

ILLINOIS STATE POLICE DIRECTIVE ENF-013, BONDING PROCEDURES

RESCINDS: ENF-013, 2002-018, revised 03-21-2002.	REVISED: 09-19-2005 2005-032
RELATED DOCUMENTS: ENF-011, ENF-015	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy
RELATED CALEA STANDARDS: 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). (Entities authorized to issue bond certificates are listed 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(e)] and not posting any other bail, see 625 ILCS 5/6-800 et seq. (Compact member states are listed 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 outside of Cook County 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 a pre-addressed envelope for sealing of the cash bail by the accused;
 - III.A.2.c. ensure court copies of the citation are enclosed and there is only one cash bail per envelope and allow the accused to deposit the envelope in a United States Post Office box; and
 - III.A.2.d. in rural areas where United States Post Office boxes are not reasonably available:
 - III.A.2.d.1) The accused may leave the sealed envelope containing the cash bail with the arresting officer.
 - III.A.2.d.2) Never open previously sealed envelopes for the convenience of making correct change for a violator. Officers may assist a violator in making change from available sources, i.e., gas stations, banks, etc., but not from personal funds.
 - III.A.2.d.3) Always mail or personally deliver the sealed envelopes to the circuit court before the end of current tour of duty.

III.B. Non-resident violator compact

- III.B.1. Officers will release a resident from a compact state, other than Illinois, who violates a minor traffic offense after 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:
 - III.B.2.a. Illinois residents or
 - III.B.2.b. a violator charged with a traffic offense specified in:
 - III.B.2.b.1) 625 ILCS 5/6-306.4(b) or
 - III.B.2.b.2) 625 ILCS 5/6-808.
- III.B.3. When a violator is issued multiple citations and is released by signing a promise to comply, each citation must be signed.
- III.B.4. If a violator makes a request to deposit cash bond, it must be accepted.
- III.C. Individual Bond (I-Bond)
 - III.C.1. S.Ct.Rule 553(d) states that persons charged with offenses listed in S.Ct.Rules 526, 527, and 528 who are unable to post other forms of bail may be issued an I-Bond.
 - III.C.2. An I-Bond may not be issued:
 - III.C.2.a. if the accused is unable or unwilling to establish their identity or, when applicable, 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; or
 - 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 a violator is issued multiple citations, an I-Bond will be issued only for the offense requiring the highest bail.
 - III.C.4. Persons required to deposit both bail and drivers license under S.Ct.Rule 526(e) may be released on a \$1,000 I-Bond and their valid drivers license.
 - III.C.5. Supervisors will monitor the use of the I-Bond by personnel under their authority through the monthly District Activity Summary Report and will institute controls to prevent abuses.
 - III.C.6. District Commanders will ensure authority to utilize the I-Bond has been extended to department officers by the chief circuit judge(s) having jurisdiction within their District before permitting personnel to issue I-Bonds.
 - III.C.7. Supervisors will monitor citations to ensure accuracy and quality control.
- III.D. Authorized bond certificates

Bond certificates cannot be posted for the required security under the ten percent rule, even if the security is less than \$105.

 - III.D.1. Bond certificates issued by authorized companies and associations may be accepted for single traffic offenses where the full bail amount does not exceed \$105. Bond certificates issued by authorized trucking associations (see Addendum 2) may be accepted for single truck offenses where the full bail amount does not exceed \$300.
 - 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, a bond certificate may be accepted for an aggregate total of up to \$300. Each of the offenses for which the bond certificate is being accepted 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, 2002-018, revised 03-21-2002.	REVISED: 03-07-2007 FIRST DRAFT
RELATED DOCUMENTS: ENF-011, ENF-015	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy
RELATED CALEA STANDARDS: 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, 2005-032A revised 04-11-2006	REVISED: 11-09-2007 2005-032B
RELATED DOCUMENTS: ENF-011, ENF-015	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy
RELATED CALEA STANDARDS: 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 \$105. On multiple offenses arising out of the same occurrence, a bond certificate may be accepted for up to \$300. As indicated below, trucking associations are authorized to issue and guarantee bonds up to \$300 which may be posted as bail for any single offense covered by Rule 526 (b) (1). **(NOTE:** Illinois Trucking Association, Inc., and Mid-West Truckers Association, Inc. bond certificates are acceptable as bond in any case for which bail is preset under Rule 526(a) (\$75) without regard to the type of vehicle the operator may be driving.) 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.

**IN ALL AREAS EXCEPT COOK COUNTY
(\$105.00/\$300.00 limit)**

Advantage Auto Club
Allstate Insurance Company
Allstate Motor Club
Auto Club Group
American Automobile Assoc. & Affiliated Motor Clubs
American Service Insurance Company, Inc.
Economy Fire & Casualty Co. (subs. of Kemper Group)
Economy Preferred Ins. Co. (subs. of Kemper Group)
Exxon Travel Club, Inc.
Founders Insurance Co. (aka IL Founders Ins. Co.)
GE Motor Club, Inc.
Illinois Agricultural Assn. (aka Illinois Farm Bureau)
Illinois Farm Bureau (aka Illinois Agricultural Assoc.)
Illinois Founders Insurance Company
Illinois Trucking Assn, Inc. (d/b/a Illinois Transportation Assn. (\$300))
Mid-West Truckers Association, Inc. (\$300)
Mobil Auto Club
Montgomery Ward Insurance Company
Motor Club of America Enterprises, Inc.
National Motor Club of America, Inc.
National Surety Corporation
Ocoma Industries, Inc. dba Amoco Motor Club and BP Motor Club
Safe Driver Motor Club, Inc.
Signature's Nationwide Auto Club, Inc.
Suburban Motor Club
Town and Country Motorists Association, Inc.
United Equitable Insurance Company
United States Auto Club, Motoring Division, Inc.

**IN COOK COUNTY, ILLINOIS ONLY (\$105.00/\$300.00
limit)**

Advantage Auto Club, Inc.
Allstate Motor Club, Inc.
American Automobile Association
American Country Insurance Company
American Service Insurance Company, Inc.
Amoco Motor Club (Ocoma Industries, Inc.)
Auto Club Group
BP Motor Club (Ocoma Industries, Inc.)
First Acceptance Insurance Co., Inc.
Founders Insurance Company
GE Motor Club, Inc.
Illinois Agricultural Association
Lincoln Travel Club, Inc.
Magnum Auto Club, Inc.
Mobil Auto Club, Inc.

Motor Club of America Enterprises, Inc.
Signature's Nationwide Auto Club, Inc.
Suburban Motor Club, Inc.
Town and Country Motorists Association, Inc.
United Equitable Insurance Company

TRUCK BOND CERTIFICATES (\$300.00 Limit)
Illinois Trucking Associations, Inc.

| Indicates new or revised items.

-End of Addendum-