessity will be evaluated.

2. The department is a member of the Southwest Major Case Unit, and the South Suburban Major Crimes Task Force. These units are available to assist our department with additional manpower and equipment for follow up investigations and investigation of major criminal events.

PALOS PARK POLICE DEPARTMENT

Palos Park Police Department Policy INTERVIEWS AND INTERROGATIONS

Reviewed: October 2014

Purpose:

The purpose of this policy is to provide standards and general guidelines for law enforcement interviews and interrogations that are accurate, credible and professionally accomplished.

Policy:

A. It is the policy of the Palos Park Police Department that, the conduct of police interviews and interrogations should be fair, competent, and totally objective. It is extremely important that this practice should also be perceived as non-coercive and unbiased by the courts and the general public.

B. It is the policy of Palos Park Police Department that that, interviews and interrogations comply with all constitutional requirements, applicable state and local laws and strictly adhere to agency investigative procedures.

C. It is the policy of Palos Park Police Department that to accurately and completely record or otherwise document the conditions, content, and conclusions of any interview or interrogations.

This agency acknowledges the advantages of electronic recording whenever investigative and environmental conditions allow.

Procedure: 4-200 (A)

Definitions:

A. Interview: A purposeful and non-accusatory conversation with a victim, a complainant, a witness, or even a possible criminal suspect. The atmosphere is non-custodial and the interviewee should feel that he/she is free to end or terminate the interview and leave at any time.

B. Interrogation: During an interrogation, the person being questioned by the police is not free to leave, and police questioning or conduct is specifically designed to elicit incriminating responses implicating the person in criminal activity. All custodial interrogations shall be preceded by issuance of the Miranda warning.

C. Electronic Recording: The practice of audio recording and/or videotaping an interview or interrogation shall be within the framework of Illinois law to audio-tape any conversation without the consent of all parties.

D. Custody: A suspect is considered to be in custody if, under similar circumstances, a reasonable person in the suspect's position would feel that his/her liberty to move about freely or leave was being restrained in any way.

IV. Guiding Principles - Interviews:

A. Interviews are critical components of a police investigation. Most police interviews are conducted with victims, complainants and witnesses to a criminal act. Interviews may be conducted in the

field, in police facilities, in vehicles, or in any other convenient location.

B. Officers should give clear notification, followed by acknowledgment by the person

being interviewed that the questioning is non-custodial and that the person being questioned is free to discontinue and leave at any time.

C. A fact-finding interview of a possible criminal suspect is not an interrogation. Thus the Miranda warnings are not required.

D. If, at any time during an interview, a person's responses incriminate, or tend to incriminate him/her in the commission of a crime, the questioning officer shall give the Miranda warnings before continuing the interrogation, regardless of whether the person has been arrested. The warnings indicate that the person is now a suspect and that he/she is not at liberty to leave.

E. Whenever possible and practical, officers should prepare a typed (or written) statement of an interview and have it reviewed, acknowledged as accurate and signed by the interviewee.

F. While electronic recording may be appropriate for interrogation of criminal suspects, non-custodial interviews of crime victims, witnesses and associated individuals may also be electronically recorded.

G. Any interview that is electronically recorded must have the express consent of all parties. Persons being interviewed should sign a consent form.

V. Guiding Principles – Interrogations:

A. Custodial interrogations of criminal suspects shall always be preceded by Miranda warnings, using the agency pre-printed form. If at any stage of the custodial questioning, the suspect indicates that s/he wants to stop talking or to consult with an attorney before continuing, the questioning shall stop.

B. Interrogations should be pre-planned and investigating officers should have a clear understanding of the issues to be covered. This ordinarily includes an understanding of the evidence available, victim/witness accounts, offense

elements, possible alibis and defenses, and applicable laws.

C. Interrogations should, whenever possible, be conducted by two officers. Prior to the interrogation each officer should have a clear understanding of the respective roles each will perform.

D. If a confession to a criminal act is obtained, officers should prepare a written statement to that effect and endeavor to have it reviewed, acknowledged as accurate, and signed by the suspect.

E. Where practical and when available, consideration should be given to recording the entire interrogation on videotape. This consideration should be given regardless of whether the interrogation is conducted in the field or in a police facility.

F. If the interrogation is to be electronically recorded, the suspect should first sign a consent form. Covert or surreptitious electronic audio recordings of interviews and interrogations are prohibited by Illinois law.

G. Under no circumstances are interrogating officers allowed to utilize physical force or any physically inhumane or abusive coercion against a suspect to make him or her provide incriminating information. The use of physical force or employment of torture techniques or psychological coercion during an interrogation is unconstitutional.

