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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

ACQUISITIONS

POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT: Review of Departmental Written Directives With Recommendations For Format and Content.

REPORT NUMBER: 76-230-110

FOR: Glen Ellyn, Illinois,
Police Department

Population: 25,500

Police Strength: 42.5

(Sworn): 33

(Civilian): 9.5

Square Mile Area: 7

CONTRACTOR: Public Administration Service
1776 Massachusetts Avenue, N. W.
Washington, D. C. 20036

CONSULTANT: James A. Chipps, Jr.

CONTRACT NUMBER: J-LEAA-002-76

DATE: February, 1977

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FOREWORD

The Glen Ellyn, Illinois, Police Department requested technical assistance in reviewing departmental written directives. The report that follows includes the findings, conclusions, and recommendations of the consultant, James A. Chipps, Jr., based on the analysis of existing written directives.

Following are the names of key persons involved in the initiation and processing of the request for technical assistance:

Requesting Agency: Mr. James E. Hill
Superintendent of Police
Glen Ellyn Police Department

Planning Agency: Ms. Jane Rae Oksas
Associate Director
Illinois Law Enforcement Commission

Approving Agency: Mr. Terrence Doherty
Police Specialist
LEAA - Region V

The services provided hereunder were supported financially by the LEAA through its National Police Services Technical Assistance contract. The conclusions and recommendations contained herein, however, are those of the consultant and do not necessarily represent the official position of the Law Enforcement Assistance Administration, U. S. Department of Justice.

I. INTRODUCTION

The Superintendent of Police of the Glen Ellyn, Illinois, Police Department requested technical assistance in reviewing the existing collection of written rules, policies, and procedures governing police activities. Specifically, the consultant was asked to do the following, in descending order of importance:

- recommend a method for organizing written directives to facilitate ease of reference;
- recommend standard definitions for classifying written directives by type (i. e., rules, policies, and procedures), and provide written illustrations of each;
- recommend procedures for the preparation, issuance, and maintenance of written directives;
- comment as time permitted on the content, comprehensiveness, and appropriateness of current written directives to contemporary police needs, and identify apparent departmental needs for formulating written directives for those areas where none presently exist.

In performing the requested technical assistance, the consultant met and worked closely with the department's administrative lieutenant, Dennis W. Jamieson. Lieutenant Jamieson, a capable executive who had been assigned the task of studying the department's written directive needs, made available to the consultant copies of all existing written directives and manuals. He and the consultant discussed the major elements that should be included in any new written directives document, as well as the recommended procedures for its preparation, maintenance, and distribution. The following report outlines the consultant's recommendations for the development, publication, and maintenance of such a document.

II. UNDERSTANDING THE PROBLEM

The Glen Ellyn Police Department is well organized and managed. Over the years, it has implemented a number of progressive service delivery methods, and its executive and command staff have demonstrated a continuing desire to support operational and managerial improvement.

Consistent with the department's progressiveness, the superintendent of police and his principal commanders have determined that the existing collection of departmental written directives is no longer adequate to meet either the present or future needs of the department. He has thus requested technical assistance in order to bring them up to the required standard.

III. ANALYSIS OF THE PROBLEM

A review of the existing collection of written directives of the Glen Ellyn Police Department reveals a number of deficiencies, including:

1. Poor organization of material;
2. Lack of definitions of purpose and scope;
3. Extraneous and in some cases outdated material;
4. Failure to address some important areas of police conduct, departmental operation, and functional responsibilities;
5. A lack of an overall topical listing or index, except the one provided in the "Manual, Police Department of the Village of Glen Ellyn and Board of Fire and Police Commissioners."

In addition to the above concerns, no established process for reviewing and maintaining these directives exists in the department.

IV. FINDINGS AND CONCLUSIONS

The problem areas cited in the request for technical assistance by the superintendent of police were confirmed by a review of the existing body of written directives. A manual which brings together all the written directive needs of the department in a comprehensive and thorough manner must be developed. Moreover, a procedure for its regular review on a routine, scheduled basis needs to be established. Provisions which assign organizational responsibility for coordinating the mechanics of review should also be developed.

V. RECOMMENDATIONS

A new manual of departmental rules, policies, and procedures should be prepared. It is recommended that Administrative Division commander have the principal responsibility for coordinating this specific effort and the on-going responsibility for the new manual's continued maintenance.

The new manual should be comprised of four major parts: Police Rules and Regulations, Departmental Organization and Administration, General and Special Directives, and Procedural Instructions.

It is suggested that the manual be prepared according to the guidelines presented in the appendices to this report, which include the following:

- Appendix A --- Rules, Policies, and Procedures Defined
- Appendix B --- Illustrative Rules and Regulations for Part I, Rules and Regulations, of the Proposed Manual
- Appendix C --- Recommended Outline for Part II, Departmental Organization and Administration, of the Proposed Manual.
- Appendix D --- Recommended Written Directives Format for Part III, General and Special Directives, of the Proposed Manual.
- Appendix E --- Illustrative Procedural Instructions for Part IV of the Proposed Manual

As described, the contents of the proposed manual will become outdated without the installation of a formal review and revision process. A constant analysis of new laws, ordinances, citizen complaints, developing programs, and unusual occurrences is necessary to ensure that current needs are met by the existing written directives. Within the department's current organization, the Administrative Division would logically be responsible for this function. It is further suggested that as the department proceeds with the preparation of a manual, picking and choosing from the materials herein enclosed, a formal maintenance program be concurrently developed.

Finally, it is recommended that the department's current written directive materials, which were reviewed by the consultant for content and organization and returned to the department, be included in the proposed manual once they have undergone the consultant's suggested modifications.

APPENDIX A

RULES, POLICIES, AND PROCEDURES DEFINED

RULES

A good way to think of rules is as a body of directives governing employee and officer conduct. Thus, "rules of conduct" would be synonymous with "rules and regulations." All matters not specifically relating to conduct should be covered in operational guidelines published in the form of general, special, or procedural instructions. Rules should incorporate a degree of permanence. Operational guidelines, by contrast, might frequently be changed to respond to improved operational practices or necessary program changes.

A good definition of "rule" is: A specific prohibition or requirement which is stated to prevent deviation. Rules allow very little or no deviation in application other than for stated exceptions.

One final note: brevity, simplicity, and conciseness are essential in the construction of rules. Every effort should be made to avoid ambiguous and overly detailed phraseology.

POLICIES

Policies consist of principles^{1/} and values^{2/} which guide the performance of departmental activities. Policy is not a statement of what must be done in a particular situation; rather, it is a statement of guiding principles that should be followed in activities directed toward the attainment of departmental objectives.^{3/}

Policy is formulated by analyzing objectives and determining through research those principles which will best guide the department in achieving its objectives. Policy is based on police ethics and experience, the desires of the community, and the mandate of law.

Policy is articulated to inform the public and department employees of the principles which will be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist department employees in the necessary exercise of discretion in discharging their responsibilities. Since policy is objective oriented rather than situation oriented, it is broad enough to encompass most situations. True policies, being guides, must allow for some discretion.

^{1/}Principle -- a principle is a conceptual guide arrived at through logical deduction by evaluating experience with a view toward the attainment of objectives. A principle may be of assistance in the exercise of judgement in a duty-related activity and may be both ethical and functional.

^{2/}Value -- a value is a quality of performance or accomplishment. Values are the basis for the determination of objectives and may be both ethical and functional.

^{3/}Objective -- an objective is a desired end for which effort is expended and which, if attained, fulfills the purposes of the department. Within each objective there may be a number of ancillary objectives, each of which contributes to the accomplishment of the police mission.

PROCEDURE

A procedure is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform a specific task or tasks within the guidelines of policy. Both policies and procedures are objective oriented; however, policy establishes limits of action while procedure directs response within those limits. Procedures establish a customary method of handling activities as guides to action rather than thinking (i. e., policies).

APPENDIX B

ILLUSTRATIVE RULES AND REGULATIONS FOR PART I,
RULES AND REGULATIONS, OF THE PROPOSED MANUAL

PART I
POLICE RULES AND REGULATIONS

TABLE OF CONTENTS

CHAPTER 100	Introduction
CHAPTER 200	Duties and Responsibilities
CHAPTER 300	Personnel Rules
CHAPTER 400	Police Misconduct
CHAPTER 500	Department Regulations
CHAPTER 600	Disciplinary Procedures
CHAPTER 700	Citizen Complaints

Consultant's Note: The contents of this appendix are meant for use as reference material. They should not be interpreted as an all-inclusive recommendation concerning Glen Ellyn's rules needs. Of course, departmental officials should feel free to use any or all of the materials included herein.

CHAPTER 100
INTRODUCTION

101. Purpose

The purpose of rules and regulations is to provide for the orderly and disciplined performance of duty. Police rules and regulations are designed to: (a) promote professional conduct on the part of all members of the Glen Ellyn Police Department; (b) specify what actions are required of and prohibited to members of this Police Department; and (c) ensure accountability on the part of all members of this Police Department for their individual acts.

102. Responsibility

Each member of the Police Department will be held responsible for any act or failure to act which is in any way prejudicial to good order and discipline, or reflects unfavorably upon the Police Department, or is contrary to the best interest of the Village.

103. Violations

Violations by any member of the Police Department of the rules and regulations provided in this Manual, or of any federal, state, county, or village laws, regulations, or statutes, may be sufficient cause for dismissal, demotion, suspension, reprimand, or other disciplinary action at the discretion of the Chief of Police.

104. Terms and Definitions

104.1. Activity Bulletin

A bulletin issued periodically containing information regarding wanted persons, crime types and locations, other incidents calling for Police attention, special notices, and special locations calling for Patrol. All directions contained in the Bulletin have the force and effect of department orders.

104.2. Annual Leave

Vacation period granted to all members annually.

104.3. Chain of Command

The unbroken line of authority extending from the Chief of Police through a single subordinate at each level of command down to the level of execution.

104.4. Commanding Officer

The officer having the highest rank or grade. Officers of the same grade shall rank according to the date of their appointment to that grade. When two or more officers are on duty together, the officer of the highest rank is in command and shall be held responsible for the operation, unless otherwise designated by the Chief of Police. For a special detail and for a specific period, an officer may be designated by the commanding officer to take command without regard to rank. The beat officer is the responsible officer when other patrolmen are dispatched to his patrol area to assist him.

104.5. Department

The Glen Ellyn Police Department.

104.6. Detail

Members of the Department, sometimes from more than one unit, grouped together for the accomplishment of a specified mission. When not engaged in a continuing operation, the detail is called a special detail.

104.7. Division

A primary functional unit of the Department.

104.8. Follow-Up Investigation

A supplementary investigation following the preliminary investigation designed to record additional facts directed towards the successful conclusion of the investigation.

104.17. May/Should

As used herein, words may and should shall mean that the action indicated is permissive.

104.18. Members

All persons on the Police Department payroll, including both sworn officers and civilian employees.

104.19. Memorandum

A written memorandum issued by the Chief of Police for the purpose of keeping members informed and aware of situations and matters that affect the Department in general.

104.20. Neglect of Duty

Failure to give suitable attention to the performance of duty. Examples include but are not limited to: Failure to take appropriate action on the occasion of a crime, disorder, or another act or condition deserving police attention to. Absence without leave; failure to report to duty at the time and place designated; unnecessary absence from the beat during a tour of duty; failure to perform duties prescribed in the police manual; failure to conform to the department operating procedures.

104.21. Off Duty

The state of a member during the period he is free from the performance of specified duties. Also may be known as day off, vacation, or annual leave.

104.22. Officers

Every member duly appointed to the Police Department as a regularly salaried peace officer and who has taken the oath as such. The term is applied without regard to sex, race, division, or duty.

104.23. On Duty

The state of a member during the period of the day when he is actively engaged in the performance of his duties. Technically, a police officer is subject to call at all times.

104.24. Out of Service

Not available for radio communications.

104.9 General Directive

Permanent written order, issued by the Chief of Police, not relating to a specific circumstance or situation but affecting or of concern to the entire Department.

104.10. Headquarters

The building that houses the headquarters' staff and members of the Police Department.

104.11. Incompetence

Incapable of satisfactory performance of police duties, not including temporary physical disability.

104.12. In Service

In service with the radio equipment in operation.

104.13. Insubordination

Failure or deliberate refusal of any member or employee to obey a lawful order given by a superior officer shall be insubordination. Ridiculing a superior officer of his orders, whether in or out of his presence is also insubordination. Disrespectful, mutinous, insolent, or abusive language toward a supervising officer may be insubordination.

