

PALOS PARK POLICE DEPARTMENT

Title: **D.U.I TRAFFIC ENFORCEMENT**

Procedure: **4.614**

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To establish procedures for handling persons charged with driving while under the influence of alcohol or drugs.

To establish guidelines for conducting a DUI countermeasure program designed to reduce alcohol/drug related crashes.

Interview the driver, establish that he/she was or is in control of the vehicle;

Note any observations that add to your suspicion of intoxication, (odor of alcoholic beverage, slurred speech, etc.). Ask the driver if he has been drinking.

If intoxication is suspected, select a suitable, safe site to administer appropriate field sobriety tests to assess impairment.

If the driver fails the tests and the officer believes the elements for DUI are present the officer should effect an arrest by advising the driver that he is under arrest for DUI and transport the driver to the station for processing; and,

Advise the Communications Center of the arrest and, if necessary, request a certified breath analysis operator.

POLICY:

The Police Department is dedicated to decreasing the incidence of traffic crashes and injuries caused by the intoxicated motorist. Officers are expected to be alert for signs of alcohol and/or drug impairment in contacts with motorists. Countermeasures including programs involving education, enforcement, adjudication, treatment and public support are essential to be successful in reducing the DUI problem.

PROCEDURE:

REASONABLE SUSPICION / PROBABLE CAUSE / ARREST

1. The officer's observations in the initial stages of contact with the offender if dispatched to an incident and in establishing reasonable suspicion for a traffic stop and probable cause for the arrest are critical.

2. When establishing probable cause for arrest, officers should:

Approach the driver with caution;

Identify the driver and request his drivers license and proof of insurance;

IMPOUNDING (TOWING) THE VEHICLE

1. Upon arrest for a DUI violation the arrestee's vehicle will be impounded with the watch commander's approval.

COMPLAINT PROCESSING

1. Complete the DUI citation as soon as possible after the initial arrest. The driver should be issued the citations(s) and read the Warning to Motorist in its entirety before any request for tests of his breath, blood or urine.

PROBABLE CAUSE CITATION:

Issuance of this citation is necessary to establish your probable cause for the stop. (le: erratic driving, no lights, etc.)

ALCOHOL PER SE CITATION:

Issuance of this citation reflects your belief that the subject is under the influence of alcohol or drugs, that must be defined by further testing.

INFLUENCE CITATION FOR ALCOHOL:

Issuance of this citation indicates that as a result of testing it is determined that the subject is under the influence of alcohol. This information is obtained as a result of:

- Breath analysis
- Blood test
- Urine test
- Or combination of the above

INFLUENCE CITATION FOR DRUGS:

Issuance of this citation reflects your belief that the subject is under the influence of some substance, but all alcohol tests indicate a negative result, and/or there is a presence of suspect drugs

INFLUENCE CITATION FOR DRUG AND ALCOHOL COMBINATION:

Issuance of this citation reflects that the subject is under the influence of alcohol, but is impaired beyond the indicated score on the breath test or;

The results of the blood or urine tests indicate the presence of narcotic substance.

DRUGS PER SE CITATION:

Issuance of this citation indicates that the State of Illinois Crime Lab result of testing Blood and or urine samples by the, shows A positive presence of narcotic substance.

IMPLIED CONSENT:**CONDUCTING THE TESTS**
BREATH TEST

1. The breath test will be conducted by a licensed breath analysis operator in accordance with Department of Public Health rules.
2. The Department will use a breath test instrument that is certified and has been approved by the Department of Public Health.
3. If the Department's breath test instrument is inoperable, a supervisor may authorize the use of a breath test instrument of another police department. The arrestee will be transported to the other department and whenever possible the breath analysis operator from the Police Department will conduct the test, if qualified on that breath test instrument.
4. The test operator will record all required information concerning the test in the Breath Test logbook and on the intoxilyzer receipt.

BLOOD TEST

1. Two blood samples will be collected by a physician licensed to practice medicine, a registered nurse or other qualified person in accordance with Department of Public Health rules.
2. Officers will utilize a Department of Public Health approved facility when it is required to take a blood sample.
3. The arrestee should be transported to the Emergency Room where hospital staff are familiar with the requirements for the drawing of blood for DUI cases.
4. Special kits, provided by the State, are available at the hospital for the drawing of blood.

5. The arresting officer is responsible to see that the DUI blood form is completed as required, and all samples are properly labeled. Both the form and labels are provided in the kit. The officer should make a copy of the DUI blood form for our records.

6. Blood samples should be properly packaged, inventoried, and secured into evidence locker until transferred to the crime lab. The officer will complete a Police Department Property Evidence Receipt and a State Police Evidence Receipt.

7. When submitting blood to the crime lab, for analysis of alcohol content, the State Police Evidence Receipt must be submitted at the same time.

URINE TEST

1. Urine samples will be collected under the same environmental conditions as blood samples in accordance with Department of Public Health rules.

2. Police Department personnel may witness the collection of urine samples if requested to do so by hospital personnel.

3. Officers will use a Department of Public Health approved facility for collecting samples of urine. The facility staff will use the same kit provided by the State for blood samples.

4. A person of the same sex as the offender must be present when the urine sample is collected. Another employee of the Police Department may be appointed by the arresting officer as his/her representative for this purpose. If a Department employee is not available, hospital personnel may be requested.

5. Both samples must be properly labeled as required for blood samples.

6. Urine samples will be properly packaged, inventoried and placed in the evidence locker for transfer to the appropriate lab for analysis. Samples should be sent to the lab within 24 hours, if possible.

7. Urine samples should be analyzed for the presence of drugs by the same lab that provides this service for blood samples.

REFUSAL TO SUBMIT TO BREATH, BLOOD OR URINE TESTS

1. The arresting officer shall not offer any advice to the arrestee in regards to taking or not taking any test.

2. The Law Enforcement Sworn Report will be completed by the arresting officer if the subject refuses to submit to the test.

3. The Law Enforcement Sworn Report shall be completed and copies served to the subject.

4. Forms dictated by State statute should be completed.

ZERO TOLERANCE ENFORCEMENT:

Any individual under the age of 21, is in violation of the law if his blood alcohol level reflects any reading except .00

PRELIMINARY BREATH TESTS

Use of the portable breath-testing device, provided by the department may be used to establish probable cause for D.U.I. cases. This unit has been certified by the State of Illinois for use in such cases.

D.U.I. COUNTERMEASURES

1. The Department recognizes that drivers impaired by alcohol and other intoxicants represent a serious threat to the safety of others. Because of the seriousness of this problem the Department maintains a D.U.I. enforcement program that includes provisions for public education, enforcement, and roadside safety checks. The Police Department's D.U.I. Countermeasures Program is focused on the arrest of alcohol and/or drug related traffic offense violations by providing special training to patrol personnel to assist their

efforts in identifying and apprehending offenders.

2. The identification of persons suspected of driving under the influence of alcohol or drugs is an important component of the patrol function. Training will be provided to maintain a proficiency in the identification, apprehension and processing of alcohol/drug impaired motorists. Training courses provided will include:

Breath Test Instrument Operation

Field Sobriety Testing: HGN

Testifying in a D.U.I. Trial

D.U.I. Enforcement

3. Officers should be familiar with those areas of their beat frequently traveled by DUI impaired drivers, and with the locations of DUI related traffic crashes.