H. Officers have no authority to offer promises of leniency or special consideration as inducements for admissions or cooperation. This subtle form of coercion is prohibited.

I. Information developed through interrogations and/or confessions should be corroborated to the fullest extent possible by information and evidence available through other investigative means.

J. If there is more than one suspect, any incriminating statements or information supplied by one suspect against another must be independently substantiated.

VI. Special Cases – Juveniles:

- A. Juveniles have the same Miranda rights as adults. A juvenile suspect may waive Miranda and make a voluntary statement during a custodial interrogation, but whether the statement is voluntary depends on factors such as: age; experience; education; background; intelligence; capacity to understand his or her rights and the consequences of waiving them; and presence of a parent during the interrogation.**
- B. The practice of the Palos Park Police Department is that the juveniles parents should be contacted and aware of any interrogation for parental guidance, to have the capacity to understand the significance of his Miranda rights and the consequences of waiving them.**
- C. Interrogation of juveniles should be limited to a reasonable time-duration with opportunities for periodic rest breaks. The number of officers participating in the interrogation of a juvenile should be limited.**

PALOS PARK POLICE DEPARTMENT

Title: *INVESTIGATOR CALL OUT*

Procedure: 4.201

Date Issued: MAY 01, 2002

Reviewed: October 2014

PURPOSE:

To provide for 24-hour availability of a criminal investigator to conduct follow-up investigations when a serious crime has occurred.

POLICY:

It shall be the policy of this department to insure that a member of the Criminal Investigations Unit is notified when a serious crime has occurred and the investigator will be on call at all times.

PROCEDURE:

1. The types of incidents in which an investigator will be notified are as follows:

Homicide
Suicide
Questionable death
Armed robbery
Sex offenses
Child abuse
Burglary
Arson
Bombings
Aggravated battery
Any incident that the watch commander determines needs the immediate attention of an investigator.

2. The watch commander will review all pertinent information surrounding the incident to determine if an off-duty investigator should be notified.

3. If an immediate follow-up investigation is required, the watch commander will authorize the investigator call out.

4. Communications Center personnel will contact the investigator. The watch commander may contact the investigator or have a telecommunicator make notification.

5. When the on call investigator is contacted, he should be advised of the type of incident, location and any special equipment needed.

6. If the investigator cannot be contacted, the Criminal Investigations Unit Supervisor should be contacted immediately.

7. If the watch commander determines that the incident is of major consequence, the chief of Police and the Criminal Investigations Unit Supervisor will be contacted.

PALOS PARK POLICE DEPARTMENT

Title: **JUVENILE CONTACT PROCEDURE**

Procedure: **4.202**

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To outline methods of handling contacts with juveniles.

To respect family autonomy and minimize coercive state intervention, officers dealing with juveniles are encouraged to use the least coercive among reasonable alternatives, consistent with preserving public safety, order and individual liberty.

POLICY:

The police role in juvenile justice should be responsive to community needs. Department members should function in both an enforcement and prevention capacity, emphasizing neither role at the expense of the other. The highest priority is the best interest of the youth providing however that the safety of the community is not endangered. Police contacts with young people require the exercise of tact, understanding, and adherence with legal principles.

DEFINITIONS:

ABUSED MINOR: Any minor under 18 years of age whose parents or immediate family member, or any person responsible for the minor's welfare, or any person who is in the same family or household as a minor, or any individual residing in the same home as the minor, or a paramour of the minor's parent:

Inflicts, causes to be inflicted, or allows to be inflicted upon such minor physical injury, by other than accidental means, which causes death, disfigurement, impairment of

physical or emotional health, or loss or impairment of any bodily functions;

Creates a substantial risk of physical injury to such minor by other than accidental means which would be likely to cause death, disfigurement, impairment of emotional health, or loss or impairment of any bodily function.

Commits or allows to be committed any sex offense against such minor, as such sex offenses are defined in State law, and extending those definitions of sex offenses to include minors under 18 years of age.

Commits or allows to be committed an act or acts of torture upon such minor.

Inflicts excessive corporal punishment.

Whose environment is injurious to his/her welfare.

ADULT: A person 21 years of age or older.

DELINQUENT MINOR: Any minor who prior to his 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or state law or municipal ordinance.

DEPENDENT MINOR: Any minor who is under the age of 18 and:

Is without a parent, guardian or legal custodian;

Is without proper care because of the physical or mental disability of his parent, guardian or custodian;

Is without proper medical or other remedial care recognized under State law or other care necessary for his well being through no fault, neglect or lack of concern by his parents, guardian or custodian; or

Has a parent, guardian, or legal custodian who with good cause, wishes to be relieved of all residual parental rights and responsibilities, guardianship or custody, and who desires the appointment of a guardian of the person with power to consent to the adoption of the minor.