104.14. Lawful Order

Any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law, ordinance or any departmental rule or regulation, which does not involve unethical conduct or a violation of civil right.

104.15. Leave of Absence

The period of time during which an officer is excused from active duty and during which time he received no pay.

104.16. Length of Service

The length of time that an officer has been employed by the Glen Ellyn Police Department.

104.35. Report

A written communication, unless otherwise specified, relating to police matters.

104.36. Seniority

Seniority in the Department is established first by rank and secondly by aggregate time served in rank. Where conflict occurs because of identical service of dates of appointment, the member with the highest score on the promotional list from which appointments were made is deemed to be the senior. In situations requiring decision or control, where a patrol area officer is not assigned, and where the officers are of equal ranks, the senior officer will make the decision and exercise control unless otherwise directed by a higher supervisory officer or Chief of Police and department regulation.

104.37. Senior Officer

The officer with the highest seniority.

104.38. Shall/Will

The words shall and will as used herein shall indicate that the action required is mandatory.

104.39. Shift

That period of a calendar day during which a specified number of members are on duty.

104.40. Shift Commander

The commanding officer in charge of a shift.

104.41. Sick leave

The period of time during which an officer is excused from active duty by reason of illness, injury, or death in the immediate family.

104.25. Patrol Area

A geographical area of variable size within the Village to which one or more officers are specifically assigned for patrol purposes.

104.26. Patrol Vehicle

Radio-equipped vehicle used for patrol duty.

104.27. Police Commissioner

The Chairman of the Village Board.

104.28. Police Committee

The Police and Fire Committee of the Village Board.

104.29. Police Employee

Any member of the Glen Ellyn Police Department.

104.30. Police Manual

A manual prepared and maintained to define the organizational structure of the force and specific duties of its organic units and members. Also outlines the various standard operating procedures of the department.

104.31. Preliminary Investigation

The initial investigation conducted by the Department. The preliminary investigation shall include statements from all persons concerned, details of the particular crime that has been committed to include the pertinent elements of that crime, description of evidence and other property included in the case, and the action taken by the investigating officer.

104.32. Probationary Period

That period during which newly appointed officers may be dismissed or demoted, by reason of unsuitability or incompetence, without recourse to appeal procedure. For entry-level position, the probationary period shall be one year. For supervisory personnel, the probationary period shall be six (6) months.

104.33. Procedures

The official method of dealing with any given situation prescribed by Chief's order or procedure guide.

104.34. Rules and Regulations

Directions issued by the Chief of Police to define the police purpose and the duties and conduct of all members.

104.42. Special Duty

Police service the nature of which requires that the member be excused from the performance of his regular duties.

104.43. Special Directive

Written directive, issued by the Chief of Police, relating to some specific circumstance or situation, usually of a temporary nature, that ordinarily does not affect the entire Department.

104.44 Superior Officer

A person holding a higher supervising or command position.

104.45. Supervising Officer

Members of the Department assigned to positions requiring the exercise of immediate supervision over the activities of other members and employees.

104.46. Through Official Channels

Communications or actions conducted through the chain of command.

104.47. Tour of Duty

The shift during which an individual member is on duty.

104.48. Training Bulletin

Bulletins regularly distributed by the Department designed to keep officers of this department abreast of new procedures and practices in the law enforcement field.

104.49. Unauthorized Absence

Absences of employees not authorized or approved in advance by the Chief of Police, these rules and regulations, or other competent authority.

104.50. Unit

Any number of members and/or employees of the Department regularly grouped together under one commanding officer to accomplish a police purpose.

104.51. Village

The Village of Glen Ellyn, Illinois.

104.52. Village Board

The governing body of the Village.

CHAPTER 200

DUTIES AND RESPONSIBILITIES

201. Chief of Police

201.1.

The Chief of Police is the chief administrative officer of the Department and the final departmental authority in all matters of policy, operations, and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the Department.

201.2.

Through the Chief of Police the Department is responsible for the enforcement of all laws and ordinances coming within its legal jurisdiction. The Chief of Police is responsible for planning, directing, coordinating, controlling, and staffing all activities of the Department; for its continued and efficient operation; for the enforcement of rules and regulations within the Department; for the completion and forwarding of such reports as may be required by competent authority; and for the Department's relations with local citizens, the city government, and other related agencies.

201.3.

The Chief of Police is responsible to the Commissioner and will administer the Police Department under the direction of the Commissioner. He shall make written and verbal reports to the Commissioner as directed. He shall keep the Commissioner informed of unusual incidents or developments that may affect public or official relations.

201.4.

The Chief of Police is responsible for the training of all members of the Department. This includes the preliminary training of members upon their appointment to the Department, and the continued training of all members of the Department to improve their ability to serve the public more efficiently and to keep them abreast of new developments in the law enforcement field.

201.5.

The Chief of Police shall be required to certify to the correctness of all bills incurred by the Department.

201.6.

The Chief of Police shall designate a member of the Department to be the custodian of all property coming into the possession of the Police Department and who shall be accountable for all such property delivered into his custody and be responsible for the safekeeping, proper disposition, and accurate record of same. The person so designated shall see that all property is returned to its lawful owner when no longer needed by the Department.

202. Commanding Officer

202.1.

Subject to direction from the Chief of Police, a commanding officer has direct control over all members and employees within his command. The commanding officer is responsible for the direction and control of personnel under his command to assure the proper performance of duties and adherence to established rules, regulations, policies, and procedures. He will provide continuation of command and/or supervision during his absence.

202.2.

Commanding officers are responsible for maintenance of discipline and morale within their command and the investigation of personnel complaints assigned to them by the Chief.

202.3

Commanding officers are responsible for the promotion of harmony and cooperation with other units of the department. They will initiate proper action in cases not regularly assigned to their command when delay necessary to inform the proper unit might result in a failure to perform a police duty.

202.4.

Commanding officers are responsible for the proper organization and assignment of duties within their unit to assure proper performance of departmental functions and those of their command.

202.5.

Commanding officers are responsible for the preparation of the required correspondence, reports, and maintenance of records relating to the activities of their command. They are responsible for the communicating of information up and down the chain of command as required. They are responsible for the proper use and maintenance of quarters, equipment, supplies, and materials assigned to his command.

202.6.

Commanding officers are responsible for the punctual attendance of all personnel within their command and shall see that records are completed of each member's attendance, overtime, days off, leaves of absence, and vacations in such a manner and form as directed by the Chief of Police.

202.7.

Commanding officers shall periodically inspect all members of their command to assure proper maintenance of personnel and departmental equipment used within their command.

202.8.

Commanding officers will assist subordinates in the preparation of cases so that they will not be incomplete due to neglect on the part of members of the department. When in doubt as to the law procedure, or status of a case, they shall consult suitable authority.

202.9.

Commanding officers shall prepare efficiency ratings of their subordinates as directed by the Chief of Police.

202.10.

In accordance with the direction of the Chief of Police, the commanding officers will observe probationary officers assigned to their command, and prior to the expiration of their probationary period, they shall submit to the Chief a detailed written report concerning their qualifications to secure permanent status and his opinion as to the desirability of their retention.

203. Shift Commander

203.1.

Shift commanders have direct control and supervision, subject to the orders of the Chief of Police, over all officers and employees assigned to their command. Shift commanders are responsible to and will report directly to the Chief of Police, in the absence of a commanding officer. They are responsible for the efficiency and effectiveness of their subordinates and shall coordinate the functions and activities of the various units of their respective commands. They shall at all times require their shifts to cooperate with other shifts and units of the Department and shall suppress any friction which may arise between shifts, or between officers on their shifts.

203.2.

Shift commanders are charged with, and shall be responsible for, the investigation of complaints made by citizens relative to the conduct of subordinates under their command and shall report the results to the Chief of Police.

203.3.

Shift commanders shall so regulate their command that, at all times when they are absent, it shall be under the command of a competent officer.

203.4.

Shift commanders will personally respond to any emergency or occurrence of a serious or unusual nature which arises within his jurisdiction, unless his presence at headquarters would be of more value under the circumstances. Under the latter circumstance, he shall assign a competent officer to take command at the scene of the emergency.

203.5.

Shift commanders will report any unusual occurrence, homicide, attempted homicide, or other grave crime to the Chief of Police immediately.

203.6.

Shift commanders are responsible for the treatment of prisoners while in the station or jail and under no circumstances will unnecessary violence be allowed in the management of a prisoner.

203.7.

Shift commanders are responsible for the efficiency, discipline, and morale of all members of their command. They will submit written reports, through proper channels, concerning incompetency, misconduct, neglect of duty, or violations of rules and regulations by their subordinates. These reports will contain recommendations as to the action to be taken.

203.8.

Shift commanders will be responsible for conducting roll-call and other forms of in-service training as directed by the Chief of Police.

203.9.

Shift commanders will closely supervise the activities of their subordinates, making corrections where necessary and commending good work where appropriate. They shall have a working knowledge of the duties and responsibilities of their subordinates. They shall observe contacts made with the public by their subordinates and be available for assistance or instructions as may be required. They shall critically observe procedures affecting the operation of their command and shall recommend changes designed to increase its effectiveness.

203.10.

Shift commanders will make frequent inspections of the Village at irregular times, noting all violations of laws and ordinances and conditions requiring police attention. He shall take such steps as are necessary to correct the irregularities. He shall, at irregular and unusual hours, make tours of inspections of officers on duty to ascertain whether their duties are being properly performed.

203.11.

Shift commanders will be alert to discover criminal activities whose continuance indicates the need to supplement the regular patrol during certain hours and in certain sections of the Village.

203.12.

Shift commanders will be expressly required to see that all complaints and requests for service anywhere in the Village are promptly and properly investigated and that appropriate action is taken. They shall see that all criminal warrants are served as soon as possible.

203.13.

Shift commanders will counsel subordinate officers in the performance of their duties, and shall take suitable action in the case of any laxity, misconduct, incompetence, inefficiency, or neglect of duty that may come to their attention.

203.14.

Shift commanders will require the members of their command to make prompt and thorough investigations of crimes that occur in their jurisdictions with a view to the identification and apprehension of perpetrators, the discovery and interrogation of suspects, location and interviewing of witnesses, and the recovery of stolen property.

203.15.

Shift commanders shall receive from the shift commander relieved, and pass on to their relief, any information of special details, assignments and any other information which might facilitate the accomplishment of the police task.

203.16.

Shift commanders shall be responsible for reviewing and approving all case reports and shift reports completed during their tour of duty. They shall be responsible for ensuring that all such reports are factual, accurate, and complete. Errors and omissions shall be corrected by the officer initiating the report before the report is approved by the shift commander.

203.17.

Shift commanders will be thoroughly familiar with the duties of their subordinates and shall assist and instruct officers under their supervision in the proper discharge of duty. Shift commanders will be held responsible for the efficiency, discipline, good conduct, appearance, and strict attention to duty of the personnel under their supervision.

204. Police Investigator

204.1.

A police investigator is responsible for the follow-up investigation of criminal offenses assigned to him, and for the initiation of offenses otherwise discovered by him.

204.2.

A police investigator will be assigned to those hours of operation best suited to the successful conduct of the investigative function, as determined by his commanding officer or the Chief of Police.

204.3.

A police investigator shall assist patrol officers in conducting preliminary and crime scene investigations, but shall not relieve the patrol area officer of his responsibility and authority to conduct a competent and thorough preliminary investigation of all crimes he is assigned to investigate.

204.4.

A police investigator will normally work under little or no supervision and will therefore be required to exercise sound judgment and discretion in the performance of his duties.

204.5.

A police investigator shall have primary investigative authority in the investigation of homicides, suicides, unnatural deaths, or other crimes of similar magnitude. In all other crimes, a police investigator shall have secondary investigative authority.

204.6.

The designation "police investigator" is an assignment, not a rank. Officers assigned as investigators shall be entitled to supplementary pay and allowances, in accordance with existing compensation provisions, only for as long as they are assigned to the police investigator position. Officers may be assigned to and transferred from the police investigator position at the discretion of the Chief of Police.

204.7.

Police investigators shall be required to maintain appointment files, records, and reports concerning investigative activities, as directed by the Chief of police or their commanding officer.

204.8.

Police investigators shall be ultimately responsible for the clearance, by the arrest of the perpetrator and the recovery of all stolen property, of all felonies and other offenses assigned to them by the Chief of Police or their commanding officer.