4. Supervisors should direct patrol officers to those locations that require selective traffic enforcement for D.U.I., as workload and personnel permit.

PALOS PARK POLICE DEPARTMENT

Title: **TRAFFIC ENFORCEMENT**

Procedure: **4.615**

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To establish general guidelines for the Department's traffic law enforcement program.

POLICY:

The primary purpose of traffic law enforcement is to reduce crashes through active police patrol and violator contacts. Patrol visibility, consistency of effort, education, engineering and public support will facilitate the safe and expeditious movement of vehicular and pedestrian traffic.

PROCEDURE:

ENFORCEMENT RESPONSIBILITY

1. All members of the Department have a responsibility to provide for a fair and reasonable approach to traffic law enforcement, and enforce the same laws in the same manner.

2. Enforcement policies cannot and should not supplant officer judgment. Officer discretion on the proper enforcement action to be taken is based on a combination of the officer's training, experience, and common sense. The intent of this procedure is to set forth-general guidelines for uniform enforcement action for routine traffic situations. It is not the intent of this procedure to limit discretion, but to encourage each officer to use his/her training and experience to the fullest extent.

GUIDELINES FOR ROUTINE TRAFFIC ENFORCEMENT

1. EXCEEDING POSTED SPEED LIMIT.

Legally there is no defense for exceeding the posted limit or for driving faster than conditions safely permit. However, drivers stopped for speed violations may indicate certain factors unknown to the officer before the stop that may have contributed to the violation.

Officers should exercise discretion when deciding if a verbal warning, written warning or a citation is appropriate. Consideration should be given to such factors as weather conditions, traffic volume, pedestrian traffic and location, while always being mindful that excessive speed correlates directly with high incidents of crashes.

2. HAZARDOUS VIOLATIONS

Hazardous violations are defined as those violations that pose a direct hazard to the safe and efficient flow of traffic. In addition, these violations contribute substantially to crashes. For the purpose of this procedure hazardous violations fall into the following categories:

Unsafe Behavior - driver actions are direct violation related to moving violations i.e., violating traffic control devices, signs and other crash related violations.

Unsafe Condition - vehicles that are improperly equipped, i.e., no headlights, worn tires, overweight trucks and any other violation that renders a vehicle unsafe.

Officers are to take immediate enforcement action based on sound judgment upon viewing or detecting hazardous violations.

2. VIOLATIONS BY PUBLIC OR COMMERCIAL CARRIERS

Public/Commercial carriers who violate traffic laws will be treated in the same manner as the general public. Uniform enforcement policies and procedures outlined in those traffic related procedures are applicable.

3. NEWLY ENACTED TRAFFIC LAWS

When new traffic laws are enacted, the Chief of Police will review them to determine the level and schedule of enforcement action to be taken by Department personnel. At his discretion, the Chief of Police may authorize warning tickets as the Department's primary enforcement action until the provisions of the new laws are better known to the public.

4. D.U.I. VIOLATIONS

Refer to the Department D.U.I. Enforcement procedure.

5. MULTIPLE VIOLATIONS

When multiple violations are committed by a single individual and arise from a continuous activity, the enforcement action adopted will be predicated on the most serious offense committed.

In all cases of multiple violations, the enforcement action taken will be sufficient to support a comprehensive and complete case for the prosecution.

6. NON-HAZARDOUS VIOLATION

Enforcement efforts for non-hazardous traffic violations will be

guided by officer discretion. Officers are reminded that voluntary compliance is the goal of enforcement actions for minor violations.

TYPES OF ENFORCEMENT ACTION

1. Officer discretion is important to an effective traffic law enforcement program. Emphasis should be placed on the principles of selective enforcement with resources directed toward specific areas and violations deemed important to the Department's traffic enforcement program.

2. Enforcement action shall be carried out by all Department personnel in a fair, impartial and courteous manner. The officer's actions should demonstrate a positive and professional demeanor at all times.

3. Sworn officers shall take the appropriate enforcement action for each violation of the law reported or observed. Enforcement actions will be accomplished using one of the following methods.

VERBAL WARNING -A verbal warning is appropriate when the violator commits an act that may be due to ignorance of a local ordinance, the Vehicle Code or in the case of a condition of which the driver may not be aware.

WRITTEN WARNING - A written warning may be appropriate for a minor infraction where crash experience is minimal. For example, passing a stop sign at a speed slower than walking when other traffic is not affected.

CITATION - The citation should be issued to violators who jeopardize the safe movement of pedestrian or vehicular traffic. This includes operating unsafe or improperly equipped vehicles, and serious license and registration violations.

CUSTODIAL ARREST - Officers will effect the arrest of any person in violation of traffic laws of a serious nature. Officers shall use sound

legal principles and comply with the provisions established in the Vehicle Code.

JUVENILES - If a juvenile is arrested for a jailable Vehicle Code violation the parent/guardian will be notified as soon as possible.

2. Juvenile traffic violators will be issued "I" bonds if they are unable to post bond as set by statute.

3. Officers will advise juveniles that a parent/guardian must accompany them if they go to court.

SUSPENDED/REVOKE OR NO VALID DRIVER'S LICENSE

1. If the officer has received verification that the driver's license has been suspended or revoked, he should effect custodial arrest of the driver, and assume responsibility for the subject and his property. The driver's vehicle may be parked at the scene or towed with supervisory approval.

2. If the officer is unable to determine the status of the driver's license he should issue any appropriate citations. If it is determined later that the driver's license is suspended or revoked, he should file the additional charges in court, contact the driver and ask him to voluntarily come into the station for new charges, or seek a warrant.

TRAFFIC PATROL VISIBILITY/OBSERVATIONS

1. The most effective deterrent to traffic law violations is visible patrol in a marked vehicle. Traffic law enforcement activities should be directed toward education and prevention rather than apprehension.

2. Officers shall drive patrol vehicles in accordance with existing laws and in such a manner as to demonstrate exemplary driving behavior.

3. In those areas where stationary observation is necessary to maximize the effectiveness of a selective enforcement effort, officers shall park in a conspicuous

location and in such a manner that traffic flow is not impeded.

4. Covert traffic enforcement units will be concealed from view of the roadway being observed. The concealment is to the extent that the observer is not visible to persons using ordinary powers of observations.

5. Unmarked vehicles will not normally be used for traffic enforcement activities. Any use of unmarked vehicles for traffic enforcement requires supervisory approval. Unmarked vehicles may be used for routine patrol in the same manner as marked cars if special enforcement needs exist. Officers are discouraged from enforcing minor traffic violations while in unmarked vehicles. Unmarked vehicles must be equipped with emergency lights and siren.

SPEED ENFORCEMENT/RADAR

1. The use of speed measuring devices can be an effective means of reducing speed related traffic violations. Supervisors will assign the use of radar equipment and determine the location for enforcement.

2. Radar will be assigned to high or potentially high crash locations where speed is a factor; where speed violations are prevalent; in school zones; in response to citizen complaints; and, when conducting traffic volume and speed studies.

3. Department radar equipment shall be manufactured to meet National Highway Traffic Safety Administration specifications.

