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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of June – 2025

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People v. Aswad J. Coates, 2025 IL App (4th) 231312, April 15, 2025.

THE CASE: During a traffic stop Coates refused to provide identification or exit his car. [Coates identified himself as a “sovereign citizen.”] Was the conduct of Coates sufficient to constitute the offense of Obstructing a Peace Officer?

FACTS: Following a traffic stop, Coates was charged with Resisting and Obstructing a Peace Officer. At the subsequent jury trial, the arresting Officer testified that he pulled the Coates’ vehicle over for speeding. The Officer approached the car and noted that Coates was the driver. The Officer explained that he stopped the car for speeding, which Coates denied. The Officer indicated to Coates that speeding was a traffic violation justifying a traffic stop and asked him for identification. According to the Officer, Coates “debated” with him whether the stop was justified and initially refused to provide his identification and insurance information. When Coates identified himself as a “sovereign citizen” the Officer called for backup and ordered Coates to exit the car. After multiple requests to exit, one of the officers who had been called as backup opened the driver's side door and physically removed Coates. At this point, the Officer indicated to Coates that he was under arrest, and he was placed in handcuffs. The trial court then allowed recordings from the patrol car's dashboard camera into evidence.

The video footage was substantially consistent with the Officer's testimony of the stop. The stop occurs at night and on a divided highway. Coates pulls his vehicle to the shoulder of the parkway, but a portion of the vehicle remains in the right traffic lane. In the video, Coates cites a California case from 1975, which he claims supports his assertion that speeding was not a crime justifying a traffic stop. About one minute into the stop, Coates indicates he is a “sovereign citizen” exercising his “freedom of travel,” to which the Officer responds, “Alright,” before using his radio to call for backup. While waiting for backup to arrive, Coates and the Officer continue to debate the legality of the stop, with Coates indicating, “I'm not trying to give you a hard time.” Also during this time, the Officer can be seen looking into the back seat of the car. When Coates asks why the Officer is doing so, he responds, “Because police officers get shot.” Coates responds, “I feel threatened.” When asked why, Coates states, “Because I don't know you for one. *** I don't know you, you got a gun, you got a flashlight. *** I'm in the middle of nowhere.” Shortly thereafter, the backup officers arrive, which was about three minutes after being called. The Officers physically remove Coates from his car. After being removed, Coates falls to the ground and is picked up a few seconds later by an officer, who place him in handcuffs.

Following a jury trial, Coates is found not guilty of Resisting a Peace Officer but guilty of two counts of Obstructing a Peace Officer. [One count was for refusing to provide the Officer with Identification and the second count for refusing to exit his car.]

ARGUMENT: On appeal, Coates argued that his convictions must be reversed because the evidence introduced against him was insufficient to convict him of Obstructing a Peace Officer beyond a reasonable doubt.

THE LAW: At the time defendant was charged in this case, section 31-1(a) of the Criminal Code of 2012 (720 ILCS 5/31-1(a)) provided as follows: “A person who knowingly resists or obstructs the performance by one known to the person to be a peace officer, firefighter, or correctional institution employee of any authorized act within his or her official capacity commits a Class A misdemeanor.” Stated another way, “the State must prove that the defendant *** obstructed someone he knew was a peace officer and that this obstruction *** actually impeded or hindered the officer from conducting an act that he or she was authorized to perform.” It is well settled that the statute does not “proscribe mere argument with a policeman about the validity of an arrest or other police action” but instead contemplates conduct “which imposes an obstacle which may impede, hinder, interrupt, prevent or delay the performance of the officer's duties.” Such an impediment or hindrance must be material and beyond merely technical or de minimis. Several factors to consider when determining whether an individual's alleged obstructing act constituted a material hindrance of an officer's authorized acts include the following: (1) the length of the delay caused by the act, which is a “primary factor”; (2) whether the officers initiating the traffic stop were familiar with the defendant; and (3) whether the act tends to pose a risk to officer safety. The inquiry into materiality is fact-intensive, and “obstructive acts that may not create a material impediment in one set of circumstances may nevertheless create such an impediment in other circumstances.”

Additionally, Illinois courts have consistently held that any refusal to act or small delay that poses a risk to officer safety constitutes a material impediment sufficient to sustain a conviction for obstructing a peace officer. These cases also typically

involve circumstances surrounding the stop that are inherently “fraught” with risk or danger, where even a de minimis delay is sufficient to support the conviction due to an actual risk to officer safety.

ISSUE #1: Did Coates commit Obstructing a Peace Officer by Refusing to Provide his Identification?

FINDINGS: In considering this issue, the appellate court first declared that the evidence introduced in this case did not indicate that this stop was “fraught with risk or danger.” Despite the Officer's statement in the video that “officers get shot,” there was no evidence suggesting this was a situation was inherently fraught with danger. There was no evidence Coates was stopped on suspicion of more than a minor traffic violation. There were no reports of violence that precipitated the stop, and no witness testified there was reason to believe Coates possessed a weapon or firearm. There was no testimony this was a high crime area known for gang or other criminal activity. Accordingly, the appellate court concluded that Coates’ alleged refusal to provide identification did not fall into the line of cases where the circumstances surrounding the stop are inherently “fraught” with risk or danger and where even a small delay was sufficient to support the conviction due to an actual risk of officer safety. Therefore, the issue before the Court was whether Coates’ alleged obstructing act (refusing to provide his identification) constituted a material hindrance of an officer's authorized acts.