204.9.

Police investigators shall be required to prepare complete reports of their investigative activities, including follow-up investigation reports, activity summaries, and other reports as directed by the Chief of Police or their commanding officer.

204.10.

Police investigations shall be responsible for preparing a follow-up investigative report on all felonies and other cases assigned to them within five days of the receipt of the original case report by the investigator.

205. Patrol Officers

205.1.

Patrol officers are responsible for: (a) fair and impartial enforcement of the law; (b) apprehension of offenders; (c) preservation of social order; and (d) protection of innocent persons from the unlawful acts of others. A patrol officer is the community's first defense against crime and social disorder. He shall be constantly vigilant in the performance of his duties and shall be particularly mindful of his responsibility to conduct himself in a professional manner.

205.2.

A patrol officer shall be required to report for duty promptly at the time and place designated by lawful authority. He shall present himself for duty in proper uniform and in a neat appearance. He shall listen attentively to the orders and instructions of his superior officers and he shall be held accountable for conforming to them. He shall take written notes of information as may be necessary in the proper performance of his duty. Upon being assigned, he shall report promptly to his patrol area and shall perform his duties as required.

205.3.

A patrol officer is charged with learning the geographical character of the Village, including its streets, public buildings, hospitals, schools, and other features of importance. A patrol officer should be able to assist strangers and other citizens in finding desired locations in the Village.

205.4.

A patrol officer shall be thoroughly familiar with his patrol area, to the extent that he can detect criminal offenses and other unusual occurrences requiring his attention.

205.5.

A patrol officer shall at all times maintain an alert and business-like manner and shall avoid loitering or lounging about places of business or on the street. A patrol officer shall not conceal himself for non-police purposes nor leave his beat without permission.

205.6.

A patrol officer shall continuously patrol every part of his patrol area, giving particular attention to locations where crime hazards are greatest. He should not patrol his patrol area in a fixed pattern, but should alternate his route of travel frequently.

205.7.

Whenever a door or window in his patrol area is found open under unusual or suspicious circumstances, the patrol officer shall investigate thoroughly to determine, if possible, whether a burglary or other crime has been committed. He shall, if necessary, request that the owner of the premises be notified in order that an inspection of the premises may be conducted. A record of all such incidents shall be entered by the dispatcher on the appropriate log.

205.8.

A single officer should not enter into any building in which he reasonably believes a burglar to be hiding, but should await the arrival of assistance before taking any further action. He should monitor the building under surveillance until assistance arrives.

205.9.

A patrol officer should observe all persons he encounters in his patrol area and shall investigate any persons whose appearance, conduct, or presence seems suspicious.

205.10.

A patrol officer should be on the alert for wanted and missing persons and stolen automobiles which may be in his patrol area. He should investigate the occupants and contents of vehicles which cause suspicion, but only within the limits of proper legal procedure.

205.11.

When the occasion demands it, a patrol officer shall courteously, but firmly, question persons on the public streets as to their names, addresses, cause of being on the street, and other matters relating to the circumstances. In all cases, good judgment and discretion should be used in making a decision to arrest.

205.12.

A patrol officer shall be friendly toward all children and be ever watchful of their physical and moral welfare, using every legal means to prevent the formation of gangs and the disbanding of any in existence. He shall warn children away from playing in dangerous areas.

205.13.

Patrol officers are charged with the enforcement of all provisions of local and state traffic codes.

205.14.

A patrol officer shall take notice of all nuisances, impediments, obstructions, defects, or other conditions, in or adjacent to the streets, alleys, and public places, which tend to endanger the health, safety, or convenience of the public. He shall report to the radio dispatcher street lights out, water leaks, traffic hazards which require immediate action. A notification shall be made to his superior officer of any traffic or other existing hazards in need of correction but not requiring immediate action.

205.15.

A patrol officer shall carefully investigate all complaints on or near his patrol area which are assigned to him or which are brought to his attention by citizens. He shall take suitable action in those cases which come under his jurisdiction and inform interested parties of the laws or ordinances relative to the particular complaint or incident. If the legal remedy of the complaint lies outside of the jurisdiction of the Police Department, he shall advise the complainant accordingly and refer him to the proper authority.

205.16.

A patrol officer shall be responsible for the preliminary investigation of all crimes brought to his attention. At the scene of a crime, an officer's duties are to: (a) render aid to the victim, if required; (b) determine the identity of and apprehend the perpetrator, if possible; and (c) begin the preliminary investigation, in that order. In serious cases, such as an apparent homicide, the patrol officer shall summon to the scene of the crime an investigator and such other assistance as may be necessary to conduct a thorough investigation. The assigned patrol area officer at the scene of the crime shall be responsible for a thorough investigation and for the protection of the crime scene until relieved by competent authority.

206. Civilian Service Officer

207. Office Manager

208. Office Supervisor

209. Clerical Personnel

210. Parking Control Officer

211. Auxiliary Officer

CHAPTER 300
PERSONNEL RULES

301. Employee Rights

301.1.

No employee of the Police Department or any persons seeking employment with the Police Department shall be appointed, promoted, reduced, removed, or in any way favored or discriminated against for reasons of political membership, religious faith, sex, race, or other extraneous considerations.

301.2.

No person seeking appointment to or promotion in the Police Department shall either directly or indirectly give, render, or pay any money, service, or thing of value to any persons for or in connection with such appointment or promotion.

302. Employee Training and Development

302.1.

Members of the Police Department shall be encouraged to continue their education and training as a means of improving their proficiency.

302.2.

The Village shall take appropriate measures to facilitate the continued training and education of all members of the Police Department.

302.3.

The Chief of Police shall prescribe appropriate in-service training programs to ensure the continued proficiency of all members of the Department in their assigned duties.

303. Grievance Procedures

303.1.

Members of the Department who wish to file grievances arising out of their employment as a member of the Department shall verbally notify their immediate supervisor of the grievance. Such notification should be made as soon as practicable after the grievance becomes known.

303.2.

A supervisor receiving a verbal grievance from a subordinate shall take immediate steps, if possible within his authority, to resolve the grievance. If the supervisor is unable to satisfactorily resolve the grievance, he shall instruct the member to state the grievance in writing for review by the Chief of Police.

303.3.

Written grievances shall be forwarded to the Chief of Police through the supervisor of the member filing the grievance. The supervisor shall endorse the grievance, indicating why he was unable or unwilling to take action on the grievance, or why such action was not satisfactory to the member initiating the grievance.

303.4.

The Chief of Police shall attempt to resolve all grievances coming to his attention. He shall refer all grievances he is unable to resolve satisfactorily to the Police Commissioner.

303.5.

The Police Commissioner shall attempt to resolve all grievances coming to his attention. If he is unable to resolve a grievance, he shall refer the matter to the Police Committee for review and action.

303.6.

The Police Committee shall review all grievances referred to it. The Police Committee may, if it so chooses, hold a public hearing on the matter. The Police Committee shall make a final resolution of the matter.

303.7.

Appeals from disciplinary actions resulting in suspension of three days or more, demotion, or dismissal shall be processed as prescribed in Section 604.

304. Layoff

304.1.

Whenever, because of lack of work or insufficient funds, it becomes necessary to reduce the work force, members shall be laid off in order of their seniority, in reverse order. That is, members with the least seniority will be laid off prior to those with the most seniority.

304.2.

The Chief of Police may, if he considers it to be in the interest of the service, forgo the seniority provision in 1. above and lay off those persons whom he believes, due to the quality or quantity of their work, are less valuable to the Police Department than others, regardless of seniority.

304.3.

Persons to be laid off must be given notice of the layoff at least seven calendar days prior to the effective date of the layoff.

304.4.

The names of all persons laid off shall be placed on a reemployment list and shall remain there for one year, during which time they shall be eligible for reemployment without complying with standard employment procedures.

305. Residency

305.1.

Members shall be required to reside within a 12-mile radius of the Village limits within 12 months after appointment to the Police Department.

305.2.

Exceptions to the residency requirement may be granted in special cases by the Police Committee.

306. Resignation

306.1.

Any employee wishing to leave the Police Department in good standing shall submit a letter of resignation to the Chief of Police at least two weeks before the effective date of his resignation. Resignations should state the reasons motivating such action.

307. Sick Leave

307.1.

Sick leave is a benefit granted to employees by the Village and should not be abused.

307.2.

Claiming sick leave under false pretenses, or other actions constituting a conscious attempt to violate the provisions of this section, shall be cause for disciplinary action as deemed appropriate by the Chief of Police.

307.3.

Sick leave may be earned at the rate of 1 day per month of service.

307.4.

Sick leave may be granted for the following reasons:

307.4.a.

Actual illness of the employee.

307.4.b.

Legal quarantine of the employee or his immediate family.

307.4.c.

Death in the employee's immediate family, to include father, mother, sister, brother, grandfather, grandmother, children, spouse, father-in-law, and mother-in-law.

307.4.d.

Sick leave for more than three (3) consecutive days will only be approved upon the submission to the Chief of Police of a written statement from the physician in attendance certifying the employee's illness.

307.4.e.

Subject to the discretion of the Chief of Police, employee illnesses may be verified by the employee's supervisor or other such person designated by the Chief of Police.

307.5.

Any employee who is unable to report for duty at the time fixed, due to illness or injury, shall notify or cause his supervisor to be notified of such inability, either directly or indirectly, by telephone or otherwise, at least two hours prior to the time he is required to report for duty.

307.6.

Any employee who is absent due to sickness or injury which requires hospitalization shall so advise the Chief of Police in addition to his immediate supervisor.

307.7.

It shall be the responsibility of the immediate supervisor of an employee, who is absent from work due to sickness or injury, to keep himself informed as to the nature and seriousness of sickness or injury and estimated absence due to such sickness or injury. It shall also be the responsibility of the immediate supervisor to promptly investigate any consistent absenteeism which may indicate an improper use of sick leave.

307.8.

The Chief of Police reserves the right to require any employee to submit a medical certificate for any sick leave taken.

307.9.

Any employee who becomes ill while in a vacation status may, upon presentation of a medical certificate by the attending physician, be granted sick leave for the period of illness.

307.10.

Members absent from duty for more than two consecutive weeks may be required to submit to a physical examination by the department physician to certify his eligibility to return to duty status.

308. Unauthorized Absence

308.1.

Unauthorized absences for more than three consecutive days may be cause for dismissal from the Police Department or other disciplinary action as deemed appropriate by the Chief of Police.

CHAPTER 400
POLICE MISCONDUCT

401. Misconduct Defined

401.1.

Misconduct on the part of a police officer or employee of the Police Department is detrimental to the maintenance of good order and discipline required to conduct police operations in an efficient and professional manner. Moreover, misconduct by a police employee, if not dealt with promptly and objectively, can seriously erode public confidence in and support for the police.

401.2.

The following forms of misconduct by members of the Police Department are specifically prohibited:

401.2.a. Insubordinate or oppressive conduct

- (1) Assaults on any member of the Department.
- (2) Disrespect to superior officers.
- (3) Failure to report any member violating rules and orders of the Department.
- (4) Failure to take up grievances through proper channels.
- (5) Insubordination, by word or act.
- (6) Oppressive or tyrannical conduct towards a subordinate.
- (7) Publicly criticizing orders given by a superior.
- (8) Public criticism of a subordinate by a senior officer.
- (9) Refusal to give name or badge number on request.
- (10) Use of obscene, abusive, or degrading language to any officer or employee of the Department.

401.2.b. Disobedience to Orders

- (1) Disobedience of any order or lawful command, written or oral.

- (2) Ignorance of rules, regulations, orders, or procedures.
- (3) Failure to execute the lawful orders of courts, or to make proper service of legal notices.

401.2.c. Neglect of Duty

- (1) Aiding persons to escape arrest or avoid prosecution.
- (2) Desertion of post without just cause.
- (3) Engaging in any business or outside employment to the detriment of police duty.
- (4) Idling, gossiping, or lounging while on duty.
- (5) Inattention to duty.
- (6) Incompetence or general inefficiency.
- (7) Voluntary incapacity for duty, either mental or physical.
- (8) Failure to report information concerning any offender, or to take proper action to cause the apprehension of the offender.
- (9) Failure to report the known violation of a law or ordinance or to take proper actions.
- (10) Failure to report any matter of concern to the duties of a police officer and the Department.
- (11) Failure to disclose information or evidence concerning a criminal charge for or against any prisoner or defendant to a criminal charge.
- (12) Failure to file a police report promptly.
- (13) Failure to read or to acquire information from the activity bulletin.
- (14) Failure to conduct a proper police investigation.
- (15) Failure to make any necessary entry in any official document or book.
- (16) Failure to carry out any instructions of a physician appointed by the Department.