4. Officer's operating radar equipment will:

- Inspect the radar unit for visible damage;

- Check the unit's internal calibration according to manufacturer's guidelines;

- Check the unit's L.E.D. diodes for proper function; and

- By use of the tuning fork, check the unit for accuracy.

5. Officers using radar equipment are responsible for reporting to their supervisor any malfunctions, problems, or damage to the radar equipment and will forward all requests for service or repairs through their supervisor to the Administrative Services Commander.

6. Department radar units will be inspected and certified annually. If a unit has been damaged or malfunctions it will be repaired and recertified. The Administrative Services Commander will be responsible for maintaining records of all repairs and certification reports.

7. The Department will maintain a training program for patrol officers in radar operations.

REPORTING INCOMPETENT DRIVERS

1. Routine enforcement, crash reporting and investigation activities frequently lead to the discovery of drivers who have a physical or mental condition which might prevent the person from operating a motor vehicle in a safe and reasonable manner.

2. Officers detecting a person who appears to be incompetent, physically or mentally disabled, or suffers from disease or other conditions that prevent him from exercising reasonable and ordinary care over a motor vehicle, will request a reexamination by the Secretary of State.

3. When requesting a reexamination the officer must be specific and relate the circumstances that provide the basis for the request by completing and submitting to the Secretary of State the Driver Condition or Behavior Report - Re-examination Request.

PEDESTRIAN AND BICYCLE ENFORCEMENT

1. Officers will take appropriate enforcement action when and where pedestrian and bicycle violations are observed.

2. The enforcement action will be commensurate with the pedestrian and

bicycle crash experience, and at times and places as determined through analysis of crash reports.

3. The enforcement of traffic laws pertaining to pedestrians and bicyclists requires broad discretion from individual officers. To provide guidance in this discretion the following procedures are established:

Before any substantial increase in the enforcement of pedestrian or bicycle traffic, sufficient publicity and community awareness programs will be implemented.

Officers shall concentrate their efforts on pedestrian and bicycle violations in those areas where crashes have been frequent and severe.

In those areas where traffic flow is minimal and crashes involving pedestrians and bicycles are low, officers should exercise discretion in the application of the law.

4. The Crime Prevention Unit shall be responsible for the implementation of bicycle and pedestrian safety programs. These programs should be directed toward those age groups with the highest percentage of involvement with bicycle/pedestrian crashes.

PARKING ENFORCEMENT

1. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the Village.

2. Street parking is restricted in various areas to ensure fair access to parking and to expedite the flow of traffic during peak hours.

3. Special restrictions apply to weather emergencies and the type of vehicle class.

4. Officers shall enforce parking violations with discretion, taking into account the seriousness of the violation.

5. Special attention should be given to the following areas:
Handicapped parking violations;

Fire hydrant-parking violations;
Business areas during peak hours;
Primary snow route violations; and
Fire lanes.

6. When vehicles are parked in such a manner as to require their immediate removal, officers shall attempt to locate the owner. If unsuccessful, the vehicle shall be towed according to Department procedures.

7. Permission may be granted to illegally park certain vehicles in some situations. The Patrol Division commander or the Chief of Police must approve all major requests for illegal parking in these special circumstances. The watch commander can approve minor deviations from parking enforcement.

8. Parking regulations may be enforced in private parking areas, provided there has been a contractual agreement as provided by ordinance in accordance with the Vehicle Code.

OFF-ROAD VEHICLE ENFORCEMENT

1. Officers shall be alert to off-road vehicles (snowmobiles, dirt bikes, and mini-bikes) which are being used in the City/Village illegally, particularly when their use results in citizen complaints of excessive noise, trespassing and property damage.

2. Officers shall take appropriate action for violations committed by operators of off-road vehicles.

3. Officers shall enforce all applicable laws pertaining to the operation and registration of off-road vehicles.

4. Special attention should be made to the following:

Removal of unlicensed vehicles from streets and highways;

Violations of off-road vehicle registration laws;

Misuse of public and private property;

Citizen complaints of noise, trespass and property damage; and

Juvenile offenders.

PALOS PARK POLICE DEPARTMENT

Title: **ROADBLOCKS**

Procedure: **4.616**

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To establish guidelines on the use of roadblocks in emergency situations.

Sufficient information available on subjects and vehicle;

Elapsed time of the criminal act; Danger to the officer and public; and

That a roadblock constitutes a use of force.

3. When the need for a roadblock arises, a supervisor will evaluate the available information and determine whether a roadblock is warranted and can safely be implemented.

4. A supervisor must authorize, plan, implement and directly supervise roadblock operations.

5. Roadblock locations shall be chosen so that the safety of officers will be maximized. There must be a clear view of the roadblock so vehicles will be able to stop. Roadblocks will be avoided on curves, hills or where the approaching vehicles are unable to clearly see that a roadblock is present.

6. Officers will not remain inside a vehicle used for blocking the roadway.

7. Adequate warning to approaching vehicles is a necessity, unless the only vehicle reasonably expected as the first to approach the roadblock is that of an offender against whom deadly force is authorized, and there is insufficient time to warn the offender prior to his arrival.

8. If the suspect vehicle is being pursued by the police a warning must be provided to pursuing vehicles of the roadblock and the positions of officers manning the roadblock.

DEFINITION:

A roadblock is defined as a restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect.

PROCEDURE:

EMERGENCY ROADBLOCKS

1. Roadblocks are authorized only with the expressed approval of a supervisor.

2. The decision to place a roadblock will be made considering several factors. These include, but are not limited to:

Number of officers available;

Seriousness of the crime;

9. The following blocking techniques will be utilized:

GENERAL

The general position of the parked patrol vehicle is at a 45-degree angle to the traffic flow. This is useful when conditions do not permit bringing vehicles to a complete stop and allows the officer to check the passing vehicles because of their slowed speed. No person will be allowed to remain in a vehicle used to block the roadway.

TWO-LANE ROADWAYS

On a two-lane road, to stop traffic traveling in only one direction, the vehicle will be parked at a 45-degree angle to the flow of traffic, partially on the roadway, blocking the lane used by the traffic to be stopped. The normal speed, stopping distance and element of surprise will be considered when placing warning signs for the roadblock. In darkness the signs will be illuminated.

A stop sign should be placed at the roadblock point. At night red lights or flares may also be necessary. There should be sufficient illumination from a light source so the police officer will be readily recognizable to the traffic. Once a vehicle has stopped, it should be approached in the manner normally used when approaching a violator's vehicle.

While the first officer is checking the vehicle, a second officer should take a position allowing him to cover the entire area. If a third officer is available, he should take a position of natural cover out of the firing line of the other officers.

Light traffic may be stopped in both directions using this blocking system. Heavy traffic will require this blocking procedure on both sides of the road. The blocks should be close enough to one

another to be within sight and to provide assistance as necessary.

MULTI-LANE ROADWAYS

The blockade of one side of the multi-lane roadway is basically the same as that for the two-lane roadway. Additional warning signs will be necessary and if traffic speeds are high, placement must be further ahead. Flares and signs should be used to funnel traffic down to one or two lanes.

10. Only marked police vehicles will be used in roadblocks. Privately owned vehicles will not be used to set up a roadblock.