The appellate court concluded that Coates materially hindered the arresting Officer in conducting a routine traffic stop when he failed to provide his identification. According to the Court, it was clear from the record that the Officer and Coates did not know each other. Additionally, Coates acknowledged he spent about five minutes arguing with the Officer regarding whether he was required to produce his identification. During this time, the Officer attempted to explain multiple times he was authorized to request identification during a traffic stop and that speeding was sufficient grounds to conduct such a stop. While Coates remained polite and reasonably respectful during this debate, he became increasingly agitated when he accused the officer of looking around or searching his car. The fact the Officer called for backup as soon as Coates indicated he was a “sovereign citizen” supported an inference he did not believe there was any explanation or authority he could have provided that would have satisfied Coates and that would have resulted in compliance with the request for his identification. Further, Coates continued to cite irrelevant portions of the Uniform Commercial Code, brought up differences between common law and “codes,” and erroneously asserted he had a “right,” rather than a “privilege,” to operate a vehicle on public roads. Although Coates never outright stated he would not produce his identification under any circumstances, he never actually complied. In fact, the Officer was only able to obtain defendant's identification from his wallet after Coates was forcibly removed from the car. Further, the stop occurred at night, on the parkway, and while the defendant's car was not entirely out of the traffic lane. The Court noted that although five or six minutes was not an extensive delay in general, a reasonable juror could conclude, under these circumstances, it was more than brief in the context of a traffic stop that is intended to be a relatively brief encounter. Finally, the Court found while a mere argument with a police officer is not sufficient to sustain a conviction for obstructing, a reasonable juror could conclude that the defendant's commitment to an ongoing debate with the Officer constituted a material delay in his authorized attempt to identify him as required during a routine traffic stop. Accordingly, the Court affirmed the defendant's conviction for obstructing a peace officer as alleged in Count 1.

ISSUE #2: Did Coates commit Obstructing a Peace Officer by Refusing to Exit his car?

THE LAW: It is well settled that, following a lawful traffic stop, the police may, as a matter of course, order the driver to exit the vehicle pending the completion of the stop without impinging upon the driver's fourth amendment rights. The primary rationale for this rule is the concern for officer safety: it allows an officer to better observe the movements of the stopped person and permits the encounter to occur away from traffic hazards.

FINDINGS: In this case, the appellate court noted that the video evidence showed Coates was ordered to exit his vehicle at least three times. He was told that if he did not exit, he would go to jail. Despite these repeated orders, Coates continued to question why he was being asked to exit and demanded the police provide an explanation, leading the officers to forcefully remove him. The Court noted that although Coates emphasized the Officer's comment that Coates was arrested because he made the Officer “work,” the comment, according to the Court, clearly referred to his view that Coates continuously and repeatedly impeded and delayed him in carrying out the traffic stop. The Court declared that while the defendant's refusal to exit the car occasioned only a minimal delay in this case, Illinois courts have consistently held that any refusal to act that poses a risk to officer safety constitutes a material impediment sufficient to sustain a conviction for obstructing a peace officer. The continued refusal of Coates to exit his car constituted a threat to the safety of the Officer. Therefore, the Court concluded that under these facts, the conduct of Coates was sufficient to constitute Obstructing a Peace Officer.

CONCLUSION: The appellate court affirmed the defendant's two convictions for Obstructing a Peace Officer.

QUIZ QUESTIONS FOR THE MONTH OF JUNE – 2025

People v. Aswad J. Coates, 2025 IL App (4th) 231312, April 15, 2025.

1. In Illinois, verbally arguing with a peace officer concerning the validity of his detention or arrest will not generally be considered sufficient to constitute the offense of Obstructing a Peace Officer.
 - a. True.
 - b. False.

2. To commit the offense of Obstructing a Peace Officer, the conduct of the defendant must “materially” impede, hinder, interrupt, prevent or delay the performance of the officer's duties. In this case, the Court listed several factors to consider when determining whether an individual's alleged obstructing act constituted a material hindrance of an officer's authorized acts. Which one of the following was not one of those listed factors
 - a. the length of the delay caused by the act.
 - b. whether the officers initiating the traffic stop were familiar with the defendant.
 - c. whether the suspect had previously obstructed or resisted the authorized acts of an Officer.
 - d. whether the act tends to pose a risk to officer safety.

3. In this case, did the appellate court conclude that the defendant’s mere act of declining to produce his identification constitute the offense of Obstructing a Peace Officer?
 - a. Yes.
 - b. No.

4. Coates argued that his mere refusal to exit his car was insufficient to constitute the offense of Obstructing a Peace Officer. The appellate court agreed with this argument.
 - a. True.
 - b. False.

QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JUNE – 2025

People v. Aswad J. Coates, 2025 IL App (4th) 231312, April 15, 2025.

1. In Illinois, verbally arguing with a peace officer concerning the validity of his detention or arrest will not generally be considered sufficient to constitute the offense of Obstructing a Peace Officer.

a. **True.** As this Court noted: “It is well settled that the statute does not “proscribe mere argument with a policeman about the validity of an arrest or other police action” but instead contemplates conduct “which imposes an obstacle which may impede, hinder, interrupt, prevent or delay the performance of the officer's duties.”

2. To commit the offense of Obstructing a Peace Officer, the conduct of the defendant must “materially” impede, hinder, interrupt, prevent or delay the performance of the officer's duties. In this case, the Court listed several factors to consider when determining whether an individual's alleged obstructing act constituted a material hindrance of an officer's authorized acts. Which one of the following was not one of those listed factors

c. **whether the suspect had previously obstructed or resisted the authorized acts of an Officer.**

3. In this case, did the appellate court conclude that the defendant’s mere act of declining to produce his identification constitute the offense of Obstructing a Peace Officer?

a. **Yes.** The Court concluded that it did.

4. Coates argued that his mere refusal to exit his car was insufficient to constitute the offense of Obstructing a Peace Officer. The appellate court agreed with this argument.

b. **False.** The appellate court rejected this argument and affirmed the defendant’s conviction.