- (17) Failure to report changes in address or equipment.
- (18) Neglect in promptly and diligently attending to and discharging the duties of office.
- (19) Permitting prisoner to escape by carelessness or negligence.
- (20) Sleeping while on duty.

401.2.d. Breach of Confidence

- (1) Calling or attending any unauthorized meeting to discuss the business of or any matter concerning the Department with other than Department personnel.
- (2) Communicating or giving police information which may aid a person to escape arrest, or delay the apprehension of a criminal, or to secure the removal of stolen or embezzled goods or other property or money.
- (3) Communicating to the public press, or to any other person, any matter connected with the Department, except information authorized for release.
- (4) Divulging any information, without authority, relating to the business of the Department, or to an investigation being conducted.
- (5) Filling speaking engagements or attending conventions as official representatives of the Department without prior sanction or authority.
- (6) Giving notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons.
- (7) Knowingly permitting any person not a member of the Department to use an official badge or credential.
- (8) Making anonymous communications to the Chief of Police, any superior officer, or any other person.

- (9) Unfairly obtaining or attempting to obtain information or materials relative to promotion examinations.
- (10) Showing any unauthorized person, without proper authority, any book, document, record, files, or other matter of a confidential nature.
- (11) Signing or circulating any petition or statement with regard to the Department, except through official channels.
- (12) Soliciting or canvassing any person to intercede in matters concerning the Department or in any official channels.

401.2.e. Corrupt Practices

- (1) Acceptance of bribe, gratuity, or reward.
- (2) Failure to account for, or to make prompt and true return of any money or property received in an official capacity.
- (3) Gambling or being present at gambling games.
- (4) Neglect to give receipt for or to properly inventory property taken from a prisoner.
- (5) Participating in any advertising scheme or enterprise related to or based upon employment with the Department; permitting use of photographs or names for advertising purposes without the permission of the Chief of Police.
- (6) Receiving or retaining for personal use any property from persons under arrest.
- (7) Soliciting rewards, presents, or gratuities.
- (8) Soliciting special privileges, or using position for personal gain or private advantage, or for the advantage of others.
- (9) Supporting an application for the grant of a license or petition of any kind without proper sanction.

401.2.f. Unlawful or Unnecessary Exercise of Authority

- (1) Discourtesy or insolence.
- (2) Incivility to any member of the public.
- (3) Indecent, harsh, or profane language.

- (4) Making an unlawful or unnecessary arrest without good and sufficient cause.
- (5) Overbearing, oppressive, or tyrannical conduct in the discharge of duty.
- (6) Permitting prejudice or personal feeling to influence official actions.
- (7) Unjustified use of firearms, batons, or other weapons.
- (8) Unnecessary interference with the private lawful business of any person.
- (9) Unnecessary or unreasonable use of force.

401.2.g. Malingering

- (1) Doing or committing any act, or conduct calculated to retard return to duty.
- (2) Feigning or exaggerating sickness or injury with a view to evading duty.

401.2.h. Absence Without Leave

- (1) Absence from duty without leave or reasonable excuse.
- (2) Failure to appear promptly in court when notified.
- (3) Failure to be present for duty as scheduled.
- (4) Failure to attend mandatory schools or instructions, drills, lectures, examinations, or other official assemblages of the Department.
- (5) Habitual tardiness.
- (6) Reporting late for duty or to an assigned post.

401.2.i. Neglect of Personal Appearance

- (1) Failure to replace worn, damaged, or dirty uniform, clothing or equipment when ordered to do so.
- (2) Neglect of personal appearance or dress.
- (3) Neglecting to wear proper uniform in the prescribed manner while on duty.

- (4) Smoking on duty, while in uniform and in view of the public. Officers patrolling in police vehicles performing station duties, or engaged in meal breaks shall not be considered in public view for the purpose of this section.
- (5) Uncleanliness in person or dress.
- (6) Use of unofficial uniform, clothing, or equipment.

401.2.j. Damage to Department Property

- (1) Failure to report any loss or damage to department owned property or equipment.
- (2) Willfully or negligently causing waste, loss, or damage to any property issued by the Department.

401.2.k. Intemperance

- (1) Bringing alcoholic beverages into a police building or on police property except in the line of duty.
- (2) Being unfit for duty due to the consumption of intoxicating liquor.
- (3) Drinking intoxicating liquor while on duty, except in the line of duty and then only with permission of a commanding officer.
- (4) Drinking alcoholic beverages in public view or in any place accessible to the public while off duty and in uniform or in any recognizable part of the uniform.
- (5) Entering a place where the sale of intoxicating liquors is the primary business, except for a police purpose when on duty.
- (6) Entering a place where intoxicating liquors are sold or kept while off duty in uniform or any identifiable part thereof.
- (7) Failure to report for duty due to excessive use of intoxicating liquor.
- (8) Indulgence in narcotic drugs not prescribed by a physician.
- (9) Reporting for duty with alcoholic beverages on breath.
- (10) Transporting or consumption of alcoholic beverages in a patrol car or other police vehicle, except for a police purpose.

401.2.1. Falsehood or Prevarications

- (1) Altering or erasing any entry in any official report, record or document without first consulting the next officer in the chain of command.
- (2) Falsification of any official report.
- (3) Knowingly making or signing any false statement in any official report, record, or book.
- (4) Untruthfulness.
- (5) Willfully or negligently making any, false, misleading or inaccurate statement.
- (6) Willfully making false complaint or statement against any officer or employee of the Department.
- (7) Giving false testimony in a court of law or before a competent investigatory panel.

401.2.m. Being an Accessory to a Disciplinary Offense

- (1) Aiding, abetting, conniving, or knowingly doing an act towards the commission of any offense against discipline.

401.2.n. Conviction of any Federal or State Criminal Law or Public Ordinance.

401.2.o. Subversion or interference with police operations

402. Duty to Know Rules of Conduct

402.1.

It shall be the duty of each member of the Department to know and abide by the rules of conduct prescribed in this section.

402.2.

In the event of a breach of discipline, it shall be presumed that the offending member had knowledge of these rules.

403. Duty to Report

403.1.

All members of the Police Department have a duty to report to their supervisors violations of these rules.

403.2.

Members of the Police Department who fail to report violations of these rules shall be subject to disciplinary action.

404. Duty of Supervisor

404.1.

Any supervisor of the Police Department shall thoroughly and promptly investigate or cause to be investigated the actions or conduct of a member of the Department who is alleged to have committed a violation of these rules.

404.2.

Upon completion of his investigation, the supervisor shall, if he considers the violation or misconduct within his authority to discipline, take appropriate disciplinary action. A written statement of his action and the events leading to it shall be forwarded promptly to the Chief of Police for approval.

404.3.

If a supervisor feels the violations or misconduct so serious as to be beyond his authority to discipline, he shall report in writing the results of his investigation, along with the statements of any witnesses, and his recommendations concerning further action to be taken by the Chief of Police.

404.4.

Supervisors who fail to promptly and thoroughly investigate allegations of misconduct or violation of these rules will themselves be subject to disciplinary action.

405. Complaints Against Superior Officer

405.1.

Complaints against superior officer by their subordinates will be given the same treatment as all other charges of misconduct.

405.2.

Frivolous, spurious, or groundless complaints against supervisors by subordinates shall not be permitted.

405.3.

Officers desiring to prefer charges against a superior officer shall initiate charges with the person next in the chain of command above the officer against whom charges are being initiated.

405.4.

Officers desiring to prefer charges against the Chief of Police shall initiate those charges with the Police Commissioner.

406. By-Passing Chain of Command

406.1.

When the complaint to be preferred is of such nature that it requires the immediate personal attention of the Chief of Police, the member concerned may by-pass the chain of command for the purpose of bringing the matter to the attention of the Chief of Police.

406.2.

Members violating the chain of command for the purpose of preferring complaints shall be required to justify such action.

407. Departmental Investigations

407.1.

The Chief of Police shall, at his discretion, initiate investigations into the conduct of members of the Department. In furtherance of such investigations, he may:

407.1.a.

Require members to submit written statements concerning their involvement in any action being investigated.

407.1.b.

Require members to testify under oath before competent authority regarding their involvement in any action being investigated.

407.1.c.

Require members to submit to appropriate examinations for the purpose of detecting the extent of their misconduct, if any; provided, however, that all such examinations shall be in accordance with established law, due process, and judicial declarations.

407.2.

All members are required to cooperate fully with members of the Department charged with the responsibility of conducting Department investigations. Members are required to answer questions and to provide documents and other materials requested by competent authority in connection with such investigation.

407.3.

Members refusing to cooperate with any investigation, or to furnish information or testimony as required by the Chief of Police, or to submit to a polygraph examination for the purpose of determining the extent of their misconduct, if any, shall be subject to dismissal from the Police Department.

CHAPTER 500
DEPARTMENT REGULATIONS

501. Purpose

501.1.

The purpose of the procedures prescribed herein is to promulgate guidelines for members of the Department to follow in the performance of their duties and in their off-duty activities. Common sense and good judgment must be exercised by all members of the Department in complying with these guidelines.

502. Care of Departmental Property

502.1.

Members of the Department are responsible for the safekeeping, proper care, and maintenance of all Department property entrusted to them for police use.

502.2.

Members of the Department shall not use department property for their personal business or pleasure.

502.3.

Members of the Department shall immediately report to their supervisor any loss of or damage to department property assigned to them.

502.4.

Supervisors who are advised or become aware of the loss of or damage to property assigned to a subordinate shall take such action as is necessary to ensure that the property is replaced or repaired.

502.5.

It shall be presumed that the last member of the Department to use a damaged item of department property is responsible for the property in question.

502.6.

Members of the Department who, through misconduct or inattention, cause the loss or damage of department property, whether or not that property was specifically assigned to their care and custody, may be held responsible for its repair or replacement.

502.7.

Members of the Department shall be required to return all items of departmental property charged to their care and custody upon termination from the Police Department, and shall not be entitled to any accrued pay and allowances until all such items of equipment are returned.

503. Care of Property

503.1.

Members of the Department are prohibited from taking or confiscating the property of any person for their personal use or pleasure.

503.2.

All found, impounded, and confiscated property received by a member of the Department in connection with his official duties shall be promptly reported and placed in storage in accordance with applicable department directives.

504. Off-Duty Conduct

504.1.

Members of the Department are required to conduct their personal affairs in a manner that will not bring discredit to the Police Department or the Village.

504.2.

Members of the Department, while off duty, are specifically prohibited from:

504.2.a.

Becoming personally involved in neighborhood disputes except as necessary to preserve the peace until the arrival of competent authority.

504.2.b.

Wearing an identifiable part of the police uniform except when traveling between their home and the police headquarters.

504.2.c.

Being seen in public in a loud, boisterous, intemperate, slovenly, or drunken condition, in a manner which may reflect discredit on the Police Department.

504.2.d.

Displaying their police identification, badge, or service revolver except as necessary under circumstances which compel such action. Such circumstances would not include infractions of the law which do not require immediate police intervention.

505. Off-Duty Employment

505.1.

Members of the Department are permitted to engage in off-duty employment under the following conditions:

505.1.a.

Such employment shall not exceed 20 hours in any one work week.

505.1.b.

Such employment shall not, in any manner, interfere with the member's regular performance of duty with the Department.

505.1.c.

Such employment shall not be performed while the member is on a sick time status with the Department.

505.1.d.

Such employment shall not involve public or private police or guard service or any other service involving the exercise of police powers, outside the municipal limits of the Village.

505.1.e.

Such employment shall not be of a nature to invite discredit or unfavorable attention upon the Police Department, the Village, or the member.

505.1.f.

Such employment shall not include work as a bartender, bouncer, liquor salesman, tow truck operator, cab driver, or other types of work as may be prohibited by the Chief of Police, Police Commissioner, or the Village Board.

505.1.g.

Members seeking outside employment shall be required to apply in writing for permission from the Chief of Police before accepting such employment.

505.1.h.

Members accepting outside employment shall be required to provide the Chief of Police with a statement of the work to be done, duties to be performed, work schedule, name of the employee or supervisor, place of employment, and the telephone number where the member can be contacted in the event of an emergency.

