

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 508-S

REFERENCE STANDARDS: 74.1.1 74.1.2 74.2.1 74.3.1 74.3.2

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SUBJECT: Civil and Criminal Process Procedures

PURPOSE: The purpose of this Directive is to ensure access to criminal warrants, ensure proper recording of all legal process, maintenance of records of service or attempted service of legal process, and to describe the procedures for serving legal process outside the Village of Hanover Park limits.

## I. LEGAL PROCESS RECORDS (74.1.1)

A. Each item of criminal or civil legal process is recorded in WebRMS/HxGN as it comes from the court to the Department, to include the following:

1. Date and time received.
2. Type of legal process (civil or criminal).
3. Nature of document.
4. Case report number.
5. Name of complainant/plaintiff or defendant/respondent.
6. Date issued.
7. Court docket number.
8. Date service due (if any).

## II. RECORD OF LEGAL PROCESS SERVED/ ATTEMPTED SERVICE (74.1.2)

A. The service or attempted service of legal process shall be documented in the corresponding WebRMS/HxGN BOLO, to include the following:

1. Date and time service was executed/attempted.
2. Name of officer executing/attempting service.

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**POLICE OPERATIONS MANUAL**

**Dir.#: 508-S**

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**VILLAGE OF HANOVER PARK**

**Rescinds: 020-S**

**Auth:**

3. Name of person on whom legal process was served or attempted.
4. Method of service/reason for non-service.
5. Location of service/attempt.
6. Changing the Warrant Paper Number to reflect any additional service attempts by adding one to the first digit of the Paper Number.

**B. Warrant Control**

1. All warrants obtained by employees of the Department will be turned in to the Records Bureau where they will be held, maintained, and assigned for service.
  - a. All warrants obtained shall be entered into the LEADS system and the LEADS number will be marked on the warrant folder.
2. All requests for warrant service on Hanover Park residents received from other police jurisdictions will be received and held by the Records Bureau, and assigned for service by the on-duty supervisor.
3. Unless otherwise directed by command personnel, the Records Bureau will forward all warrants for service to the patrol division for service.
4. An arrest report will be completed for all persons arrested.
  - a. The arrest report will be filed under the original incident report number assigned to the case.
  - b. If an arrested person is wanted on a Hanover Park warrant, plus warrants from other jurisdictions, the arrest report will be filed under the original Hanover Park incident report number assigned to the case, and an additional UCR classification of 9950, Foreign Warrant Service, will be placed on the arrest report in the charge section.
  - c. If a person is arrested on Hanover Park warrants from two or more separate incidents, the arrest report will be filed under the most recent incident report number and in the charge section of the arrest report an additional classification of 5081, Warrant Service, plus the other incident report number(s) should be listed. Supplemental reports should be filed under each additional incident report number with a classification of 5081, Warrant Service, with pertinent information listed giving reference to the incident report number under which the arrest report is filed.
5. All arrest warrants for persons residing outside of the Village of Hanover Park will be maintained by the Records Bureau.
  - a. The Records Bureau shall send a copy of these warrants to the jurisdiction where the wanted subject resides with a request for service. (Exceptions include Aurora, Chicago, and Cook County.) (Appendix A)

6. The Records Bureau is charged with the responsibility to process and maintain files on all warrants that shall include:
  - a. The transmittal of warrants, forms, documents and bonds posted to the court having jurisdiction over such warrants.
  - b. The return of canceled warrants to the court having jurisdiction over such warrants.
  
7. The Records Bureau will perform the LEADS validation on a monthly basis.
  - a. All warrants found to be outdated or otherwise unservable will be removed from the warrant files and forwarded to the Village of Hanover Park Legal Department or appropriate State's Attorney's office for further processing and/or dismissal.
  - b. All warrants found to be in excess of four years old or otherwise unservable will be removed from the warrant files and delivered to the Lieutenant of Support Services for further review.
    - 1) The Lieutenant of Support Services will forward all warrants not deemed to be significant in nature due to the offense involved, age of the warrant, the employment status of the employee involved, and other relevant factors to the Village of Hanover Park Legal Department for further review and/or dismissal.
    - 2) All significant warrants will be returned to the Records Bureau for further processing.
  - c. The Records Bureau will forward a listing of all warrants in the annual audit to the Deputy Chief of Support Services for review.

