

ILLINOIS STATE POLICE DIRECTIVE ENF-013, BONDING PROCEDURES

RESCINDS: ENF-013, 2020-004, revised 06-17-2020.	REVISED: 01-03-2023 2023-018
RELATED DOCUMENTS: ENF-011, ENF-015	RELATED CALEA STANDARDS (6th Edition): 1.2.6, 1.2.7, 61.1.2, 61.1.3, 61.1.4, 61.1.5

I. POLICY

The Illinois State Police (ISP) will comply with Illinois Supreme Court Rules (S.Ct.Rule) regarding the posting and acceptance of bail.

II. DEFINITIONS

- II.A. Bond Certificate - a card issued by an authorized entity that guarantees the entity is responsible for the bail-bond of the violator specified on the card, see S.Ct.Rule 501(a). (A list of entities authorized to issue bond certificates is in Addendum 2.)
- II.B. Non-Resident Violator Compact - an agreement between certain (compact) states which allows non-Illinois residents, who are arrested for committing a minor traffic offense, to be released by completing a promise to comply [S.Ct.Rule 501(g)] and not posting any other bail, see 625 ILCS 5/6-800 et seq. (A list of compact member states is in Addendum 1.)

III. PROCEDURES

III.A. Acceptance of Bail

- III.A.1. Provisions are set forth in S.Ct.Rules 501, 503, 526, 527, 528, 530, 551, and 553.
- III.A.2. When accepting cash bail not exceeding \$300 from an accused not required to be fingerprinted as prescribed in S.Ct.Rule 553(e), officers will:
 - III.A.2.a. Accept cash bail at the discretion of the accused.
 - III.A.2.b. Provide the accused a copy of the citation noting the amount of cash taken as bail.
 - III.A.2.c. Staple the cash bond to the appropriate copies of the citation(s).
 - III.A.2.d. Deliver the citation(s) along with the cash bail to the clerk of the circuit court or an approved designated building prior to the end of their tour of duty. An approved building includes:
 - III.A.2.d.1) The Troop Headquarters drop box.
 - III.A.2.d.2) A drop box located at a county jail.
- III.A.3. When accepting cash bail exceeding \$300, the officer shall require the accused to follow them to a municipal building or other facility housing governmental units i.e., police station, sheriff's office or jail, troop headquarters, or weigh stations in accordance with S.Ct. Rule 553(a).
- III.A.4. Persons charged with a violation of section 3-401(d) or 15-111 may, in lieu of cash bail, deposit a money order issued by a money transfer service company. The money order shall be made payable to the clerk of the circuit court of the county in which the violation occurred. Bail amounts for these violations may be taken by a portable scale per S.Ct. Rule 553(a). When the bail for any offense hereunder does not exceed \$500, the accused may, at his option, deposit a truck bond certificate in lieu of bail. Money orders shall be treated the same as cash bail in paragraph III.A.2.

III.B. Non-resident violator compact

- III.B.1. A resident from a compact state, other than Illinois, who violates a minor traffic offense, other than a business offense, shall not be required to sign the citation or post bond to secure bail for his or her release. If a violator commits a business offense, the violator signs the citation under the statement in the bond box "I promise to comply with the terms of this citation" (See Non-Resident Violator Compact member states listed in Addendum 1).
- III.B.2. "Promise to Comply" provisions do not apply to a violator charged with a traffic offense specified in 625 ILCS 5/6-808.
- III.B.3. When an officer issues multiple citations to a violator and the violator is released by signing a promise to comply, each citation should be signed.
- III.B.4. If a violator makes a request to deposit cash bond, the officer must accept the cash bond.

III.C. Individual Bond (I-Bond)

- III.C.1. S.Ct.Rule 553(d) states that officers may issue an I-Bond to persons charged with offenses listed in S.Ct.Rules 526, 527, and 528 who are unable to post other forms of bail.
- III.C.2. An officer may not issue an I-Bond:
 - III.C.2.a. If the accused is unable or unwilling to establish their identity, or when applicable, the accused refuses to submit to being fingerprinted as required by law.
 - III.C.2.b. Without the signature of the accused.
 - III.C.2.c. If the accused is charged with an offense punishable by imprisonment and will pose a danger to any person or the community.
 - III.C.2.d. If the accused elects release on separate bail under:
 - III.C.2.d.1) S.Ct.Rule 503(a)(3) or
 - III.C.2.d.2) S.Ct.Rule 503(a)(4)
- III.C.3. When an officer issues multiple citations to a violator, an I-Bond will be issued only for the offense requiring the highest bail.
- III.C.4. Persons required to deposit both bail and driver's license under S.Ct.Rule 526(e) may be released on a \$1,000 I-Bond and their valid Illinois driver's license.
- III.C.5. Supervisors will monitor the use of the I-Bond by personnel under their authority through the monthly Troop Activity Summary Report and will institute controls to prevent abuses.
- III.C.6. Before permitting personnel to issue I-Bonds, Troop Commanders will ensure the chief circuit judge(s) having jurisdiction within their Troop has extended the authority to utilize the I-Bond to department officers.
- III.C.7. Supervisors will monitor citations to ensure accuracy and quality control.

III.D. Authorized bond certificates

Violators cannot post bond certificates for the required security under the ten percent rule, even if the security is less than \$164.

