

**APPENDIX "A"**

**POLICE MANUAL**

**ARTICLE I – INTRODUCTION TO THE MANUAL**

**1-1**            **THE MANUAL.** This manual is an official publication of the Police Department. It is issued with the authority of the Village Board and the Chief of Police and contains the policies, procedures, and regulations of this department. These policies, procedures and regulations are established to direct all personnel in carrying out their duties and responsibilities. Violations of any of the policies, procedures, or regulations contained in this manual will be grounds for disciplinary action.

**1-2**            **KNOWLEDGE OF MANUAL CONTENTS.** It will be the responsibility of every employee to have knowledge of all policies, procedures, and regulations contained in this manual.

**1-3**            **ISSUING THE MANUAL.** Every employee, upon being issued a manual, will sign a dated form indicating that he/she has received a manual. The employee is then required to read the manual within **thirty (30) days** of receiving it. At the end of **thirty (30) days**, employees will be required to sign an additional form indicating that they have read and understand the manual.

**1-4**            **SECURITY OF THE MANUAL.** Employees will keep their manuals secure. Any information, which could hamper the department's operation, will be kept strictly confidential. Strict confidentiality is especially important with regard to information on emergency response to criminal activity. Loss of a manual, or any of its parts, will immediately be reported to the Chief of Police. Any request for information on manual contents will be referred to the Chief of Police.

**1-5**            **MAINTENANCE OF THE MANUAL.** Employees will keep their manual in good condition and repair. Broken covers or torn pages will be repaired. When necessary, replacement of these parts will be requested.

**1-6**            **UPDATING THE MANUAL.** Employees will be responsible for maintaining their manual in an up-to-date manner by making any changes or additions as directed. Upon being issued Village Board approved manual updates; employees will sign a dated form indicating that they have received the updated material. Employees are responsible for familiarizing themselves with all changes and additions to the manual.

**1-7**            **USE OF MANUAL.** Employees will consult this manual if they have any questions as to their responsibilities or as to proper procedures. If, upon consulting the manual, the employee's question is still not resolved, a supervisor or the Chief of Police should be consulted.

**1-8**            **MECHANICS OF MANUAL.** This manual has been organized to assist employees in consulting its material easily and quickly. To find a general subject area, consult the table of contents at the front of the manual for the correct chapter and section. To find a specific subject, consult the index at the back of the manual.

**1-9**            **OTHER OFFICIAL DEPARTMENT PUBLICATIONS.** Besides this manual, employees are expected to familiarize themselves with other official department publications and professional magazines received by the department. These include, but are not limited to, training bulletins, temporary or special orders, manual updates and revisions, and directives for specialized units or circumstances.

**1-10**          **PRIOR MANUALS, PUBLICATIONS, ORDERS.** The contents of this manual supersedes, replaces or updates all written, unwritten or verbal policy procedures issued regarding items covered by this manual.

## **ARTICLE II – DEPARTMENT PURPOSE AND MISSION**

**2-1**            **DEPARTMENT PURPOSE AND MISSION.** This department constitutes an organization whose very existence is justified solely on the basis of community service. Although departmental regulations provide a working pattern, our official activity must not be confined within the limited orbit described by them. Actually, that portion of police service dealing with real criminals is only a small part of our overall responsibility. The greater percentage of our time and energy is expended on non-criminal service functions and in dealing with law-abiding citizens of the community. We should consider it our duty and privilege, not only to protect our citizens from the criminal but also to protect and defend the rights guaranteed under our structure of government. It may be said that matters of civil law are not a basic police responsibility and within reasonable limits, we should attempt to avoid becoming entangled in them. However, many situations can best be served only when we assist in such matters. Our broad philosophy must embrace a whole hearted determination to protect and support individual rights while at all times providing for the security of persons and property in the community. In meeting this objective, it is our duty to operate as a public service organization in a diligent and professional manner as it is to these people that the department is ultimately responsible.

**2-2**            **MISSION STATEMENT.** Our mission is to promote quality of life in the Village by working in partnership with the community to provide a safe and secure environment, recognizing and respecting the diversity and uniqueness of the citizens of our community, being sensitive and responsive to the public without bias or prejudice, utilizing personnel and financial resources in an efficient and effective manner, and responding to the ever changing needs of our community.

**ARTICLE III - DEPARTMENT AUTHORITY**

**3-1**            **DEPARTMENT AUTHORITY AND JURISDICTION.** The Office of the Police Department is established by Chapter 65, Illinois Compiled Statutes. The authority of employees derives from this Section and is conferred through the commission issued by the Chief of Police. Commissioned personnel are sworn to enforce the Ordinances of the Village, State and Federal Law and to protect public peace and safety within the Village.

**ARTICLE IV - DEPARTMENT ORGANIZATION AND COMMAND STRUCTURE**

**4-1**            **DEPARTMENT ORGANIZATION AND COMMAND STRUCTURE.** This department consists of two divisions: Administrations and Operations. The Operations Division carries the major burden of the department's workload. It consists of officers assigned to Patrol Units and who are responsible for responding to calls for service, conducting investigations and providing services to the Courts. The Administrative Division provides services including records system, property and evidence processing.

**4-2**            **CHAIN OF COMMAND.**

(A)            **Chief of Police.** Appointed annually by the Village Board in accordance with the Village Ordinance. The Chief of Police is the Chief Executive of the Department and exercises command over all personnel.

(B)            **Sergeant.** Appointed by the Chief of Police, Sergeants are responsible for supervision and command of officers assigned to them.

(C)            **Patrolman.** Appointed by the Village Board on a permanent basis. The Patrolman will carry out such duties as indicated by their job description as directed by this manual and as ordered by higher-ranking personnel.

**4-3**            **AUTHORITY OF THE CHIEF OF POLICE TO DISCIPLINE PERSONNEL.** The Chief of Police shall have the power and authority to discipline members of the department for non-compliance with the rules, regulations, procedures and lawful orders issued by him or any commanding officer. The Chief of Police will notify the Police Committee Chairperson of any pending or administered disciplinary action.

**ARTICLE V - PERSONNEL MATTERS**

**5-1**            **PERSONNEL MATTERS.** The regulations and procedures, which follow deal with conditions of employment and basic duties of employees in this department. Violations of any of the regulations included in this Section will be grounds for disciplinary action.

**5-2**            **RESIDENCE.** It is suggested, but not required, that the location of a full-time employee's residence be within, or near by, the Village. If the employee is contacted

and called back to duty in an emergency, the employee should be able to report to the station, ready for duty, within **sixty (60) minutes** of being contacted.

**5-3**            **ADDRESS OF RESIDENCE.** All employees are responsible for seeing that their current address is on file with the department. Employees will promptly inform the department of any change in address. This requirement applies even when a change of address is of a temporary nature.

**5-4**            **TELEPHONE REQUIREMENT.** All employees must have a telephone in their residence so that they may be contacted in emergency situations. Employees are responsible for seeing that the telephone number is on file with the department and for informing the department of any change in telephone number.

**5-5**            **TELEPHONE PAGER REQUIREMENTS.** All employees assigned a telephone pager will use the pager when not within telephone reach so that immediate contact can be made in the event of an emergency.

**5-6**            **PHYSICAL FITNESS.** Employees are required to maintain a level of physical fitness, which will allow them to perform their duties effectively. If a question arises as to an employee's ability to perform regular duties due to an apparent low level of health or fitness, the officer may be required to submit to a physician's examination and, if possible, to bring his or her health or fitness level to an acceptable standard.

**5-7**            **REPORTING FOR DUTY.** All personnel will report for duty on time and will be physically and mentally fit to perform their duties. They will be properly equipped and will make themselves aware of any information necessary for proper performance of the duties on their shift.

**5-8**            **REPORTING LATE.** If, due to an illness or other circumstance, an employee cannot report for duty at the assigned time but will be late, the employee will contact the Chief of Police before the start of the shift to explain the situation and provide estimated time arrival. The employee will also contact the employee they are to replace, informing them of the situation so that there is not a loss of services being provided to the community.

**5-9**            **FAILURE TO REPORT DUE TO ILLNESS.** Any employee unable to report for duty because of illness or injury must notify the department at least **three (3) hours** prior to their scheduled shift. Sudden onset of illness or injury, or other emergency circumstances, is sufficient cause for departure from this requirement.

**5-10**           **WORKING A FULL SHIFT.** Employees are required to remain on duty for their entire assigned shift unless excused by the Chief of Police. During the shift employees will carry out their sworn and assigned duties to the best of their ability. If any employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform the Chief of Police. Leaving early without authorization will be deemed neglect of duty and will be grounds for disciplinary action.

**5-11**           **MEAL PERIODS/BREAKS.** While on duty, officers will be permitted to suspend patrol or other assigned activity for meal periods and breaks. Meal periods and breaks

will be at the discretion of the officer so long as it does not conflict with normal patrol duties or assignments. Meal periods will not exceed **one (1) hour**. Officers will notify the dispatcher when taking meal periods. Officers are required to be available for immediate call at any time during their tour of duty including meal periods and breaks.

**5-12**        **ABSENTEEISM.** Employees are expected to report for duty on their assigned shifts except when injury, illness, or emergency situations prevent them from doing so. Any employee who fails to report and who does not have a bona fide excuse will be subject to disciplinary action.

**5-13**        **SICK LEAVE.** Employees will be permitted to take sick leave only for instances of illness or injury. The department may at time require a physician's statement to justify the use of sick leave and/or to determine if a physician approves an employee's return to duty. Abuse of sick leave benefits by reporting ill or injured when actually fit for duty will be grounds for disciplinary action.

**5-14**        **SICK LEAVE ELIGIBILITY.** Full time employees are eligible for **twelve (12) days** sick leave per year. Sick leave days may be accumulated to a total of **thirty (30) days**. All accumulated sick days are lost if an employee terminates employment before completing **fifteen (15) years** of service. If the employee terminates his employment after **fifteen (15) days** of service, the Village will pay **one-half (1/2)** of the accumulated days, to a maximum of **fifteen (15) days**. Upon retirement, the employee will receive full compensation for sick days, to a maximum of **thirty (30) days**.

**5-15**        **CALL BACK.** In unanticipated emergency situations, employees may be called back to active duty even if they have completed their assigned shift. In these situations, employees will be required to report back to duty and to carry out duties assigned by the Chief of Police.

**5-16**        **COMPENSATION FOR CALL BACK.** Compensation for officers who are called back to service will be approved by the Chief of Police and the Mayor on a case-by-case basis. If approval is granted, officers will receive written overtime pay at a rate of **one and one-half (1 ½) times** the base hourly rate for the number of hours back in service.

**5-17**        **OVERTIME.** Employees may, under certain conditions, be required to work in excess of normal scheduling. Overtime must be approved by the Mayor through the Chief of Police.

**5-18**        **OVERTIME COMPENSATION.** Full time officers will receive compensation only for approved overtime. Overtime compensation will be at a rate of **one and one-half (1 ½) times** the base hourly rate for the number of hours worked in excess of normal scheduling.

**5-19**        **REQUIRED COURT APPEARANCES OFF-DUTY.** Employees who are required to appear in court in connection with their official duties will appear and testify as directed even though the time of appearance falls when they are off shift. Failure to appear for court when required shall be considered as grounds for disciplinary action. The Chief of Police will approve all court appearances.

**5-20**        **COMPENSATION FOR OFF-DUTY COURT APPEARANCES.** Employees will be compensated for job related off-duty court appearances based on the overtime

compensation rule for actual hours spent at court, with a minimum of **two (2) hours** for each appearance.

**5-21            COMPENSATION FOR ENFORCEMENT ACTION OFF-DUTY.**

Compensation for off-duty enforcement action will be limited to situations in which immediate enforcement action was necessary. This time, upon approval of the Chief of Police and the Mayor, will be compensated for same as above.

**5-22            VACATIONS/ANNUAL LEAVE.**

Annual Leave/Vacation is not available to the employee until successful completion of probation. Each employee has the responsibility to apply for annual leave. Annual Leave/Vacation will be assigned based on seniority. Vacations/Annual Leave is available at the following rates:

- (A)            No vacation during the first year of employment
- (B)            1-3 years of employment - 1 week vacation (40 hours)
- (C)            4-10 years of employment - 2 weeks' vacation (80 hours)
- (D)            11-19 years of employment - 3 weeks' vacation (120 hours)
- (E)            Over 20 years employment - 4 weeks' vacation (160 hours)

NOTE: Employees are encouraged to use all vacation given in the calendar year for which it was earned. In the event an Employee is unable to take all the earned vacation in a given year, the Employee shall be allowed to carry no more than **eighty (80) hours** of earned vacation over into the next year. Under no circumstances will the Employee be allowed to carry more than **eighty (80) hours** earned vacation into the next year. Any earned vacation in excess of **eighty (80) hours** on **December 31** of the present year shall be forfeited without compensation. **(Ord. No. 545; 07-31-17)**

**5-23            HOLIDAYS.**

If an employee has to work on a scheduled holiday, the employee will be compensated with another day off, as directed by the Chief of Police. The following days will be recognized as holidays for full-time personnel:

- |                             |                  |
|-----------------------------|------------------|
| New Year's Day              | Labor Day        |
| Martin Luther King, Jr. Day | Columbus Day     |
| Lincoln's Birthday          | Veteran's Day    |
| Memorial Day                | Thanksgiving Day |
| Independence Day            | Christmas        |

**5-24            PROMOTIONS.**

The vitality of the department is maintained through selections and promotion of the most qualified personnel to positions of increased responsibility. The department must help in the selection process by accurately rating and evaluating employees and candidates for promotion and by advancing the most qualified for the position. Consideration for promotions will include, but not be limited to, past performance, training, ability to function under stress, ability to make good decisions, dedication to duty and community, etc.

**5-25            LAW SUITS.**

Law enforcement activities frequently generate civil suits. Whenever an employee is involved in civil action growing out of that employee's official duties, the Chief of Police and the Village always have a potential interest in the outcome of such actions. The following directives provide a means of assuring that all concerned parties, including the Chief of Police, the Mayor, the Village Board, and the Village Attorney are notified when a civil suit is contemplated or commenced.

**5-26            INITIATING SUITS.**

No employee will bring a civil suit against a citizen for damages sustained in the line of duty without first reporting the case in writing to the Chief of Police. No action will be taken before the Chief of Police is so advised.

**5-27**        **BEING NAMED AS A DEFENDANT.** Any employee who becomes aware that he/she will be named as a defendant in a civil suit growing out of the employee acting in an official capacity, whether on or off-duty, will immediately notify the Chief of Police in writing.

**5-28**        **SUBPOENAS RELATING TO DEPARTMENT'S BUSINESS/OPERATIONS.** Any employee who is served with a subpoena or other legal process relating to the business, operations, policies or procedures of the department will inform the Chief of Police immediately. This requirement does not apply to subpoenas relating to the prosecution of a routine criminal case.

**5-29**        **RESIGNATION.** Resignation by any member of the department in good standing will be submitted to the Chief of Police in writing at least **two (2) weeks** before leaving service. Terms of the resignation will comply with the policy of this department. The Chief of Police will notify the Mayor and the Police Committee Chairperson of all resignations.

**5-30**        **RESIGNATION WITHOUT PROPER NOTICE.** Any member of the department who voluntarily leaves the department's employ without submitting a formal resignation as required will be deemed to have resigned with prejudice and a suitable notation will be made in his/her personnel record. The Chief of Police will notify the Mayor and the Police Committee Chairperson of all resignations without proper notice.

**5-31**        **RETIREMENT.** Notification of retirement of any employee of the department will be submitted in writing to the Chief of Police at least **ninety (90) days** before leaving service. Terms of the retirement comply with applicable provisions and Village resolutions. The Chief of Police will notify the Mayor and Police Committee Chairperson of any pending retirement.

**5-32**        **OFF-DUTY EMPLOYMENT.** Any employee who wishes to take additional employment during off-duty hours will inform the Chief of Police before accepting the employment. In doing so the employee will fully describe the nature of the work to be performed and the hours of work. If it is judged that additional employment involves misuse of the employee's position or could adversely affect the employee's work performance or the department's image or efficiency, the request may be rejected.

**5-33**        **RESTRICTIONS OFF-DUTY EMPLOYMENT.** Restrictions applying to off-duty employment are:

- (A)        It must not interfere with the efficiency of law enforcement and public safety;
- (B)        It must not interfere with the employee's work performance in the department;
- (C)        It will not exceed **twenty-four (24) hours** per week.

**5-34**        **PROHIBITED OFF-DUTY EMPLOYMENT.** Employees are prohibited from working in the following employment situations:

- (A)        At any occupation, which would tend to lower the dignity of law enforcement service;

- (B) In the performance of tasks other than those of police service while in police uniform;
- (C) As a process server or bill collector, or in any other employment in which police authority might tend to be used for private purposes of a civil nature within our jurisdiction;
- (D) Any employment, which requires access to police records as a condition of employment;
- (E) Employment, which assists (in any manner) case preparation for defense in criminal cases;
- (F) Employment on any event wherein illegal activities are involved.

**5-35**      **TERMINATION OF OFF-DUTY EMPLOYMENT.**      If an off-duty employment situation held by an employee is found to interfere with:

- (A) The department's image or efficiency;
- (B) The on-duty work performance of the individual in question, or;
- (C) Is found to involve misuse of the position of employment, the employee will be required to terminate such employment.

**5-36**      **OBLIGATION TO DEPARTMENT.**      The primary obligation and responsibility of an employee who accepts off-duty employment must be to the department. Employees directed to report for overtime work will do so regardless of their off-duty employment situation.

**5-37**      **CLASSIFICATION OF EMPLOYEES.**

- (A) **Full-Time Employees.** Personnel employed to work on a full time basis. A full-time position is a scheduled workweek of a minimum of **forty (40) hours**.
- (B) **Part-Time Employees.** Personnel employed to work for part of the day, week, month or year. This employment may be for a definite contracted period of time or on a permanent basis, but working less than a full-time employee.
- (C) **Probationary Employees.** Full-time employees. The first **twelve (12) months** of service of an employee is a probationary period during which there shall be no responsibility on the part of the Village for the continued employment of the new employee. Employment may be terminated without advance notice during this probationary period.

