

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT

DE KALB COUNTY

ADMINISTRATIVE ORDER 17-4

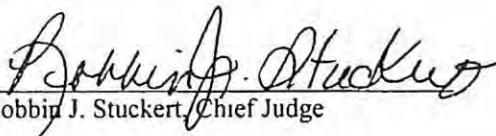
IN THE MATTER OF PROCESSING)
OF DEFENDANTS HELD AFTER LOCAL)
ORDINANCE WARRANT ARREST)

FILED
MAY 01 2017
Maureen A. Josh
Clerk of the Circuit Court
DeKalb County, Illinois

This matter coming before the Court to consider the appropriate detention and processing of persons held on warrants issued with respect to the violation of local, municipal ordinances and/or failure to appear warrants issued with respect to such local ordinance violations, with the Court being fully advised in the premises, IT IS HEREBY ORDERED:

1. For purposes of this Order, a "Local Ordinance Warrant Arrest" shall mean the arrest of a defendant: a) based upon an original warrant for a local municipal ordinance violation or a failure to appear warrant arising out of the prosecution of a local, municipal ordinance violation; b) occurring within DeKalb County; and, c) in the absence of any other lawful reason to detain the defendant (e.g. in the absence of any misdemeanor felony warrant or other lawful reason to detain the defendant in custody).
2. When a defendant is arrested through a Local Ordinance Warrant Arrest, the police agency completing the arrest shall afford the defendant the opportunity to pay any applicable fees, post bond and receive a new Court date. If the defendant fails to pay fees and bond and receive a new Court date, the defendant shall be transported to the DeKalb County Jail and placed in the custody of the DeKalb County Sheriff.
3. The DeKalb County Sheriff shall thereafter afford the defendant an opportunity to pay applicable fees, post bond and receive a new Court date. If the defendant fails to do so, the Sheriff (or designee thereof) shall be authorized to release the defendant on his or her own recognizance with a newly issued Court date, under circumstances where the Sheriff or designee determines such action to be appropriate based upon the nature of the underlying offense, the absence of other lawful reason to detain the defendant, the condition and capacity of the DeKalb County Jail, the interval until the next bond call before the DeKalb County Circuit Court, or such other factors as shall be deemed appropriate and relevant, without a prior requirement of a Circuit Court hearing on bond.

Dated this 28 day of April, 2017


Robbin J. Stuckert, Chief Judge