C. Extradition

1. The Department will assign personnel to leave its jurisdiction, when necessary, to take custody of persons arrested on its warrants by other agencies in the following instances:
  - a. When the person arrested cannot post the required bond amount.
  - b. Those other situations in which it is deemed to be necessary by the on-duty supervisor.
  
2. The bonding procedures for a person arrested in a county other than the county in which the warrant for his arrest was issued shall be governed by the provisions of Illinois Compiled Statutes 725 ILCS 5/109-2.
  
3. In certain situations, a supervisor may exercise discretion when it appears necessary to send Department personnel a great distance for a relatively minor offense. Time and personnel constraints must be considered. However, if the arrestee cannot post the required bond amount, this Department is obligated to respond and take custody of the individual(s) unless other suitable arrangements can be made.
  
4. Situations in which agencies outside the State of Illinois effect arrests on our warrants will be referred to the State's Attorney's office. This Department is

responsible for notification to the arresting agency in a timely manner regarding whether or not the defendant will be extradited by the State of Illinois.

### III. CIVIL PROCESS SERVICE - OTHER JURISDICTIONS (74.2.1)

- A. Civil process service within the Village of Hanover Park is not accepted by this Department for service.

### IV. SUBPOENAS DUCES TECUM

- A. Subpoenas Duces Tecum that are served on or received by the Records Bureau of the Police Department shall be processed according to the nature of the criminal case.
  - 1. In felony cases, the Records Bureau shall, after recording the document as provided in Section I, forward the subpoena to the original arresting officer. The arresting officer will contact the assigned felony division Assistant State's Attorney for direction as to how to proceed, and will obtain whatever documents or items are required and handle them as directed by the Assistant State's Attorney.
  - 2. In the case of misdemeanors charged under state statute, the Records Bureau will cause a copy of the subpoena to be forwarded to the misdemeanor section of the State's Attorney's office for their information. The documents or records requested shall then be delivered by police officer or community service officer to the court room designated on the subpoena on or prior to the date specified in the subpoena.
  - 3. In cases involving violations of Village ordinances, the Records Bureau shall cause the subpoena to be forwarded to the office of the Village prosecutor, who will determine what further action to take.

### V. EXECUTION OF CRIMINAL PROCESS (74.3.1)

- A. The Records Bureau will maintain an accurate record of persons wanted on warrants and persons who have been arrested on warrants. The following procedures will be followed when handling warrants:
  - 1. All new complaints and warrants will be turned in to the Records Bureau. Also, warrants for failure to appear will be turned in to the Records Bureau.
  - 2. The Records Division will be responsible for receiving the warrant and WebRMS/HxGN BOLO entry.
  - 3. If the warrant concerns an original complaint and warrant, a copy of the complaint will be attached to the warrant. If the warrant is for failure to appear, a copy of the original complaint or citation will be attached to the warrant. This is the responsibility of the Records Clerk.

4. A Records Clerk will send a letter to the person named on the warrant to his last known address. This letter will include the date of the warrant, the charge, and the amount of the required bond. This letter will be sent for all warrants, except for original complaints and warrants or failure to appear warrants for the following offenses:
    - a. All felonies.
    - b. All criminal Class A misdemeanors.
  5. Copies of all warrants are sent to the law enforcement agency in the jurisdiction where the subject lives (exceptions include Aurora, Chicago, Cook County).
  6. Warrants will then be placed in the warrant file in alphabetical order.
  7. The Support Services Lieutenant will designate a person to review all LEADS warrants. It will be that person's responsibility to see that warrants are placed into the LEADS system correctly and that the other provisions of this order have been complied with.
  8. After the warrant has been entered into LEADS, the LEADS number will be written in the space provided on the Court Folder sleeve. The warrant will remain filed in the warrant file in alphabetical order. If the warrant has been entered into NCIC, that number shall be written below the LEADS number.
- B. All original complaints and warrants and failure to appear warrants that are felonies, and all original complaints and warrants and failure to appear warrants that are crimes against persons, will be forwarded to the Patrol Division, if the wanted person works or resides within the Village limits.
- C. When serving warrants, the following guidelines shall be used:
1. Warrant service at the Police Department - subject surrenders at front desk.
    - a. Full booking procedures will be used.
    - b. Outside agency warrants will be handled as requested in that agency's procedure.
  2. A warrant arrest elsewhere within the Village:
    - a. The subject shall be placed under arrest and transported to the Holding Facility.
    - b. The subject will be fully booked according to booking requirements and whether or not the original offense is a mandated reporting offense.
    - c. If the warrant involves an original complaint, full-booking procedures shall be completed. If the warrant is for failure to appear, the appropriate booking procedures will apply.
    - d. The subject shall be checked through LEADS to determine whether or not the warrant was entered into LEADS. Also, this will show any other outstanding warrants for the subject. If the warrant is entered into LEADS, the Records Bureau must be notified and the warrant shall be canceled pursuant to LEADS guidelines.