**5-38**      **SCHEDULING/TIME REQUESTS.**

- (A) Each schedule period will be posted approximately **seven (7) days** prior to the first day of that schedule.
- (B) All time off requests must be submitted prior to that time.
- (C) All requests for vacation, except for an occasional **one (1) day** vacation leave, shall be submitted **fourteen (14) days** in advance of the desired time off.
- (D) The above requests will be submitted to the Chief of Police who will have final approval.
- (E) All **one (1) day** vacation leave requests shall be made at least **one (1) day** prior to the date requested and approved by the Chief of Police.
- (F) All requests for Holiday Leave submitted after the posting date shall be approved by the Chief of Police.
- (G) Approval of requests for time off will be subject to the needs of the department.



(H) Any scheduled medical treatment/doctors appointments will not be considered unscheduled absence and therefore require immediate sick leave request be made and submitted to the Chief of Police.

(I) Any occasional swap of shifts between employees must have prior approval of the Chief of Police. All swaps must be within the same scheduled work period. No swaps will be approved that create overtime conditions.

**5-39 OPERATIONS BOARD.** Effective this date an Operations Board will be placed in the department's squad room. All directives, notices, and other informational messages will be attached to this board. Officers will read and initial these messages at the start of each shift.

At the present time there is a serious lack of communication and sharing of information between officers.

The use of the operations board is just one step towards achieving better communications.

Failure to comply with this directive will result in disciplinary action.

**5-40 MAIL BOXES.** Effective this date all officers will check their mail boxes on a daily basis.

Any information pertaining to an officer will be placed in his box.

There will be no excuses for missing any notices placed in the mailboxes.

## **ARTICLE VI - UNIFORMS AND EQUIPMENT**

**6-1 UNIFORMS.** Employees are responsible for wearing the proper and complete uniform in the prescribed manner except when working in an assignment which requires them to be out of uniform. Dress down days and assignments will be approved by the Chief of Police.

**6-2 UNIFORM ALLOWANCE.** Employees will be afforded a uniform allowance based on the following schedule:

1<sup>st</sup> year (initial employment) - **Four Hundred Dollars (\$400.00)** towards the initial purchase of uniforms and equipment.

2<sup>nd</sup> year and every year after - **Three Hundred Dollars (\$300.00)** towards the purchase and/or replacement of uniforms and equipment.

**6-3 INSIGNIA.** All uniform insignia will be properly placed on the uniform and securely attached to it. No unauthorized insignia, badges, or pins will be worn on the uniform.

**6-4 UNIFORM MAINTENANCE.** Employees will maintain their uniforms in good condition. Any part of the uniform, which becomes worn or damaged, will be repaired or replaced as necessary.

**6-5 GUNBELT, HOLSTER.** A gun belt and holster provided by the employee, of the type approved by the department will be part of the uniform.

**6-6 EQUIPMENT.**

(A) **Personal Equipment.** Officers will carry all required personal equipment while on duty. This includes but is not limited to:

- (1) **One (1)** department approved handgun;
- (2) **One (1)** set of handcuffs;
- (3) Extra department approved ammunition;
- (4) An accurate watch
- (5) O.C. Spray
- (6) Portable Radio
- (7) Ballistic Vest

(B) **Department Equipment.** Employees will utilize department equipment only for its intended purpose in accordance with established departmental procedures and will not abuse, damage or lose that equipment. They will maintain all department equipment assigned to them in good condition. Employees will not convert department equipment to their own use. There will be no smoking inside patrol vehicles.

(C) **Damaged, Inoperative Equipment.** Employees will immediately report any damage to the department property or equipment assigned to them. In addition, employees will report any inoperative, defective, or hazardous equipment, which comes to their attention.

(D) **Loss, Damage or Waste.** Losing, damaging, or wasting department property or equipment through negligence, carelessness, or improper use will be grounds for disciplinary action. The employee responsible for such a loss, damage, or waste may be charged for the property in question.

(E) **Return of Equipment.** Employees will turn in all department equipment assigned to them as directed. Upon termination of employment, all department owned property in an employee's possession will be promptly returned.

## **6-7 VEHICLES.**

(A) **Vehicle Equipment.** Officers are responsible for seeing that their patrol vehicle is properly equipped with shotgun, first aid kit, and communications equipment as well as required department forms before beginning their shift.

(B) **Vehicle Inspection.** All departmental vehicles will be inspected by the duty officer to see that the vehicle is undamaged and ready for service prior to being driven. Officers should be alert for faulty or inoperative equipment. Special attention should be given to brakes, lights, all fluid levels, and emergency equipment. Any damage to the vehicle or inoperative or faulty equipment will be reported immediately.

(C) **Vehicle Operation.** All officers will operate their vehicles with due regard for safety. Even when responding to an emergency situation or when in pursuit of another vehicle, personnel will be mindful of road conditions, surrounding traffic and other hazards and will operate emergency lights and sirens as required by law in accordance with department procedures.

(D) **Unauthorized Passengers.** Officers will not transport persons in patrol cars unless such transportation is in connection with official department business. Authorization from the Chief of Police will be required for any exceptions.

(E) **Operation of Vehicles Out of Jurisdiction.** Officers are permitted to take department vehicles outside of the jurisdiction for official business or law enforcement matters to include training and advanced education within the scope of law enforcement and its duties. Officers will note on their daily activity log the date, time, location, and activity of any operation of the vehicle out of jurisdiction.

(F) **Parking Vehicles.** Officers will park vehicles in such a manner that they are in a position to exit quickly and easily in an emergency situation. Officers will be

mindful

about excessive idling of their vehicles when out on police calls and when parked, to include while conducting stationary speed enforcement.

(G) **Accidents.** When a department vehicle is involved in an accident, officers will render necessary aid to the injured, remove any hazards to life or property, and contact the Chief of Police promptly. Accidents involving department vehicles will be reported and investigated by the sheriff's department, or other appropriate law enforcement agency dependant on situation and location of accident.

(H) **Court Testimony/Apearances.** Any employee of the Police Department required to attend or testify in court with regard to or as a result of any official actions will appear in a complete and neat uniform. If for some reason a uniform cannot be worn the only other clothes to be worn will be appropriate professional looking dress clothes (i.e., suit, shirt and tie, sport coat with dress slacks, shirt and tie, dress or pant suits and dress shoes.) At no time will casual clothing be worn for court appearances unless approved by the Chief of Police.

(I) **Squad Car Keys.** All personnel having a vehicle assigned to them for official duties will obtain a spare key for that vehicle. It will be tagged, labeled and put in the key locker in the Police Department Office. A spare key will constantly be maintained in the key locker. If the key must be used, it will be signed out and promptly returned to the locker when not being used.

## **ARTICLE VII - RULES OF CONDUCT**

**7-1 STANDARD OF CONDUCT.** The law enforcement code of ethics is adopted as a general standard of conduct for employees of the Police Department.

**7-2 LAW ENFORCEMENT CODE OF ETHICS.** "As a law enforcement officer, my fundamental duty is to serve mankind, to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder, and to respect the constitutional rights of all men to liberty, equality and justice."

"I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law of the land and the regulations of my department. Whatever I see or hear in my official capacity will be kept secret unless revelation is necessary in the performance of my duty."

"I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities."

"I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

**7-3            PROFESSIONAL CONDUCT.** In the performance of this duty to serve the public, an employee must be faithful to his oath of office, the principles of professional law enforcement services and the objectives of the department and in the discharge of his duty. He must not allow personal motives to govern his decisions and conduct.

**7-4            PERFORMANCE OF BASIC DUTIES.** Employees will perform their basic duties - preserve the public peace, prevent crime, detect and arrest law violators, protect life and property and enforce the criminal laws of this jurisdiction, the State of Illinois, and the United States to the best of their ability and in accordance with the directives of this manual.

**7-5            PERFORMANCE OF BASIC DUTIES IN A COMPETENT MANNER.** Employees will perform their assigned duties in a competent manner. Incompetence may be demonstrated by:

- (A)            A lack of knowledge of the laws to be enforced;
  - (B)            An unwillingness to perform assigned tasks;
  - (C)            The failure to conform to work standards established for the employee's rank or position;
  - (D)            The failure to take appropriate action on the occasion of a crime, instance or disorder, or other incident, or;
  - (E)            Repeated work evaluations showing substandard performance.
- Incompetent work performance will be grounds for disciplinary action.

**7-6            CONTACT WITH THE PUBLIC.** Employees will, at all times, be courteous to the public. They will be orderly, attentive, and will exercise patience and discretion in dealing with the public.

**7-7            COMPLIANCE WITH ORDERS.** Employees will promptly obey any lawful orders of a superior officer. Any employee who refuses to obey a lawful order will be considered insubordinate and will be subject to disciplinary action.

**7-8            CONFLICT OF ORDERS.** Should any lawful order given by a superior officer conflict with any previous order or published directive, the employee will respectfully bring this conflict to the attention of the superior officer. The superior officer who issued the conflicting order will take any necessary steps to correct the conflict and, at the same time, assume responsibility for the subordinate's actions.

**7-9            POLITICAL ACTIVITY ON DUTY.** Involvement in political activities will not be permitted during an employee's on-duty time. Political activities include soliciting or receiving any assessment, subscription or contribution for any political party or cause or storing, posting, carrying or distributing political literature of any nature.

**7-10          PUBLIC STATEMENTS.** Employees will not make statements on behalf of the department for publication or broadcast concerning the plans, policies, or administration of the department unless authorized to do so. Employees who plan to deliver an address at any public gathering concerning the work of the department will notify the Chief of Police prior to speaking. Any public statement concerning department policy will accurately represent that policy. Any statement about the department or its function which reflects an employee's personal opinion will be clearly presented as such.





**7-11**        **PERSONAL APPEARANCE.** Employees will maintain a neat, clean appearance on duty. They will keep their uniforms clean, pressed and in good condition. They will keep their hair neat, clean and cut in the prescribed manner. With the exception of mustaches worn in the prescribed manner, employees will keep themselves cleanly shaven. Poor grooming or improper wearing of the uniform or its accessories will be grounds for disciplinary action.

**7-12**        **EMPLOYEE MISCONDUCT.** The duties performed by this agency are vital to the safety and well-being of this community. Because of the importance of these duties, it is essential that the department set and maintain high standards of conduct among its personnel. Misconduct by employees cannot be tolerated because it weakens the department's effectiveness, erodes public trust, and can endanger members of the public or members of this department. The following sections describe behavior, which is regarded as misconduct. Such behavior will be grounds for disciplinary action whenever it is brought to the attention of the department.

**7-13**        **NEGLECT OF DUTY.** While on duty employees will remain attentive to their assigned responsibilities, they will not mangle or shirk their duties in the areas of law enforcement, peace keeping or public safety. Any employee who is subpoenaed to testify in court regarding cases growing out of official duties will appear at the time and date indicated. Failure to appear will constitute neglect of duty.

**7-14**        **PROMPT RESPONSE TO ORDERS.** Employees are expected to obey lawful orders from ranking personnel as promptly and completely as possible. Failure to obey orders will be considered neglect of duty.

**7-15**        **PROMPT RESPONSE TO CALLS.** Employees will respond in a prompt manner appropriate to the circumstances when dispatched or ordered to respond to a situation. Postponing responses or failure to respond will be considered neglect of duty and will be subject to disciplinary action.

**7-16**        **PROMPT FILING OF REPORTS.** Employees shall submit all necessary reports on time and in accordance with department procedures. Reports submitted late or not submitted will be considered neglect of duty. All reports filed will be accurate and complete.

**7-17**        **AWARDS.** No employee will accept or solicit any fee or compensation growing out of the performance of official duties.

**7-18**        **VERBAL ABUSE, HARASSMENT.** Employees will not verbally or otherwise abuse or harass their superiors or fellow employees.

**7-19**        **CRIMINAL CONDUCT.** Employees will obey all laws of the United States, the State of Illinois, and this jurisdiction. Violations of any law, an indictment or information filed against an employee or a conviction will be cause for disciplinary action up to and including termination of employment.

**7-20**        **USE OF ALCOHOL.** Employees will not consume alcohol while on duty and will not be under the influence of alcohol while on duty.



**7-21            DRUGS AND MEDICATION.** Employees will not have in their possession any controlled substances, narcotics, or hallucinogens except when legally prescribed by a physician or dentist. When any employee is taking prescribed medication and when such medication could affect work performance, the employee will notify the Chief of Police.

**7-22            AIDING ESCAPE.** No employee will aid any person to escape arrest or escape after arrest. Nor will employees aid anyone under suspicion or investigation by this department to hamper an investigation.

**7-23            DEPARTMENT STATIONERY.** Department stationery/letterhead will be used for official purposes only. Unauthorized use will be grounds for disciplinary action.

**7-24            TESTIMONIALS.** Employees will not permit or authorize the identification of themselves as employees or the use of their official titles or uniforms in connection with any testimonials or advertisements for any commodity or commercial enterprise without prior written permission of the Chief of Police.

**7-25            ASSOCIATION WITH KNOWN OFFENDERS.** Employees will avoid regular, unnecessary association with persons who they know, or should know, are racketeers, sexual offenders, professional gamblers, suspected felons, or persons under criminal investigation or indictment.

**7-26            RELEASE OF CONFIDENTIAL INFORMATION.** Communicating or giving police information to anyone concerning department operations which is detrimental to the department and which is given without permission of the Chief of Police or under legal process will be grounds for disciplinary action.

**7-27            DUTY TO REPORT MISCONDUCT.** The quickest way for misconduct to grow in a department is for employees to tolerate it among their fellow employees. Misconduct by one employee reflects poorly on all. For this reason, employees will report any violation of department orders, neglect of duty, or illegal conduct by any member of the department to the Chief of Police.

**7-28            OFF-DUTY CONDUCT.** Employees should conduct themselves off-duty in such a manner as to reflect well on the department as well as portray a professional image to the public.

**7-29            OFF-DUTY EQUIPMENT.** While off duty and within the jurisdiction of the Village, officers will carry the following equipment:

- (A) Official identification;
- (B) An approved weapon;
- (C) Any additional equipment as needed.

**7-30            OFF-DUTY WEAPONS.** Officers, when off duty, should carry an approved firearm when traveling about in public places within the jurisdiction of the police department. Officers, when off duty, are not required to carry a firearm when traveling outside

the jurisdiction of the department. Officers should achieve range qualification with any weapons which they carry off-duty.

Exceptions to this policy will be:

- (A) When involved in, or participating in social functions or engagements where being armed is not practical;
- (B) While taking part in any recreational activity where being armed is not practical;
- (C) During any personal activity where intoxicating beverages are being used or consumed.

**7-31 OFF-DUTY RESPONSIBILITIES.** Officers, off-duty, shall perform necessary police services in the Village whenever public safety will so require. Because off-duty officers may need to take official action when a crime or hazardous situation comes to their attention, all officers are required to carry official departmental identification at all times.

**7-32 OFF-DUTY OFFICERS, PERSONAL INVOLVEMENT.** Employees will not exercise their official authority in disputes to which they are a party except in cases where there is an immediate danger to themselves or others.

## **ARTICLE VIII - DISCIPLINE/COMMENDATIONS**

**8-1 DISCIPLINE.** Any violations of the directives of this manual or any violations of other department directives or orders will be grounds for initiating disciplinary procedures.

**8-2 RECEIVING COMPLAINTS.** Citizens who wish to file complaints against employees will be informed of the manner in which this may be done.

**8-3 HARASSMENT OF COMPLAINANTS.** No employee will harass, verbally abuse, or threaten any citizen who files a complaint against that employee or any other employee.

**8-4 PROCESSING COMPLAINTS.** Complaints against employees (whether originating from a citizen, a fellow employee, a supervisor, or another agency) will be thoroughly reviewed. Assuming that the complaint does not involve illegal activity, the employee will be informed of the charges and permitted to provide an explanation or comment on the charges. Where possible illegal activity is involved, employees will be given every right due any other person in the context of a criminal investigation.

**8-5 DUTY STATUS OF EMPLOYEE.** At the discretion of the Chief of Police, employees may be relieved from active duty status pending the outcome of the complaint process. The Mayor and Police Committee Chairperson will be notified of all changes of duty status of an employee.

**8-6 DISPOSITION OF COMPLAINTS.** Upon completion of the review of the charges in a complaint, the matter will be classified as:

- (A) Exonerated - the alleged conduct occurred but it was lawful and proper;
- (B) Unfounded - the complaint was false or unfounded;

(C) Not Sustained - there was insignificant evidence to prove or disprove the allegation;

(D) Sustained - the allegation was supported by proper and sufficient evidence.

Officers will be promptly notified of the disposition of the complaint.

**8-7 DISCIPLINARY ACTION.** If a complaint is found to be sustained, disciplinary action will be taken. Depending on the severity of the violation involved and the employee's past record, such action could include but will not necessarily be limited to:

- (A) Verbal reprimand;
- (B) Written reprimand;
- (C) Suspension without pay;
- (D) Loss of pay or privileges;
- (E) Lowering of rank;
- (F) Termination of employment.

Employees will be promptly notified of any disciplinary action to be taken.

**8-8 COMPLAINTS OF CRIMINAL ACTIVITY.** Complaints against employees, which allege criminal violations, will be grounds for bringing criminal charges. This action will not serve to prevent the internal disciplinary process from dealing with the same matter.

**8-9 DUTY TO REPLY/COOPERATE.** Employees will answer fully all questions, which a superior officer may ask regarding performance of official duties and will cooperate with the internal disciplinary process.

**8-10 APPEAL OF DISCIPLINARY ACTION.** An appeal of any disciplinary action may be pursued by filing a written request for appeal to the Village Police Committee Chairman. The Chief of Police must be notified of any intent to appeal within **three (3) days** of being notified of disciplinary action. The written request for appeal must be submitted to the Police Committee Chairman within **seven (7) days** of being notified of any disciplinary action. Upon review, the decision of the Police Committee is final.

**8-11 COMMENDATIONS.** It shall be the policy of this department to accept recommendations for recognition for significant acts by its members and private citizens and to make awards when it is deemed qualified. The Police Committee Chairperson will be notified of all recommendations for recognition and awards.