505.1.i.

All off-duty employment shall be secondary in importance to the member's regular employment and shall be terminated if, in the opinion of the Chief of Police, it interferes with the ability of the member to properly perform his regular duties with the Department.

505.1.j.

Members shall not use department facilities, uniforms, or equipment in the performance of off-duty employment without the prior approval of the Chief of Police.

506. Reasonable Use of Force

506.1.

Police officers are permitted to use only reasonable force to effect an arrest or to accomplish any other police purpose. Reasonable force is defined as the minimum force necessary to accomplish the task required without undue danger to the officer or other persons.

507. Use of Firearms

507.1.

A police officer shall not discharge a firearm under the following circumstances:

507.1.a.

As a warning.

507.1.b.

At a moving vehicle, except when necessary in the defense of human life when all other possible means have failed.

507.1.c.

In order to prevent a crime or apprehend a perpetrator, except when such action is necessary in the defense of human life and all other possible means have failed.

507.1.d.

Indiscriminately, without due regard for the safety of bystanders or other innocent persons.

507.2.

A police office may discharge a firearm under the following circumstances:

507.2.a.

In his own defense from death or serious injury when all other possible means of defense have failed.

507.2.b.

In the defense of another person from death or serious injury when all other possible means of defense have failed.

507.2.c.

To effect an arrest, prevent an escape, or recapture an escapee when all other possible means have failed, providing there is substantial risk that the person whose arrest is sought will inflict death or serious bodily harm on other persons if the arrest is delayed.

507.2.d.

To kill a dangerous animal or one that humane considerations require its removal from further suffering, provided that no other means are available under the circumstances and that all necessary precautions are taken to ensure the safety of innocent bystanders; provided however, that such action is taken only with the prior approval of the officer's immediate supervisor.

507.2.e.

For target practice at an approved firing range.

507.3.

An officer discharging his firearm while on duty except for approved target practices shall report in writing to the Chief of Police through the chain of command the circumstances surrounding such discharge. Such notification shall be made without unreasonable delay.

507.4.

The supervisor of an officer discharging a firearm on duty shall ensure that a written report of the incident is prepared without unnecessary delay. If the Officer discharging the firearm is incapacitated or otherwise unable to prepare such a report, the supervisor shall himself prepare the report, indicating his conclusions as to the reasonableness of the officer's actions.

507.5.

The Chief of Police shall review all reports of firearms being discharged by police officers on duty and shall, at his discretion, cause a prompt and thorough investigation to be conducted. Upon the completion of such investigation, the Chief of Police shall determine whether or not disciplinary action is required.

507.6.

The Chief of Police shall notify, without unreasonable delay, the Police Commissioner of all incidents involving the discharging of a firearm by a police officer while on duty. If the Police Commissioner so directs, the Chief of Police will forward to him the official report and investigation, if any, concerning such incidents.

507.7.

Officers involved in the shooting of another person shall be assigned to station duties, without prejudice to the officer, until a thorough investigation of the incident has been conducted.

507.8.

Accidental discharges of firearms by officers on duty shall be reported in the manner prescribed above.

508. Display of Firearms

508.1.

Officers shall never unnecessarily display firearms or draw them in public places except for the purposes of inspection or for official use.

508.2.

Officers shall not engage in dry firing, except at an approved firing range.

508.3.

Officers shall not engage in horseplay, quick draw, or other irresponsible focus of conduct involving the use of firearms.

509. Registration of Firearms

509.1.

Officers shall register the serial numbers, make, calibre, and model of all duty firearms with the Chief of Police.

510. Carrying Firearms While Off Duty

510.1.

Officers are not required to, but may at their own discretion, carry firearms while not on duty.

510.2.

Officers are forbidden to carry firearms off duty when they are intoxicated or when they are otherwise incapable of exercising sound judgment and discretion.

510.3.

Officers carrying firearms off duty are subject to the same rules and regulations as pertain to the carrying, use, and display of firearms while on duty.

511. Personal Appearance

511.1.

All members of the Police Department are required to maintain a neat and professional-looking appearance while on duty.

511.2.

Members attired in civilian clothing shall be neat and conservative in their dress while on duty.

511.3.

Members attired in the police uniform shall not be permitted to wear non-regulation items of equipment or uniform.

512. Duty Assignments

512.1.

Officers assigned to a patrol area, district, or post, shall remain at their assigned place of duty until relieved by competent authority.

513. Call Assignments

513.1.

The police dispatcher shall be responsible for assigning patrol officers to calls for service. A patrol officer should not respond to a call for service unless specifically assigned, or when there is an obvious need for such assistance.

513.2.

Officers will not leave their beats to back up another officer unless requested by the other officer or assigned to do so by the dispatcher or field supervisor, or when there is an obvious need for such assistance.

514. Vehicle Pursuits

514.1.

Police officers are permitted to make every reasonable effort to apprehend a fleeing motorist, provided that:

514.1.a.

The officer has probable cause to believe that the driver of the vehicle or a passenger in the vehicle has committed, is committing, or is about to commit a crime.

514.1.b.

The pursuit can be conducted without unnecessary risk of personal injury or serious property damage.

514.2.

Police officers shall terminate vehicle pursuits whenever:

514.2.a.

The probability of apprehension becomes so remote as to make the continuation of the pursuit fruitless.

514.2.b.

The risks of bodily injury or property damage to innocent persons become so great as to outweigh the advantages to be gained by apprehending the offender.

514.3.

Police officers involved in vehicle pursuits shall be responsible for maintaining control of the police vehicle and shall remain alert to other vehicles, pedestrians, or innocent bystanders whose safety may be threatened as a result of the pursuit.

514.4.

Officers involved in vehicle pursuits shall immediately notify the dispatcher of their location, direction of travel, and the description of the vehicle being pursued.

514.5.

Upon being advised of a vehicle pursuit in progress, the dispatcher will immediately notify the supervisor.

514.6.

At any time during the pursuit, the supervisor may, at his discretion, direct that the pursuit be terminated.

514.7.

Officers engaged in vehicle pursuits shall ensure that all emergency equipment is operating during the course of the pursuit. Such equipment shall include, if the police unit is so equipped:

514.7.a.

Siren.

514.7.b.

Red/blue flashing overhead lights.

514.7.c.

Hazard warning flasher lights.

514.8.

Officers shall not continue vehicle pursuits beyond the corporate limits of the town if there is no reasonable expectation that the violator will be apprehended.

514.9.

No more than two (2) Glen Ellyn police vehicles will engage in a vehicle pursuit at one time unless absolutely necessary to successfully conclude the pursuit.

515. Political Activities

515.1.

Members of the Police Department are prohibited from engaging in the following political activities:

515.1.a.

Using the authority of their position to secure financial or other support for a candidate for political office.

515.1.b.

Using the authority of their position to influence any political campaign.

515.1.c.

Becoming a candidate for a full-time political office without first obtaining a leave of absence from the Department.

515.1.d.

Participating in the management of a campaign for a political office.

515.1.e.

Using the authority of their position to publicly endorse a candidate for political office.

515.2.

Members of the Department may engage in the following political activities:

515.2.a.

Becoming a member of a political party.

515.2.b.

Voting for a political candidate.

515.2.c.

Signing a nominating petition for a political candidate.

515.2.d.

Attending a political meeting, fund-raising, convention, or similar gathering.

515.2.e.

Expressing private views on a political subject.

515.2.f.

Becoming a candidate for and serving as a member of a school board, park district, or similar non-partisan elected office.

516. Public Statements by Police Employees

516.1.

Police employees shall be free to publicly express their views on police matters so long as their statements are not defamatory or obscene and do not constitute a threat to the efficiency and morale of the Department.

516.2.

Police employees may not discuss with persons outside the Police Department any matters relating to official police business.

516.3.

All requests for information concerning official police activities shall be referred to the Chief of Police.

517. Employee Organizations

517.1.

Police employees have the right to join or form any organization for the purpose of engaging in collective bargaining practices, provided that such organization:

517.1.a.

Restricts its membership entirely to police employees.

517.1.b.

Is not affiliated with a national labor union.

517.2.

Police employees shall not be compelled to join any employee organizations as a condition of their employment.

517.3.

Any organization claiming to represent the interests of members of the Department shall be chosen by a majority vote of the members of the Department. Such vote shall be secret ballot.

517.4.

Members above the rank of sergeant shall not be represented by an employee organization composed of members of lesser rank.

517.5.

Strikes, work stoppages, and related job actions by members of employee organizations or their representatives are specifically prohibited. Members engaging in strikes, work stoppages, or related job actions shall be subject to disciplinary action.

518. Conduct Toward Citizens

518.1.

Members are required to conduct themselves in a professional manner at all times. Members shall be courteous and forthright in all contacts with the public.

518.2.

Officers shall at all times respect the constitutional freedoms of all citizens.

518.3.

Members shall not allow verbal abuse or rude conduct by citizens to influence their judgment concerning their official duties.

518.4.

Officers shall use care to ensure that the constitutional rights and freedoms of all persons with whom they come into contact are not abridged through an act of omission or commission on the part of the officer.

518.5.

Officers shall not tolerate the abridgement or infringement of a citizen's constitutional rights by another officer, member of the Department, or other citizen.

518.6.

Officers are required to take appropriate measures against persons who willfully or maliciously violate the constitutional rights of others.

519. Driving Procedures

519.1.

Police employees shall at all times observe proper rules of the road, safety precautions, and applicable state and local traffic laws in the operation of police vehicles.

519.2.

When responding to emergencies, police officers are required to use appropriate emergency equipment, including red lights and siren, except when the use of such emergency equipment is not required to ensure the safe operation of the police vehicle.

519.3.

When responding to emergencies, police officers are required to be alert for other motorists, pedestrians, and safety hazards which may jeopardize the safe operation of the police vehicle.

520. On-Duty Accidents

520.1.

Members of the Police Department who are involved in on-duty accidents with police vehicles shall cause a report of such accident to be made by another member of the Department.

520.2.

On-duty accidents resulting in only minor damage to the police vehicle and not involving private property may be reported on a memorandum.

520.3.

On-duty accidents involving damage to other vehicles or property shall be reported on a standard accident report.

520.4.

Officers involved in on-duty traffic accidents involving any damage to the police vehicle or damage to property other than the police vehicle shall request the presence of a supervisor at the scene of the accident.

520.5.

Supervisors shall personally investigate all accidents involving any damage to a police vehicle or damage to property other than a police vehicle and shall determine whether negligence on the part of an officer is a contributing factor to the accident. Supervisors shall be required to prepare written reports of all traffic accidents involving their subordinates while on duty.

520.6.

Negligent, imprudent, or unlawful action by a member resulting in damage to a police car or other property may be cause for disciplinary action.

521. Unauthorized Persons

521.1.

No member shall allow unauthorized persons to enter, linger, or loiter about the police headquarters, police vehicles, crime scenes, or other places where their presence may be detrimental to efficient police operations.

522. Unattended Vehicle

522.1.

Except as may be necessary in emergencies, police officers shall not permit police vehicles to be left unattended and out of their view without first turning off the ignition, and locking the doors of the vehicle.

522.2.

Members of the Department shall not seek special favors or concessions as a result of their official position.

523. Professional Courtesy

523.1.

It is the policy of the Department that the law shall be enforced uniformly without regard to a person's official status or social prominence. The practice of offering professional courtesy to other police officers, public officials, or other prominent persons, solely on the basis of their official position or social prominence, is prohibited.

524. Personal Mailing Address

524.1.

Members of the Department are prohibited from listing the address of the Police Department as their personal mailing address.

525. Change of Address

525.1.

Members of the Department shall immediately notify the Chief of Police of any change in their home address and telephone number 48 hours prior to such change.

526. Emergency Telephone Number

526.1.

Members of the Department are required to maintain a telephone in their residence for the purpose of emergency notification and other official police business.

527. Death or Serious Injury of Member

527.1.

The Chief of Police shall be notified immediately in the event of the death or serious injury of any member of the Department.

527.2.

In the event of the on-duty death or serious injury of any member of the Department, the senior officer on duty shall immediately notify the Chief of Police and shall initiate a full investigation into the circumstances surrounding the death or injury.

527.3.

Upon being notified of the on-duty death or serious injury of a member of the Department, the Chief of Police shall personally notify the member's next of kin, or shall cause such notification to be made by a senior member of the Department.

528. Leaving Village Without Permission

528.1.