- III.D.1. Officers may accept bond certificates issued by authorized companies and associations for single traffic offenses where the full bail amount does not exceed \$164. Officers may accept bond certificates issued by authorized trucking associations (see Addendum 2) for single truck offenses where the full bail amount does not exceed \$500.
 - III.D.1.a. Record the bond certificate number and issuing agency in the space provided.
 - III.D.1.b. Affix the bond certificate to the citation.

- III.D.2. On multiple offenses arising out of the same occurrence, the officer may accept a bond certificate for an aggregate total of up to \$500. Each of the offenses for which the officer accepts a bond certificate would have to meet the criteria in III.D.1.
 - III.D.2.a. On one of the citations, follow the procedures specified in III.D.1.
 - III.D.2.b. On the other citations, mark the multiple citations box indicating the citation number to which the bail bond certificate is attached.
 - III.D.2.c. Do not mark the citations as "must appear," unless the violator would have to appear if cash bail was posted.

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE
ENF-013, BONDING PROCEDURES
ADDENDUM 1, NON-RESIDENT VIOLATOR COMPACT STATES**

RESCINDS: ENF-013, Addendum 1, 2020-004, revised 06-17-2020.	REVISED: 01-03-2023 2023-018
RELATED DOCUMENTS: ENF-011, ENF-015	RELATED CALEA STANDARDS (6th Edition): 1.2.6, 1.2.7, 61.1.2, 61.1.3, 61.1.4, 61.1.5

ALABAMA
ARIZONA
ARKANSAS
COLORADO
CONNECTICUT
DELAWARE
DISTRICT OF COLUMBIA
FLORIDA
GEORGIA
HAWAII
IDAHO
ILLINOIS*
INDIANA
IOWA
KANSAS

KENTUCKY
LOUISIANA
MAINE
MARYLAND
MASSACHUSETTS
MINNESOTA
MISSISSIPPI
MISSOURI
NEBRASKA
NEVADA
NEW HAMPSHIRE
NEW JERSEY
NEW MEXICO
NEW YORK
NORTH CAROLINA

NORTH DAKOTA
OHIO
OKLAHOMA
PENNSYLVANIA
RHODE ISLAND
SOUTH CAROLINA
SOUTH DAKOTA
TENNESSEE
TEXAS
UTAH
VERMONT
VIRGINIA
WASHINGTON
WEST VIRGINIA
WYOMING

* Non-Resident Violator Compact bonding procedures do not apply to Illinois residents, while in Illinois.

-End of Addendum-

**ILLINOIS STATE POLICE DIRECTIVE
ENF-013, BONDING PROCEDURES
ADDENDUM 2, BOND GUARANTEE COMPANIES**

RESCINDS: ENF-013, Addendum 2, 2020-004, revised 06-17-2020.	REVISED 01-03-2023 2023-018
RELATED DOCUMENTS: ENF-011, ENF-015	RELATED CALEA STANDARDS (6th Edition): 1.2.6, 1.2.7, 61.1.2, 61.1.3, 61.1.4, 61.1.5

Bond certificates issued by the following companies and associations may be accepted as bail for a single traffic offense where the bail does not exceed \$164. On multiple offenses arising out of the same occurrence, a bond certificate may be accepted for up to \$500. Before accepting, be certain that any bail bond certificate card has not expired (be aware that some cards are now being issued with NO expiration date on the card) and that it is issued to the operator arrested and signed by the operator.

IN ALL AREAS EXCEPT COOK COUNTY

Not to exceed the amount in Schedule 12, section 15-60, of the Criminal and Traffic Assessment Act (705 ILCS 135/15-60) for any single offense, and not to exceed \$500 total for multiple offenses from the same occurrence, nor exceed \$500 for any single offense under Rule 526(b)(1) (truck bond certificates issued or granted outside Cook County).

Advantage Auto Club
Allstate Insurance Company
Allstate Motor Club
American Automobile Assoc. & Affiliated Motor Clubs
American Service Insurance Company, Inc.
Auto Club Group, The
Economy Fire & Casualty Co. (subs. of Kemper Group)
Economy Preferred Ins. Co. (subs. of Kemper Group)
Exxon Travel Club, Inc.
Founders Insurance Co. (a/k/a IL Founders Ins. Co.)
G.E. Motor Club, Inc.
Illinois Farm Bureau (a/k/a Illinois Agricultural Assn.)
Illinois Founders Insurance Company
Illinois Trucking Assn., Inc. (d/b/a Illinois Transportation Assn.)
Mid-West Truckers Association, Inc.
Montgomery Ward Insurance Company
Motor Club of America Enterprises, Inc.
National Motor Club of America, Inc.
National Surety Corporation
Ocoma Industries, Inc. d/b/a Amoco Motor Club and BP Motor Club
Safe Driver Motor Club, Inc.
Signature's Nationwide Auto Club, Inc.
Signature Motor Club, Inc.
Signature Motor Club, Inc., FBO Mobil Auto Club
Suburban Motor Club
Town & Country Motorist Association, Inc.
United Equitable Insurance Company—Transit General Insurance Company
Unique Insurance Company
United States Auto Club, Motoring Division, Inc.

IN COOK COUNTY, ILLINOIS, ONLY

(\$164/\$500 limit*)

Advantage Auto Club, Inc.
Allstate Motor Club, Inc.
Lincoln Travel Club, Inc.
Motor Club of America Enterprises, Inc.
Nationwide Auto Club, Inc.
Signature Motor Club, Inc.
Town and Country Motorists Association, Inc.

* Authorized company name may be on either side of bond card.

-End of Addendum-