## **ARTICLE IX - USE OF VEHICLES**

**9-1 USE OF VEHICLES.** Officers have the responsibility to operate their vehicles in a safe and skillful manner. When responding to emergency situations or when in pursuit of violators, officers will comply with all applicable department procedures and regulations. In these situations an officer's first concern should be the safety of the public.

**9-2**            **RESPONSE TO ROUTINE AND EMERGENCY SITUATIONS.** Routine situations are non-emergency situations. A general definition of an emergency situation is one

in which there is a high probability of death or personal injury to a person, or a substantial loss of property, and where action by an officer is necessary to avert or reduce the seriousness.

(A) Unless responding to an emergency situation, pursuing an actual or suspected violator of the law, or providing an escort, all department vehicles will be operated in accordance with traffic rules and regulations;

(B) When responding to an emergency call, or when in pursuit of an actual or suspected violator, an officer may under certain conditions:

- (1) Park or stand the vehicle irrespective of the provisions of the law;
- (2) Proceed past a red stoplight or stop sign while exercising due caution;
- (3) Exceed speed limits, so long as public safety is considered. Factors to be considered are the type of call being responded to. Traffic conditions and road conditions will govern the speed at which an emergency vehicle is driven.
- (4) Disregard regulations governing direction of movement and turning. Emergency vehicles may be driven against traffic only when there is a clear and present danger of life, and then only with extreme caution.

(C) When responding to an emergency call, or when pursuing an actual or suspected violator, officers will activate the police vehicle's flashing red/blue lights and the siren.

- (1) Officers should remember that the use of red/blue police lights and siren does not guarantee the safe use of the right of way.
- (2) The siren is used for emergency operations where the speed traveled is hazardous, and where the element of surprise must be sacrificed for expediency.
  - (a) There are a number of reasons why drivers of other vehicles, or pedestrians, might not hear a police vehicle's siren:
    - (i) Inattention
    - (ii) The vehicle's windows are rolled up
    - (iii) Conversation inside the vehicle
    - (iv) The vehicle's radio is playing
    - (v) The driver or pedestrian has a hearing deficiency
  - (b) The indiscriminant use of sirens in residential areas during the night hours is disturbing and should be kept to a minimum. Sirens should not be used in hospital zones.
- (3) Unmarked police vehicles will not operate as emergency vehicles unless a red/blue police lights and/or siren is in operation. Officers operating unmarked police cars as emergency vehicles will use extra caution in view of the fact that unmarked cars are more difficult than marked units for other drivers to identify as police vehicles.
- (4) The use of flashing white light does not identify a vehicle as an emergency vehicle.
- (5) Officers will not actuate a police vehicle's red/blue police lights or siren except when responding to emergency situations, or when it is necessary in the proper performance of police duties.



(D) Officers operating emergency vehicles must not allow anger, anxiety or a sense of urgency to overcome good judgment. If the officer allows himself to become emotional, there will be one more dangerous driver on the street.

(E) Self-preservation and consideration for other people's safety are the most important factor to consider in any emergency driving.

(1) When responding to an emergency assignment, drive at a speed and in a manner that will enable you to maintain control of your vehicle at all times.

(2) Excessive speed and careless response that prevents a unit from arriving will not help the victim, or the other officers at the scene.

(3) If an officer on an emergency assignment or engaged in pursuit driving is involved in an accident as a result of deviation from normal good driving practices, he must be prepared to justify his actions.

(F) Officers will not transport sick or injured persons in Police vehicles. This applies to criminal suspects as well as citizens.

The first responders should be notified along with the ambulance, the victim then will be transported by ambulance to the medical facility.

In the event a suspect is combative the Officer may follow the ambulance to the medical facility, or if requested by the ambulance attendants may ride along in ambulance for the safety of the ambulance crew.

**9-3                    PURSUIITS - REVISED DATE JANUARY 4<sup>TH</sup>, 2002.**

(A)                    **Purpose.** A police pursuit occurs when police attempt to stop a driver of a motor vehicle and the driver refuses to obey the officer, following which the officer gives chase for the purpose of stopping the fleeing motorist. The purpose of this policy is to establish pursuit guidelines required during the operation of departmental vehicles. The essence of a successful pursuit is to apprehend the violator, however, it's far better to either delay the arrest or abandon the pursuit than to needlessly injure or kill anyone, including the police officer.

(B)                    **Policy.** Pursuits shall be conducted in strict compliance with the Illinois Compiled Statutes and departmental policy. An officer involved in a vehicle pursuit shall utilize oscillating, rotating or flashing lights located on or within the department vehicle when in pursuit of an actual or suspected violator of the law. The officer shall sound the siren when necessary to warn pedestrians and other drivers of the approach of the pursuit. All personnel operating departmental vehicles shall exercise due regard for the safety of all persons. It is our policy to apprehend all persons who are attempting to evade arrest, however, no assignment or task is of such importance that the principles of safety become secondary. The pursuing officer is not to consider that he must continue a pursuit at all costs, and the pursuing officer shall discontinue the pursuit when the risk is greater than the safety of himself or others, or, is directed by a supervisor to terminate the pursuit.

(C)                    **Definitions.**

(1)                    **Hot Pursuits.** An active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, making or unexpected movements, or maintaining legal speed limit but willfully failing to yield to the officers signal to stop.

- (2) **Felony Pursuits.** In cases where the violator is being pursued in order to affect a felony arrest, the officer may use force which he reasonably believes to be necessary to affect the arrest in accordance with the departmental policy and the Illinois Compiled Statutes.
- (3) **Misdemeanor Pursuit.** If the violator is known to have committed a misdemeanor only, the use of force likely to cause death or great bodily harm is prohibited. The use of barricading the roadway or using firearms will not be utilized during misdemeanor pursuits.
- (4) **Roadblocks.** Are prohibited.
- (5) **Primary Unit.** The police unit that initiates a pursuit or any unit that assumes control of a pursuit.
- (6) **Procedures.** In order to diminish the likelihood of a pursuit developing, officers intending to stop a vehicle shall, when practicable, be within close proximity to the subject vehicle prior to activating the emergency signal devices. The responsibility for the decision to initiate hot pursuit rests with the individual officer.
  - (a) The officer initiating a pursuit shall first decide:
    - (i) Seriousness or type of offense;
    - (ii) Speed of vehicle in pursuit;
    - (iii) Traffic conditions/congestion;
    - (iv) Maneuverability (road conditions and weather);
    - (v) Safety to himself and others;
  - (b) As soon reasonably possible notify the dispatch center;
    - (i) Number/identification of pursuing unit;
    - (ii) Location, speed, and direction of travel;
    - (iii) Vehicle description, including license number and number of occupants, if known;
    - (iv) Specific reason for the pursuit, including known laws violated;
  - (c) Responsibilities during a pursuit:
    - (i) The primary unit shall be in command and bears the operational responsibility for the pursuit unless relieved by a supervisor;
    - (ii) This authority pertains to immediate operations of the pursuit; subordination to the supervisor is not altered by this authority.
    - (iii) Radio communications:
      - a. Shall be over our local frequency if the pursuit is contained in our jurisdiction;
      - b. Shall be over the I.S.P.E.R.N. frequency if the pursuit leaves our jurisdiction.
    - (iv) Units involved:
      - a. Normally no more than two units (the primary pursuit unit and support unit);
      - b. Supervisor may authorize more units determined by:

- 1) nature of offense

- 2) number of suspects
  - 3) number of officers
  - 4) other facts which increase hazard
  - c. There shall be no caravanning, except for the primary and support unit; units not involved in the active pursuit will not use emergency lights or siren; unless requested by the supervisor;
  - d. Support units should attempt to drive an alternate route to the active pursuit; or a safe distance behind the primary unit;
  - e. Support units shall not pass the primary unit unless permission is received from the primary unit or the supervisor;
  - f. If the primary unit becomes disabled, the support unit will become the primary unit; (the supervisor and dispatcher shall be notified immediately of this transfer);
  - g. Unmarked units, equipped with emergency lights and siren, may engage in hot pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property; when a marked unit becomes available to take over the pursuit, the unmarked unit will withdraw from active pursuit and serve in a support role;
  - h. The primary unit will reduce the level of pursuit to that of a support role should the fleeing vehicle come under the surveillance of an air unit, or another police vehicle comes into closer proximity to the fleeing vehicle;
- (v) Emergency vehicle operations
- a. Deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, ramming, or driving alongside the pursued vehicle shall be prohibited, unless such actions are authorized by the shift supervisor; such action may be approved only when the use of deadly force would be authorized;
  - b. Officers shall not pursue fleeing vehicles the wrong way on interstate highways, divided roadways, or one way streets unless specifically authorized by the shift supervisor;

- c. Barricading roadways may be used to terminate only a felony pursuit and on the command of the supervisor only;
    - 1) officer shall not remain in their vehicles used as barricade;
    - 2) private vehicles will never be used as a barricade;
  - d. Extreme caution must be used whenever traffic signs or signals are disregarded; all available warning devices, including decreasing speed or stopping, shall be utilized to alert other motorists and pedestrians;
  - e. Overtaking the pursued vehicles will be considered a last resort and the decision will be made by the primary officer and/or shift supervisor;
  - f. Officers shall not shoot from or at a moving vehicle, except under the following circumstances:
    - 1) as a last resort to prevent death or serious physical injury to the officer or another person; or
    - 2) as a last resort to apprehend a felon who has just committed a felony resulting in death or serious physical injury or
    - 3) when an occupant of the vehicle is utilizing deadly force against a police officer or another person;
  - g. A supervisor, if available, shall respond immediately to the location of the apprehension and shall assume responsibilities for directing police actions of this department's members. The supervisor shall ensure that a written report of the circumstances regarding the pursuit is submitted to the office of the Chief of Police.
- (d) Termination of pursuit will be immediate under the following conditions:
- (i) A supervisor orders the pursuit terminated; or
  - (ii) The offense is a traffic violation, misdemeanor, or nonviolent felony and the violator is known; or
  - (iii) The distance between the pursuing officer and violator is so great that further pursuit is futile; or

- (iv) The officer loses visual contact with the violator for an extended period of time (approximately **fifteen (15) seconds**); or

- (v) When there is an equipment failure involving an emergency signal device, radio, brakes, steering, or other essential mechanical equipment; or
  - (vi) When there is a clear and unreasonably danger to the officer, fleeing motorist, or other persons, a clear danger exists when vehicular or pedestrian traffic necessitates dangerous maneuvering that exceeds the performance capabilities of the vehicle or driver.
- (e) While not necessarily dictating immediate action, strong and continuing consideration should be given to termination of the pursuit under the following conditions:
- (i) Environmental factors such as rain, fog, or darkness substantially increase the danger of the pursuit; or
  - (ii) The officer is unfamiliar with the area and he is unable to accurately notify the communications center of his location and the direction in which the pursuit is proceeding; or
  - (iii) Road conditions are congested by traffic or pedestrians (especially during rush hours or in a school area); or
  - (iv) The pursuing officer knows, or has reason to believe, that the fleeing vehicle is being operated by a juvenile who has committed a traffic violation, misdemeanor, or nonviolent felony, and who is driving in such an unsafe manner that it is obvious he does not have the maturity to deal with the danger involved.

(D) **Conclusion.** Officers shall exercise due regard for the safety of all persons. Officers shall avoid increasing the danger already caused by the fleeing motorist and are cautioned that they are accountable for the consequences if there is a reckless disregard for the safety of others.

**9-4 ESCORTS.** The escorting of other vehicles using emergency equipment is a dangerous practice and should be avoided. However, the Police Department will provide traffic control management for the Fire Department upon request of Fire Department personnel or as needed at any response by the Fire Department.

**9-5 RIDERS IN POLICE VEHICLES.** It has been brought to my attention that unauthorized people have been riding with the duty officers on a number of occasions. For liability reasons, and departmental reasons, effective this date the following rules will be followed:

(A) With the exceptions of the Village Trustees or other Village employees, no one is permitted to "ride along" on any shift without the approval of the Chief of Police.

**ARTICLE X - NON-LETHAL USE OF FORCE POLICY**

**10-1**            **LEGAL DISCLAIMER.** This directive is for departmental use only, and does not apply in any criminal or civil proceedings. The department policy should not be construed as a creation of higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of this directive will only form the basis of departmental administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

**10-2**            **POLICY.** This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interest is required. Therefore, it is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

**10-3**            **PEACE OFFICER'S USE OF FORCE IN MAKING ARREST (720 ILCS 5/7-5).**

(A)            A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest. He is justified in the use of any force which he reasonably believes to be necessary to affect the arrest and of any force which he reasonably believes to be necessary to defend themselves or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or bodily harm to themselves or such other person, or when he reasonably believes both that:

(B)            Such force is necessary to prevent the arrest from being defeated by resistance or escape, and

(C)            The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

(D)            A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he would be justified in using if the warrant were valid, unless he knows that the warrant is invalid.

**10-4**            **DEFINITIONS.**

(A)            **Deadly Force.** Any use of force which is considered deadly force.

(B)            **Less Lethal Force.** Any use of force other than that which is considered deadly force.

(C)            **Forcible Felony.** Treason, first degree murder, second degree murder, aggravated criminal sexual assault, criminal sexual assault, robbery, arson, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual.



**10-5            LEGAL JUSTIFICATION.** The Illinois State Statute deals with the legal levels of force that law enforcement officers may use in the normal course of their duties. It should be emphasized that when consent or an emergency is not present, and there is no probable cause to make an arrest, the non-consensual touching by a police officer may constitute a crime, as well as result in civil liability. When probable cause exists, criminal and civil liability may still occur if the limits of the law are exceeded.

**10-6            LEVELS OF FORCE.**

(A)            In a majority of cases, some level of physical force will be necessary to affect an arrest or to protect others. That amount of physical force may be as low as placing a hand on a subject's shoulder or arm, and directing that subject to place his hands behind his back for handcuffing. Depending on the level of resistance offered, the officer may use techniques that may escalate to physically pinning the subject to respond to techniques that influence behavior by eliciting pain in order to apply handcuffs using hand/leg strikes, impact weapons, or even the use of a firearm, if the resistance offered is severe. In all cases, the Illinois State Statute indicates that only "necessary" force is justified. Any force above that act would be unjustified and a criminal act by a police officer would then occur.

(B)            For the purposes of this policy, the use of force will be examined from two perspectives: resistance and control. Both control and resistance can be in the form of verbal directives or physical action; resistance is defined as actions that are directed from the subject towards an officer, while control is directed from the officer towards the subject.

- (1)            **Resistance** is manifested by the subject who attempts to evade an officer's attempts of control. The amount and type of resistance will vary, based on a variety of factors.
- (2)            **Control** is the force an officer uses to influence or neutralize the unlawful, physical actions of a subject under arrest. Generally, there are **four (4) times** an officer is justified in using physical control methods. They are to stop potentially dangerous and unlawful behavior; to protect the officer or another from injury or death; to protect a subject from injuring himself; and in the process of effecting lawful arrest, when the subject offers resistance.
- (3)            **Justification** of the use of force in the judicial system is measured by two broad standards. First, the officer's use of control methods was initiated by a subject's resistance. Second, the level of physical force used by the officer was "necessary" and not excessive when considering the type of resistance offered by the subject.

**10-7            LEVELS OF RESISTANCE.** Resistance is defined as the force used by a subject under arrest against the officer(s) who is affecting the arrest. Although the resistance offered by a subject is usually physical, the type and amount of resistance an officer meets is determined by the subject's level of intent. The intent of the subject may range from passive resistance to an active, aggressive attack on the officer.

Resistance may be categorized into **three (3)** broad areas: (1) Verbal dialogue, i.e. denial or threats of resisting arrest; (2) physical resistive actions, i.e. passive resistance/active resistance; and (3) aggressive acts, i.e. against the officer, often leading to severe physical injury. The officer's actions to resistance will be based upon his perception of the level of resistance. The officer has been trained to use the necessary amount of force to control a subject offering any level of resistance.

**10-8            PSYCHOLOGICAL INTIMIDATION.** Non-verbal actions, often called body language, often influence an officer's decision on how to approach a subject or what level of force to use if a subject starts to resist an arrest. Non-verbal intimidation actions may include clenching of fists, widening of foot stance, or a blank expression that may warn an officer of the individual's emotional state. These non-verbal intimidation actions often warn an officer of a subject's potential for violence, even when the subject has offered no verbal threats.

However, an officer's reaction to a subject's non-verbal intimidation signals should be used as information to mentally propose the officer's alternatives to possible attack, not as a justification for attack. An officer who reads the non-verbal signals and believes that physical control is necessary to prevent a subject from injuring himself, others, or the officer, may initiate action before any overt moves are made by the subject.

**10-9            RESISTIVE DIALOGUE.** A subject's dialogue that offers the threat of physical resistance to an officer's commands is not normally considered resistance until he/she physically resists an attack. However, dialogue in the form of threats of physical injury may influence an officer's opinion as to the amount of force needed to effect control. An offender may boast of his fighting skill and his intention to injure the officer, or assume a fighting stance such as raised hands or clenched fists. Verbal threats or psychological threats may influence the officer's judgment to attempt either empty hand control, impact weapons, or even firearms if the subject has a weapon or has such great physical skills that threat of life is real.

The reaction to verbal threats made by a subject may differ from officer to officer. An officer's decision of the level of force necessary to control a subject will be based on his perception of the threat and the subject's ability to carry out that threat. An additional factor is the officer's knowledge of his own physical ability to manage the threat presented. If the officer believes that he does not have sufficient skill to establish control with empty hand methods, he/she has been trained to escalate the level of force.

**10-10           PASSIVE PHYSICAL RESISTANCE.** Passive resistance is the lowest level of physical resistance. The subject resists control through passive, physical actions. At this level, the offender never makes any attempt to defeat the physical contact of the officer. Passive resistance is usually in the form of a relaxed or "dead weight" posture intended to make the officer lift, pull or muscle the subject to establish control.

**10-11           DEFENSIVE PHYSICAL RESISTANCE.** Quite often officers find themselves confronting a suspect who is physically resisting the officer's attempt to control the subject by directing overt, defensive, physical actions. With this level of resistance, the offender attempts to push/pull away, in a manner that does not allow the officer to establish control. However, the subject never attempts to strike the officer.