The taking of a minor into temporary custody under this section is not an arrest, nor does it constitute a police record.

DETENTION OF MINORS: Except for minors accused of violations of an order of the court, any minor accused of any act under Federal law, State law or a municipal ordinance that would not be illegal if committed by an adult, cannot be placed in a jail, municipal lockup, detention center or secure correctional facility.

MINOR REQUIRING AUTHORITATIVE INTERVENTION: Any minor under 18 years of age who is:

Absent from home without consent of parent, guardian or custodian, or Beyond the control of his or her parent, guardian or custodian, in circumstances which constitute a substantial or immediate danger to the minor's physical safety; and who, after being taken into limited custody for the period provided for and offered interim crisis intervention services refuses to return home and cannot agree to an arrangement for an alternative voluntary residential placement.

NEGLECTED MINOR: Any minor under 18 years of age who is not receiving the proper or necessary support, education as required by law, or medical or other remedial care

recognized under State law as necessary for a minor's well-being, including adequate food, clothing and shelter, or who is abandoned by his or her parents or other person responsible for the minor's welfare, except that a minor shall not be considered neglected for the sole reason that the minor's parent or other person responsible for the minor's welfare has left the minor in the care of an adult relative for any period of time; or

Any minor under 18 years of age whose environment is injurious to his or her welfare; or

Any newborn infant whose blood or urine contains any amount of a controlled substance.

Any minor under the age of 14 years whose parent or other person responsible for the minor's welfare leaves the minor without supervision for an unreasonable period of time without regard for the mental or physical health, safety, or welfare of that minor.

MINOR: A person under the age of 21 years.

PROCEDURE:

DELINQUENT MINOR

1. When involved with juveniles, officers must remember that the same degree of probable cause is necessary to arrest a juvenile, and the same degree of proof is required to convict a juvenile as is necessary to arrest and convict an adult.

2. When an officer detains a juvenile on a minor violation, the officer may determine that immediate processing through a Juvenile officer is not necessary and he may escort the juvenile home, explaining to the juvenile's parents or guardian the nature of the police contact.

3. The officer will then fill out the necessary offense report and juvenile contact report indicating whether it appeared that the parents or guardian are responsible people who will take appropriate action to prevent new violations. All reports will then be processed and reviewed by the Criminal

Investigations Unit to determine if a follow-up is necessary.

4. When taking a juvenile into custody for an alleged criminal act, the juvenile shall be advised of his constitutional rights, specifically the Miranda warnings, in such a way as to ensure that the juvenile is able to understand them.

5. Immediately make a reasonable attempt to notify the parent, or other legally responsible person, that the juvenile has been taken into custody and where he/she is being held.

6. A Juvenile Officer will be notified upon the arrest of a juvenile for any of the following:

Homicide
Criminal sexual assault
Robbery
Aggravated battery
Burglary
Felony theft
Auto theft
Arson
Forgery
Any other felony sex or drug charge

7. The Juvenile Officer will review State law to determine if the juvenile is eligible for automatic transfer, should be released or detained.

8. If the Juvenile Officer feels that a juvenile should be confined in a Detention Center, he must contact the designated court personnel for that jurisdiction. In order for secure detention of a juvenile to be authorized, the Juvenile Officer must be filing delinquent charges against the minor.

10. Juveniles requiring medical attention should be treated at Cook County Hospital prior to processing or transporting to the intake center.

11. Juveniles arrested and taken into custody for serious misdemeanors or felonies will be photographed.

12. Juveniles arrested and taken into custody for a forcible felony or unlawful use of weapons must be fingerprinted. Officers will

fingerprint the juvenile using both the State and Federal fingerprint card. The State arrest packet and the FBI card will be forwarded to the Criminal Investigations Unit supervisor for processing.

13. Juveniles should not be handcuffed to a stationary object, placed in a locked room, or placed in a detention room, locked or unlocked, in the police facility, unless the officer has determined that the minor should be detained in custody.

14. Whenever it becomes necessary to obtain other forms of identification from a juvenile (e.g., hair, blood, urine, handwriting samples, etc.), the rights and procedures mandated for adult offenders must be observed. Officers must consider the following:

Juveniles cannot always give legal consent for some evidence collection procedures.

A valid court order or warrant must first be obtained if the officer is unable to get voluntary consent from a parent or guardian.

Consent must be written and maintained in the case file.

If there is doubt or confusion, contact the Prosecutors office for advice before taking action.