11. Moving roadblocks will not be used without watch commander approval.

12. Safety of the officers and all civilians will be the primary concern in utilizing the roadblock.

13. Supervisor's will fully inform officers manning the roadblock about the nature and seriousness of the crime, the description of the vehicle and the wanted person, a description of any weapons involved, and if possible any previous record of the suspect.

14. Officers manning a roadblock will be in full uniform including the traffic safety vest.

15. Roadblocks will be well lighted by means of emergency lights, spotlights, fusees, and other available lighting equipment. Special care must be taken to not blind drivers of vehicles as they approach the roadblock.

16. The emergency roadblock will be conducted in conjunction with the authority granted by statute and case law, and the enforcement of state and local laws will be exercised in good faith.

NON-EMERGENCY ROADBLOCKS

1. Roadblocks for parades, public ceremonies, the random checking of drivers or other non-emergency situation requires

prior approval from the Chief of Police or his designee.

2. Supervisors will submit a plan detailing the time, location, equipment, blocking technique, purpose, and manpower required for establishing the roadblock.

3. Non-emergency roadblocks will be implemented and supervised by a supervisor.

4. Procedures used for non-emergency roadblocks will follow those applicable guidelines for emergency roadblocks.

5. Supervisors will submit to the Chief of Police the results, and detail any incidents that occur during roadblock operations other than for parades or public ceremonies.

6. The non-emergency roadblock will be conducted in conjunction with the authority granted by statute and case law, and the enforcement of state and local laws will be exercised in good faith.

PALOS PARK POLICE DEPARTMENT

Title: **ROADSIDE SAFETY CHECKS**

Procedure: **4.617**

Date Issued: **MAY 01, 2002**

Reviewed: **October 2014**

PURPOSE:

To promote the safety of persons using public roadways and to provide a continuing deterrent for those who violate statutes contained in the Vehicle Code and Municipal Code with particular emphasis on the following:

Driving under the influence of alcohol/drugs.

Occupant protection (seatbelts/child restraint).

Mandatory insurance act.

No valid, suspended or revoked driver's license.

Unsafe equipment (lighting, tires, brakes, etc.).

POLICY:

It shall be the policy of this department that roadside safety checks be performed professionally and courteously, and with a view towards educating the public about proper driving procedures.

PROCEDURE:

AUTHORITY AND TACTICS

1. The roadside safety check will be conducted in conjunction with the authority granted by statute and case law, and the enforcement of state and local laws will be exercised in good faith.

2. Any tactic used by police officers in a roadside safety check will be in accordance with the following considerations and priorities:

Enhancement of officer and motorist safety.

Avoidance of undue inconvenience to the public.

The deterrent effect created by the roadside safety check.

DETAIL REQUIREMENTS

1. The Chief of Police or his designee will assign a supervisor to serve as the Checkpoint Commander who will conduct a pre-detail briefing immediately prior to the setup and activation of a checkpoint.

2. The checkpoint site selection will fulfill the following minimum requirements:

Sufficient visibility to oncoming motorists to ensure officer and motorist safety.

Ample space for police and subject vehicles in screening area.

Reduced opportunity for motorists to avoid or escape from the checkpoint.

Sufficient advance warning devices will be in place before activation of the checkpoint to ensure officer and motorist safety.

Uniformed officers and marked police vehicles will be in sufficient quantity and visibility to clearly indicate the presence of legal authority.

CHECKPOINT PROCEDURES

1. The checkpoint commander will be responsible for:
 - Establishing target violations;
 - Deploying personnel;
 - Obtaining necessary equipment; and,
 - Preparing an activity summary and submitting it to the Patrol Division Commander.
2. The selection sequence of vehicles to be stopped will be uniformly applied as prescribed. This sequence may only be altered by the checkpoint commander who will document the reason for the alteration.
3. Assigned officers will not have the authority to change the operational plan. Officer discretion will only be applied as designated by the checkpoint commander.
4. The checkpoint commander will be present on scene to guide operations. Should it become necessary to leave the scene, an acting supervisor will be appointed.
5. The checking process must be thorough while causing a minimal delay to motorists. So long as the available mobile data terminals are functioning properly, driver's licenses and registration will be routinely checked for validity.
6. Officers will be particularly vigilant for any signs of motorist impairment. If an officer detects a violation or acquires probable cause to believe an offense has been committed, appropriate enforcement action will be taken.

7. The courteous treatment of motorists by officers will be a high priority.

ADDITIONAL CONSIDERATIONS

1. Roadway traffic will be closely monitored to avoid excessive congestion.
2. Any police agency that assists in the checkpoint operation will be expected to abide by this procedure.
3. Roadside safety checks should be highly publicized to enhance the general deterrent effect of such activities.

PALOS PARK POLICE DEPARTMENT

Title: EFFECTIVE COMMUNICATION WITH
PEOPLE WHO ARE DEAF OR HARD OF HEARING

Procedure: 4.618

Date Issued: August 20, 2010

Reviewed: October 2014

PURPOSE:

It is the policy of this law enforcement agency, the Palos Park Police Department, to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This Agency has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act. To carry out these policies and legal obligations, the Agency instructs its officers and employees (hereinafter, "officers") 1) as follows:

- People who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided hearing persons.
- The Agency will make every effort to ensure that its officers and employees communicate effectively with people who have identified themselves as deaf or hard of hearing.
- Effective communication with a person who is deaf or hard of hearing involved in an incident -- whether as a victim, witness, suspect, or arrestee -- is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- Various types of communication aids - known as "auxiliary aids and services" - are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; an exchange of written notes; use of a computer or typewriter; use of assistive listening devices (to amplify sound for persons who are hard of hearing); or use of qualified oral or sign language interpreters.
- The type of aid that will be required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue.
- In many circumstances, oral communication supplemented by gestures and visual aids, an exchange of written notes, use of a computer or typewriter, or use of an assistive listening device may be effective. In other circumstances, qualified sign language or oral

interpreters are needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication with a person whose primary means of communication is sign language or speech reading. For example:

- o If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language.
- o If a person is asking an officer for directions to a location, gestures and an exchange of written notes will likely be sufficient to communicate effectively and a sign language interpreter is often not required.
- To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. Officers must ask persons who are deaf or hard of hearing what type of auxiliary aid or service they need. Officers must defer to those expressed choices, unless there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.
- The Agency is not required to provide a particular auxiliary aid or service if doing so would fundamentally alter the nature of the law enforcement activity in question, or if it would cause an undue administrative or financial burden. Only the Agency head or his or her designee may make this determination. For example:
 - o If the Agency has limited financial resources and providing a particular auxiliary aid would cost a large sum of money, the Agency head may determine that it would be an undue financial burden (note: the Agency's budget as a whole must be considered). In this situation, the most effective means of communication that does not involve an undue burden must be used.

- The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Officers must not draw conclusions about incidents unless they fully understand -- and are understood by -- all those involved, including persons who are deaf or hard of hearing.

- People who are deaf or hard of hearing must never be charged for the cost of an auxiliary aid or service needed for effective communication.

ON-CALL INTERPRETIVE SERVICES

- The Agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. The Agency will update this list annually.