**10-12           ACTIVE PHYSICAL AGGRESSION.** Active physical aggression is when a suspect attacks the officer to defeat attempts of control. The attack is a physical assault on the officer in which the offender strikes or uses techniques in a manner that may result in injury to the officer or others.

**10-13           AGGRAVATED ACTIVE PHYSICAL AGGRESSION.** Aggravated active physical aggression is when a subject uses a level of physical force that the officer usually must use, or, at least, is justified in using deadly force. At this level, officers may not only face

resistance to an arrest, but also overt, physical actions of force where the subject is assaulting the officer with a weapon, and/or uses techniques or objects which could result in death or great bodily harm to the confronting officer.

**10-14      LEVELS OF CONTROL.** Force that an officer uses to gain control over a subject's resistant actions is divided into the following categories: Verbal Direction, Empty Hand Control, Intermediate Weapons, and Lethal Force. Once an officer determines that he must use physical force, the level of force used will be dependent upon the officer's perception of resistance and danger of that resistance, and whether that resistance is placing the officer or another in jeopardy of serious injury or death. It is important to note that each officer's perception of the danger of the level of resistance will be based upon his/her past training, experience, and knowledge or physical control techniques.

**10-15      PROCEDURES.**

(A)      **Escalating Levels of Force.** The practical application of Use of Force is understood to be dynamic and fluid. Force is not restricted by a certain sequence or level. The levels of force referred to in this order are for purposes of documentation only:

- (1)      **Level 1.** Verbal Persuasion/Officer Presence
- (2)      **Level 2.** Minor Physical Force (taking a suspect/prisoner by the arm as a physical type of persuasion)
- (3)      **Level 3.** OC Pepper Spray/Tazers (use only if resistance is encountered or anticipated)
- (4)      **Level 4.** Defensive Tactics (use of defense tactics at this point will often result in the suspect/prisoner being subdued, and will include placing hands behind the back for handcuffing)
- (5)      **Level 5.** Use of Baton and Intermediate Weapons
- (6)      **Level 6.** Use of Less Lethal Force Weapons
- (7)      **Level 7.** Any use of force that is likely to cause death or great bodily harm

\*It is impossible to control at which level of force any particular use of force incident will begin or how quickly and in what steps it might escalate. An incident might begin at Level 4 for instance instead of Level 1. As another example, a use of force incident might begin at Level 1, verbal persuasion, and escalate immediately to Level 7, deadly force.

\*The most important thing to remember concerning the use of force is that an officer must use judgment each time a use of force incident occurs, and an officer must base this judgment on training along with the circumstances associated with the incident to make a decision on what type of force to use. An officer must always remember that whatever the circumstances are, only the minimum amount of force necessary will be used to preserve the peace, prevent the commission of offenses, effect lawful arrests; or defend persons or property.

(B)      **Use of Levels of Force.**

- (1)      **Level 1 - Verbal Persuasion.** Language used by an officer to move by argument, plea, or reason to a belief, position, or course of action.

The majority of situations can be resolved by good communication skills or verbal direction. Often, the mere

presence of an officer and proper verbal direction will be sufficient to persuade most individuals to follow an officer's direction. In any verbal confrontation, fear and anger must be defused before a suspect will be able to understand the officer's commands. This requires good communication skills and patience. Successful communication techniques can prevent many physical confrontations from escalating to higher levels.

(2) **Level 2 - Minor Physical Force.** Minor physical force is generally restricted to open hand or other techniques designed to persuade a subject to comply with officer direction.

(3) **Level 3.**

(a) **OC Pepper Spray.** General OC Pepper Spray will only be used when the danger of physical injury to the officer or other person(s) is reasonably apparent and the officer is unable to verbally control an offender.

The chemical agent should be carried in an appropriate pouch, and never displayed or pointed to another individual in the form of horseplay.

At no time shall an officer unnecessarily brandish, or use the chemical agent as an intimidating device unless the officer is attempting to prevent the further escalation of force.

\*Note: In use of OC Pepper Spray, officers must successfully complete a training course approved by the department on the use of OC Pepper Spray prior to carrying or deploying the agent. This course must include the officer being exposed to the effects of the OC agents, and guidelines for proper cleanup/treatment of persons exposed, including bystanders, officers and suspects.

(i) It is the purpose of chemical agents to provide an officer with a means of affecting arrest, defending himself or others, or restraining violent persons when other means have failed or are infeasible;

(ii) The decision to apply tear gas or chemical irritants against large groups of people shall be the responsibility of the shift supervisor, or command level officer;

(iii) Authorized aerosol spray, for use by individual officers, shall be restricted to an approved brand of O.C. (oleoresin capsicum) in a non-flammable carrier. The use of C.N./C.S. gas or other tactically necessary chemical agents shall be under the direction of a shift commander or command level officer. Only officers certified by approved departmental training will be permitted to carry or use any aerosol spray or chemical agent. All spray units will be authorized by the Chief of Police before an officer carries the unit for duty use.

- (iv) Chemical agents/O.C. spray shall not be used:
  - a. in a stream application directly into the eyes of a subject at a range of less than **two (2) feet**;
  - b. for prolonged periods at a subject not responding to normal applications;
  - c. on a person already incapacitated;
  - d. in large quantities in a confined space;
  - e. in the immediate vicinity of infants, ill, or infirmed persons;
  - f. in the immediate vicinity of a source of ignition;
- (v) Following the application of O.C. spray the subject receiving the application will be given the following treatment:
  - a. as soon as is practical the subject will have the affected areas flushed with clean, cool water in sufficient amounts to decontaminate and have affected areas exposed to fresh flowing air. Commercial decontaminates may also be applied. If effects of the O.C. application have not significantly diminished within **thirty (30) minutes** or if the subject complains of some unusual symptom or some other unforeseen circumstance or medical condition develops, the Emergency Medical Services department will be summoned for treatment. Additional care will be as directed by E.M.S. or an attending physician;
  - b. following the application of any chemical agent other than O.C. spray, the effected subject will be treated as soon as practical by E.M.S. personnel and additional care as may be directed by an attending physician;
- (vi) After the use of any type of chemical agent, the officer involved will submit a written report of the circumstances, as soon as reasonably possible;
- (b) **Electronic Taser Device.** Generally the Taser unit will only be used when the danger of physical injury to the officer or other person(s) is reasonably apparent and the officer is unable to verbally control an offender. The Taser unit will be applied as a force option when danger of physical injury to the officer or other person(s) is reasonably apparent and efforts to verbally control the offender are not successful.

\*Note: Use of the Taser is authorized only by those officers that have successfully completed the approved training course by the department. The course must include officer exposure to the effects of the Taser and guidelines for the treatment of persons exposed to the Taser.

- (i) Authorized Taser units for use by individual officers shall be restricted to the advanced Taser M26 or X26 issued by the department. All certified Patrol Officers will carry an issued Taser unit while on uniformed patrol. Officers assigned to other than Patrol duties may be issued a Taser unit depending on availability.
- (ii) Taser units will not be used:
  - a. on an incapacitated person.
  - b. in close proximity to flammable liquids or fumes. The Taser unit shall be considered a source of ignition.
  - c. on persons in danger of falling from a significant height.
  - d. on persons in a body of water that would constitute a drowning hazard.
- (iii) Following the use of a Taser unit:
  - a. the officer will properly secure the affected subject.
  - b. the officer will remove probes according to training. Officers will observe proper biohazard protocol. Probes that imbed in the soft tissue of the neck, face, groin, or eyes should be removed by medical personnel.
  - c. the effected subject will receive any necessary medical treatment as soon as is practical.
  - d. all injuries will be photographed as soon as is practical.
  - e. the shift supervisor, at the time of occurrence, will notify a command officer, as soon as is practical, that shift supervisor will submit a written memorandum, to a command officer, as soon as is practical.
- (iv) **Use on Vicious Animals.**
  - a. Use on vicious animals is permitted. Officers must be aware that animals usually recover from the effect of the Taser more quickly than human beings.

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- b. Officers are required to take necessary measures to protect the health and welfare of animals, as is practical.
- c. Reporting and evidentiary issues apply in the application of Taser units on animals.

- (v) **Carry and Storage of Taser Unit.**
    - a. Only properly functioning and charged units will be carried.
    - b. Taser units will only be carried in department approved holsters.
    - c. At least one spare air cartridge unit will be carried with each Taser unit.
    - d. Care must be taken to avoid exposure of Taser units to prolonged periods of extreme heat, cold and moisture.
    - e. Officers will not modify Taser unit or air cartridges.
  - (vi) **Accidental/Unintentional Activation.** Any activation, other than that which occurs during training, will be considered a "use" of the Taser. All reporting procedures will apply.
- (4) **Level 4.**
- (a) **Defensive Tactics.** Physical force taken and enacted by an officer to persuade or restrain an individual for means of cooperation and subject control. Examples include but are not limited to:
    - (i) joint locks and manipulations
    - (ii) front and rear wrist locks
    - (iii) escort position
    - (iv) arm-bar takedown
    - (v) strikes and kick
    - (vi) pressure points
  - (b) **Handcuffs and Restraints.** The purpose of handcuffs, flex cuffs, or transport handcuffs is to restrain the movements of a subject in a manner that provides a safe means of transportation for officers. Restraints also prevent further physical resistance from a subject. The departmental policies for the use of restraints are as follows:
    - (i) **Rule 1.** All subjects taken into custody should be handcuffed behind their back and the handcuffs double locked whenever tactically possible. An exception to this rule is when the subject has an injury that does not permit his/her arms to move behind his back. Other factors such as the subject's age, physical condition, or physical limitations may also dictate a change in this procedure.
    - (ii) **Rule 2.** If a subject complains that the handcuffs are too tight, the transporting officer is to ensure that unnecessary tightness, which may prevent proper blood circulation, does not occur.



- (iii) **Rule 3.** To ensure proper safety for officers, all subjects will be handcuffed before being searched.

- (iv) **Rule 4.** Except under exceptional circumstances, officers should not handcuff a subject to fixed objects such as posts, vehicles, buildings, etc.
  - (v) **Rule 5.** It is not uncommon for an officer to arrest a subject, place him in restraints, and then have the subject start to resist. If an officer does encounter this type of resistance, the officer should utilize control techniques to prevent injuries to the officer or injuries to the subject. However, the control techniques should be limited to those which would not be construed as excessive force.
  - (vi) **Rule 6.** Subjects receiving medical attention will be restrained as the attending physician so directs.
  - (vii) **Rule 7.** Officers shall not handcuff a subject to themselves.
- (5) **Level 5 - Use of Intermediate Weapons.** This level of control employs the use of department approved tools that provide a method of controlling subjects when deadly force is not justified, but when empty hand control techniques are not sufficient in effecting an arrest. Whenever an officer uses an intermediate weapon for control, it should always be without the intent of creating permanent injury. When intermediate weapons are used, it is quite likely that some form of skin irritation, bruising, soft or connective tissue damage or bone fracture may occur.
- (a) **Police Baton.** Only batons issued and authorized this department shall be used. The use of saps, blackjacks, sap knuckle gloves, or other unauthorized weapons are prohibited. Batons are to be carried and utilized by all departmental personnel unless authorized by the Chief of Police. Only officers that have completed the required certified training course shall be authorized to carry a departmental baton.  
At no time shall an officer unnecessarily brandish, or use the impact weapon as an intimidation devise unless the officer is attempting to prevent the further escalation of force.
  - (i) A police baton may be used when considerable force is necessary. The baton will permit an officer to defend himself or others in situations where the use of firearms may not be necessary or justified. Officers must use discretion in determining whether or not to use this equipment. Generally, if verbal persuasion and other means of force have failed to effectively control an individual and there are not enough officers present to control the subject, the use of the baton is justified to gain control;

- (ii) When the use of the baton becomes necessary, the officer shall utilize it striking the assailant in major muscle mass areas such as the thigh, calves, forearms, and the center mass of the torso. The use of baton on areas above the shoulder should be made only in case of extreme physical danger to the officer or others, otherwise strikes to this area should be avoided;
- (iii) Officers will carry only batons provided by this department, or approved by the Chief of Police;
- (iv) The baton should be carried on the equipment belt and should not be unnecessarily brandished. Unauthorized modification of the baton is prohibited;
- (v) When batons are used, a written report will be made;
- (vi) Training in use of baton will be conducted in accordance with nationally recognized standards for the instrument currently in use;
- (vii) Training in effective verbal communication will be provided to each officer;
- (b) **Flashlights.** In the event it becomes necessary to use a flashlight as a defensive weapon, officers will use it in the same manner as the baton. Flashlights shall be used as a last resort method to protect an officer or victim from great bodily harm when all other resources have been exhausted.
- (c) **Canine.** The use of a police canine to search for or apprehend suspects will be considered a use of force under this policy when the canine inflicts injury.  
\*Note: In use of the above intermediate weapons, suspects should not be struck in the head, neck, groin area, joints or kidneys. Not advised unless all other means have been exhausted and is a matter of last resort or deadly force is justified.
- (6) **Level 6 - Use of Less Lethal Force Weapons (i.e., extended range weapons).**
  - (a) The use of extended range impact weapons (bean bag type rounds) shall be under the direction of the Shift Commander or Senior Officer.
  - (b) Only officers certified in the use of extended range impact munitions are authorized in such use.
  - (c) Only departmental authorized less lethal munitions will be carried and used in department issued firearms.
  - (d) Less lethal munitions are to be considered when lesser force options are deemed inappropriate or have failed and deadly force options have not yet become necessary.

These munitions are appropriate when a baton or other impact weapon would be appropriate.

- (e) Firearms used in the delivery of less lethal munitions are to be examined prior to each incident to insure that only less lethal munitions are loaded in the firearm.

- (f) Less lethal deployment considerations:
  - (i) Distance of subject from officer.
  - (ii) Size of subject.
  - (iii) Clothing worn by subject.
  - (iv) Threat level presented by subject.
  - (v) All involved officers notified as to the use of less lethal munitions.
  - (vi) Emergency Medical Service alerted/standing by.
  - (vii) The subjects head and neck/throat area should be avoided.
  - (viii) Not to be used when the subject is in danger of falling from a significant height.
- (g) Following the deployment of less lethal munitions:
  - (i) Any subjects struck by less lethal munitions will be examined by E.M.S. personnel and receive necessary medical treatment.
  - (ii) An incident report will be completed.
  - (iii) A command officer will be notified.
  - (iv) The command officer will notify the Chief of Police.

**Parameters of Use of Less Lethal Force.**

- (a) *Where deadly force is not authorized, officers should assess the incident, if possible, in order to determine which technique or weapon will be best bring the incident under control in a safe manner.*
  - (b) *Law enforcement officers are authorized to use less lethal force techniques and issued equipment for resolution of incidents, as follows:*
    - (i) *To protect themselves or another from physical harm; or*
    - (ii) *To restrain or subdue a resistant individual; or*
    - (iii) *To bring an unlawful situation safely and effectively under control.*
  - (c) *Law enforcement officers are not permitted to use any weapon or instrument unless qualified in its proficient use as determined by training procedures.*
- (7) **Level 7 - Deadly Force.** Any use of force that is likely to cause death or great bodily harm.
- (a) When necessary to defend the officer or another person from death or serious bodily injury, and all other means of defense have failed or would be inadequate under the circumstances.
  - (b) To effect the arrest of a person attempting to escape from a forcible felony, and then only if the officer reasonably believes the fleeing felon poses a significant threat to human life should escape occur.

**Parameters for Use of Deadly Force.**

- (a) *Law enforcement officers are authorized to use deadly force in order to:*

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- (i) Protect the law enforcement officer or others from what is reasonably believed to be an immediate threat of death or great bodily harm; or*
  - (ii) Prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat to human life should escape occur.*
  - (iii) Where feasible, a police officer shall identify himself and state intent to use deadly force;*
- (b) A law enforcement officer may discharge a firearm under the following circumstances:*
  - (i) When deadly force is justified.*
  - (ii) During range practice, competitive sporting events, or other sanctioned firearm activity.*
  - (iii) To summon assistance, only after the officer has exhausted all other means to summon assistance or has been rendered incapable of using normal means to summon assistance.*
  - (iv) To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.*
  - (v) For self-defense.*
  - (vi) As a humanitarian measure where the animal is seriously injured but only after all of the following criteria have been met.*
    - a. all attempts to contact the owner of the animal are unsuccessful;*
    - b. the animal is located on, or has been moved to, a location which safely permits a shot to be fired;*
    - c. authorization to destroy the animal has been given by the on duty shift supervisor, or command level officer;*
    - d. disposal of the animal's carcass will be at the direction of the shift supervisor.*
- (c) Law enforcement officers shall adhere to the following restrictions when their weapon is exhibited:*
  - (i) Except for maintenance or during training, law enforcement officers shall not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance to this policy.*
  - (ii) Warning shots are prohibited.*
  - (iii) Officers may not discharge their firearm at or from a moving vehicle, except as an ultimate measure of self-defense and when the immediate threat to life becomes apparent.*

- a. *As a last resort to prevent death or great bodily harm to the officer or another person;*
- b. *As a last resort to apprehend a felon who has just committed a felony resulting in death or great bodily harm;*
- c. *When an occupant of the vehicle is utilizing deadly force or force likely to cause great bodily harm against a police officer or another person;*

(iv) *Firearms shall not be discharged when it appears likely that an innocent person may be injured.*

(d) **Officer Surrendering Weapon.** *An officer or his/her partner may be at the mercy of an armed suspect who has the advantage, but experience has shown that the danger to an officer is not reduced by giving up his/her gun on demand. Surrendering you weapon might mean giving away your only chance for survival. Therefore, an officer should use every tactical tool at his/her disposal to avoid surrendering his/her weapons.*

(3) **Patrol Rifle.** *Patrol rifles will be deployed in circumstances consistent with department training and standards. The rifle will be locked in the rack or trunk with a loaded magazine inserted, chamber empty, bolt forward, and on safe. If the weapon is deployed and a round is chambered, the download procedure may be completed in the presence of a second officer. The weapon will be returned to the aforementioned condition for transport.*

*Patrol rifles are to remain locked in the patrol unit unless it is necessary to remove them for a specific reason. Patrol rifles are not to be removed from unit for reasons of personal preference.*

(C)

**Training and Qualifications.**

(1) **Use of Force Weapons and Methods.** A law enforcement officer is not permitted to use any weapon or instrument unless qualified in its proficient use as determined by training procedures.