- e. If the subject can post bond, a court date shall be set. The court date shall be set in accordance with court policy. The subject shall then be served the appropriate paperwork, given a bail bond receipt for the bond deposited, and then be released.
  - f. If the subject cannot post the required bond, he shall be transported to the DuPage County Jail or lodged in the appropriate cell in the Holding Facility to await Cook County Bond Court. The original copy of the warrant and the complaint, if applicable, shall be delivered to the jail with the arrestee.
  - g. The arresting officer shall complete the appropriate arrest reports.
3. A warrant arrest outside the Village of Hanover Park.
- a. Within the police district: (65 ILCS 5/7-4-7)
    - 1) The subject shall be placed under arrest and transported to the Holding Facility or the nearest police department, at the discretion of a sworn supervisor.
    - 2) If transported to the Holding Facility, procedures outlined in Section 1.C.2.b-f will be followed.
    - 3) If transported to the nearest police department:
      - a) The subject will be booked.
      - b) The arresting officer will complete Hanover Park Police Department arrest reports.
      - c) Warrant will be canceled from LEADS.
      - d) If the subject can post bond, a court date will be set. The subject will be served appropriate paperwork and released.
      - e) If the subject cannot post bond, he shall be transported to the DuPage County Jail or held for bond call if the warrant was issued in Cook County.
  - b. Within Illinois, outside of the police district:
    - 1) The subject shall be placed under arrest (if within geographical limits of the warrant) and transported to the nearest police department.
    - 2) The subject will be booked.
    - 3) The arresting officer will complete Hanover Park Police arrest reports.
    - 4) Warrant will be canceled from LEADS.
    - 5) If the subject can post bond, a court date will be set. The subject will be served appropriate paperwork and released.
    - 6) If the subject cannot post bond, transportation will be arranged for appropriate disposition.
4. A warrant arrest outside the Village of Hanover Park by another agency, but within DuPage County or Cook County:
- a. The subject shall be placed under arrest and transported to the nearest police department.
  - b. If the warrant involves an original complaint and warrant or a failure to appear warrant, an officer of the Hanover Park Police Department shall

respond with the complaint, warrant, etc., to the department holding the arrestee. At the discretion of the on-duty supervisor, the subject can be transported directly to the DuPage County Jail or to this Holding Facility and processed pursuant to Illinois Compiled Statutes, 20 ILCS 2630/5. The subject shall be given the opportunity to post bond at the arresting agency. If the subject can post bond, the arresting agency shall accept the bond. A court date shall be given to the arresting agency, along with the court location. The bail bond number and arresting officer's name shall be obtained. A supplemental report shall then be completed and the warrant removed from LEADS.

- c. If the subject is unable to post bond, officers from this Department shall respond to the arresting agency and take custody of the subject. The subject shall then be transported to the DuPage County Jail or this Holding Facility. An arrest report shall also be completed.
- d. The warrant will then be canceled from LEADS if it was entered. The time, date and clerk initials of the person canceling the LEADS number shall be noted in the proper space on the Court Folder.

5. A warrant arrest outside DuPage County or Cook County by another agency:
  - a. If there are "court issued" geographical limits and the arrest takes place within those limits, the arrestee shall be handled as in #4 above. Arrests made outside the limitations set by the court are not valid and will not be accepted by this Department.
  - b. If there are no "court issued" geographical limits on the warrant, the arrestee shall be handled as in #4 above. If approved by the on-duty supervisor, this Department will arrange for transportation of subject arrested anywhere in the state of Illinois on this type of arrest pursuant to Illinois Compiled Statutes 725 ILCS 5/109 -2.

D. Arrests on warrants from other agencies. When arresting subjects on warrants from other agencies, the following guidelines shall be followed:

1. When an officer of this Department learns there is an active warrant from another agency, the originating agency shall be contacted prior to making an arrest to confirm the warrant is still active and the subject is within the geographical limits of the warrant. Upon confirmation, the subject shall be placed under arrest and transported to the detention facility.
2. If the subject can post bond, the arresting officer shall contact the originating agency to advise them of this fact. The arresting officer shall then obtain a court date and any other pertinent information from the originating agency. The arresting officer shall then accept bond from the arrestee and issue him a bail bond receipt. An arrest report reflecting the warrant service shall be completed.
  - a. If the original warrant was issued in either Cook or DuPage County, the bond will be recorded on the respective bond form. Bonds accepted on warrants not issued from Cook or DuPage County will be documented on

the Cook County Bond form and forwarded to the Cook County Clerk's office for routing to the respective county.

