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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of August – 2025 - ALTERNATIVE

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People v. Rev Martinez-Galarza, 2025 IL App (2d) 240352, April 29, 2025.

THE CASE: Martinez-Galarza was stopped for an equipment violation. After completing a warning ticket, the Officer explained that the ticket was being issued for an equipment violation and not for speeding. While explaining, the Officer detected the odor of alcohol on Martinez-Galarza. Was this explanation part of the “mission” of the detention?

FACTS: Following a traffic stop, Martinez-Galarza was arrested and charged with DUI. Martinez-Galarza then moved to suppress the evidence the Arresting Officer gathered during the traffic stop. At the suppression hearing, the Arresting Officer (Officer) testified that on the day in question, at approximately 9:45 p.m., while on routine patrol, he observed a motor vehicle driven by Martinez-Galarza. The vehicle did not have an operating registration light. The Officer followed the vehicle for one or two minutes before pulling it over. The Officer described Martinez-Galarza's driving as “fine.” The Officer approached the passenger's side of the vehicle and spoke with Martinez-Galarza, who was seated in the driver's seat. The Officer then returned to his vehicle to prepare a written warning and issue it to Martinez-Galarza. When he finished preparing the warning, he approached the driver's side of Martinez-Galarza's vehicle to issue the warning and return Martinez-Galarza's driver's license. However, without first returning the license or issuing the warning, the Officer asked Martinez-Galarza a series of questions. At some point, Martinez-Galarza stepped out of the vehicle. The Officer did not ask him to do so. The Officer then requested assistance from a Spanish-speaking officer. After that officer arrived, Martinez-Galarza submitted to a series of field sobriety tests. The Officer ultimately arrested defendant for DUI.

On cross-examination by the City, the Officer testified that, when he approached the passenger side of defendant's vehicle after pulling it over, he asked defendant for his driver's license and proof of insurance. Instead of producing a driver's license, defendant handed Czarnecki a State of Illinois identification card. When the Officer approached the driver's side of Martinez-Galarza's vehicle after preparing the written warning, he spoke to Martinez-Galarza. The Officer testified: “On that *** approach after speaking with [defendant], I noticed the odor of an alcoholic beverage coming from his person and then also what I believed to be him—smell of a jalapeno coming from his breath.” The Officer described the odor of alcohol as “fairly strong.” The Officer asked the defendant if he had had anything to drink. Martinez-Galarza admitted drinking one or two beers at a friend's house. Martinez-Galarza asked why the Officer had stopped him. According to the Officer, he reminded Martinez-Galarza several times that he stopped him because the registration light was not illuminated but “for whatever reason[,] [defendant] believed that it was for speeding even though [the Officer] never indicated that it was for speeding.” While speaking with Martinez-Galarza, the Officer noticed that Martinez-Galarza's speech sounded “slurred and mumbled.”

In announcing its ruling, the trial court explained that there was no dispute that the initial traffic stop was lawful because the Officer observed an equipment violation. The court noted that, although the Officer testified that Martinez-Galarza's speech was slurred and mumbled, the court did not notice any issues with defendant's speech in the body-camera video that had been introduced. The court stated that, once the purpose of a traffic stop is completed, “there must be probable cause to further detain.” Thus, the court framed the dispositive question as “whether or not there was probable cause to detain the defendant for driving under the influence.” Concluding that “there was no probable cause to detain the defendant past the point of the initial stop,” the court granted Martinez-Galarza's motion to quash and suppress. Specifically, the court declared that the Officer unreasonably extended the duration of Martinez-Galarza's detention by explaining to him the purpose of the warning ticket that was being issued. From this ruling, the People brought this appeal.

ISSUE #1: Did the Circuit Court err in concluding that the Officer unreasonably extended the duration of Martinez-Galarza's detention by explaining the purpose of the warning ticket?

THE LAW: There are three tiers of police-citizen encounters: (1) an arrest of a citizen, which must be supported by probable cause; (2) a temporary investigatory seizure conducted pursuant to *Terry v. Ohio*, 392 U.S. 1 (1968), where an officer may conduct a brief, investigatory stop of a citizen when the officer has a reasonable, articulable suspicion of criminal activity and such suspicion amounts to more than a mere ‘hunch’; and (3) police-citizen encounters that are consensual, which involve no coercion or detention and do not implicate any fourth amendment right. A traffic stop is considered more analogous to a temporary investigative seizure (i.e., a Terry stop) than to a formal arrest. The traffic stop can become unlawful “if it is prolonged beyond the time reasonably required to satisfy its initial purpose” The United States Supreme Court has observed that “the tolerable duration of police inquiries in a traffic-stop context is determined by the seizure's

‘mission’—to address the traffic violation that warranted the stop.” According to the Court, ‘[a]uthority for the seizure thus ends when tasks tied to the traffic infraction are—or reasonably should have been—completed.’

In a routine traffic stop, the officer's mission includes not only deciding whether to issue a ticket, but also activities such as “checking the driver's license, determining whether there are outstanding warrants against the driver, and inspecting the automobile's registration and proof of insurance.” Although an officer may also conduct checks unrelated to the traffic stop's mission, “he may not do so in a way that prolongs the stop, absent the reasonable suspicion ordinarily demanded to justify detaining an individual.” Moreover, “[w]hile reasonableness requires diligence in completing a traffic stop, it does not require inhuman, machine-like efficiency, such that the traffic stop is completed as fast as possible, down to the second.” Although a detention ordinarily must end when the purpose of the traffic stop has been completed, it may be extended if, before the tasks associated with the stop are completed, the officer develops a reasonable suspicion that a different crime has been or is being committed. The strong odor of alcohol emanating from a motorist during a traffic stop, coupled with the motorist's admission to consuming alcohol, gives rise to a reasonable suspicion that the motorist committed DUI.