(2) **Deadly Weapons.**

- (a) While on and off-duty, law enforcement officers shall carry only weapons registered with this agency and approved by the Chief of Police prior to being carried or used.
- (b) When operating a department vehicle while off-duty, officers must carry a properly registered firearm of a type specified by the department, and with which they have met minimum department proficiency standards.
- (c) It is the policy of this department to carry all off-duty weapons in the most concealable manner possible.

Officers will not unnecessarily expose their off-duty firearm which may compromise their identity or alarm a citizen.

- (d) Authorized weapons are those with which the law enforcement officer has qualified and received departmental training on proper and safe usage, and that are registered and comply with departmental specifications.
- (e) This agency shall schedule regular training and qualification sessions for duty, off-duty and specialized weapons, which will be graded on a pass/fail basis.
- (f) **Failure to Qualify for On-Duty Firearms Use.** Any officer who fails to successfully complete any required firearms training or qualifications for on-duty firearms use will be granted a **ten (10) day** grace period. Within that **ten (10) day** period, the officer will report to a department certified firearms instructor for the necessary remedial training or instruction. At least **one hundred (100)** rounds of ammunition will be made available to the officer for remedial instruction by the department's certified firearms instructor (for duty qualifications only). Officers who fail to meet the required standard within the **ten (10) day** period will not be permitted to work until they qualify. If the officer remains unable to meet the required standard for a period of **thirty (30) days**, the Chief of Police and/or the Board of Trustees will take action as permitted by law. Officers may utilize accumulated compensatory or vacation time in order to remain in pay status, but they will not be permitted to act as police officers. Sick time may also be used if the officer's condition so dictates.
- (g) A sworn officer shall not be permitted to carry any weapon with which he has not been able to qualify during the most recent qualification period.
- (h) A sworn officer who has taken extended leave or suffered an illness or injury that could affect his use of firearms ability will be required to re-qualify before returning to enforcement duties.
- (i) Only department authorized ammunition will be carried and used in approved police department rifles, shotguns, and handguns. All non-department issued ammunition has to have prior approval of the Chief of Police. All primary, secondary, shotguns and rifles have to be approved by the Chief of Police before they can be carried by an officer.
- (j) All secondary (back-up) sidearm's and ammunitions must be approved by the Chief of Police prior to being carried or used. All agency rules, training and qualifications apply to



secondary (back-up) sidearm's that are being carried or used.

- (k) When an officer anticipates that he will consume alcoholic beverages in off-duty situations, he is advised not to carry his firearm. Under these conditions, should the need arise for police services, and the officer is visiting an establishment in which intoxicating beverages are being used or consumed, the off-duty officer shall contact the communications center of the police department which has venue and wait for said police department to respond and handle the situation. Use or display of firearms while under the influence of alcohol/drugs will subject the officer to disciplinary action.

(D)

**Reporting Uses of Force.**

- (1) A written "INCIDENT" report prepared according to departmental procedures will be required in the following situations:
  - (a) When a firearm is discharged outside the firing range.
  - (b) When a use of force results in death or injury.
  - (c) When a less lethal weapon is used against a person.
  - (d) Anytime physical force is used against a person to affect in arrest.

NOTE: The use of handcuffs, although considered to be a use of force, will be excluded from the report requirement.

- (2) A use of force report will outline the circumstances surrounding the use of force employed and the results of the use of force. (who, what, when, where, why and how)
- (3) A supervisor will be immediately summoned to the scene and will comply with investigative procedures as required by the department in the following situations:
  - (a) When a firearm is discharged outside of the firing range.
  - (b) When a use of force results in death or serious injury.
  - (c) When a subject complains that an injury has been inflicted.

(E)

**Agency Response.**

- (1) The following procedures shall be used to investigate all incidents of firearms discharged by the department member, except for firearms training and incidents involving the destruction of an animal:

- (a) **Involved Officer.**

- (i) Whenever an officer discharges his firearm either accidentally or officially, he shall immediately:
  - a. Request necessary emergency medical aid.
  - b. Notify the telecommunications operator of the incident and location, and request that the shift commander respond to said location.
  - c. Determine the physical condition of any injured person and render first aid when appropriate.

- (ii) The officer will remain at the scene, unless personally injured, until the arrival of a command person. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the shift commander shall have the discretion to instruct the officer to respond to the police station.
  - (iii) The officer shall secure the scene and protect the weapon for examination and submit the weapon to the shift commander.
  - (iv) The officer shall prepare a detailed report of the incident.
  - (v) The officer should not discuss the case with anyone except:
    - a. Supervisory and internal investigative personnel.
    - b. The officer's privately retained attorney.
  - (vi) The officer shall be available at all times for internal affairs and other administrative interviews and statements regarding the case, and shall remain subject to recall to duty at any reasonable time.
  - (vii) In the case of a shooting which results in personal injury or death, the officer shall be placed on either:
    - a. Administrative duty, or;
    - b. Administrative leave, without loss of pay or benefits, pending the results of the investigation.
  - (viii) The assignment to administrative leave/duty shall not be interpreted to imply or indicate that the officer has acted improperly.
- (b) **Shift Supervisor.** The uniformed Shift Supervisor shall:
- (i) Proceed immediately to the scene.
  - (ii) Assume responsibility for security of the scene.
  - (iii) Immediately notify the Illinois State Police and arrange for the Public Integrity Unit to respond to the scene to assume responsibility for the investigation.
  - (iv) Conduct a preliminary field investigation.
  - (v) Render command assistance to ISP.
  - (vi) Assist the involved officers.
  - (vii) Submit a detailed written report of the results of the field investigation to the Chief of Police.
- (c) **Use of Deadly Force Review Board.**
- (i) A use of deadly force review investigation shall be conducted. The board shall review circumstances

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attendant to each discharge of a firearm by a department member. The investigation shall be conducted by:

- a. Executive Officer (from outside agency).
  - b. Operations Commander (from outside agency).
  - c. Chief of Police.
  - d. Sergeant and/or Corporal from the Police Department as well as the officer who discharged his weapon.
- (ii) The use of deadly force review board will evaluate, in explicit and fact-finding fashion, each aspect of an officer involved shooting. Such evaluation shall include:
- a. A thorough review of the report from the investigating agency.
  - b. A thorough review of the internal investigation report.
  - c. Hearing of direct testimony, if necessary, from officers and witnesses.
- (iii) The use of deadly force review investigation shall develop findings and make recommendations to the Chief of Police in the following areas.
- a. Whether the shooting was within policy limitations, out of policy, or accidental.
  - b. Tactical considerations.
  - c. Training considerations.
  - d. Quality of supervision.
  - e. Discipline considerations.
  - f. The shooting investigative process and quality.

**10-16**      **PSYCHOLOGICAL SERVICES.** In all cases where any person has been injured or killed as a result of firearm discharge by an officer, the involved officer will be required to undergo a debriefing with a department-provided psychologist as soon as possible, but within **twenty-four (24) hours** of the incident. The purpose of this debriefing will be to allow the officer to express his/her feelings and to deal with the moral, ethical, and/or psychological after-effects of the incident. The debriefing shall not be related to any department investigation of the incident and nothing discussed in the debriefing will be reported to the department. The debriefing session will remain protected by the privileged physician-patient relationship.

**10-17**      **EMPTY HAND CONTROL.** Empty hand control is physical contact techniques that cover a number of subject control methods. Some of these methods may be as subtle as gently guiding a subject's movements, to more dynamic techniques such as strikes, kicks, or neck restraints which may have a higher potential of injury to the subject. This policy divides Empty Hand Control into two categories: Soft Empty Hand Control, which are techniques that have minimal implication of injury, and Hard Empty Hand Control which are techniques that have a higher probability for subject injury.

**10-18**      **SOFT EMPTY HAND CONTROL.** This level of control is used when an officer faces passive or defensive physical resistance. These are methods of physical control which usually subdues an offender without any severe injuries. Techniques which fall into this category are: strength techniques, joint locks, leverage locks, pain compliance techniques such as pressure points, or strikes that temporarily inhibit a subject's movement. These strikes are designed to create loss of breath, muscle cramping, or mental disorientation.



**10-19**        **HARD EMPTY HAND CONTROL.** This level of control is for high levels of defensive resistance, active aggression, or aggravated active aggression. These techniques are applied when lower forms of control have failed or when not applicable, because the subject's resistance level was at a perceived dangerous level. Techniques that fall into this level of force have a probability of creating soft or connective tissue damage, skin lacerations that require medical attention, or bone fractures. Although the use of these techniques may create some minimal injury to the offender, an officer may be risking injury to himself or have to utilize higher levels of control (such as intermediate weapons) if Hard Empty Hand Control had not been used. Techniques that are considered as Hard Empty Hand Tactic are:

(A)            Striking Techniques are techniques that may be delivered with an officer's open hand, fist, forearm, leg or foot. Preferably, the target points for these types of strikes will be delivered to major muscle mass such as the legs, arms, shoulders, or side of the neck. If the targets are these, the strikes will create muscle cramping, thus inhibiting muscle action. However, it may be necessary for the officer to strike areas where there is a potential injury, such as the face or very sensitive areas of the body.

**Medical Considerations.** Any time an officer finds it necessary to strike a subject where an injury occurs, it is the policy of this department that the officer shall:

(A)            Immediately contact the Chief of Police and advise of the nature of the injury.

(B)            The Chief of Police (or an officer in the case of when the Chief of Police is not available) shall have the subject transported to the closest medical facility for medical attention.

**10-20**        **REPORTING THE USE OF FORCE.** Any time an officer finds it necessary to utilize force, either non-lethal force or deadly force, the officer will document the nature of the incident in detail. The report should indicate the level of resistance the officer met, and the specific level and type of force the officer used to establish control.

**10-21**        **FIREARMS AND DEADLY FORCE POLICY.**

(A)            The purpose of this order is to provide officers with a single document explaining the department's policies and procedures related to the authorization, discharge and carrying of firearms.

(B)            The primary responsibility of this department and of each of its members is to protect the lives of the citizens we serve. It is critical that every action of this department and of each of its members be consistent with that responsibility. It is also the responsibility of each member of this department to honor the established principles of a democracy. These principles include a reverence for human life. The value of any human life exceeds any physical property, and the dispensation of punishment is not part of the law enforcement task.

(C)            This department and each of its officers has been granted extensive powers to meet these responsibilities. These powers have been granted by citizens, and this department, and each of its officers are accountable to the citizens for the manner which those powers are exercised. This is especially true where the power to use deadly force is concerned.

(D)            The laws of this State define deadly force as "force which is likely to cause death or great bodily harm". Most often, deadly force involves the use of firearms. It is the policy of this department that display and discharge of firearms shall be held to the absolute minimum required to fulfill the responsibilities of this department and to protect the safety of officers.

(E) Therefore, this department has of this date enacted the following police guidelines regarding the use of firearms and other means of deadly force. The following guidelines must be viewed as administrative guides for decision making before the fact and not as a standard for civil or criminal litigation judging the property of actions already taken. That is a matter of established law as well as a process for prosecutors, courts, and juries reviewing specific facts of a given incident.

**10-22**      **VALUE OF HUMAN LIFE.** The value of human life is immeasurable in our society. Officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders and protection of property must, at all times, be subservient to the protection of life. The officer's responsibility for protecting life must also include his/her own.

**10-23**      **"DEADLY FORCE" POLICY.** The basic responsibility of officers to protect life also requires that they exhaust all other reasonable means for apprehension and control before resorting to the use of firearms. Officers are equipped with firearms as a means of last resort to protect themselves and others from immediate threat of death or serious bodily injury.

Even though all officers must be prepared to use their firearms when necessary, the utmost restraint must be exercised in its use. Consequently, no officer will be disciplined for discharging a firearm in self-defense or in defense of another when faced with a situation which immediately threatens life or serious bodily injury. Just as important, no officer will be disciplined for not discharging a firearm if that discharge might threaten the life or safety of an innocent person, or if the discharge is not clearly warranted by the policy and rules of this department.

**10-24**      **POLICY.** Above all, this department values the safety of its employees and of the public. Likewise, it is believed that officers should use firearms with a high degree of restraint. Therefore, it is the policy of this department that the use of firearms is never to be considered routine, is permissible only in defense of life, and then only after all alternative means have been exhausted.

**Rules.** The above policy is the basis of the following set of rules which are designated to guide officers in all cases involving the use of firearms.

(A)      **Rule 1.** Police officers shall not discharge their firearms except to protect themselves or another person from imminent death or serious bodily injury.

(B)      **Rule 2.** Police officers shall discharge their firearms only when doing so will not endanger innocent persons.

(C)      **Rule 3.** Police officers shall not discharge their firearms to threaten or subdue persons whose actions are destructive to property or injurious to themselves but which do not represent an imminent threat of death or serious bodily injury to the officers or others.

(D)      **Rule 4.** Police officers shall not discharge their firearms to subdue an escaping suspect who presents no immediate threat of death or serious bodily injury.

(E)      **Rule 5.** Police officers shall not discharge their weapons at a moving vehicle unless it is absolutely necessary to do so to protect the life of the officer or others.

(F)      **Rule 6.** Police officers shall not fire warning shots.

(G)      **Rule 7.** Police officers shall not draw or display their firearms unless there is a threat or reasonable suspicion to believe there is a threat to life.

**Shots to Destroy Animals.**



- (A) To prevent substantial harm to the officer or another, or
- (B) When the animal is so badly injured that humanity required its relief from further suffering.

A seriously wounded or injured animal may be destroyed only after authorization from the Chief of Police and all reasonable attempts have been made to request assistance from the agency (Humane Society, Animal Control, State Conservation Department) responsible for disposal of the animal. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others.

**10-25      JUSTIFICATION LIMITED TO FACTS KNOWN TO THE OFFICER.**

Justification for the use of deadly force must be limited to what reasonably appears to be the facts known or perceived by an officer at the time. Additional facts no matter how compelling cannot be considered at a later date to justify a shooting.

**ARTICLE XI - FIREARMS POLICY**

**11-1      PURPOSE.** It is the purpose of this policy to provide officers with guidelines associated with the use, maintenance, and safety of agency-authorized firearms and the qualification requirements related to them.

**11-2      POLICY.** It is the policy of this law enforcement agency that officers shall adhere to the requirements established herein in order to ensure the safe handling and use of firearms.

**11-3      DEFINITIONS.**

**Authorized Firearm.** Any make, model, or caliber of firearm that meets this agency's designated requirements and specifications, and has been formally approved by the agency armorer and chief executive officer or his or her designee for general or individual use by sworn law enforcement personnel. This includes primary service handguns, alternate service handguns, backup handguns, and rifles used for law enforcement purposes and any firearm carried as an off-duty weapon.

**Primary Service Handgun.** The firearm authorized by this agency to be carried as part of the service uniform and related equipment for uniformed personnel or the authorized firearm to be carried by plainclothes officers.

**Backup Handgun.** Any authorized handgun other than the primary service handgun that is carried in an authorized concealed manner.

**Firearms Qualification.** Periodic testing required of officers to determine their competency to carry authorized firearms.

**Restricted Duty.** In the context of this policy, an assignment that does not require an officer to be armed to take enforcement actions.

**11-4      PROCEDURES.**

(A) **General Provisions.**

- (1) Officers when on or off duty shall carry only authorized firearms.
- (2) Only ammunition that has been approved by this agency shall be used in authorized firearms.

- (3) Only sworn officers who have successfully passed firearms qualification and the use-of-force training course prescribed by this agency shall be authorized to carry a firearm.
- (4) The primary service handgun shall be carried in accordance with uniform and related requirements to carry a firearm.
- (5) Officers shall be issued fresh duty ammunition in the specified quantity for all authorized firearms during the officer's first scheduled qualification each year. When needed in accordance with established policy, the range officer shall dispense replacements for defective or depleted ammunition.
- (6) Officers on special assignment and other officers with an articulable need may request written authorization to carry alternate service firearms, backup firearms, or alternate ammunition on an ongoing or periodic basis.

(B)

**Off-Duty Firearms.**

- (1) Officers may, but shall not be required to, carry an authorized firearm while off duty. But officers shall be required to carry an authorized firearm when in uniform or when operating a marked patrol vehicle whether on or off duty.
- (2) Backup and off-duty firearms shall be carried concealed when the officer is in plain clothes or in uniform unless:
  - (a) the officer is in the workplace, and the officer's badge is prominently displayed next the firearm;
  - (b) the officer is engaged in law enforcement actions that may reasonably require quick access to the firearm, and the officer's badge is prominently displayed near the weapon; or
  - (c) the officer is engaged in activities where it would be permissible for a citizen to carry an exposed firearm, such as in hunting or target practice.
- (3) When armed, whether on or off duty, officers shall carry their badge and agency identification.

(C)

**Firearms Qualifications.**

- (1) All officers authorized to carry firearms shall be required to qualify with each authorized firearm on at least an annual basis. Quarterly qualification is a desirable objective.
- (2) All officers shall be graded on a pass/fail basis for purposes of firearms qualification.
- (3) At least once a year, all officers authorized to carry firearms shall receive and shall be required to demonstrate their understanding of the law and agency and procedures relating to the use of force.
- (4) Officers who fail to qualify with the primary service firearm or any firearm that is otherwise required for the officer's duty assignment shall be relieved of those firearms, reassigned to restricted duty, and be subject to the following requirements:
  - (a) The officer's unit commander shall be notified and shall promptly arrange with the training coordinator for a period of formal remedial firearms training not to exceed **one (1)**

**week** in duration. Such training does not preclude an officer from engaging in any additional informal practice or training sessions that the officer may deem necessary.

- (b) The officer shall be given additional attempts to re-qualify within a reasonable period of time. A written report shall be forwarded to the commander of any officer who fails to re-qualify within a reasonable period of time. The report shall include the training officer's recommendations for corrective action.
- (c) If the officer fails to qualify within a reasonable period of time he or she shall be subject to termination of employment.

