

## BLOOMINGTON POLICE DEPARTMENT

### STANDARD OPERATING PROCEDURE

#### NOTIFICATION OF COURT OR QUASI-JUDICIAL HEARING

Reviewed by: Brenda Morrell	Effective Date: November 23, 1987
Authorized by: Interim Chief Gregory Scott	Revision Date: November 2, 2020

#### PURPOSE

The purpose of this SOP is to ensure prompt and accurate notification of all court proceedings to the employees of this Department when their testimony in a judicial process is anticipated. The use of subpoenas and Notices To Appear will be the most common form of notification. However, from time to time, other forms of notification may be used.

#### PROCEDURE

All notifications to employees, unless served by a Sheriff's Deputy or pursuant to City of Bloomington Administrative court, will be disseminated through the Records Division, usually in the form of a subpoena or a *Notice To Appear*.

Subpoenas are disseminated via email by the State's Attorney's Office to the Records Division. The Records Division personnel will immediately forward, marked with return receipt, emails to the recipients. All Court reminders and call-offs will be forwarded in the same manner.

The Records Division receives Juvenile Subpoenas by paper copy from the State's Attorney's Office. They will be scanned and emailed to the recipients as with all other Subpoenas.

Employees shall inform the Victim/Witness and the Records Division personnel of any planned leave, such as allowed leave, vacation, earned day, etc. Employees may use the following email address for the notice: [saorecords@mcleancountyil.gov](mailto:saorecords@mcleancountyil.gov). Employees should understand this is done to assist with scheduling but is no guarantee the court will be able to avoid issuing a subpoena on any given day.

In the event the employee has a schedule conflict in which they would seek reprieve from attending court on the date of the notice, the employee will notify the Victim/Witness Division of the McLean County State's Attorney's Office, as well as the Records Division, of their impending proposed absence from court. This needs to be done as soon as the officer is aware of the scheduling conflict. The officer is responsible for contacting the prosecuting attorney on the case and discussing not only their pending testimony, but also the need for their absence from this court proceeding.

Simply notifying victim/witness and/or the prosecuting States Attorney that an officer will be unable to attend **does not excuse** that officer from the requirements established by a court issued subpoena, written notice of trial, or required court appearance.

**Victim/Witness cannot release officers from their required court appearance.** Authority for release from a required court appearance must come from the prosecuting attorney or the court itself.

In the event an employee is not available to receive Court notifications or call-offs prior to the hearing date, the Records Division personnel shall attempt to contact the employee by phone.

This procedure is intended to complement Article III Section 8, Rule 8-1 and Rule 8-2 of the Department's Rules and Regulations.

Notices for City of Bloomington Administrative court will be sent via city email. The email notice will have the same force and effect as a subpoena received from the States Attorney.