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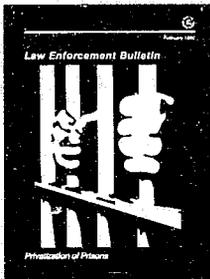


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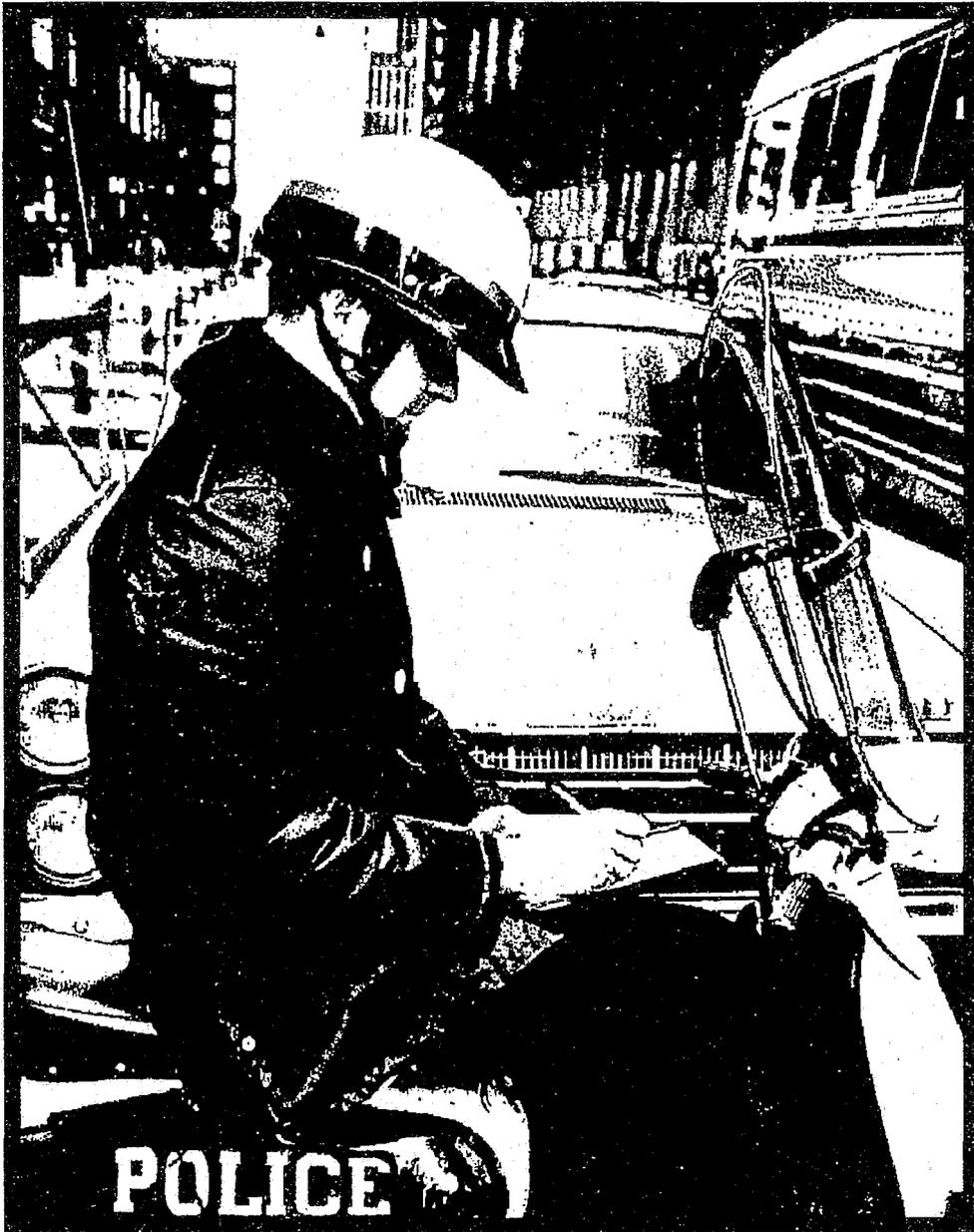
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The Administrative Warning Ticket Program



By
LT. ANDREW J. BARTO

Overcrowded courtrooms, excessive court time for police officers, and citizens spending long hours in court are not new problems for the judicial system. Many courtrooms are filled beyond capacity, which unfortunately results in many cases not being prosecuted. However, the Village of Romeoville, IL, a suburban community of Chicago, implemented an Administrative Warning Ticket (AWT) Program to alleviate these problems.

The Program

The AWT program was designed to administratively process minor ordinance violations, such as licensing and equipment violations, with the intent of obtaining compliance without the matter entering the court system. The unique feature of the program requires the defendant to pay an administrative fine or ticket designed to recover a portion of the administrative expense of the program.¹ These "hang on" or "P" tickets, as they

are more commonly called, have been used by a number of communities, particularly in Cook County, IL.

