

Office of the Kane County State's Attorney



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JULY 4 NO-REFUSAL OPERATION NETS 1 DRUNK DRIVER FIVE POLICE AGENCIES PARTICIPATED

RE: July 4 No-Refusal DUI Abatement Initiative

July 22, 2022

Kane County State's Attorney Jamie L. Mosser announces that Kane County's July 4th No-Refusal operation, a collaborative effort of the Kane County State's Attorney's Office and multiple Kane County law-enforcement agencies, netted one intoxicated driver.

The operation included five police agencies – Batavia, Carpentersville, Geneva, St. Charles and the Kane County Sheriff's Office.

The details

From 9 p.m. on July 4th to 1 a.m. on July 5th, 2022, officers who stopped and arrested a suspected intoxicated driver transported the alleged offender to their local police station. At the station, the alleged offender was asked to submit to a Breathalyzer or other chemical testing. Any suspect who refused to provide the sample would have been instructed by an assistant state's attorney on call that a court order would be sought ordering them to provide the sample if they continued to refuse. Suspects who continued to refuse to submit to chemical testing after being presented with a search warrant faced additional charges.

Illinois courts have consistently held that a driver has no right to refuse chemical testing when probable cause exists that he or she is intoxicated and operating a motor vehicle.

No search warrants were obtained during the July 4 initiative. The motorist who was charged submitted to a Breathalyzer.

SA Mosser said:

"I continue to be grateful to the participating police agencies and to the members of our staff who played a role in preserving the safe streets of Kane County. We have so many reliable and safe options to get home after a night of drinking. It is inexcusable for those that choose to drink and drive an endanger everyone else on the road. My thanks to DUI Supervisor ASA Katy Flanagan and Assistant State's Attorney Alex Gasparro for

arranging this No-Refusal evening, along with Assistant State's Attorney's Stacey Wittman, Tyler Cox and Sarah Norkus from my office who worked on July 4th to hold this individual accountable."

Participating agencies and those charged:

BATAVIA

Zero

CARPENTERSVILLE

Zero

GENEVA

Zero

KANE COUNTY SHERIFF

Zero

ST. CHARLES

Rachel A. Krotz: age 24 (d.o.b. 9-12-1997), of the 1200 block of Wing Avenue, St. Charles, Illinois. Charged with two counts of DUI, Class A misdemeanor, and traffic offenses. Her next court appearance is set for 9 a.m. August 24, 2022, in Courtroom 203 at the Kane County Judicial Center.

The charges are not proof of guilt. A defendant is presumed innocent and is entitled to a fair trial in which it is the state's burden to prove his or her guilt beyond a reasonable doubt.