- (5) **Other Firearms.** Any officer who fails to qualify (in accordance with provisions set forth in items (C)(4)(a) and (b)) with a firearm that is not required for the officer's duty assignment shall not be permitted to carry that firearm. The officer may remain on duty if qualified with the primary duty firearm.
- (6) Officers shall be required to qualify with their primary service handgun and additional firearms (as appropriate) following return to duty after a leave of absence when it reasonably appears necessary or if they have missed their qualification date.
- (7) All officers shall be required to qualify using additional proficiency standards established by their unit department or the training officer. These include but are not limited to proficiency testing at night and in reduced light situations, in combat simulation, and when using both weak and strong hands. Officers assigned to or serving with such units shall be guided by and subject to firearms training and qualifications standards promulgated by the department.

(D) **Firearms Modifications.**

- (1) Modifications to any agency-authorized firearm require the written approval of the agency head with the written input of designated armorer. This includes but is not limited to modifications involving grips, spring kits, sights, or finishes.
- (2) Defective, unsafe, or unauthorized firearms shall be reported to the armorer.
- (3) Repairs or alterations to agency-authorized firearms shall be made only by an armorer employed or authorized by this agency.

(E) **Shotgun and Rifles.**

- (1) Shotguns and rifles shall be carried in a secure rack as provided in patrol vehicles or cased in the trunk, with the magazine loaded to full capacity and with no shell in the chamber.
- (2) Officers shall carry and use only ammunition authorized by this agency unless agency chief executive grants approval for an exception and the officer qualifies with the ammunition. (This includes but is not limited to rifled slugs, magnum loads and patrol rifle rounds).

- (F) **Firearms Safety.**
- (1) Officers shall not carry a firearm when on or off duty if they are mentally or physically impaired.
  - (2) Officers shall report, in writing, to their immediate supervisor any use of prescription drugs or other medication or any physical ailment or injury that they reasonably believe could impair their ability or judgment to use a firearm.
  - (3) Officers shall be responsible for the safe storage of their duty weapon and any other personally owned firearms when not in their personal possession. Firearms shall not be stored in patrol or personally owned vehicles except for temporary storage when at court, when other options for safekeeping are not available, or if authorized by the department.
  - (4) All authorized firearms shall be carried in a safe and secure manner as authorized by this agency.
  - (5) Removal of firearms from their holster or other carrying devices for other than an authorized purposes - such as tactical use, training and qualification, inspection, or cleaning and maintenance - shall be prohibited. Any careless, flippant, or casual use or display of a firearm shall constitute grounds for discipline.
  - (6) Firearms shall not be permitted in holding facilities, lockups, or jails of this or other law enforcement agencies.
  - (7) Each year, during firearms qualification, the range master shall provide officers with refresher training and additional information as available concerning firearms safety and the use-of-force policy.
- (G) **Carrying Firearms on Commercial Aircraft.**
- (1) Officers are governed by federal regulations for carrying firearms on commercial aircraft. All officers acting in these capacities shall familiarize themselves with these provisions as contained in 14 CFR s 1544.21 and related documentation.
  - (2) All officers shall be required to complete the training program "Law Enforcement Officers Flying Armed" as required by federal law in order to carry a firearm aboard a commercial aircraft.
  - (3) When conducting official business that required commercial airline travel, officers shall check their firearm in checked baggage if it is not needed while in flight to guard a prisoner or for other purposes. In these cases, officers are required by federal regulations to certify to the airline that a firearm is in the baggage and that it is unloaded.
  - (4) When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall submit a letter on agency stationery addressed to the commercial airline carrier that details the need for the officer to be armed. The letter shall be submitted to the agency chief executive or his or her designee for approval and signature.

- (5) When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall arrive at the airport in sufficient time, or in an emergency as soon as practicable prior to departure, present the letter to the airline ticket agent together with agency badge and identification card (with full-face photograph), declare possession of a firearm, and request that the necessary security and airline personnel be notified.
- (6) When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall request that they be notified of any other persons who are traveling armed aboard the aircraft.
- (7) When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers should refer to this agency's policy on transporting prisoners for additional agency requirements concerning the transportation of prisoners aboard commercial aircraft.

## **ARTICLE XII - ARRESTS**

**12-1 ARRESTS, BOOKINGS, CITATIONS.** When a crime is committed, employees are to initiate prompt and thorough investigation and to make every reasonable effort to identify and arrest the violator. In carrying out these responsibilities, officers will not infringe upon the constitutional rights of any person.

**12-2 TREATMENT OF INDIVIDUALS UNDER ARREST.** In making an arrest, employees must treat an individual with as much respect as that person will allow. Employees will not physically mistreat or verbally harass any individual that they take into custody. Medical treatment will be provided when necessary when the person taken into custody is ill or injured.

**12-3 USE OF FORCE IN MAKING AN ARREST.** Employees will not use more force than is necessary to make an arrest or to take a person into custody for involuntary medical or psychiatric treatment.

**12-4 ADVISING SUSPECTS OF THEIR RIGHTS.** Employees are responsible for advising suspects of their constitutional rights in the proper manner. Advising of rights should take place prior to any custodial interrogation and the taking of any oral or written statements from the suspect in custody.

**12-5 LANGUAGE USED IN ADVISING SUSPECTS.** The language used in advising suspects of their rights will be as follows:

STATEMENT OF RIGHTS

NAME: \_\_\_\_\_ DOB \_\_\_\_\_

BEFORE WE ASK YOU ANY QUESTIONS, IT IS MY DUTY TO ADVISE YOU OF YOUR RIGHTS:

- \_\_\_\_\_ 1. YOU HAE THE RIGHT TO REMAIN SILENT.
- \_\_\_\_\_ 2. ANYTHING YOU SAY CAN BE USED AGAINST YOU IN COURT OR OTHER PROCEEDINGS.
- \_\_\_\_\_ 3. YOU HAVE THE RIGHT TO CONSULT AN ATTORNEY BEFORE MAKING ANY STATEMENT OR ANSWERING ANY QUESTIONS AND YOU MAY HAVE HIM PRESENT WITH YOU DURING THIS INTERVIEW.
- \_\_\_\_\_ 4. YOU MAY HAVE AN ATTORNEY APPOINTED BY THE COURT TO REPRESENT YOU IF YOU CANNOT AFFORD OR OTHERWISE OBTAIN ONE.
- \_\_\_\_\_ 5. IF YOU DECIDE TO ANSWER QUESTIONS NOW WITH OR WITHOUT A LAWYER, YOU WILL HAVE THE RIGHT TO STOP THE INTERVIEW AT ANY TIME OR TO STOP THE INTERVIEW FOR THE PURPOSE OF CONSULTING A LAWYER.

THE ABOVE STATEMENT OF MY RIGHTS HAS BEEN READ AND EXPLAINED TO ME, AND I FULLY UNDERSTAND WHAT MY RIGHTS ARE.

\_\_\_\_\_

WAIVER OF RIGHTS

I UNDERSTAND THAT I MAY WAIVE THE RIGHT TO ADVICE OF COUNSEL AND THE RIGHT TO REMAIN SILENT, AND I MAY ANSWER QUESTIONS, OR MAKE A STATEMENT WITHOUT CONSULTING A LAWYER IF I SO DESIRE. I FURTHER STATE THAT NO PERSUASION, PROMISES, OR COERCION HAS BEEN USED BY ANY PERSON TO INFLUENCE ME TO WAIVE MY RIGHTS.

\_\_\_\_\_

STATEMENT OF RIGHTS GIVEN BY: \_\_\_\_\_

AT \_\_\_\_\_ .M. (TIME) ON MONTH: \_\_\_\_\_ DAY: \_\_\_\_\_ YEAR: \_\_\_\_\_ (DATE)

SIGNED \_\_\_\_\_

WITNESS \_\_\_\_\_

WITNESS \_\_\_\_\_

The form on the preceding page will be used whenever possible. In the event that a suspect must be advised of rights when the form is not readily available, the suspect will be advised of their rights verbally and this notification will be noted in a written report and when the suspect can then be advised of their rights by use of the printed form, it will be used and completed.

**12-6**            **VOLUNTEERED STATEMENTS.** Voluntary and spontaneous statements by suspects are admissible as evidence and need not be preceded by the Miranda warning.

**12-7**            **SEARCHES.** Employees will conduct all searches in a legal manner consistent with "Illinois Compiled Statutes" identified as **725 ILCS 5/108.**

**12-8**            **PROCESSING PERSONS IN CUSTODY.** In the arrest, transportation, and detention of suspects, employees will take precaution to prevent an escape, injury to themselves and others, or damage to property. When making an arrest, they will search suspects carefully and will immediately take possession of all weapons and evidence. If for any reason, suspects cannot be thoroughly searched before being turned over to another employee, the arresting employee will, without fail, make this fact known to the employee/correction officer receiving the prisoner.

**12-9**            **PROCEDURE AFTER ARREST.** An employee making an arrest will transport the arrested individual, or cause him/her to be transported, to the Jail to be booked without delay, and will be responsible for having the arrest properly recorded, unless otherwise ordered.

**12-10**          **JUVENILES.** Response to crimes involving juveniles will not differ from that for adult crimes. Employees may use any reasonable means to protect themselves when a juvenile is a threat to personal or public safety. When advising juveniles of their rights, the same procedures will be followed as for adults.

**12-11**          **RUNAWAYS, NEGLECTED, OR DEPENDENT JUVENILES.** Employees will take necessary action to protect the welfare of runaways, neglected, or dependent juveniles in accordance with prescribed procedures.

**12-12**          **EXECUTING WARRANTS.** In applying for and executing warrants, employees will abide by relevant statutes and department procedures. In serving warrants on individuals, employees will proceed to secure the custody of individuals in an efficient manner and with due regard for safety. When serving warrants out of jurisdiction, employees will notify the local police or Sheriff's Department of the intention to serve the warrant and request their cooperation.

**12-13**          **CITATIONS.** Officers will issue traffic and non-traffic citations in accordance with departmental procedures.

**12-14**          **ESTABLISHING IDENTITY OF SUBJECT.** Officers will not issue citations if a subject cannot or will not provide satisfactory identification. These subjects will be detained until they can be identified and then the proper citation will be issued.

### **ARTICLE XIII - EVIDENCE AND PROPERTY**

**13-1**            **EVIDENCE AND FOUND PROPERTY.** It is the duty of all employees to care for, control, and correctly process all evidence or property which may come into their

possession in the course of their official duties. In processing property and evidence, employees will strictly observe all department rules and procedures.

**13-2            CONVERSION, DESTRUCTION OF EVIDENCE/FOUND PROPERTY.**

Employees will not, under any circumstances, convert to their own use, loan, or give away any item of property or evidence coming into their possession in the course of their official duties. Nor will they destroy any such property or evidence without proper authorization. Any instance of conversion or destruction, without proper authorization, will be grounds for disciplinary action.

**13-3            PROCESSING EVIDENCE/FOUND PROPERTY.**

When employees take possession of evidence or found property in the course of their duties, they will retain it in their possession and will check it into the property room/property locker as soon as possible, when possible by the end of the work shift.

**13-4            CHAIN OF CUSTODY.**

When processing evidence, employees will keep that evidence secure and in good condition and will take all necessary steps to maintain the chain of custody on all evidence.

**13-5            TAGGING AND IDENTIFYING EVIDENCE/FOUND PROPERTY.**

When checking evidence or found property into the property room/property locker, employees will properly tag the item for identification according to prescribed procedures. They will also complete any and all necessary forms associated with the item being checked into the property system.

**13-6            PERISHABLE EVIDENCE.**

Employees who have the opportunity to collect perishable evidence will follow prescribed procedures for preserving such evidence.

**ARTICLE XIV - REPORTS, RECORDS, AND DEPARTMENT INFORMATION**

**14-1            REPORTS, RECORDS, DEPARTMENT INFORMATION.**

An accurate flow of information is essential to the department's operation. For this reason, employees must accurately complete all required reports and forms. Because much of the information coming to the attention of the department is of a confidential nature, officers will not divulge the content of reports or records or other department information except as authorized.

(A)            **Reports.** Employees will complete all reports in an accurate, legible manner and will submit them through the proper channels immediately upon completion.

(B)            **Timely Submission of Reports.** Employees shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered inaccurate, false or improper information. Reports submitted late on account of laziness or inattention to duty shall be considered an act of incompetency.

(C)            **Complaint Case Numbers.** Complaint case numbers are assigned by the records management program. During the primary investigation of an incident, case numbers may be obtained from the administrative personnel. After primary investigation, all additional reports will have the same case number.



**14-2            RECORDS.**

(A)            **Falsification, Destruction of Records.** No employee shall falsify, destroy or alter or remove any report or record of the department. Anyone having knowledge of such activity will report this immediately to his/her supervisor.

(B)            **Criminal History Record Information.** It is the policy of this department to keep all information contained in the department's criminal history records file confidential and secure except in cases where the law requires disclosure or in cases where the law allows disclosure and such disclosure serves a legitimate law enforcement or public interest purpose.

(C)            **Disclosure of Criminal History Record Information.** All employees will comply with all department policies, procedures, and regulations regarding privacy and security of criminal records or official reports. No employee will release or disseminate any criminal history record information or official report for any reason except in a manner consistent with department directives in this area.

(D)            **Release of Wanted Lists, Description of Suspects.** Employees are free to release wanted lists and posters or descriptions of wanted suspects to any person who inquires upon approval of the Chief of Police.

**14-3            RELEASE OF DEPARTMENT INFORMATION.** No employee will communicate, relay, or release any official department information to any person which would in any way hamper or compromise the department's operations or investigations.

**14-4            INCOMPLETE REPORTS.** Effective immediately all reports, this includes the daily activity reports, will be completed before going home at the end of your shift.

If there is a valid reason why the report is incomplete, a cover sheet (attached) will be used and the incomplete package will be placed in the incomplete file box on the squad room desk.

Reports will be finished within **three (3) working days** and reports should be completed before starting days off.

**14-5            POLICE INVOLVEMENTS WITH JUVENILES.** Effective this date, the following procedures are to be followed concerning all police involvements with juveniles.

Juveniles are minor children to age **seventeen (17)**.

Information concerning any juvenile's identity or involvement in any criminal offense or status offense will not be released under any circumstances to the general public in any manner.

The complete report with all pertinent information concerning the juvenile involved incident shall be placed in the "Juvenile Files". This includes both the original handwritten report and the printed report.

A "Public Report" copy shall be typed and placed into the regular department files and shall include the following:

(A)            All information concerning the incident excluding the personal information of the juvenile.

(B)            A completed narrative explaining the incident and referring to the youth as juvenile male or female age \_\_\_\_\_. This is to be typed by the Office Assistant and inserted anywhere a juvenile's name is mentioned in the narrative.

In the case of more than one juvenile they should be identified as Juvenile #1, Juvenile #2, Juvenile #3, etc. The juvenile form needs to contain this information also in these cases.

**ARTICLE XV - COMMUNICATIONS**

**15-1**        **COMMUNICATIONS.** Effective communications systems are essential to law enforcement. But communication systems are only as effective as the people who operate them. For this reason it is essential that employees comply with established procedures and regulations in this area.

**15-2**        **USE OF RADIO.** The radio will be used for official business only. Radio communications will be conducted in a clear, business like manner using prescribed procedures and will be kept brief.

**15-3**        **REPORTING LOCATION, SERVICE STATUS.** Employees will keep radio dispatchers advised of their location and "in service" or "out of service" status.

**15-4**        **ANSWERING CALLS.** Employees will promptly answer all calls from Dispatchers or citizens.

**15-5**        **RADIO COMMUNICATIONS DURING PURSUITS.** All units will keep the frequency clear in vehicle situations so that the unit in pursuit can maintain continuous radio contact with Dispatch.

**15-6**        **REPORTING ON ARRIVAL AT LOCATION.** Employees will advise Dispatchers when they arrive at the location to which they have been dispatched.

**15-7**        **ON-VIEW SITUATION.** Employees will inform Dispatchers of their location, the nature of the situation, and other important details in on-view situations.

**15-8**        **USE OF TELEPHONE.** The telephone is the primary means by which the public requests the service of this department. For this reason, all incoming calls will be answered promptly to determine if a need for department services exists.

**15-9**        **TELEPHONE COURTESY.** Employees will conduct telephone conversations in a courteous manner and will attempt to see that the caller receives any and all department services that are needed.

**15-10**       **USE OF COMPUTER.** Messages/Information sent or received on the computer will be regarded as the official business of the department and will not be divulged to persons outside of the department unless necessary for department operation.

**15-11**       **SHARING AND EXCHANGE OF INFORMATION.** To alleviate duplication of work and provide necessary information for personnel to adequately handle calls for service, open sharing of information within the department is a must. This will include information acquired from investigation sources, other agencies or during a tour of duty.

Only information restricted by order of the Chief of Police will be kept on a need to know basis.

All disclosed information is to be kept within the department and only released to authorized personnel outside of the department.

**15-12      MONITORING AND USE OF PORTABLE RADIOS.** All personnel issued or assigned a portable radio will always carry their portable radio on their person when on duty and not in a motor vehicle equipped with a mobile radio.

When outside of motor vehicle with a mobile radio, the portable radio will be monitored at all times while on duty.

Any deviation from this procedure will only be for special operations where it is not practical for safety or strategic reasons and approved by the Chief of Police.

**15-13      NOTIFYING DISPATCHER OF LOCATION.** All on duty/in service officers will notify the Dispatcher of changes in their location and changes of status immediately by radio or phone. This will be done without fail when exiting the vehicle, entering office, leaving office, 10-23, 10-7, 10-8, etc.

## **ARTICLE XVI - MEDIA RELATIONS**

**16-1      MEDIA RELATIONS.** The media are important to the department because they portray the department to the public and because they can be of aid to the department in alerting the public to crime problems and in seeking the aid of the public. Therefore, this department will strive to maintain a good working relationship with members of the media.

**16-2      COURTESY TO THE MEDIA.** Employees will treat bona fide representatives of the press and broadcast media in a courteous, professional manner. Any request by the media for confidential information or access to restricted areas should be politely referred to the Chief of Police.