15. The collection, dissemination and retention of fingerprints, photographs, and other forms of identification pertaining to juveniles shall be the responsibility of the Criminal Investigations Unit supervisor.

16. The detention of juveniles will be handled in the following manner:

No juvenile under 16 will be placed in an adult cell.

Juveniles that have reached their 16th birthday can be placed into the adult lockup, if no adults are in the lockup facility. If an adult prisoner is in the lockup the juvenile must be placed in the juvenile detention room.

Juveniles detained shall be separated by sex.

No juvenile will be detained in the lock up facility for more than six (6) hours.

The period of detention will begin once the juvenile is handcuffed to a stationary object, placed in a locked room, or placed in a detention room, locked or unlocked, in the police facility.

Any juvenile confined will be under constant supervision, and will not be permitted to come into contact with adults who are in custody.

The minor will be informed of the purpose of detention, the time it is expected to last and that it cannot exceed six (6) hours.

No juvenile under the age of ten (10) may be detained in the police facility.

If any juvenile is placed into confinement, the proper information will be placed into the juvenile lockup book.

17. Officers WILL NOT disclose the identity of any juvenile in releasing information to the general public as to the arrest, investigation, or disposition of any case involving a juvenile. All requests for information concerning juveniles will go through the Criminal Investigations Unit supervisor.

INTERROGATIONS OF JUVENILES

Officers must comply with the following when interrogating juveniles:

The juvenile is informed and understands his Fifth Amendment rights prior to any custodial interrogation.

Interrogations, with no more than two officers present, should not be unreasonable in length.

The juvenile be allowed to talk with his/her legal attorney.

Officers shall use discretion in allowing the juvenile to confer with his/her parent or guardian. The type of crime committed and the age and mental state of the juvenile should be considered.

The officer interrogating the juvenile must explain the procedures governing the interrogation process.

If the juvenile shows signs of duress or fatigue, terminate the interrogation.

MINORS REQUIRING AUTHORITATIVE INTERVENTION

1. Officers may take a minor into limited custody, however such custody is limited to six hours and does not constitute an arrest. Officers will document the exact time limited custody was taken.

2. A minor under this section (M.R.A.I.) CANNOT be locked up, placed in a jail cell or detention facility.

3. The officer must inform the minor the reason for the limited custody.

4. Every reasonable effort must be made to inform the minor's parents of the limited custody and the reason for it.

5. If the minor consents, the police may transport or release the minor to his/her parents and refer them, if needed, to an appropriate social service agency.

6. If the minor refuses to go with a parent or guardian, the police officer will contact the Youth Service Bureau responsible and provide the counselor with all pertinent case information. The counselor has the final decision on what will happen to the minor. If for any reason the officer cannot contact this service, the officer will call the Department of Children and Family Services.

7. If the minor refuses to allow an officer to take him/her into limited custody the officer must use discretion, M.R.A.I. acts are not delinquent acts. If the officer feels

the minor is in danger of life or health, or fits into the abuse or neglect act, then the officer may use what force is necessary to take the minor into custody, remembering at all times that this is for the minor's protection.

ABUSED, DEPENDENT AND NEGLECTED MINORS

1. Officers may, without a warrant, take into temporary custody a minor whom the officer with reasonable cause believes to be neglected, abused or dependent, as defined, or who has been adjudged a ward of the court and has escaped from any commitment ordered by the court, or who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment or hospitalization.

2. Officers taking temporary protective custody shall immediately make every reasonable effort to notify the person responsible for the child's welfare and inform that person that the minor has been taken into custody and where the minor is being held.

3. Officers shall immediately notify the Department of Children and Family Services. DCFS will initiate proceedings for continued temporary custody of the child.

TRAFFIC ARREST

1. Juvenile traffic arrests should be handled in the following manner:

If necessary, a report will be completed.

The juvenile's parents will be notified if the juvenile is taken into custody.

If a cash bond is needed, the officer should allow the youth to make every effort to secure funds. If all efforts fail and the bond cannot be made, then on the approval of the shift supervisor, an I-Bond will be issued. The juvenile should not be detained for more than two (2) hours while arranging for bond.

Juveniles awaiting bond for FINE ONLY offenses may be placed in the lobby vestibule.

Juveniles arrested for traffic offenses where jail is a possible penalty may be confined in the juvenile detention room until bonding or release. The juvenile's parents will be notified if the juvenile is held in custody.

PALOS PARK POLICE DEPARTMENT

Title: *JUVENILE UNIT OPERATIONS*

Procedure: 4.203

Date Issued: JANUARY 01, 2002

Reviewed: October 2014

PURPOSE:

To establish the organizational, administrative and operational responsibilities of the juvenile unit.