No member of the Department while on duty shall leave the jurisdiction of the Village without prior approval of his superior officer.

528.2.

Members leaving the Village while on duty shall notify the dispatcher of their location, status, and purpose for leaving the Village.

529. Care of Shotguns

529.1.

Shotguns shall not be unloaded or loaded in police headquarters.

529.2.

No loaded shotguns will be permitted in police headquarters.

530. Appearance in Civil Suits

530.1.

Members of the Department who are subpoenaed to appear as witnesses in civil cases arising out of the performance of their duties with the Department shall be entitled to compensation for their court time either by being paid regular court time or by fees paid by the person in whose behalf the member is appearing, but not both.

531. Transporting Persons in Police Vehicles

531.1.

Members shall not transport persons in a police vehicle, except:

531.1.a.

Persons under arrest.

531.1.b.

Persons in need of expeditious medical treatment which might be otherwise delayed to the detriment of the health or safety of the individual.

531.1.c.

For necessary police purposes.

531.1.d.

With the approval of the shift commander.

531.2.

Whenever persons in need of immediate medical attention are transported in a police vehicle, another person, either a citizen or, an officer, must accompany the person being transported.

532. Escorts

532.1.

Officers may, at their discretion, provide persons with police escort, provided that such escorts shall not exceed reasonable and safe speeds and shall not be conducted in a reckless manner.

533. Court Appearance

533.1.

Officers testifying in court in connection with police duties are required to maintain a neat and professional appearance, to cooperate fully with court and prosecution personnel, to answer truthfully and completely all questions directed to them while under oath, and to conduct themselves in a professional manner at all times.

533.2.

Officers appearing in traffic court shall be attired in the regulation police uniform unless otherwise directed by the Chief of Police.

534. Radio Procedures

534.1.

Members of the Department shall at all times comply fully with proper radio procedures and shall not use profane, abusive, or other types of offensive language on the radio.

534.2.

Officers shall answer the radio promptly when called and shall at all times keep the dispatcher informed as to their status and location.

535. Public Endorsements

535.1.

Members shall not, as a representative of the Police Department, publicly endorse any product, service, or person.

536. Attendance at Meetings

536.1.

Members are required to attend all meetings and training sessions as directed by the Chief of Police unless their official duties preclude such attendance.

536.2.

Members unable to attend meetings and training sessions shall notify the Chief of Police in advance of their inability to be present and the reason for their absence.

537. Cooperation with other Agencies

537.1.

Members of the Department shall maintain a cooperative relationship with other police and law enforcement agencies.

537.2.

Members shall render such assistance to other police and law enforcement agencies as may be necessary to accomplish an official police purpose, providing that such assistance does not violate any of the provisions of these rules and regulations.

537.3.

Members shall not leave the jurisdiction of the Village to render assistance to another police or law enforcement agency unless such assistance is requested by that agency, and then only after notifying the dispatcher of such action.

538. Emergency Treatment of Prisoners

538.1.

Members of the Department are responsible for the humane treatment and physical well-being of all prisoners in their custody.

538.2.

Prisoners who become ill or injured while in the custody of a member of the Department shall be given immediate attention consistent with the seriousness and nature of their injury or illness.

538.3.

Members who fail to ensure that proper medical attention is rendered to a person in their custody who is in need of such attention shall be held responsible and shall be subject to disciplinary actions.

539. Physical Conditioning

539.1.

All members of the Department are required to maintain themselves in good physical condition.

539.2.

The Chief of Police may require any member to obtain certification from a licensed physician to the effect that the member's health and physical condition is not an impediment to his police duties.

540. Unauthorized Use of Business Cards

540.1.

Members of the Police Department shall not purchase, use, or display business cards without prior approval of the Chief of Police.

541. Conflicting Orders

541.1.

Any member who receives an order or command which is in conflict with any previous order or command from any other superior officer shall promptly and respectfully call attention to the conflict of orders to the superior officer issuing the most recent order. If the superior officer who issues the most recent order fails to change his order to resolve the conflict, his order shall be obeyed.

541.2.

Superior officers who issue orders they know or have reason to believe are in conflict with prior orders from another superior officer shall be responsible for any conflict between the two orders.

542. Official Business

542.1.

All officers and employees shall treat as confidential the business of the Department. They shall give such information only to those authorized to receive it.

543. False Reports or Entries

543.1.

No officer or employee of the Department shall make false official reports or knowingly enter or cause to be entered in any departmental book, record or reports, any inaccurate, false, or improper police information or other material matter.

544. Comprising the Administration of Justice

544.1.

Officers and employees shall not interfere with the proper administration of criminal justice. They shall not attempt to interrupt legal process, except where a manifest injustice might otherwise occur, not participate in, or be concerned with any activity which might interfere with the process of law. Except in the interest of justice, they shall not attempt to have any traffic citations or notices to appear, or final warnings reduced, voided, or stricken from the records or files. Any member having knowledge of such action and failing to inform his superior officer thereof shall be subject to charges.

544.2.

Officers and employees shall not communicate in any manner directly or indirectly and information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise, or other property unlawfully obtained.

544.3.

Officers and employees receiving or possessing facts or information relative to a criminal offense or case shall not retain such facts or information through ulterior motives, desire for personal credit, or aggrandizement, but shall report the facts or information in accordance with departmental procedure.

544.4.

Contents of any criminal record or report filed in the Police Department shall not be exhibited or divulged to any person other than during the process of an investigation or to another duly authorized law enforcement officer or under due process of law, except as directed by a commanding officer.

545. Reading and Studying on Duty

545.1.

Members are encouraged to continue their education by attending courses of instruction at institutions of higher learning; however, such attendance should not be allowed to interfere with the member's primary police responsibilities.

545.2.

Members shall not be allowed to read, study, or complete school assignments while on duty, except that reading may be permitted when:

545.2.a.

The subject matter is directly related to the member's primary police duties.

545.2.b.

Such reading does not interfere with the member's regular duty assignment.

CHAPTER 600

DISCIPLINARY PROCEDURES

601. Purpose of Discipline

601.1.

Discipline directly influences the quality of police service and is essential in a police department to control its performance and to achieve satisfactory objectives. Laxity in discipline impairs the efficiency and effectiveness of the Department. Officers and employees of an undisciplined department lack esprit de corps, suffer from poor morale, and reflect a casual attitude towards their duties, their superiors, their responsibility to the Department, and the public. The net result is that the entire Department suffers from a lack of direction and purpose, and thereby becomes disorganized. It is a form of training, dependent for its success on the ability of superiors to train subordinates to obey and conform to the department rules and procedures. The rewards of effective discipline are prestige and public confidence in the Department and its leadership.

601.2.

Police authorities define discipline as "intelligent, willing, and cheerful obedience to the will of the leader. It is the cohesive force which binds the members as a unit, and its strict enforcement is a benefit to all." Discipline establishes a state of mind which produces proper action and prompt cooperation under all circumstances.

602. Applicability

602.1.

Officers and employees of the Department, regardless of rank, age, sex, or assignment, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment; or for violation of any general order or rule of the Department; or for failure to obey any lawful instruction, order or command of a superior officer; or upon conviction in a court having criminal jurisdiction. Disciplinary action in all cases will be decided on the merits or demerits of each case. The final authority for disciplinary action rests with the Chief of Police.

603. Types of Disciplinary Actions

603.1.

At the discretion of the Chief of Police, and in accordance with the provisions of the Rules and Regulations prescribed herein, employees are subject to the following types of disciplinary actions:

603.1.a.

Oral reprimand.

603.1.b.

Written reprimand.

603.1.c.

Suspension from duty with pay.

603.1.d.

Suspension from duty without pay.

603.1.e.

Demotion in rank.

603.1.f.

Dismissal.

603.1.g.

Extra duty without pay on a voluntary basis.

604. Authority to Discipline

604.1.

The Chief of Police may, for good cause, suspend any officer or employee of the Police Department without pay for a period not to exceed three(3) consecutive calendar days. A report of all suspensions and a statement of the reasons therefor shall be made to the Police Commissioner within 24 hours of such action.

604.2.

The Chief of Police may not suspend any member from duty for more than three 3-day periods during any consecutive 12 months.

604.3.

The Chief of Police may demote in rank or dismiss any member of the Police Department for good cause. The Chief of Police shall furnish the member and the Police Commission a written statement showing the reasons for his action. The member shall be furnished a copy of the written statement immediately upon being notified of the action. The Police Commissioner shall be notified in writing within 24 hours of such action being taken.

604.4.

Any member who is demoted in rank or dismissed from the Police Department under this section shall have the right to appeal such action to the Police Commissioner. Such appeal must be made in writing within 15 days of the demotion or dismissal. The Police Commissioner shall be empowered to modify or approve the action of the Chief of Police. The decision of the Police Commissioner shall be final.

604.5.

A supervisor may, for good reason, impose disciplinary action on subordinate members over whom he has authority. Supervisors may impose either verbal or written reprimands. Recommendations for more severe types of disciplinary action shall be made to the Chief of Police.

604.6.

Supervisors may, in emergencies, suspend from duty for not more than three consecutive days members whose conduct poses an immediate threat to good order and discipline of the Department or to the general welfare and safety of the public. The Chief of Police should be notified in writing of such actions immediately.

605. Appeals

605.1.

Any member who is demoted, dismissed, or suspended for more than three days may initiate a written request for a public hearing to the Police Committee within 10 days of the effective date of the disciplinary action. The Police Committee may, after a review of the incident, order whatever action it seems appropriate. The action of the Police Committee shall be final.

CHAPTER 700
CITIZEN COMPLAINTS

701. Policy

701.1.

It is the policy of the Department that all citizen complaints against members of the Department shall be promptly and thoroughly investigated.

701.2.

No member of this Department shall, through intimidation, threat, or other means, attempt to discourage any citizen from making a complaint against a member of the Department.

702. Receiving Complaints

702.1.

Whenever possible, citizen complaints against members of this Department should be referred to the shift commander or to the next senior officer on duty at the time the complaint is made.

702.2.

No member of this Department shall refuse to accept a complaint against a member of the Department from a citizen.

702.3.

No member shall attempt to conceal or fail to report a citizen's complaint against a member of this Department.

702.4.

No member shall accept or investigate a citizen's complaint against himself.

703. Recording Complaints

703.1.

The member receiving a citizen's complaint against a member of this Department shall make a written record of the complaint. The record shall be in the form of a memorandum submitted through the chain of command to the Chief of Police.

703.2.

Any record of a citizen's complaint against a member of the Police Department shall include, if known, the following:

703.2.a.

Date, time, and location of the incident.

703.2.b.

Full name, address, and telephone number of the complainant.

703.2.c.

Full name, address, and telephone number of all witnesses, if any.

703.2.d.

Name, rank, or description of the member against whom the complaint is being lodged.

703.2.e.

Brief description of the incident.

703.3.

Citizens making complaints against the police should be asked to make a written statement describing the circumstances surrounding the incident. This statement shall be signed and witnessed and attached to the official report of the incident.

703.4.

Photographs, witnesses' statements, and other documentation of the complaint should be attached to the official report of the incident.

704. Duty of the Supervisors

704.1.

Supervisors receiving citizen complaint against members under their command should attempt to interview the complaint in order to report to the Chief of Police fully the details of all such complaints.

704.2.

Supervisors are permitted to attempt to resolve minor complaints at the time they are received. Every attempt should be made to resolve the complaint to the satisfaction of the citizen, if this can be achieved equitably and fairly to all persons concerned.

704.3.

Supervisors who succeed in resolving minor complaints shall nevertheless make a written report of the complaint and the action taken to the Chief of Police.

704.4.

Supervisors who are unable to resolve the complaint due to its apparent gravity or for other reasons shall report the complaint, the actions taken, and their recommendations for further action to the Chief of Police.

705. Duty of the Chief of Police

705.1.

The Chief of Police is ultimately responsible for the conduct of all members of the Department, and is required to take those steps which, in his judgment, are necessary to satisfactorily resolve citizen complaints against members of the Police Department.

705.2.

The Chief of Police shall ensure that a complete record is prepared and maintained of all citizen complaints against members of the Police Department.

705.3.

The Chief of Police shall cause all citizen complaints against members of the Department to be promptly and thoroughly investigated.

705.4.

The Chief of Police shall review the reports of all citizen complaints against members of the Police Department that have been resolved by superior officers to ensure that the actions taken by such superior officers were fair and equitable to all concerned. At his discretion, the Chief of Police may direct that further action regarding a citizen's complaint be taken if it appears that the earlier actions taken were not satisfactory.