**16-3      RESPONSE TO CONTROVERSIAL QUESTIONS.** Employees who are confronted by members of the media with questions or probes of a controversial nature or which might compromise any department operation will immediately refer the matter to the Chief of Police.

**16-4      INFORMANTS.** Employees will not divulge the identity of persons giving confidential information to the department except as authorized by proper authority.

**16-5      ADDRESS, TELEPHONE NUMBER OF DEPARTMENT MEMBERS.** Employees will not divulge the address or telephone number of any other officer or any department employee to members of the media or to any other person outside the department unless it is known to be approved by that employee.

**16-6      STATEMENT ON DEPARTMENT POLICY.** Statements to the media regarding department policies, philosophy or enforcement procedures will only be made by the Chief of Police or his designated representative.

**16-7      RELEASE OF INFORMATION ON SUSPECTS, CASES AND DEPARTMENT OPERATIONS.** Release of any information to the media regarding suspects, cases, and department operations will strictly conform to established department procedures and regulations in this area.

**ARTICLE XVII - JOB DESCRIPTION, SERGEANT  
REPORTS TO CHIEF OF POLICE**

**17-1            BASIC FUNCTION.** The Sergeant has direct supervision and control over all the personnel under his command and shall be held responsible for the accomplishment of the Police Department's mission through the effective operation of his command.

**17-2            SPECIFIC FUNCTIONS AND RESPONSIBILITIES.** The Sergeant shall carry out the administration of his command and in addition:

(A)            He shall assign his personnel where they will be most useful and efficient.

(B)            He shall maintain a pleasant, courteous and dignified attitude and shall recognize every caller's presence without unnecessary delay.

(C)            He shall keep himself informed of all activities within his command and he shall make recommendations to the Chief of Police as may be necessary to affect the general efficiency of the department.

(D)            He shall, without specific instructions, establish the required details and assignments necessary to carry out the functions of the Police Department.

(E)            He shall keep the Chief of Police informed of:

(1)          Crime trends and general activities pertaining to his command.

(2)          Unusual occurrences pertaining to his command.

(3)          Personnel problems within his command.

(4)          Statistics pertaining to his command.

(5)          Other matters of importance which will enable the Chief of Police to be fully informed.

(F)            He shall be responsible for the accounting of departmental property issued for, or assigned to, the members of his command and for the proper care and economical use thereof.

(G)            He shall be responsible for the punctual attendance of all personnel under his command.

(H)            He shall be responsible for the punctual attendance in court of all personnel assigned to his command.

(I)            He shall assist subordinates in the preparation of their cases so that there may be no mistrial caused by neglect on the part of a member of his command. When in doubt as to the law, procedure or status of a case, he shall consult suitable authority.

(J)            He shall be charged with the responsibility of actively participating as an instructor in departmental in-service training programs on subjects assigned.

(K)            He shall be responsible for properly preparing, transmitting and the ultimate filing of official police reports, forms and records pertaining to his entire command.

(L)            He shall review all written reports made by members of his command, and he shall insure the accuracy of fact, completeness of police duties and neatness of said reports.

(M)            He shall, under the direction of the Chief of Police, assist in the administration of the department as follows:

(1)          He shall insure that a progressive program for personnel training is organized and conducted.

- (2) He shall strive to improve working conditions to attain maximum efficiency and morale.

- (3) He shall improve efficiency and cooperation in the areas of common responsibility.
- (4) He shall use personnel records and performance evaluation ratings for individual guidance and improvement.
- (5) He shall strive to advance the public relations program for promoting police confidence and support.
- (6) He shall insure the proper and economical use of departmental property and equipment.
- (N) He shall record all noteworthy happenings which occurred during his tour of duty.
- (O) When a crime of great magnitude or importance, or matter of serious departmental concern is reported to him, he shall immediately inform the Chief of Police of the facts pertaining thereto, and shall personally supervise the necessary investigation, unless otherwise ordered by the Chief of Police.
- (P) When a superior officer, in the performance of duty, gives orders to any subordinate member not attached to his command, he must exercise extreme care that such orders do not unnecessarily conflict with those of the commanding officer of the member receiving said orders. When orders so given are necessary and require the member receiving same to leave or alter their regular post or assignment, the superior officer giving such orders shall, as soon as possible or practicable, inform such appropriate commanding officer that such action was taken.
- (Q) He shall keep himself informed of all activities within his command, and frequently test the knowledge of his subordinates as to the condition of their zones, beats and the Rules and Regulations, Job Description, General Orders or other police related material.
- (R) To assure success in the performance of basic duties of members of the Department, it is imperative that the Field Supervisor set examples to subordinates in energy, fidelity, sobriety, courtesy, courage, skill, and discipline.
- (S) He shall be responsible for the proper performance of all police duties by subordinates under his command in the fulfillment of their duties, as outlined in the Rules and Regulations.
- (T) He should command. He should not necessarily perform the work of subordinates, unless related tasks are necessary in the performance of the duties of his command.
- (U) He shall act in cases not regularly assigned to his command when the delay necessary to inform the proper commander may result in a failure to perform a police duty.
- (V) He shall require from his subordinates the proper attitude of respect and obedience and shall, on all occasions, maintain the proper decorum as a supervisory officer.

**17-3**      **COORDINATING ACTIVITIES.**      The Sergeant shall coordinate functions and activities of the personnel under his command and shall promote harmony among said members.

- 17-4**      **COMMENDING OR REPRIMANDING.**
- (A) The Sergeant shall give adequate recognition to members of his command who display outstanding performance in the line of duty.
  - (B) He shall commend, in the presence of fellow officers, personnel who have performed unusually good police work.

(C) He shall reprimand any officer who has committed a breach of discipline or violated the Rules and Regulations, and such reprimand shall be done in privacy and never in the presence of his fellow officers, unless an emergency dictates otherwise.

(D) Any action taken shall be referred by memo to the Chief of Police along with recommendations for disciplinary action.

(E) He shall be responsible for the efficiency, discipline and morale of all personnel under his command. He shall investigate complaints by citizens and reports by members of the unit of misconduct, incompetence, neglect of duty, or other violations of the Rules and Regulations on the part of anyone under his command. He shall report in writing, through proper channels, the results of his findings and make recommendations for action to be taken.

(F) The Sergeant who initiates any disciplinary action against a subordinate has the responsibility of immediately forwarding a complete written report of such cases to the Chief of Police for inclusion in the personnel file of the disciplined member.

**17-5**        **AUTHORITY BY CHAIN OF COMMAND.** During the temporary absence of a Sergeant, the command will be assumed by the Senior Ranking Officer present, and by the Chain of Command, unless otherwise designated by special orders of the Chief of Police.

Nothing in this Section shall be construed as limiting the authority of the Chief of Police from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.

**ARTICLE XVIII - JOB DESCRIPTION, PATROLMAN  
REPORTS TO CHIEF OF POLICE**

**18-1**        **BASIC FUNCTION.** Officers have the general duties and responsibilities prescribed for all members of the Police Department and such specific duties as are herein prescribed. He is directly responsible for the accomplishment of the Police Department's mission on his patrol beat. He shall constantly direct his best efforts toward the intelligent and efficient accomplishment of that end. He shall be constantly vigilant and on the alert for violations of the law and ordinances and shall make every effort to prevent breaches of the peace and offenses against persons and property. He shall be held accountable for discovering and using an intelligent police effort in regard to crimes, accidents, and disorders on his patrol beat.

**18-2**        **SPECIFIC FUNCTIONS AND RESPONSIBILITIES.**

(A)        **Reporting for Duty.**

- (1) Upon reporting for duty, he shall check his mailbox and remove any correspondence found therein.
- (2) He shall report promptly and at the designated hour and place, for duty. He shall listen attentively to the orders and instructions of his superior officers.
- (3) The officer shall remain proficient in his knowledge and use of State/Village traffic and criminal statutes, codes, regulations, and ordinances.

(B)

**Learning His Best.**

- (1) Officers shall become thoroughly familiar with the Village and surrounding communities, including locations of roads, highways, hotels, and County, State, and Federal buildings and offices. In addition, they should be familiar with principal cities and their distance for a **two hundred fifty (250) mile** radius so as to enable them to render intelligent and helpful assistance when requested. When they are unable to answer a question, they shall either obtain the information or direct the person to the officer or person from whom the information may be obtained.
- (2) He shall thoroughly familiarize himself with his patrol or assigned area, learning the location of night telephones, alarms, roads, field roads, etc. He shall familiarize himself with all public business, office, etc. and their entrances, exits, skylights, fire escapes, and escapes over the tops of buildings and from basements.
- (3) An officer shall familiarize himself with the people in his area of patrol, learning as far as possible their names, characters, habits, and occupations. He shall familiarize himself with every form of activity in his patrol area in order that he may be able to recognize any unusual or suspicious activity.
- (4) He shall constantly endeavor to build up sources of information. He shall contact merchants and other businessmen in his area of patrol and endeavor to gain their friendship and confidences. He shall cultivate the acquaintance of confidential informants and endeavor to gain the friendship of persons who, because of their occupations or associates, are most likely to have information of value to the police.

(C)

**Manner of Patrol.**

- (1) An officer shall, at all times, maintain an alert and businesslike manner and a military bearing. He shall not loiter or lounge about in places of business, upon the street, or in parked cars, not lean against objects. He shall not conceal himself except for some specific police purpose.
- (2) An officer shall, during his tour of duty, diligently and continuously patrol every part of his patrol area as often as possible; giving particular attention to and frequently rechecking locations where the crime hazard is great.
- (3) Insofar as possible, an officer shall not patrol his patrol area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be in the location least expected.

(D)

**Leaving His Area of Patrol.** An officer shall not leave his patrol area during his tour of duty except with the permission of the Chief of Police, upon urgent police business requiring his immediate attention, or request from neighboring agencies for assistance.



- (E) **Security Measures.**
- (1) An officer shall advise merchants regarding suitable crime prevention measures, such as placing safes so as to be visible from the street; leaving night lights burning; barring rear doors; installing additional lights when desirable; banking often so as not to accumulate large sums of money on the premises; installing alarm systems where large sums of money or valuable stocks of merchandise are kept; removal of valuable merchandise from display windows at night, and; other security measures.
  - (2) He shall warn merchants when fraudulent check passers, shortchange operators, confidence men, counterfeiters and shoplifters are operating and shall explain their methods of operation.
  - (3) He shall urge merchant cooperation with the police in reporting all suspicious persons and situations.
- (F) **Business Establishments.**
- (1) An officer shall observe all business places and note the location of safes, cash registers, night lights, alarm systems, habits of staff, time of opening and closing, nature of business, number and location of exits and means of locking doors, windows, gratings, etc.
  - (2) An officer shall, at night and during the time businesses are closed, exercise the greatest vigilance, giving particular attention to business houses, and vacant or unoccupied buildings and dwellings. In the daytime he shall examine, in like manner, all vacant or unoccupied buildings and dwellings in his patrol area.
  - (3) When a door or window is found open under suspicious or unusual circumstances on any tour of duty, an officer shall make a thorough investigation and determine, if possible, whether a burglary or other crime has been committed and whether the door or window can be secured. He shall, if necessary, summon assistance to examine the premises and to secure such doors and windows. He shall if possible, notify the owner.
  - (4) On discovering that a forced entry has been made into the building whose security he is checking, the officer should not enter the establishment, but should summon assistance and stand guard to capture the criminal should he appear. When the building is suitably surrounded, it should be entered and searched according to sound police practices.
  - (5) An officer may be held accountable for failure to discover or report any doors or windows or business buildings which have been broken open or have remained unsecured in his patrol area during his tour of duty.
- (G) **Suspicious Persons.**
- (1) An officer shall not hesitate to lawfully investigate known criminals seen in his patrol area.

- (2) He shall give particular attention to peddlers and solicitors to determine that they are properly licensed and are not using that occupation as a cloak for some illegal purpose.
- (3) He shall be on the alert for persons who answer the descriptions of missing person and wanted criminals.
- (4) He shall be cautious about allowing a stranger to divert his attention by engaging him in prolonged and unnecessary conversations. A confederate may commit a crime while his attention is thus diverted.
- (5) He shall give particular attention to motor vehicles being constantly on the alert for vehicles that have been stolen or used in the commission of a crime or that are improperly operated or illegally parked. He shall investigate any vehicle, the driver, occupants, or cargo which excite his suspicions in any manner and any vehicle parked with the motor running at a location or in a manner that arouses his suspicions.

(H)

**Protection of Children.**

- (1) Officers shall, as far as possible, patrol in the vicinity of parks and school buildings for the purpose of investigating suspicious persons who may be loitering about the premises or engaging school children in prolonged conversation.
- (2) An officer shall be friendly toward all children and be ever watchful of their physical and moral welfare.
- (3) He shall use every legal means to prevent the formation of gangs in his patrol area and to break up any that are in existence.
- (4) He shall report evidence of delinquent homes, parents, or juveniles to the Juvenile Officer or the Chief of Police.
- (5) He shall take into custody runaway children, persons who are lost, senile, and mentally deficient, and deliver them to the Police Department or to an appropriate social service agency.

(I)

**Public Welfare.**

- (1) An officer shall give his attention to any destitute persons who come to his notice and refer them to suitable agencies.
- (2) He shall not permit beggars to solicit either upon the roadways or from door to door.

(J)

**Traffic Control.**

- (1) At locations where large crowds are assembled, officers shall preserve order and prevent the commission of crimes, the blocking of traffic and the destruction or damaging of property.
- (2) He shall give particular attention to roadways of heavy traffic flow and stop signs. The responsibility of the officer in the enforcement of traffic rules and regulations is as great as an enforcement of other ordinances.
- (3) Officers failing to take appropriate action on view of a traffic violation are subject to the same disciplinary action as for any other neglect of duty.
- (4) Officers shall investigate traffic accidents resulting from a violation or involving personal injury or property damage in

excess of **Two Hundred Fifty Dollars (\$250.00)**. They shall immediately and diligently take all necessary police action at the scenes of accidents, including the rendering of first aid as necessary. This will not prohibit the officers from requesting assistance from the County or Illinois State Police when the situation warrants assistance.

(K)

**Nuisances and Obstructions.**

- (1) An officer shall take notice of nuisances, impediments, obstructions, defects, or other conditions, in or adjacent to the streets, roadways, and public places which tend to endanger the health, safety or convenience of the public.
- (2) He shall immediately undertake the removal of the undesirable conditions in the manner prescribed by the Ordinances of the Village. When the condition exists in violation of any ordinance which the Police Department is required to enforce, he shall require the person responsible to remedy it.
- (3) When the removal of the undesirable condition is the responsibility of another municipal agency, or another agency is required to enforce the ordinances pertaining thereto, the officer shall cause immediate notice to be given, through the chain of command to the agency whose responsibility it may be.
- (4) All dead animals found upon public property shall be reported to the responsible street or highway department.

(L)

**Calls.**

**Signal and Street Light Outages; Fires and Emergency Medical**

- (1) An officer shall report immediately to the Dispatcher any fire which requires attention and shall respond to all fire calls and emergency medical calls within his patrol area, and render assistance and crowd control to the Fire Department. In instances where there is a belief that the fire is an arson, the officer is to begin the preliminary investigation and notify the Chief of Police immediately.
- (2) An officer shall report any inoperative street lights to the appropriate street department.

(M)

**Police Incidents.**

- (1) An officer shall take into custody property that has been lost, stolen, or abandoned and follow proper procedures for disposition of same.
- (2) He shall carefully investigate all complaints in his patrol area which are assigned to him or which are brought to his attention by citizens. He shall take police action in these cases which come under the jurisdiction of the Police Department and inform interested parties of law or ordinances relative to the complaint. If the legal remedy of the complaint lies outside the jurisdiction of the Police Department, he shall advise the complainant accordingly and refer him to the proper authority.
- (3) Upon sight, or receipt of information from any source, of an unusual or serious accident, crime or other occurrence requiring

police attention, an officer shall immediately respond and give such assistance or take such police action as the circumstances may require. He shall also conduct such investigations and submit such reports as may be required.

- (4) At scenes of major crimes, where it has been established that the perpetrator is not present, members not assigned shall not enter the premises or do any other thing that interferes with the investigation or destroy evidence. The patrol car first assigned, will be in charge pending arrival of the Chief of Police.
- (5) The first duty of the patrol officer at the scene of a homicide is to guard the scene, exclude all unauthorized persons and detail all witnesses for interrogation. Officers shall not touch or permit others to touch anything in such a manner that latent fingerprints or other valuable evidence might be destroyed. They shall not handle any guns, knives or other instruments used in the commission of a homicide or assault, nor shall they permit any unauthorized person to do so.
- (6) An officer shall treat a suicide as a murder until the investigation by this department has been made and an official report by the Coroner's jury has rendered a decision of suicide.

(N) **Court Attendance and Case Preparation.**

- (1) When an officer is scheduled to appear in court during his tour of duty, he shall notify the Chief of Police so that arrangements can be made for his relief during this period.
- (2) He shall be responsible for his punctual attendance in court.
- (3) Officers shall adequately prepare their cases so that there may be no mistrial caused by neglect on the part of a member of the department.
- (4) When in doubt as to law, procedure or status of a case, he shall consult suitable authority.

(O) **Records.**

- (1) Officers shall be responsible for properly preparing, transmitting, and the ultimate filing of official police reports, forms, and records as required in the performance of their duties, or as may be required by the Chief of Police.
- (2) They shall submit all reports to the Chief of Police for his review.

(P) **Use and Care of Departmental Property.** Officers shall be responsible for the accounting and condition of departmental equipment and property issued for and/or assigned to their use during their tour of duty.

**18-3 AUTHORITY BY CHAIN OF COMMAND.**

- (A) Officers shall, at all times, adhere to the Chain of Command unless otherwise designated by the special orders of the Chief of Police, or in emergency situations.
- (B) When sworn members of the department and civilian employees are performing the same task, the civilian employee is subordinate to the sworn member.

**18-4 COUNTERMAND OF ORDERS.** Nothing in this Section shall be construed as limiting the authority of the Chief of Police, from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.