- A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who does not use sign language) what is being said by the hearing person and to voice to the hearing person what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary). Certification is not required in order for an interpreter to be "qualified."

TTY AND RELAY SERVICES

- In situations when a non-disabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a text telephone (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

- Officers must review and have a working knowledge of Guide for Law Enforcement Officers

When In Contact With People Who Are Deaf or Hard of Hearing. This document reviews how officers should communicate effectively in the types of situations officers will encounter. These situations include:

- Issuing a non-criminal or motor vehicle citation.

- o Communicating with a person who initiates contact with an officer.
- o Interviewing a victim or critical witness to an incident.
- o Questioning a person who is a suspect in a crime.
- o Making an arrest or taking a person into custody.
- o Issuing Miranda Warnings to a person under arrest or in custody.
- o Interrogating a person under arrest or in custody.

TYPES OF AUXILIARY AIDS AND SERVICES

- Officers must utilize the following auxiliary aids, when available, to communicate effectively:

- o Use of gestures
- o Use of visual aids
- o Exchange of written notes
- o Use of computers or typewriters
- o Use of assistive listening devices
- o Use of teletypewriters (TTY's)
- o Use of qualified oral or sign language interpreters

**C
o
m
m
un
ic
ati
ng
wi
th**

A driver who is deaf writes on a pad of paper to communicate with an officer.

People Who Are Deaf or Hard of Hearing ADA Guide for Palos Park Police Officers

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

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

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

Requirements for Effective Communication

The ADA requires that . . .

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

Communicating with People Who are Deaf or Hard of Hearing

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

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

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

Practical Suggestions for Communicating Effectively

- Before speaking, get the person's attention with a wave of the hand or a gentle tap on the shoulder.
- Face the person and do not turn away while speaking.

- Try to converse in a well-lit area.
- Do not cover your mouth or chew gum.
- If a person is wearing a hearing aid, do not assume the individual can hear you.
- Minimize background noise and other distractions whenever possible.
- When you are communicating orally, speak slowly and distinctly. Use gestures and facial expressions to reinforce what you are saying.
- Use visual aids when possible, such as pointing to printed information on a citation or other document.
- Remember that only about one third of spoken words can be understood by speech reading.
- When communicating by writing notes, keep in mind that some individuals who use sign language may lack good English reading and writing skills.
- If someone with a hearing disability cannot understand you, write a note to ask him or her what communication aid or service is needed.
- If a sign language interpreter is requested, be sure to ask *which* language the person uses. American Sign Language (ASL) and Signed English are the most common.
- When you are interviewing a witness or a suspect or engaging in any complex conversation with a person whose primary language is sign language, a qualified interpreter is usually needed to ensure effective communication.
- When using an interpreter, look at and speak directly to the deaf person, not to the interpreter.
- Talk at your normal rate, or slightly slower if you normally speak very fast.
- Only one person should speak at a time.
- Use short sentences and simple words.
- Do not use family members or children as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively.

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

Palos Park Police Department contact information for obtaining an interpreter, an assistive listening device, or other communication aid or service SWCD
708 448 6180

PALOS PARK POLICE DEPARTMENT

Title: Wearable Mini Cameras
Portable Audio/Video Device

Procedure: 4.619

Date Issued: June 18, 2011

Reviewed: October 2014

POLICY:

It shall be the policy of the Palos Park Police to provide officers with a method to record and document law enforcement activity through the use of on officer audio/video equipment designed to record officer involved incidents as they are occurring.

situations like, fights, altercations, serious car accidents, in progress calls, etc...

In essence, officers wearing department issued cameras should activate the cameras on every call.

OPTIONS/DIFFERENCES: IN CAR CAMERA VS WEARABLE CAMERA

Illinois law currently allows you to use the sound/video interaction on all traffic enforcement stops. When you are on a call and/or going into a home or business, **the Sound portion of the wearable camera must be turned off**

You can use the wearable camera sound and video on a traffic stop; **you cannot record the sound during a call for service. The video can be on; the sound must be turned off.**

Police interactions are increasingly recorded, not only on cell phones, but by officers. Cameras have been on the dashboards of patrol units for years. This innovation places the cameras on police officers themselves. The cameras ensure accurate police reports and allow immediate viewing, to help in evidence collection, crime scene setting and real time scene footage.

PROCEDURE:

Officers wearing the wearable cameras must notify their supervisors that they have one, turn over video for review by supervisors, and submit recordings of evidentiary value. When the wearable camera is being used, it should always be operating in critical

Cameras used: SCORPION MICRO DV

*****Any videos of arrests containing serious/violent natures or incidents/call that have the potential to end in litigation shall**

***be saved onto a dvd/cd disc for a
period of two years******

PALOS PARK POLICE DEPARTMENT

Title: CONCEALED FIREARMS CARRY

Procedure: 4-620

EFFECTIVE DATE: October 30, 2014

REVIEW DATE: March 1, 2019

PURPOSE:

The purpose of this policy is to provide Palos Park Police Department employees with a uniform set of guidelines to govern their actions as it pertains to the Firearm Concealed Carry Act (430 ILCS 66/ et seq.).
CONCEALED CARRY

A. Pursuant to the Firearm Concealed Carry Act (430 ILCS 66/ et seq.), private citizens, under certain conditions, with the required training and with specified restrictions, will be allowed to carry a concealed or partially concealed firearm within the State of Illinois.
Concealed Firearms Carry

1. The Chief of Police or his designee shall have final approval on any objection. If the objection is approved by the Chief of Police or his designee, a committee member shall forward the objection and applicant's arrest record, and any additional information to the Concealed Carry Licensing Review Board through the website.

F. According to 430 ILCS 66/45, with the exception of willful and wanton misconduct, a law enforcement agency cannot be held liable for any damages in any civil action arising from alleged wrongful or improper granting, denying, renewing, revoking, suspending, or failing to grant, deny, renew, revoke, or suspend a license under the Firearm Concealed Carry Act.

LAW ENFORCEMENT OBJECTION CRITERIA

A. Section 15 of the Firearm Concealed Carry Act (430 ILCS 66/ et seq.) authorizes law enforcement agencies to object to a license application for a Concealed Carry License.

1. The following criteria shall be used as the basis of the objection under the Act:

a. Based upon a reasonable suspicion, the applicant is a danger to himself or herself or others, or a threat to public safety or

b. If a license applicant has 5 or more arrests for any reason that have been entered into the Criminal History Records Information (CHRI) System, within the 7 years preceding the date of application for a license or

c. Has 3 or more arrests within the 7 years preceding the date of application for a license for any combination of gang-related offenses, 1) For purposes of this subsection, "gang-related offense" is an offense described in Section 12-

A. Custodial Arrest with a Valid Concealed Carry License and a Firearm

1. If an individual, having a valid Concealed Carry License and carrying a firearm, is placed into custody for an offense that is NOT in violation of the Firearm Concealed Carry Act (430 ILCS 66/ et seq.) or 720 ILCS 5/24-1, Unlawful Use of Weapons or any other applicable statute where a firearm is an element of the crime (i.e. Aggravated Assault) the following procedures shall be adhered to:

a. The firearm(s) will be placed into custody by the arresting officer.

b. A LEADS inquiry of the firearms shall be made.

c. The firearm(s) will be transported to the department under the following circumstances:

1) The firearm(s) cannot be turned over to another individual, at the request of the owner, with a valid Concealed Carry License at the scene, or

2) The firearm(s) cannot be turned over to another individual, at the request of the owner, with a valid Firearm Owner's Identification Card (FOID card) and in accordance with 720 ILCS 5/24-1(a)10 (broken down in a non-functioning state; or are not immediately accessible; or are unloaded and enclosed in a case, firearm carrying box, shipping box, or other), or 3) The firearm(s) are not capable of being stored safely on scene, or

4) The request of the owner.

d. Gun cases are available for firearm(s) transport to the Department and are located in the patrol supervisor vehicles.

e. The transporting officer shall transport the arrestee into the sally port.

