

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 110-A

REFERENCE STANDARDS: 1.2.3c

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SUBJECT: Protection of Civil Rights

POLICY: It is the policy of the Hanover Park Police Department to require employees to recognize and comply with those rights granted to individuals by the United States Constitution, all applicable statutes and ordinances, and those case decisions which impact the department.  
(1.2.3)

I. Procedure

A. Duty to be Informed

1. Employees should become familiar with laws, issues and court decisions affecting civil rights and shall comply with subsequent requirements.
2. Training Unit
  - a. The Deputy Chief of Support Services, who oversees the training function of the Department, shall provide department personnel with training bulletins designed to inform employees of new provisions affecting their ability to comply with constitutional rights. This shall be done as soon as possible after details of the law or case decision are received.
3. Protection of Civil Rights
  - a. Supervisors shall be alert for violations of civil rights and take appropriate action.

II. Rights Granted by the Constitution and Federal Law

- A. The U.S. Constitution and civil rights acts guarantee numerous freedoms, rights and privileges. The list below does not attempt to be exhaustive or detailed. Further, the

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judiciary has granted limited restrictions upon these rights in certain specific circumstances.

1. The first ten amendments of the U.S. Constitution are what are referred to as the "Bill of Rights". These amendments form the basis foundation to all subsequent laws and case decisions impacting on civil rights.
  2. First Amendment Rights
    - a. Freedom of Religion
    - b. Freedom of Speech
    - c. Freedom of the Press
    - d. Freedom of Assembly
    - e. Freedom of Association
  3. Fourth Amendment Right
    - a. Freedom from illegal searches and seizures without warrant or probable cause
    - b. Freedom from Illegal Seizure of Person (Arrest)
    - c. Freedom from unnecessary force when arrested
  4. Fifth Amendment
    - a. Right to Due Process
    - b. Privilege against self-incrimination
    - c. Freedom from coercion to secure a confession
  5. Sixth Amendment
    - a. Right to be informed of the reason for arrest
    - b. Right to access and consult with an attorney. Right to be brought promptly before a magistrate (1.2.3c)
  6. Eighth Amendment
    - a. Right to bail
    - b. Freedom from cruel and unusual punishment
- B. While not specifically defined or mentioned in the Bill of Rights the following have been defined by the court as rights:
1. Right to be informed at arrest of one's Constitutional Rights
  2. Freedom from assault and bodily injury

3. Freedom from malicious prosecution
4. Freedom from false imprisonment
5. Right to equal protection under the law. (Civil Rights Acts).

C. Prisoner's right

1. Right to medical care while in confinement
2. Right of access to the courts
3. Right to be free from discrimination due to religion
4. Right to be free from physical violence
5. Freedom from involuntary servitude
6. Right to privacy