ISSUE: In this case, according to the Officer, Martinez-Galarza's breath had the odor of alcohol, and he admitted having consumed one or two beers. Thus, the Officer had reasonable suspicion that Martinez-Galarza had committed DUI; the dispositive question was whether that suspicion arose while Martinez-Galarza was still properly detained?

ARGUMENTS: The City argued that the trial court erred in concluding that the Officer's conversation with Martinez-Galarza, after completing the written warning but before delivering it to him and returning his identification card, improperly prolonged the stop. Martinez-Galarza argued in response that the purpose of the stop was completed when the Officer returned to Martinez-Galarza's vehicle with the written warning. According to Martinez-Galarza, the Officer thereafter improperly prolonged the stop by questioning Martinez-Galarza to ensure that he understood the purpose of the warning.

SUB-ISSUE: Did the Officer unreasonably prolong this detention by explaining the purpose of the warning ticket?

FINDINGS: The appellate court noted that an officer's mission in a traffic stop includes checking the motorist's license and conducting a warrant search on the suspect. Illinois courts have held that, once these tasks have been completed, “ ‘if no further suspicion is aroused, the traffic stop must cease, and the individual should no longer be detained.’ The police officer should then issue a warning ticket and allow the driver to continue on his way.” The question that remained, however, was precisely what activities fall within the scope of “issuing” a written warning. Must the officer simply deliver the warning and tell the motorist that he is free to go? Or does the task of issuing a written warning include attempting to ensure that the motorist understands the warning? The Court admitted that it had found no Illinois decision specifically addressing this issue, but courts in other jurisdictions generally appear to favor the latter view.

In this case, the appellate court declared that it agreed with those courts that have held that explaining a written warning to a motorist is a proper part of the process of issuing the warning. In Rodriguez v. United States, 575 U.S. 348, 355, (2015), the United States Supreme Court explained that the ordinary inquiries incident to a traffic stop (i.e., checking the motorist's license and proof of insurance, the vehicle's registration, and the existence of any warrants for the motorist's arrest) “serve the same objective as enforcement of the traffic code: ensuring that vehicles on the road are operated safely and responsibly.” This Court then concluded that the act of explaining to a vehicle owner, who was present at a traffic stop, that his vehicle did not comply with legal requirements falls within this objective.” Here, it was appropriate for the Officer to attempt to ensure that Martinez-Galarza understood that the inoperative registration light on his vehicle violated legal requirements, thus alerting him to the need for bringing the vehicle into compliance.

Applying these principles to this case, the Court noted that, when the Officer returned to Martinez-Galarza's vehicle after preparing the written warning, he initiated a discussion about the reason for the warning. The discussion lasted roughly one minute, during which Martinez-Galarza questioned why the Officer stopped him when he was not speeding, while others on the road were. This was a reasonable amount of time for the Officer to attempt to convey that the warning was for an equipment violation, not a moving violation. Doing so served the purpose of enabling Martinez-Galarza to bring his vehicle into compliance with the law. Immediately after trying to explain the reason for the warning, the Officer asked Martinez-Galarza if he had had anything to drink. According to the Officer's testimony, he did so because he noticed the strong odor of alcohol coming from Martinez-Galarza's person. Given the sequence of events, it is evident that the Officer noticed the odor of alcohol while attempting to explain the reason for the warning. The Court concluded that at that point, the mission of the original stop had not been completed. Thus the Officer did not unreasonably prolong Martinez-Galarza's detention.

CONCLUSION: The appellate court reversed the trial court's judgment granting Martinez-Galarza's motion to suppress.

QUIZ QUESTIONS FOR THE MONTH OF AUGUST – 2025 - ALTERNATIVE

People v. Rey Martinez-Galarza, 2025 IL App (2d) 240352, April 29, 2025.

1. A traffic stop is considered by the courts to be more similar to a formal arrest rather than to a *Terry* detention.
 - a. True
 - b. False.
2. Can the conduct of an Officer turn an otherwise legal traffic stop into an illegal detention?
 - a. Yes.
 - b. No.
3. Illinois courts have concluded that once the “mission” of the traffic stop has been concluded, the Officer should end the detention and inform the suspect that he or she is free to leave.
 - a. True.
 - b. False.
4. Considering the facts of this case, was it proper for the Officer to delay releasing the suspect while the Officer explained the purpose of a warning ticket?
 - a. Yes.
 - b. No.

QUIZ QUESTIONS FOR THE MONTH OF AUGUST – 2025 - ALTERNATIVE

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1. A traffic stop is considered by the courts to be more similar to a formal arrest rather than to a *Terry* detention.

b. **False.** The Court held that, “A traffic stop is considered more analogous to a temporary investigative seizure (i.e., a Terry stop) than to a formal arrest.”
2. Can the conduct of an Officer turn an otherwise legal traffic stop into an illegal detention?

a. **Yes.** If the conduct of the Officer unreasonably extends the duration of the stop, a legal traffic stop may turn into an illegal detention.
3. Illinois courts have concluded that once the “mission” of the traffic stop has been concluded, the Officer should end the detention and inform the suspect that he or she is free to leave.

a. **True.** This is the declaration of the Illinois Courts.
4. Considering the facts of this case, was it proper for the Officer to delay releasing the suspect while the Officer explained the purpose of a warning ticket?

a. **Yes.** The Court held, “Here, it was appropriate for the Officer to attempt to ensure that Martinez-Galarza understood that the inoperative registration light on his vehicle violated legal requirements, thus alerting him to the need for bringing the vehicle into compliance.”