Coordinating and preparing court cases in which a juvenile offender is involved;

Diverting juvenile offenders out of the juvenile justice system;

POLICY:

Recognizing the police role regarding juveniles in the criminal justice system, the Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. All personnel shall share the responsibility for the Department's juvenile operations function and delinquency prevention efforts.

Participating in community recreational youth programs;

Provide a liaison between the Police Department and all outside agencies and organizations sharing a mutual interest in juvenile matters;

Seek assistance from these agencies to review and comment on the Department's current policies and procedures and solicit their advice and recommendations;

PROCEDURE:

RESPONSIBILITY

1. The Juvenile Unit is a component of the Criminal Investigations Unit and has the primary responsibility for the investigation of cases involving juvenile offenders and victims.

Maintain an up to date listing of social service agencies that provide services for area youths; and

2. All Juvenile Unit personnel will be trained for the specialized function of handling cases involving juveniles.

Assist patrol personnel when requested or called out on juvenile matters.

3. The function of the Juvenile Unit includes, but is not limited to, the following:

To assist the Crime Prevention Officer in designing and implementing programs intended to prevent and control delinquent and criminal behavior by youths;

Follow-up processing of juvenile arrests;

JUVENILE RECORDS AND IDENTIFICATION

1. Juvenile records are kept in accordance with the provision of the Juvenile Court Act.

Requires separation of juvenile and adult arrest records;

Provides for the confidentiality and accessibility of records; and,

Provides for court ordered expungements of juvenile records.

2. Copies of juvenile records will also be maintained in a separate secure file by the Criminal Investigations Unit.

3. The supervisor of the unit will designate one Juvenile Officer to collect, disseminate and file juvenile records, photographs, fingerprints and other forms of identification.

4. Juveniles arrested and taken into custody for serious misdemeanors or felonies will be photographed.

5. Juveniles arrested and taken into custody for felony offenses will be fingerprinted.

6. The Juvenile Officer shall also classify all juvenile contact cards as "active" or "inactive" based on the following determinations:

Active -- minor under seventeen years old

Inactive -- persons seventeen years and older

7. The Juvenile Officer shall pull all records from the juvenile file of all persons when they reach their seventeenth birthday.

8. Inspection and copying of juvenile records maintained by the Police Department which relates to a minor who has been arrested or taken into custody before his seventeenth birthday is only done in compliance with the provisions of the Juvenile Court Act and access to all records shall be on a need to know basis only.

9. It is the responsibility of the designated Juvenile Officer to secure and control access to the juvenile files.

CASE DISPOSITION AND ALTERNATIVES

1. When a minor juvenile has been taken into custody for a delinquent act, the Juvenile Officer may take one of the following actions:

Station Adjustment with release of the minor;

Station Adjustment with release to a parent;

Station Adjustment with referral to community services;

Station Adjustment with release to a third party, pursuant to agreement of minor and parents;

If the juvenile and parent or guardian consent in writing, the Juvenile Officer may condition the release upon the agreement to perform public service work to make restitution for damages.

Release the juvenile to his or her parents and referral of the case to the Cook County Juvenile Court, Screening Unit;

If the Juvenile Officer reasonably believes that there is an urgent and immediate necessity to keep the minor in custody, the Juvenile Officer shall deliver the minor without unnecessary delay to the court or to the Cook County Juvenile Detention Center.

Juveniles who are fifteen years of age and older may be tried in Adult Court for the offenses of murder, aggravated criminal sexual assault, armed robbery with a firearm. When a Juvenile Officer has a juvenile involved in one of these felonies, the Prosecutor's Felony Review Section should be notified.

Any other appropriate action with the consent of the minor and a parent, allowed by law.

2. The factors to be considered in determining whether to release or keep a juvenile in custody for a delinquent act shall include:

The nature of the allegations against the juvenile;

The juvenile's record, if any;

The juvenile's family and the family's present situation;

The juvenile's education and employment status;

The availability of special resources or community services to rehabilitate the juvenile;

The juvenile's past involvement and progress in social programs;

The attitude of complainant and community toward the juvenile;

The present attitude of the juvenile and family; and

The age and circumstances of the juvenile.

ACTIVITY REPORTS

1. The supervisor of the Criminal Investigations Unit shall submit a monthly report to the Chief of Police indicating the previous months' activity in youth services. The report shall include the number of youths contacted during the month and the type of referral by the Juvenile officer. The report should include:

Juvenile contacts

Station adjustments

Referral to social agencies

Referral to juvenile court

Referral to adult court

Community work programs