- f. The arrestee's firearms shall be placed in the lockbox located in the sally port prior to the arrestee being brought into lock-up.
- g. After securing the firearm(s), the arrestee will be escorted into lock-up and processed accordingly.
- h. The Detention Aide shall be notified of the firearm(s) held for safekeeping in the bond out room lockbox.
- i. The transporting officer shall exit the lock-up and remove the arrestee's firearm(s) from the lockbox.
- j. The transporting officer will walk the firearm(s) around to the lock box located adjacent to the lock-up.
- k. The transporting officer shall secure all applicable firearm(s) inside the lock box before returning to lock-up.
- l. The transporting officer shall hand the lockbox key over to the Detention Aide.
- m. If the arrestee bonds, the Detention Aide shall do the following:
 - 1) Provide the arrestee with all his property held within the lock-up area.
 - 2) Explain to the arrestee that his firearm(s) are located in a lock box located inside the bond out room.
 - 3) Advise the arrestee once he has bonded that he may not return to the department while possessing a firearm(s).
 - 4) Escort the arrestee into the bond out room.
 - 5) Hand the arrestee the lock box key and immediately return to the lock-up.
 - 6) Prior to re-entry into the bond out room for any reason, ensure that the arrestee has left.

If an individual is carrying a firearm and is placed into custody for an offense that IS in violation of the Firearm Concealed Carry Act (430 ILCS 66/ et seq.), Unlawful Use of Weapons (720 ILCS 5/24-1), or any other applicable statute where a firearm is an element of the crime (i.e. Aggravated Assault), the arresting officer shall place the firearm(s) into Evidence Recovery and Property Section as outlined in

Assist to Fire Department

1. In the event that a fire protection district is requesting the department's assistance with securing a firearm(s) from an individual requiring medical attention, the assisting officer shall place the firearm(s) into Evidence Recovery and Property Section

2. PROPERTY ADMINISTRATION AND OPERATIONS under the following circumstances:

- a. The firearm(s) cannot be turned over to another individual with a valid Concealed Carry License at the scene, with the owner's request.
 - b. The firearm(s) cannot be turned over to another individual, at the request of the owner, with a valid Firearm Owner's Identification Card (FOID card) and in accordance with 720 ILCS 5/24-1(a)10 (broken down in a non-functioning state; or are not immediately accessible; or are unloaded and enclosed in a case, firearm carrying box, shipping box, or other), or
 - c. The firearm(s) are not capable of being stored safely on scene (i.e. at the home of the person requiring medical attention), or
 - d. The request of the owner.
- Concealed Firearms Carry**
2. An inquiry of the validity of the Concealed Carry License shall be made.
 3. Any firearm held for safekeeping shall be checked through LEADS prior to entry into ERPS.
 4. A general case report shall be written outlining the facts surrounding the assistance to the fire department and the need to have the firearm(s) placed into ERPS.
- a. The name of the person any firearm is turned over to shall be placed in the applicable written report.
- C. Transportation**
1. Only sworn personnel shall provide transportation to valid Concealed Carry License holders who are in possession of a concealed firearm.
 - b. An officer has the right to ask and secure the firearm(s) of any valid Concealed Carry License holder prior to providing approved transportation in a department vehicle.
 - c. If the Concealed Carry License holder refuses to relinquish any firearm(s) prior to transportation in a department vehicle, the transporting officer may refuse to provide a ride.

PALOS PARK POLICE DEPARTMENT

Title: Operations Audio Recording Equipment

Procedure: 4.620(a)

Date Issued: July 1, 2013

Reviewed: October 2014

PURPOSE:

To provide guidelines for the use of mobile audio recording equipment. (Sony ICD PX333 Digital Voice Recorder)

This procedure applies to sworn officers. Mobile video/ audio recording equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of officer performance as well as in training.

In order to maximize the utility of this equipment in these related areas, officers shall follow the procedures for mobile audio/video recording equipment use as set forth in this policy.

Program Objectives:

This agency adopted the use of in-car video/audio recording systems (4.610) in order to accomplish several objectives, including:

- Accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court.
- The enhancement of this agency's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction and evidence for investigative purposes, as well as for

officer evaluation and training.

- We now seek to enhance Policy 4:610 with an audio recording system for patrol officers.

Operation Procedure:

- This agency will issue and use audio recording systems for patrol officers, with the devices assigned to each full time sworn officer. Additional devices will be available as needed.
- Officers will be trained in the use of the equipment prior to use.
- Prior to each shift, officers will determine whether the audio recording equipment is working properly. Any problems with the equipment will immediately be reported to a supervisor.
- Audio recording equipment will be activated manually and used during non-enforcement activities; to capture, memorialized and record statement, witness/victim interviews as an additional investigative tool.
- Officers will ensure that the equipment is operating in order to ensure critical interview are memorialized.

The audio recorder should be activated in order to provide narration with the audio recording. When possible, officers should also use the audio recorder to document:

- The recording would prove useful in later judicial proceeding.

- The circumstances at crime and accident scenes or other events as a tool to capture critical statements and interviews.
- Officers will not alter audio recording media.
- All recordings will be properly identified and labeled prior to being submitted as evidence or being submitted for storage.
- Officers will inform a supervisor of any recording sequences that may be of value for evidentiary purposes. Officers will note in incident, arrest and related reports when audio recordings were made during the incident in question.
- Officers are encouraged to review their own audio recording periodically for training purposes. The audio system is a key note taking source and review tool when writing reports.
- All recording should be marked in a manner that allows efficient identification and retrieval. Recordings will be marked with the offense number or subject's name.
- Supervisors will ensure that damaged or nonfunctional audio recording equipment is promptly reported to the Chief of Police.

The device that will be issued and used by the Palos Park Police Department is the Sony ICD PX333 Digital Voice Recorder.

Control and Management:

- Any audio recordings containing information that may be of value for case prosecution or in any criminal or civil proceeding shall be handled and safeguarded as other forms of evidence.
- This recording will:
 1. Be subject to the same security restrictions and chain of evidence safeguards as detailed in this agency's evidence control procedure.
 2. Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage.
 3. Not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police.
- Recording should be stored in the PPPD case file for a minimum of 90 days.

PALOS PARK POLICE DEPARTMENT

SUBJECT: INTERACTION WITH THE MENTALLY ILL

Procedure: 4.620(b)

EFFECTIVE DATE: October 20, 2014

REVIEW DATE: March 1, 2018

PURPOSE:

The purpose of this order is to provide guidance and procedures for department members to use when interacting with people who are suspected to be mentally ill and/or in need of mental health treatment.

