

Office of the Kane County State's Attorney



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KANE SAO PLANS INDEPENDENCE DAY WEEKEND ANTI-DUI INITIATIVE

RE: July 4 weekend No-Refusal

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Kane County State's Attorney Jamie L. Mosser announces that the State's Attorney's Office will work with Kane County police agencies on an impaired driving abatement initiative this July 4 weekend.

The initiative, called a No-Refusal operation, is designed to assist police efforts to obtain a search warrant for individuals who refuse to submit to chemical testing after a DUI arrest. Kane County Assistant State's Attorneys are on hand to assist police officers through the search warrant process to compel a DUI suspect to submit to a lawfully requested blood, breath or urine test as required by Illinois law.

Illinois courts have held that a person has no right to refuse chemical testing when probable cause exists. Anyone who declines to submit to chemical testing after being presented with a search warrant should expect to face additional charges.

SA Mosser said: "Any holiday has the potential to involve excessive drinking and, unfortunately, dangerous drunken driving. We certainly want people to have fun, but to do so safely. There are so many alternatives to drinking and driving – designated drivers, taxis, Uber and Lyft. We will assist law enforcement in obtaining a search warrant so we can get the evidence needed to prosecute any individual who compromises our community safety. The initiative will take place sometime during the July 4 weekend."

The operation will be the 28th No-Refusal since the Kane County State's Attorney's Office began the program in 2008.