705.5.

The Chief of Police shall, upon completion of an investigation of a citizen's complaint against a member of the Department, review the results of the investigation and determine the appropriate disposition of the matter. The results of the investigation shall result in one of the four findings:

705.5.a.

Unfounded. The evidence clearly establishes that the incident did not occur.

705.5.b.

Not Sustained. The evidence fails to establish whether or not the incident occurred.

705.5.c.

Exonerated. The evidence reflects that the incident did occur, but that the actions of the member were proper and reasonable.

705.5.d.

Sustained. The evidence clearly reflects that the incident did occur and that the actions of the member constitute grounds for disciplinary action.

705.6.

The Chief of Police shall ensure that citizens making complaints against members of the Department are notified of the final disposition of the incident.

705.7.

The results of all investigations concerning citizen complaints against members of this Department shall be confidential.

705.8.

Reports of investigations of citizen complaints which are determined to be unfounded shall not be included in the officer's personnel file, but shall be placed in a separate file maintained by the Chief of Police; all other reports of investigations of citizen complaints shall be placed in the officer's personnel file.

705.9.

All actions taken as a result of an investigation of a citizen complaint shall be posted in the police headquarters, but such notice shall not disclose the particular details of the complaint nor the details of the subsequent investigation.

706. Rights of Citizenry

706.1.

Citizens making complaints against members of the Department shall have the right if they so desire to discuss with the Chief of Police the official record of the complaint, along with the results of the investigation and any relevant documents.

706.2.

Citizens who file complaints against members of the Police Department and who are not satisfied with the disposition of such complaints shall be informed of their right to bring the complaint to the attention of the Police Commissioner.

707. Review by Police Commissioner

707.1.

The Police Commissioner may, at his discretion, review the official record of a citizen's complaint against a member of the Department in order to report to the complainant his findings as to the propriety of the investigation conducted and final disposition.

707.2.

The Police Commissioner may, in unusual or aggravated circumstances, cause the complaint to be brought to the attention of the Police Committee for review and further action. The Police Committee shall have final authority.

708. Review by Other Authorities

708.1.

Citizen's complaint against unnecessary force, brutality, or invasion of constitutional rights may result in the intervention of other state or federal law enforcement authorities. In such cases, all members of the Department are required to cooperate fully in any investigation that may ensue.

APPENDIX C

RECOMMENDED OUTLINE FOR PART II,
ORGANIZATION AND ADMINISTRATION,
OF THE PROPOSED MANUAL

PART II

DEPARTMENT ORGANIZATION AND ADMINISTRATION

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Consultant's Note: This portion of the manual describes the organizational characteristics and responsibilities of the department's various units. Emphasis here is placed on the mechanics of departmental operation, including functional roles, relationships, and operating characteristics.

APPENDIX D

RECOMMENDED WRITTEN DIRECTIVE FORMAT FOR PART III,
GENERAL AND SPECIAL DIRECTIVES, OF THE PROPOSED MANUAL

Date of Issue	Effective Date	Number
Subject		
Reference	Rescinds	

I. PURPOSE

The purpose of this directive is to establish a standard definition and format for the written directives and memoranda of the Glen Ellyn Police Department and to provide for their proper preparation, issuance, and distribution.

II. DEFINITION

A. General Directives

General Directives will be issued for the purpose of announcing the adoption or revision of policy or procedure applicable generally throughout the Department.

B. Special Directives

Special Directives will be issued to:

1. Announce policy and procedure in-regard to a specific circumstance or event.
2. Announce policy and procedure that are of a temporary and self-cancelling nature.
3. Announce policy and procedure which have applicability only to a specific division, unit, or activity of the Department.
4. Provide for the distribution of significant articles, communications from other agencies, and other information of value to all personnel or specific bureaus.
5. Amend or cancel previous General and Special Directives.

C. Personnel Memoranda

Personnel Memoranda will be issued for the purpose of announcing the following:

1. The appointment of new personnel.
2. The assignment or transfer of personnel from one unit to another.
3. The promotion or demotion of officers from one rank to another.
4. The suspension, dismissal, and/or restoration to duty of an officer or civilian.
5. The resignation or retirement of personnel.
6. The issuance of awards and/or Department Commendations.

III. GENERAL FORMAT

A. Indexing and Coding

1. The Administrative Division will be responsible for indexing and coding General and Special Directives and Personnel Memoranda.
2. General Directives will be numbered consecutively with a prefix consisting of the last two digits of the year; e.g., 77-1, 77-2, etc. Each order will have an additional code below the date in accordance with the following:
 - a. A-1, A-2, etc.—Administration
 - b. G-1, G-2, etc.—General Policy
 - c. P-1, P-2, etc.—Personnel Policy
 - d. R-1, R-2, etc.—Rules and Regulations
3. Special Directives and Personnel Memoranda will be numbered consecutively with a prefix consisting of the last two digits of the year; e.g., 77-1, 77-2, etc.

B. Dating

All directives and memoranda will bear the date of issuance and the effective date.

C. Purpose

General and Special Directives will be introduced by a brief summary statement which indicates the contents of the directive. Department policy will be specified in appropriate directives.

D. Amendments and Cancellations

Any General Directives, Special Directives, or Personnel Memoranda which amend, rescind, supersede, or change in any manner other directives or memoranda will bear the identifying data necessary to connect them.

E. References

Whenever applicable, all directives and memoranda will carry notations directing attention to other directives, memoranda, or documents which are related.

IV. PREPARATION AND ISSUANCE

A. General and Special Directives

1. Final draft copies of all directives will be prepared by the Administrative Division.
2. They will only be issued under the authorization of the Superintendent.

B. Personnel Memoranda.

1. The preparation of Personnel Memoranda shall be the responsibility of the Office of the Superintendent.
2. They will be issued only with the authorization of the Superintendent.

V. DISTRIBUTION

A. Distribution will be noted on each directive and memorandum as follows:

1. "A"—includes all personnel (sworn and civilian).
2. "B"—includes major commands (all divisions).
3. "C"—includes "B" and specific units or individuals noted.
4. "D"—includes only sworn personnel.

B. General and Special Directives will be distributed to all personnel or to the limited group who are specifically affected by their content, as indicated by the above distribution code.

C. Personnel Memoranda will normally be distributed only to those who have a need to know, i.e., "B" or "C" distribution.

VI. DEPARTMENT DIRECTIVE MANUAL

A. The Department Code will consist of all General Directives, Special Directives, and Personnel Memoranda that have been issued and are currently in effect. It shall be bound in an appropriate loose-leaf binder and shall be organized consecutively by directive or memorandum number in the following manner:

1. Section I --General Directives
 2. Section II --Special Directives
 3. Section III --Personnel Memoranda
- B. The Office of the Superintendent of Police and the Administrative Division will maintain a master file of all orders and memoranda issued.
 - C. Copies of all General Directives and those Special Directives and Personnel Memoranda which are sent to the various commands and are currently in effect will be maintained in a master file at each command headquarters.
 - D. Each individual officer shall maintain his own manual. General and Special Directives issued to him which are currently in effect and Personnel Memoranda directed to him.
 - E. Officers and civilians shall be held responsible for the contents of all directives and memoranda issued to them.

BY ORDER OF:

Superintendent of Police

APPENDIX E

ILLUSTRATIVE PROCEDURAL INSTRUCTIONS
FOR PART IV OF THE PROPOSED MANUAL

Procedural Instructions

Procedural instructions are a compilation, by general subject area, of specific instructions to personnel to guide them in carrying out certain duties. Procedural instructions in Glen Ellyn should be organized according to:

- Administrative Procedures
- Field Operational Procedures
- Technical Services Procedures
- Staff Services Procedures
- General Procedures

An example of a General Procedure is enclosed for purposes of illustration.

PROCEDURAL INSTRUCTION		DATE OF ISSUE	EFFECTIVE DATE	NO.
SUBJECT Department Issued Firearms - Care of		AMENDS		
REFERENCE General Order XX-XX	RESCINDS			

I. INTRODUCTION

The importance involved in the proper care and maintenance of firearms cannot be over-emphasized. Most officers may never be called upon to use a firearm in the performance of their duties as law enforcement officers. On the other hand, some officers will use a firearm several times during their career. If and when an officer is confronted with a situation where the defense of his own life or the life of another person depends on his use of a firearm, the weapon he uses must be in proper working condition at that particular instant. The only thing which can provide this assurance is adequate and proper care of the firearm on the part of the officer responsible for using it.

II. PURPOSE

The purpose of the procedures set forth in this instruction is to provide guidelines and instructions to be utilized by all officers of the department in the proper care and maintenance of department issued firearms.

III. POLICY

It shall be the policy of this department that all firearms issued to individual officers, bureaus, divisions, or units shall be maintained in presentable and functional condition at all times.

- A. Presentable condition is defined as the firearm being properly and adequately cleaned, free of any rust, lead deposit, or powder residue, properly lubricated, and loaded with the prescribed ammunition when in use.
- B. Functional condition is defined as all working parts and mechanisms of the firearm to be in proper operating order.

IV. PROCEDURE

A. Service Revolvers

- 1. The service revolver shall be routinely cleaned and oiled at least every other week by the officer to whom it is assigned. Such cleaning shall be accomplished in accordance with the instructions listed in Annex A, titled, "Instructions for Cleaning the Service Revolver".

2. The metal surfaces of the service revolver should be wiped with WD-40, gun oil, or other approved rust-preventive solution, at least twice per week on a routine basis, and any time the weapon is exposed to inclement weather. This step is not necessary on teflon coated surfaces.
3. It shall be the responsibility of each individual officer to maintain his service revolver in the prescribed manner so that it is in a presentable and functional condition at all times.
4. Any officer who fails to maintain his service revolver in the manner specified in Item #3 above, shall be subject to disciplinary action.

B. Department Shotguns

1. Each department shotgun shall be cleaned once per week on a routine basis. Such cleaning shall be accomplished in accordance with the instructions listed in Annex B, titled, "Instructions for Cleaning the Remington Model 870 Shotgun".
2. It shall be the responsibility and duty of each second watch officer, who on Sunday is assigned to a police vehicle equipped with a department shotgun, to clean that shotgun in accordance with the instructions listed in Annex B, titled, "Instructions for Cleaning the Remington Model 870 Shotgun", prior to the general vehicle and equipment inspection.
3. Station personnel assigned to the second watch at each division or unit shall be responsible for cleaning all department shotguns assigned to the division or unit which are not in use on any given Sunday. Such cleaning shall be accomplished in accordance with the instructions listed in Annex B and shall be completed sometime during the regular tour of duty on Sunday of each week.
4. Each department shotgun shall be rotated through the Gunroom every six (6) months for thorough cleaning, necessary repairs, refinishing, and inspection by the department firearms repairman.
5. The desk sergeant assigned to the second watch shall assure that each shotgun assigned to his division or unit is forwarded to the Gunroom for the six (6) month inspection. The shotguns shall be scheduled at the rate of not more than two (2) per week until such time all assigned shotguns have been inspected and shall be rescheduled each six (6) months thereafter on a routine basis.
6. The desk sergeant assigned to the second watch shall be responsible for maintaining a file to contain a 4" x 6" card on each department shotgun assigned to his division or unit. The card shall indicate the serial number of the shotgun, the officer or beat to which it is assigned, and the dates involved for each six (6) month inspection, including the date the next inspection is due.

7. The desk sergeant assigned to the second watch at each division or unit shall assure proper and adequate cleaning equipment is maintained at the station at all times. He shall requisition the required items from the Supply Unit. The required cleaning items shall include an adequate supply of the following:

- a. Cleaning rods for service revolvers and shotguns. (At least two (2) of each).
- b. Cleaning brushes for service revolvers and shotguns. (At least two (2) of each).
- c. Cleaning patches and rags.
- d. Koppes #9 nitro solvent.
- e. WD-40.

C. Other Department Firearms

1. The proper care and cleaning of all other department issued firearms shall be accomplished on a routine basis and in an acceptable manner by the officers to whom such weapons are assigned.