POLICY:

Police officers are often called upon to respond to incidents involving persons who are known to be or suspected of suffering from a mental illness. The degree of police involvement or intervention depends on the condition of the particular individual as well as the circumstances surrounding the encounter. In non-emergency situations police intervention may be required to help calm a person in crisis, provide information, and whenever appropriate, link the person with mental health professionals or organizations for treatment. In emergency situations, it is necessary for the benefit and safety of the individual and the community to take the person into custody in order to insure that their mental stability is properly evaluated. Nothing in this policy is intended to increase, modify, or in any way affect the current legal standards nor shall any deviation from these guidelines be considered a breach of any legal standard.

DEFINITIONS:

Delusion: False beliefs that are deeply entrenched and clearly not based in reality and are not consistent with cultural beliefs or the person's level of intelligence and life experiences. Persons cling to these beliefs even after they are shown to be false.

Dementia: Two or more symptoms involving progressive impairment of brain function including, but not limited to, language, memory, visual spatial perception, emotional behavior, and cognitive skills.

Developmental Disability (405 ILCS 5/1-106): A disability which is attributable to: (a) mental retardation, cerebral palsy, epilepsy or

autism; or to (b) any other condition which results in impairment similar to that caused by mental retardation and which requires services similar to those required by mentally retarded persons. Such disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial handicap.

Hallucination: Auditory, olfactory, visual, or tactile false perceptions or unreal apparitions. They do not correspond to the stimuli that are present and have no basis in reality.

Hallucinations in one culture are not in another (they may be considered visions or conversations with a higher being).

Good Faith Exception (405 ILCS 5/6-103(a) and (d)): The Illinois Compiled Statutes provides that all persons acting in good faith and without negligence in connection with the preparation of applications, petitions, certificates or other documents for the apprehension, transportation, examination, treatment, habilitation, detention or discharge of an individual under the provisions of this act incur no liability, civil or criminal, by reason of such acts. An act of omission or commission by a peace officer acting in good faith rendering emergency assistance or otherwise enforcing the compiled statutes does not impose civil liability on the peace officer or his or her supervisor or employer unless the act is a result of willful or wanton misconduct.

Involuntary Admission Authority (405 ILCS 5/3-600): A person 18 years of age or older who is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization may be admitted to a mental health facility.

Involuntary Admission; Petition (405 ILCS 5/3-601): When a person is asserted to be subject to involuntary admission and in such a condition that immediate hospitalization is necessary for the protection of such person or

others from physical harm, any person 18 years of age or older may present a Petition to the facility director of a mental health facility in the county where the respondent resides or is present. The Petition may be prepared by the facility director of the facility.

The Petition shall include all of the following:

1. A detailed statement of the reason for the assertion that the respondent is subject to involuntary admission, including the signs and symptoms of a mental illness and a description of any acts, threats, or other behavior or pattern of behavior supporting the assertion and the time and place of their occurrence.
2. The name and address of the spouse, parent, guardian, substitute decision maker, if any, and close relative, or if none, the name and address of any known friend of the respondent whom the petitioner has reason to believe may know or have any of the other names and addresses. If the Petitioner is unable to supply any such names and addresses, the petitioner shall state that diligent inquiry was made to learn this information and specify the steps taken.
3. The petitioner's relationship to the respondent and a statement as to whether the petitioner has legal or financial interest in the matter or is involved in litigation with the respondent. If the petitioner has a legal or financial interest in the matter or is involved in litigation with the respondent, a statement of why the petitioner believes it would not be practicable or possible for someone else to be the petitioner.
4. The names, addresses, and phone numbers of the witnesses by which the facts asserted may be proved.

Mental Health Crisis: A situation where a person's normal coping mechanisms have become overwhelmed causing that person to pose an immediate and significant risk to himself/herself or others.

Mental Health Facility (405 ILCS 5/1-114): Any private hospital, institution, or facility or section thereof operated by the state or political subdivision thereof for the treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, and mental health centers which provide treatment for such persons.

Mental Illness (405 ILCS 5/1-129): A mental or emotional disorder that substantially impairs a person's thought, perception of reality, emotional process, judgment,

behavior, or ability to cope with the ordinary demands of life, but does not include a developmental disability, dementia or Alzheimer's disease absent psychosis, a substance abuse disorder, or an abnormality manifested only by repeated criminal or otherwise anti-social conduct.

Mental Retardation (405 ILCS 5/1-115): Significantly sub-average general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years.

Peace Officers; Petitions (405 ILCS 5/3-606): A peace officer may take a person into custody and transport him/her to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the peace officer may complete the petition under Section 3-601. If the petition is not completed by the peace officer transporting the person, the transporting officer's name, badge number, and employer shall be included in the petition as a potential witness as provided in Section 3-601 of this chapter.

Persons Subject to Involuntary Admission (405 ILCS 5/1-119): A person with mental illness and who, because of his/her illness, is reasonably expected to inflict serious physical harm upon oneself or another in the near future which may include threatening behavior or conduct that places another individual in reasonable expectation of being harmed; or a person who, because of his/her illness, is unable to provide for his/her basic physical needs so as to guard oneself from serious physical harm without the assistance of family or outside help.

Psychosis: A loss of contact with reality typically includes delusions and hallucinations.

A. Mental illness is quite often difficult to define in a given individual. Department members are not expected to make judgments of mental or emotional disturbance, but rather to recognize behavior that is potentially destructive and/or dangerous to oneself or others. The following guidelines, which can be used on the street as well as during interviews and interrogations, are generalized signs and symptoms of behavior that may suggest the presence of a mental

illness. Department members should not rule out other potential causes including, but not limited to, reactions to narcotics, alcohol, or temporary emotional disturbances that are motivated by situations. Department members should evaluate the following related symptomatic behavior in the total context of the situation when making judgments about the individual's mental state and need for intervention, absent the commission of a crime.

B. Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.

C. Individuals who demonstrate extremely inappropriate behavior for a given context may be ill. For example, motorists who vent their frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.

D. Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.

E. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:

1. Abnormal memory loss related to such common facts as name, home address, etc., although these

may be signs of other physical ailments such as injury or Alzheimer's disease.

2. Delusions, the belief in thoughts or ideas that is false, such as delusions of grandeur ("I am Christ.") or paranoid delusions ("Everyone is out to get me.").

3. Hallucinations of any of the five senses (hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.).

4. The belief that one suffers from extraordinary physical maladies that are not possible, such as a person who is convinced that his/her heart has stopped beating for extended periods of time.

5. Obsession with recurrent and uncontrolled thoughts, ideas, and images. Extreme confusion, fright, or depression.

F. Mental illness can also be evident when individuals display sudden changes in lifestyle which include, but are not limited to, an

unwillingness to live up to commonly accepted rules and responsibilities, sudden and drastic mood swings, serious lack of judgment regarding money, job, family, and property, or marked and extreme departures in dress and sexual behavior.