3. If the subject cannot post bond, the originating agency shall be contacted and advised of the situation. That agency will then be responsible for making arrangements to take possession of the arrestee.
4. It will be the responsibility of the originating agency to clear the warrants from LEADS.

E. Summons service.

1. The Records Clerk will be responsible for tracking and maintaining the service of summonses. Summonses will be stored in a separate summons file.
2. Summonses will be forwarded to the Second Shift Patrol Supervisor for service assignment.

VI. EXECUTION BY SWORN OFFICERS ONLY (74.3.2)

- A. All criminal and civil arrest warrants, search warrants or writs will be executed by sworn police officers only and will be executed in conformance with applicable state, federal and local laws and court rulings.

VII. EXECUTION OF QUASI-CRIMINAL NOTICES

- A. Quasi-criminal notices that are received by this department from other law enforcement agencies and departmental units within the Village of Hanover Park Municipal complex shall be handled in the same manner as outlined in V. E. Summons Service.

VIII. POLICE RESPONSIBILITY FOR CARE OF MINOR CHILDREN OF ARRESTEE

- A. Pursuant to Illinois Compiled Statutes 725 ILCS 5/109-1.1:

1. Whenever an officer arrests a person, the officer shall question the arrestee as to whether he has any children under the age of 18 living with him who may be neglected as a result of the arrest or otherwise.
2. The officer shall assist the arrestee in the placement of the child with a relative or other responsible person designated by the arrestee.
3. If the officer has reasonable cause to believe that the child may be a neglected child, as defined in the Neglected Children Offense Act, Illinois Compiled Statutes 720 ILCS 130/1, it shall be reported immediately to the Department of Children and Family Services. A juvenile officer shall immediately be contacted and advised of the details.



# Hanover Park Police Department

2121 W. Lake Street  
Hanover Park, Illinois 60103  
(630) 3724400 FAX (630) 372-4420

## WARRANT CONTROL FORM

Date: \_\_\_\_\_

CIRCUIT COURT NUMBER: \_\_\_\_\_  WARRANT  SUMMONS

NAME: \_\_\_\_\_ HANOVER PARK PD CASE #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

CHARGE: \_\_\_\_\_ DATE OF WARRANT: \_\_\_\_\_

SEX: \_\_\_\_ RACE: \_\_\_\_ HGT: \_\_\_\_ WGT: \_\_\_\_ HAIR: \_\_\_\_ EYES: \_\_\_\_ DOB: \_\_\_\_

DLN: \_\_\_\_\_ LEADS#: \_\_\_\_\_  D.N.A.

ORIGINATING AGENCY:  H.P.P.D.  OTHER: \_\_\_\_\_

BOND AMOUNT: \$ \_\_\_\_\_  10% APPLIES  FULL BOND ONLY

PERSONAL RECOGNIZANCE AUTHORIZED

STATUS:  ORIGINAL WARRANT HELD IN HANOVER PARK WARRANT FILE  
 ORIGINAL WARRANT MAILED TO CENTRAL WARRANTS ON \_\_\_/\_\_\_/\_\_\_  
 COPY OF WARRANT MAILED TO \_\_\_\_\_ ON \_\_\_/\_\_\_/\_\_\_

THIS SECTION TO BE FILLED OUT BY THE OFFICER MAKING SERVICE

### ATTEMPTS TO SERVE

DATE	TIME	OFFICER	REASON FOR NON-SERVICE
1.			
2.			
3.			

FINAL SERVICE COULD NOT BE MADE BECAUSE: \_\_\_\_\_

OFFICER: \_\_\_\_\_ STAR #: \_\_\_\_\_ DATE: \_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE SERVED A COPY OF THE ABOVE DESCRIBED DOCUMENT ON THE NAMED SUBJECT ON \_\_\_\_/\_\_\_\_/\_\_\_\_.

OFFICER: \_\_\_\_\_ STAR #: \_\_\_\_\_ DATE: \_\_\_\_\_

Appendix A; DIR 508-S