D. Caution

Care should be taken when using spray lubricants (WD 40, etc.) as they can penetrate cartridge primers and cause a weapon to misfire. When using a spray lubricant on a weapon, officers should:

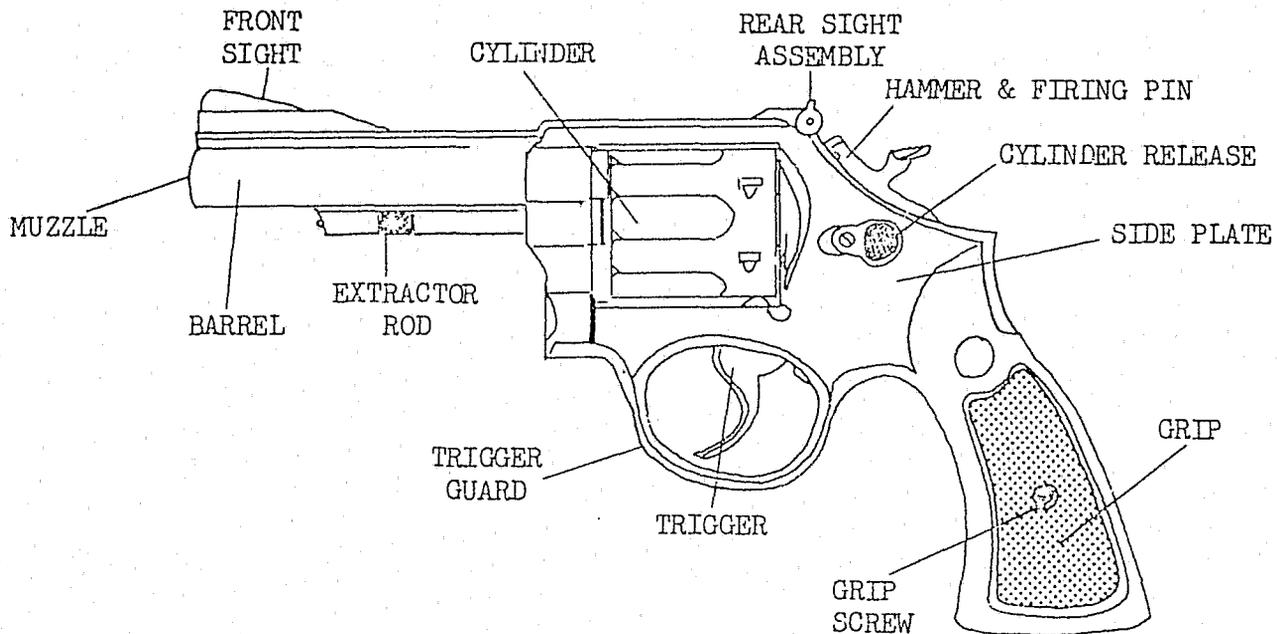
1. Remove all ammunition from the firearm before spraying the weapon.
2. Revolvers

Wipe the entire cylinder dry inside and out. Check for excess lubrication under the cylinder extractor and surrounding area including the recoil plate and bushings with particular attention to the firing pin access opening.

3. Shotguns and automatic pistols.

Care should be taken to wipe dry the breech, bolt face extractor, firing pin assembly, and underside of the slide.

DISTRIBUTION: All Personnel
All Bureaus, Divisions, and Units
To be posted on all bulletin boards for one week.
Annex A and Annex B to be permanently posted at or near the location where weapon cleaning is accomplished.

INSTRUCTIONS FOR CLEANING THE SERVICE REVOLVER

NOMENCLATURE

CAUTION: Always unload the weapon prior to cleaning. Double check to make certain there are no cartridges in the cylinder.

1. Open the cylinder and hold the weapon with the muzzle toward you and pointed slightly downward.
2. Attach a cleaning patch dipped in Hoppe's #9 nitro solvent to the cleaning rod, and run it back and forth several times through the barrel.
3. If the weapon has been fired recently, run a bristle brush dipped in solvent back and forth several times through the barrel.
4. Attach a dry cleaning patch to the cleaning rod and run it back and forth in the barrel. Change the patches as they become dirty and continue the process until they come out clean and dry.
5. Repeat the above steps for each chamber in the cylinder.
6. Due to corrosion caused by escaping gases between the barrel and the cylinder, the following parts also require cleaning:
 - a. The frame just above the cylinder at the rear of the barrel.

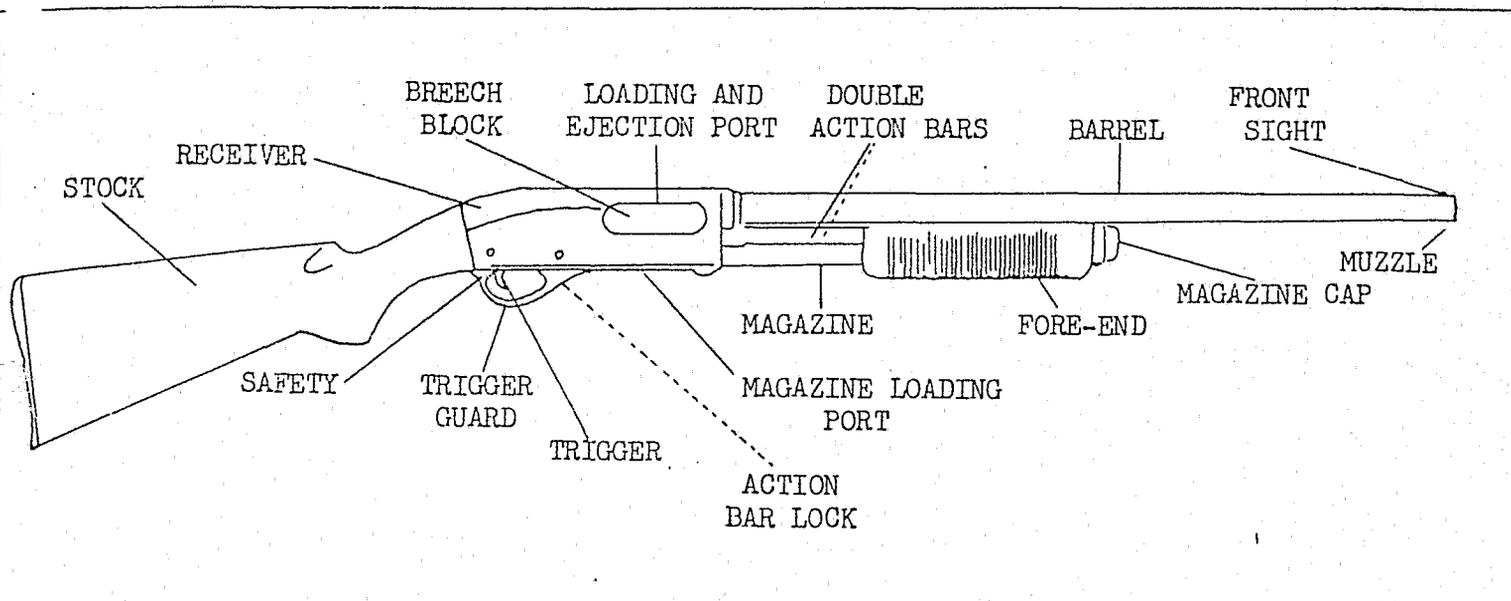
- b. The area around the throat of the barrel.
 - c. The throat of the barrel.
 - d. The nose of the hammer and firing-pin.
 - e. The firing-pin channel and the hammer groove in the frame.
 - f. The extractor rod.
7. After the gun has been cleaned, the following parts should be checked before oiling:
- a. Check all screws on the side plate and grips to make certain they are tight. (Use a screwdriver that fits the screw heads in order to avoid burring the screws).
 - b. Check the extractor rod to assure that it moves freely. If it binds, check for accumulation of dirt, or a bent rod.
 - c. With the cylinder still open, dry fire the weapon double action while holding the finger against the plate where the firing-pin comes through the frame to assure that it protrudes far enough to strike the primer.
 - d. Close the cylinder and cock the weapon. Watch as you are doing this to see that the cylinder revolves to the next chamber. Check to see that the cylinder is locked in place. If the movement is slight, it is locked into proper position. If the movement is more than slight, the weapon is in need of repair.
8. With the cylinder open, put a drop of oil on the extractor rod in front of the cylinder, and work the rod back and forth so the oil is evenly distributed. Push the rod all the way back to the cylinder and put a drop of oil on that part of the rod exposed behind the cylinder, then work the rod back and forth until it works smoothly and freely.
9. Put a drop of oil on the firing-pin at the point where it is attached to the hammer.
10. Put a drop of oil in the channel groove in the top of the frame through which the hammer travels. This will flow down into all of the other working parts inside the gun.
11. Wipe away any excess oil that may appear.
12. Lightly spray a cleaning patch with WD-40 and using a cleaning rod, run it through the barrel and through each chamber in the cylinder.

13. Allow a few minutes for the WD-40 to penetrate, then run a dry cleaning patch through the barrel and each chamber of the cylinder to remove any excess WD-40.
14. Lightly spray a clean dry rag with WD-40 and wipe all the exterior metal surfaces of the weapon. (This step is not necessary on teflon coated revolvers.)
15. Allow a few minutes for the WD-40 to penetrate, then wipe the excess off with a clean dry rag.
16. Make certain each chamber in the cylinder is completely dry before reloading the weapon.

General Rules:

1. The service revolver should be oiled every time it is cleaned.
2. Do not over oil. It is important that only a drop of oil be placed on the vital parts.
3. If the service revolver is in need of repair, or it is apparent the interior working parts need cleaning or oiling, take it to the Supply Unit.
4. Care for your revolver well, so that it will work properly when you need it.
5. Use caution when using spray lubricants (WD-40) as they can penetrate cartridge primers and cause weapons to misfire. When using spray lubricants on a revolver, officers should:
 - a. Remove all ammunition from the firearm before spraying the lubricant on the weapon.
 - b. After spraying a lubricant on the weapon, be sure to wipe the cylinder dry inside and out. Check for excess lubricant under the cylinder extractor and surrounding area, including the recoil plate and bushing with particular attention to the firing pin access opening.

INSTRUCTIONS FOR CLEANING THE REMINGTON MODEL 870 SHOTGUN



NOMENCLATURE (BROKEN LINES INDICATE PARTS ON REVERSE SIDE)

Caution: Always check to make certain no shells remain in the barrel or the magazine prior to cleaning.

1. Push safety to the "On Safe" position (red band not showing), and open the action. (Do not pump the action or pull the trigger with the barrel removed.)
2. Unscrew the magazine cap and remove the barrel from the receiver.
3. Replace the magazine cap to the end of the magazine tube so the magazine spring and retainer will stay in the tube.
4. Insert a cloth patch in the cleaning rod and swab the bore several times using Hoppe's #9 nitro solvent. Do not use a brush unless there is a heavy accumulation of lead and power residue inside the barrel. If a brush is necessary, push it completely through and out of the barrel before reversing the stroke.
5. Insert a dry cleaning patch or rag in the cleaning rod and run it through the barrel several times to remove the solvent and residue. Use a second cleaning patch if necessary.
6. Using the plastic nozzle extension attached to a can of WD-40, lightly spray the interior of the barrel from each end.
7. Allow a few minutes for the WD-40 to penetrate then run a dry cleaning patch or rag through the barrel to remove the excess spray.

8. With a small amount of Hoppe's #9 nitro solvent on a dry rag, thoroughly clean the inside front of the receiver group. Entry can be gained through the loading and ejection port, the magazine loading port, or the front of the receiver group (when barrel is removed).
9. Spray a small amount of WD-40 on a clean dry rag, and wipe the inside front of the receiver group in the same manner as specified in step #8 above.
10. Allow a few minutes for the WD-40 to penetrate, then wipe the excess off with a clean dry rag.
11. Replace the barrel and magazine cap. (Magazine cap should be finger-tight.)
12. Lightly spray WD-40 on the exterior metal surfaces. (It is not necessary to do this to shotguns with teflon coating.)
13. Allow a few minutes for the WD-40 to penetrate, then wipe off the excess spray with a dry rag.

General Rules:

1. When it is apparent the shotgun has not been fired recently, steps #4 and #5 above, can be eliminated.
2. When in doubt as to the use of solvent, push a close-fitting dry rag through the barrel. If lead streaks show on the rag, swab the bore with the solvent as noted in step #4 above.
3. Be careful not to use more solvent or WD-40 than necessary. Too much solvent, oil or WD-40 can get down into the action and magazine. Care should be taken to wipe dry the breech, bolt face, extractor, firing pin assembly, and underside of the slide to prevent a buildup of WD-40 on these parts. An excessive amount of the lubricant can penetrate the shell primers and cause the weapon to misfire.