G. Other causes of abnormal behavior may include some of the characteristic behavior of the mentally ill but should not be confused with mental illness. There are important differences between individuals suffering from developmental disabilities and those who suffer from mental illness. These include the following:

1. Subnormal intellectual capacity and deficiencies in a person's ability to deal effectively with social conventions and interaction. The mentally retarded may display behaviors that are rational but are similar to younger persons who are not retarded. By contrast, the mentally ill may not be impaired intellectually and may act in many instances as rational, functional members of society. Their behavior generally fluctuates between the normal and the irrational. The mentally retarded individual does not demonstrate this type of behavioral fluctuation. Mental retardation is evident during a person's early years and is a permanent condition for life, whereas mental illness may develop during any period of an individual's life. The mentally retarded individual does not engage in violent behavior without the types of provocations that may initiate violence among the non-retarded person.

2. Persons suffering from Cerebral Palsy exhibit motor dysfunctions that may be confused with some characteristics of either the mentally retarded or the mentally ill. These include awkwardness in walking, involuntary, and uncontrollable movements or seizures, and problems in speed and communication.

3. Autistic persons often engage in compulsive behavior or repetitive and peculiar body movements. They may also display unusual reactions to objects or people they see around them, appear insensitive to pain, and may be hyperactive, passive, or susceptible to tantrums. Such persons may also appear retarded in some areas, but highly capable or gifted in others.

DETERMINING DANGER

A. Not all mentally ill persons are dangerous while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to himself/herself, the officer, or others.

These include the following:

- 1. The availability of any weapons to the suspect**
- 2. Statements by the person that suggest to the officer that the individual is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendos to direct threats that when taken in conjunction with other information paints a more complete picture of the potential for violence.**
- 3. A personal history of violence towards themselves or others in previous circumstances that is similar or related. The officers, family, friends, or neighbors may have helpful information on the history of disturbed person. All efforts should be made to obtain as much background information on the person.**
- 4. Failure of the disturbed individual to act prior to arrival of the officer does not guarantee there is no danger, but it does tend to diminish the potential for danger.**
- 5. The amount of control that the person demonstrates is significant, particularly the amount of physical control over emotions or rage, anger, fright, or agitation. Signs of a lack of control include extreme agitation, inability to sit still or communicate effectively, wide eyes, and rambling thoughts and speech. Clutching one's self or other objects to maintain control, begging to be left alone, or offering frantic assurances that one is all right may also suggest that the individual is close to losing control.**
- 6. The volatility of the environment is a particularly relevant factor that officers must evaluate. Agitators that may affect the person or a particular combustible environment that may incite violence should be taken into account.**

Guidelines for Contacts on the

Street/Interviews and Interrogations

When an officer determines that an individual may be mentally ill and poses a potential threat to oneself, the officer, or others, the officer shall remember that his/her personal

safety and that of others is paramount and all necessary measures shall be employed to resolve any conflict safely utilizing the appropriate force to resolve the issue. The following represents proven techniques that will assist the officers in handling potentially mentally ill individuals:

- 1. Request a backup officer especially in cases where the individual may need to be taken into custody.**

When possible, a supervisor should respond to assist the primary officer.

- 2. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. If violent or destructive acts have not occurred, avoid physical contact and take time to assess the situation.**

- 3. Move slowly and do not excite the person. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.**

- 4. Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern for how the person is feeling and allow the person to express his/her feelings. Do not dispute delusions or pretend to see or hear hallucinations; simply communicate empathy about how they are affecting the person.**

- 5. When possible, gather information about the person from acquaintances or family members to better assess the situation at hand**

- 6. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.**

- 7. Avoid topics that may agitate the person and guide the conversation by asking simple questions to determine if the person is oriented (name, address, telephone number, time of day, day of the week, date, etc.).**

- 8. Always, attempt to be truthful with a mentally ill individual. If the subject becomes aware of a deception, he/she may wish to withdraw from the contact in distrust and become hypersensitive or retaliate in anger.**

- D. When administering the Miranda warnings for criminal offenses, officers should make every effort to determine the extent to which the individual's illness impairs their ability to comprehend and give informed consent.**

Medications taken to treat mental illnesses

may also impair comprehension and ability to give informed consent.

E. When officers doubt an individual's capacity to understand their rights, they shall ask the individual to explain each of the Miranda warnings in their own words and make a record of the individual's explanations. If the officer believes that the individual does not have an understanding of their rights, questioning of the individual related to the criminal investigation should cease.

PALOS PARK POLICE DEPARTMENT

Title: Operations Audio Recording Equipment

Procedure: 4.621

Date Issued: July 1, 2013

Reviewed: October 2014

PURPOSE:

To provide guidelines for the use of mobile audio recording equipment. (Sony ICD PX333 Digital Voice Recorder)

This procedure applies to sworn officers. Mobile video/ audio recording equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of officer performance as well as in training.

In order to maximize the utility of this equipment in these related areas, officers shall follow the procedures for mobile audio/video recording equipment use as set forth in this policy.

Program Objectives:

This agency adopted the use of in-car video/audio recording systems (4.610) in order to accomplish several objectives, including:

- Accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court.
- The enhancement of this agency's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction and evidence for investigative purposes, as well as for

officer evaluation and training.

- We now seek to enhance Policy 4:610 with an audio recording system for patrol officers.

Operation Procedure:

- This agency will issue and use audio recording systems for patrol officers, with the devices assigned to each full time sworn officer. Additional devices will be available as needed.
- Officers will be trained in the use of the equipment prior to use.
- Prior to each shift, officers will determine whether the audio recording equipment is working properly. Any problems with the equipment will immediately be reported to a supervisor.
- Audio recording equipment will be activated manually and used during non-enforcement activities; to capture, memorialized and record statement, witness/victim interviews as an additional investigative tool.
- Officers will ensure that the equipment is operating in order to ensure critical interview are memorialized.

The audio recorder should be activated in order to provide narration with the audio recording. When possible, officers should also use the audio recorder to document:

- The recording would prove useful in later judicial proceeding.

- The circumstances at crime and accident scenes or other events as a tool to capture critical statements and interviews.
- Officers will not alter audio recording media.
- All recordings will be properly identified and labeled prior to being submitted as evidence or being submitted for storage.
- Officers will inform a supervisor of any recording sequences that may be of value for evidentiary purposes. Officers will note in incident, arrest and related reports when audio recordings were made during the incident in question.
- Officers are encouraged to review their own audio recording periodically for training purposes. The audio system is a key note taking source and review tool when writing reports.
- All recording should be marked in a manner that allows efficient identification and retrieval. Recordings will be marked with the offense number or subject's name.
- Supervisors will ensure that damaged or nonfunctional audio recording equipment is promptly reported to the Chief of Police.

The device that will be issued and used by the Palos Park Police Department is the Sony ICD PX333 Digital Voice Recorder.

Control and Management:

- Any audio recordings containing information that may be of value for case prosecution or in any criminal or civil proceeding shall be handled and safeguarded as other forms of evidence.
- This recording will:
 1. Be subject to the same security restrictions and chain of evidence safeguards as detailed in this agency's evidence control procedure.
 2. Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage.
 3. Not be release to other than bona fide criminal justice agencies without prior approval of the Chief of Police.
- Recording should be stored in the PPPD case file for a minimum of 90 days.