The authority for the AWT program is derived from Chapter 24, Section 1-2-8 of the Illinois Revised Statutes (1985), which states that "fines, penalties, and forfeitures for the violation of ordinances...shall be paid...at such times and in such manner as may be prescribed by ordinance."² The procedure of the "hang on" or "P" ticket is set by ordinance. These tickets are written solely for minor offenses, such as parking tickets, village stickers and minor equipment violations. While Chapter 24, Section 1101-1, Illinois Revised Statutes (1985) provides that "each municipality may pass and enforce all necessary police ordinances," case law has repeatedly held that this section grants municipalities no additional powers other than those delegated under other provisions of the statutes.³

In Practice

Once an officer has observed a minor ordinance violation, which has been adopted by the Village Board for the AWT program, that officer has the option to issue a State uniform traffic citation or the AWT. In many cases the officer chooses the latter.

The AWT is a four-part citation. At the time of the offense, the officer will issue the violator two copies—the first page and the fourth page. The fourth page is an envelope in which the violator can mail/bring in the fine money. The second and third pages of the ticket are the issuing department's copies. The third page also becomes the final notice reminder if the fine has not been paid within the first 10 days.

At the time of issuance, the officer will also explain the violation and issue the proper copies. The violator will then have 10 days from the date of issuance to pay the fine, and in some cases, repair or comply. Repair and comply is an additional requirement in which the violator must repair/remedy the violation and show proof at the police station. Violators who reside outside the village may have their local police department inspect the violation and forward the proof of compliance to the Romeoville Police Department.

If the penalty has not been paid within the first 10 days, the violator will be sent the final notice stating that the fine has been increased to \$25. If payment is not made within 20 additional days from the original issue date, a criminal complaint will be signed and a court appearance will be mandatory. If payment is



“...the AWT does not result in a mark against their driver's license record, thereby providing another incentive to ensure quick compliance....”

Lieutenant Barto is with the Village of Romeoville, IL, Police Department.

received, but the violator has not complied, the person shall be cited the second time with a State uniform traffic citation. Repeat offenders, however, are cited on State uniform traffic citations and not the AWT ticket.

The fines are paid at the village hall or the night depository located within the police department. Upon receipt, village hall personnel will then note that the fine has been paid and direct it to the originating department. The originating department will then use this to close its file. If 30 days have passed and the fine has not been paid, the AWT will be voided and kept as evidence. A criminal complaint will then be signed, and a notice to appear in court mailed to the violator.

The Benefits

In essence, tickets issued under this program are a courtesy. Violators are almost eager to dispose of the matter by paying the fine, which is significantly less than what would ordinarily be due on a State uniform traffic citation.⁴ Recipients also realize that the AWT does not result in a mark against their driver's license record, thereby providing another incentive to ensure quick compliance and settlement of the matter.

Another benefit of the program is that offenders, who can show compliance at the station, do not need to post bond or take time off to appear in court. The AWT system also encourages greater compliance of equipment and licensing ordinances than the traditional type of written warning ticket.

Because the number of minor violations appearing on the court docket is reduced, a larger portion of

the court's time is spent dealing with more serious violations. The amount of paperwork handled by court clerks is reduced because they are no longer required to process what was previously a substantial number of minor ordinance violations. And, personnel who would otherwise be involved in court preparation and appearances are able to perform other duties. However, the most notable benefit for the

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”

police department has been a significant reduction of officer's court time compensation. This equates monetarily to thousands of dollars saved each fiscal year.

The Results

From February 1, 1988, through May 31, 1988, the fines collected reflected a voluntary compliance rate between 75 and 80 percent. March indicated a higher number of tickets as this was the first month of intensive enforcement. April and May tickets were possibly more realistic as the community made an effort to comply without further action. An increase was expected during the summer due to increased traffic, and because road monitoring for expired village

vehicle stickers began in July. As of May 31, 1988, a total of 594 tickets were issued and \$5,440 in fines were collected.⁵

Three departments are involved in the program—police, fire, and code enforcement. Both the chief of police and code enforcement officer have agreed that the 80- to 90-percent compliance estimates have exceeded their original expectations.

Administratively, the program has worked smoothly, with very few problems. The village police department has had few complaints from residents, and most seem to appreciate the opportunity to take care of the problem locally without a court appearance.

Conclusion

Overall, the program has been a success. Various savings have been realized on the part of both the court and the village. Not to be overlooked is the positive effect the program has had on community relations between the police department and local citizens. The program has also enhanced driver safety and awareness of traffic regulations. The AWT program has had a decidedly favorable effect on the Village of Romeoville, the circuit court of Will County, IL, and the residents of Romeoville.



Footnotes

¹ Sonya A. Crawshaw, *History of the Warning Ticket*, 1984.

² Illinois Revised Statutes, *Cities and Villages*, Chapter 24, Section 1-2-8, 1985.

³ Illinois Revised Statutes, *Cities and Villages*, Chapter 24, Section 1101, 1985.

⁴ Binninger, Dawson, Sauer, "The P.W. Story," *Illinois Municipal Review*, 1984.

⁵ Andrew J. Barto, *Review of the AWT Program*, 1988.