**ARTICLE XIX - JOB DESCRIPTION, PART-TIME PATROLMAN  
REPORTS TO CHIEF OF POLICE**

**19-1**            **BASIC FUNCTION.** Officers have the general duties and responsibilities prescribed for all members of the Police Department and such specific duties as are herein prescribed. He is directly responsible for the accomplishment of the Police Department's mission on his patrol beat. He shall constantly direct his best efforts toward the intelligent and efficient accomplishment of that end. He shall be constantly vigilant and on the alert for violations of the law and ordinances and shall make every effort to prevent breaches of the peace and offenses against persons and property. He shall be held accountable for discovering and using an intelligent police effort in regard to crimes, accidents, and disorders on his patrol beat.

**19-2**            **SPECIFIC FUNCTIONS AND RESPONSIBILITIES.**

(A)            **Reporting for Duty.**

- (1) Upon reporting for duty, he shall check his mailbox and remove any correspondence found therein.
- (2) He shall report promptly and at the designated hour and place, for duty. He shall listen attentively to the orders and instructions of his superior officers.
- (3) The officer shall remain proficient in his knowledge and use of State/Village traffic and criminal statutes, codes, regulations, and ordinances.

(B)            **Learning His Best.**

- (1) Officers shall become thoroughly familiar with the Village and surrounding communities, including locations of roads, highways, hotels, and County, State, and Federal buildings and offices. In addition, they should be familiar with principal cities and their distance for a **two hundred fifty (250) mile** radius so as to enable them to render intelligent and helpful assistance when requested. When they are unable to answer a question, they shall either obtain the information or direct the person to the officer or person from whom the information may be obtained.
- (2) He shall thoroughly familiarize himself with his patrol or assigned area, learning the location of night telephones, alarms, roads, field roads, etc. He shall familiarize himself with all public business, office, etc. and their entrances, exits, skylights, fire escapes, and escapes over the tops of buildings and from basements.
- (3) An officer shall familiarize himself with the people in his area of patrol, learning as far as possible their names, characters, habits, and occupations. He shall familiarize himself with every form of activity in his patrol area in order that he may be able to recognize any unusual or suspicious activity.
- (4) He shall constantly endeavor to build up sources of information. He shall contact merchants and other businessmen in his area of patrol and endeavor to gain their friendship and confidences. He

shall cultivate the acquaintance of confidential informants and endeavor to gain the friendship of persons who, because of their occupations or associates, are most likely to have information of value to the police.

(C)

**Manner of Patrol.**

- (1) An officer shall, at all times, maintain an alert and businesslike manner and a military bearing. He shall not loiter or lounge about in places of business, upon the street, or in parked cars, not lean against objects. He shall not conceal himself except for some specific police purpose.
- (2) An officer shall, during his tour of duty, diligently and continuously patrol every part of his patrol area as often as possible; giving particular attention to and frequently rechecking locations where the crime hazard is great.
- (3) Insofar as possible, an officer shall not patrol his patrol area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be in the location least expected.

(D)

**Leaving His Area of Patrol.** An officer shall not leave his patrol area during his tour of duty except with the permission of the Chief of Police or upon urgent police business requiring his immediate attention. See Patrolman Section.

(E)

**Security Measures.**

- (1) An officer shall advise merchants regarding suitable crime prevention measures, such as placing safes so as to be visible from the street; leaving night lights burning; barring rear doors; installing additional lights when desirable; banking often so as not to accumulate large sums of money on the premises; installing alarm systems where large sums of money or valuable stocks of merchandise are kept; removal of valuable merchandise from display windows at night, and; other security measures.
- (2) He shall warn merchants when fraudulent check passers, shortchange operators, confidence men, counterfeiters and shoplifters are operating and shall explain their methods of operation.
- (3) He shall urge merchant cooperation with the police in reporting all suspicious persons and situations.

(F)

**Business Establishments.**

- (1) An officer shall observe all business places and note the location of safes, cash registers, night lights, alarm systems, habits of staff, time of opening and closing, nature of business, number and location of exits and means of locking doors, windows, gratings, etc.
- (2) An officer shall, at night and during the time businesses are closed, exercise the greatest vigilance, giving particular attention to business houses, and vacant or unoccupied buildings and dwellings. In the daytime he shall examine, in like manner, all vacant or unoccupied buildings and dwellings in his patrol area.

- (3) When a door or window is found open under suspicious or unusual circumstances on any tour of duty, an officer shall make a thorough investigation and determine, if possible, whether a burglary or other crime has been committed and whether the door or window can be secured. He shall, if necessary, summon assistance to examine the premises and to secure such doors and windows. He shall if possible, notify the owner.
- (4) On discovering that a forced entry has been made into the building whose security he is checking, the officer should not enter the establishment, but should summon assistance and stand guard to capture the criminal should he appear. When the building is suitably surrounded, it should be entered and searched according to sound police practices.
- (5) An officer may be held accountable for failure to discover or report any doors or windows or business buildings which have been broken open or have remained unsecured in his patrol area during his tour of duty.

(G)

**Suspicious Persons.**

- (1) An officer shall not hesitate to lawfully investigate known criminals seen in his patrol area.
- (2) He shall give particular attention to peddlers and solicitors to determine that they are properly licensed and are not using that occupation as a cloak for some illegal purpose.
- (3) He shall be on the alert for persons who answer the descriptions of missing person and wanted criminals.
- (4) He shall be cautious about allowing a stranger to divert his attention by engaging him in prolonged and unnecessary conversations. A confederate may commit a crime while his attention is thus diverted.
- (5) He shall give particular attention to motor vehicles being constantly on the alert for vehicles that have been stolen or used in the commission of a crime or that are improperly operated or illegally parked. He shall investigate any vehicle, the driver, occupants, or cargo which excite his suspicions in any manner and any vehicle parked with the motor running at a location or in a manner that arouses his suspicions.

(H)

**Protection of Children.**

- (1) Officers shall, as far as possible, patrol in the vicinity of parks and school buildings for the purpose of investigating suspicious persons who may be loitering about the premises or engaging school children in prolonged conversation.
- (2) An officer shall be friendly toward all children and be ever watchful of their physical and moral welfare.
- (3) He shall use every legal means to prevent the formation of gangs in his patrol area and to break up any that are in existence.
- (4) He shall report evidence of delinquent homes, parents, or juveniles to the Juvenile Officer or the Chief of Police.

- (5) He shall take into custody runaway children, persons who are lost, senile, and mentally deficient, and deliver them to the Police Department or to an appropriate social service agency.

(I) **Public Welfare.**

- (1) An officer shall give his attention to any destitute persons who come to his notice and refer them to suitable agencies.
- (2) He shall not permit beggars to solicit either upon the roadways or from door to door.

(J) **Traffic Control.**

- (1) At locations where large crowds are assembled, officers shall preserve order and prevent the commission of crimes, the blocking of traffic and the destruction or damaging of property.
- (2) He shall give particular attention to roadways of heavy traffic flow and stop signs. The responsibility of the officer in the enforcement of traffic rules and regulations is as great as an enforcement of other ordinances.
- (3) Officers failing to take appropriate action on view of a traffic violation are subject to the same disciplinary action as for any other neglect of duty.
- (4) Officers shall investigate traffic accidents resulting from a violation or involving personal injury or property damage in excess of **Two Hundred Fifty Dollars (\$250.00)**. They shall immediately and diligently take all necessary police action at the scenes of accidents, including the rendering of first aid as necessary. This will not prohibit the officers from requesting assistance from the County or Illinois State Police when the situation warrants assistance.

(K) **Nuisances and Obstructions.**

- (1) An officer shall take notice of nuisances, impediments, obstructions, defects, or other conditions, in or adjacent to the streets, roadways, and public places which tend to endanger the health, safety or convenience of the public.
- (2) He shall immediately undertake the removal of the undesirable conditions in the manner prescribed by the Ordinances of the Village. When the condition exists in violation of any ordinance which the Police Department is required to enforce, he shall require the person responsible to remedy it.
- (3) When the removal of the undesirable condition is the responsibility of another municipal agency, or another agency is required to enforce the ordinances pertaining thereto, the officer shall cause immediate notice to be given, through the chain of command to the agency whose responsibility it may be.
- (4) All dead animals found upon public property shall be reported to the responsible street or highway department.

(L) **Signal and Street Light Outages; Fires. (See Patrolman Section)**

- (1) An officer shall report immediately to the Dispatcher any fire which requires attention and shall respond to all fire calls within his patrol area, and render assistance and crowd control to the



Fire Department. In instances where there is a belief that the fire is arson, the officer is to begin the preliminary investigation and notify the Chief of Police immediately.

- (2) An officer shall report any inoperative street lights to the appropriate street department.

(M)

**Police Incidents.**

- (1) An officer shall take into custody property that has been lost, stolen, or abandoned and follow proper procedures for disposition of same.
- (2) He shall carefully investigate all complaints in his patrol areas which are assigned to him or which are brought to his attention by citizens. He shall take police action in these cases which come under the jurisdiction of the Police Department and inform interested parties of law or ordinances relative to the complaint. If the legal remedy of the complaint lies outside the jurisdiction of the Police Department, he shall advise the complainant accordingly and refer him to the proper authority.
- (3) Upon sight, or receipt of information from any source, of an unusual or serious accident, crime or other occurrence requiring police attention, an officer shall immediately respond and give such assistance or take such police action as the circumstances may require. He shall also conduct such investigations and submit such reports as may be required.
- (4) At scenes of major crimes, where it has been established that the perpetrator is not present, members not assigned shall not enter the premises or do any other thing that interferes with the investigation or destroy evidence. The patrol car first assigned, will be in charge pending arrival of the Chief of Police.
- (5) The first duty of the patrol officer at the scene of a homicide is to guard the scene, exclude all unauthorized persons and detail all witnesses for interrogation. Officers shall not touch or permit others to touch anything in such a manner that latent fingerprints or other valuable evidence might be destroyed. They shall not handle any guns, knives or other instruments used in the commission of a homicide or assault, nor shall they permit any unauthorized person to do so.
- (6) An officer shall treat a suicide as a murder until the investigation by this department has been made and an official report by the Coroner's jury has rendered a decision of suicide.

(N)

**Court Attendance and Case Preparation.**

- (1) When an officer is scheduled to appear in court during his tour of duty, he shall notify the Chief of Police so that arrangements can be made for his relief during this period.
- (2) He shall be responsible for his punctual attendance in court.
- (3) Officers shall adequately prepare their cases so that there may be no mistrial caused by neglect on the part of a member of the department.

- (4) When in doubt as to law, procedure or status of a case, he shall consult suitable authority.

(O) **Records.**

- (1) Officers shall be responsible for properly preparing, transmitting, and the ultimate filing of official police reports, forms, and records as required in the performance of their duties, or as may be required by the Chief of Police.
- (2) They shall submit all reports to the Chief of Police for his review.

(P) **Use and Care of Departmental Property.** Officers shall be responsible for the accounting and condition of departmental equipment and property issued for and/or assigned to their use during their tour of duty.

(Q) **Authority by Chain of Command.**

- (1) Officers shall, at all times, adhere to the Chain of Command unless otherwise designated by the special orders of the Chief of Police, or in emergency situations.
- (2) When sworn members of the department and civilian employees are performing the same task, the civilian employee is subordinate to the sworn member.

(R) **Countermand of Orders.** Nothing in this Section shall be construed as limiting the authority of the Chief of Police, from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.

(S) **Authority of Chief of Police to Discipline Part-Time Patrol Officers.** The Chief of Police shall have the power and authority to discipline part time patrol officers for noncompliance with rules and regulations, procedures, and lawful orders by him or any commanding officer.

Depending on the severity of the violation involved and the employees record disciplinary action could include but will not necessarily be limited to:

- (1) Verbal reprimand;
- (2) Written reprimand;
- (3) Termination of employment.

(T) **Minimum Qualifications.**

- (1) Successfully complete part time academy training provided by the Illinois Training Board within **eighteen (18) months** of employment as per Illinois State law.
- (2) Will successfully complete a ride along training period and achieve a working knowledge of the Illinois State Statutes, the Illinois Vehicle Code and Civil Liabilities. During all training sessions the trainee is an observer only and should not become involved in any police activity scene.
- (3) Possess, or able to obtain a valid Illinois Driver's License.
- (4) Ability to follow oral and written instructions.
- (5) Knowledge of court procedures.
- (6) Must have or successfully complete the mandatory **forty (40) hour** firearms training.
- (7) Possess judgment and tact during volatile situations.
- (8) Ability to maintain professional standards.

(U) **Responsibilities.**

- (1) Responsible for the police mission during his tour of duty.

- (2) Recognize and prevent breaches of the peace and violations.
- (3) To patrol assigned areas to prevent crime.
- (4) Collect information and assist in solving crimes.
- (5) Protect and serve the citizens of the community.
- (6) Carry out orders given by superior officers.
- (7) Conduct his duties in a professional manner.
- (8) Make all reports required in an expedient and effective manner.
- (9) Perform other related duties as assigned.

**ARTICLE XX - JOB DESCRIPTION, OFFICE ASSISTANT  
REPORTS TO CHIEF OF POLICE**

**20-1**        **BASIC FUNCTION.**    The Chief of Police's Office Assistant has the responsibility to promote a professional image of the Police Department to all with whom official contact is made and the promotion of harmony with the general public, other agencies, and within the department. The Office Assistant has responsibility of the establishment and/or maintenance of an orderly record system that provides for efficient collecting, recording, and filing, dispensing, and disposition of records of the Police Department in accordance with department policies and procedures and compliance with federal and state law.

**20-2**        **SPECIFIC FUNCTIONS AND RESPONSIBILITIES.**    The Office Assistant will have the authority and responsibility to complete the following specific tasks.

(A)            The Office Assistant shall process and maintain all records and reports of police activities to include records and reports pertaining to crimes, accidents and services rendered.

(B)            Process and maintain files of all arrest records and maintain files of traffic citations, warning tickets, parking tickets, and service forms.

(C)            Prepare and maintain master name card file to include names of victims, witnesses, complainants, etc.

(D)            Forward as necessary reports and arrest records to other law enforcement agencies, State's Attorneys, and courts.

(E)            Pull files or tickets for officers attending court and annotate court docket with the appropriate case number; post dispositions of cases received from the State's Attorney and courts.

(F)            Process requests for copies of police reports from other law enforcement agencies, attorneys, and citizens; collects fees due and maintains record of all transactions.

(G)            Forward, as required, reports of accidents to insurance companies, Illinois Department of Transportation and other state agencies; collect any fees due and maintain records of all transactions.

(H)            The Office Assistant shall receive and greet all visitors to the Police Department in a courteous manner.

(I)            Review and distribute all mail, both postal, and inter-office.

(J)            Prepare and distribute all reports required by statute and/or requested by the Chief of Police.

(K)            Answer phone calls to the Police Department in a courteous manner and relay any messages received to the appropriate person.

(L) Notify Chief of Police of all messages/visitors received during his absence.

(M) Maintain all records of civil process transactions and maintain records of billings and collections. Also, insure that appropriate documentation and returns are forwarded to the appropriate authorities and jurisdictions.

**20-3**        **COUNTERMAND OF ORDERS.** When the Office Assistant, in the necessary performance of duties, is given an order by an officer which conflicts with a previous order given by the Chief of Police, that Office Assistant will advise the officer of previous order and ask for clarification of the issue at hand.

**20-4**        **AUTHORITY BY CHAIN OF COMMAND.** During the absence of the Chief of Police, the command will be assumed by the Sergeant unless otherwise designated by special orders of the Chief of Police.

Nothing in this Section shall be construed as limiting the authority of the Chief of Police from assigning such functions or responsibilities as are necessary to establish and maintain departmental efficiency and effectiveness.

**ARTICLE XXI - JOB DESCRIPTION, TRAINING OFFICER  
REPORTS TO CHIEF OF POLICE**

**21-1**        **BASIC FUNCTION.** The Training Officer shall be responsible for developing and providing an in-service training program for the Department.

**21-2**        **SPECIFIC FUNCTIONS AND RESPONSIBILITIES.** The Training Officer shall:

(A) Determine that local in-service training programs are properly balanced and schedule officers of all ranks into approved schools.

(B) Develop proper public relations programs to publicize the training activities of the Department.

(C) Critically observe the operations of the Police Department and shall recommend to the Chief of Police forms of training and programs which, in his opinion, would improve officers in the performance of assigned duties, and he shall develop and conduct such training programs.

(D) He shall keep himself and the Chief of Police well informed as to training programs in other progressive police departments and shall recommend directly to the Chief, each year before the annual budget, his suggested training program for the next fiscal year and the amount of the budget which he deems necessary to complete said program.

(E) He shall maintain such records, file, and reports as may be required.

**21-3**        **AUTHORITY BY CHAIN OF COMMAND.**

(A) The Training Officer shall be under the immediate control of the Chief of Police.

(B) He shall perform the functions of his rank as may be required.

Nothing in this Section shall be construed as limiting the authority of the Chief of Police from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.

**ARTICLE XXII - JOB DESCRIPTION, YOUTH INVESTIGATOR (JUVENILE OFFICER)  
REPORTS TO CHIEF OF POLICE**

**22-1            BASIC FUNCTION.**

- (A)            A Youth Investigator is an officer assigned by the Chief of Police.
- (B)            The Youth Investigator basically functions as investigator of offenses committed by juvenile offenders (juveniles to include all males and females under the age of **seventeen (17) years**), and strives to prevent juvenile delinquency through innovative approaches.

**22-2            SPECIFIC FUNCTION AND RESPONSIBILITIES.** Youth Investigators

shall have as a primary purpose the prevention of delinquency among the children and youth of the Village. They shall work for the welfare of youths, protecting them from influences and persons that might contribute to their delinquency or hinder their wholesome maturation. They shall study the factors involved in the delinquent conduct of individual juveniles with a view to their correction. They shall study neighborhoods which produce delinquent children with a view to determining and correcting the causal factors. In addition:

(A)            They shall have a thorough knowledge of the Village, its constructive resources and its destructive influences. They shall know and have an understanding of the value of existing public and private social and recreational agencies and various resources for the different types of therapy within the community. They shall know the location of these agencies, the hours when contact may be made, and how to apply the facilities and functions of each agency to the needs of an individual case.

(B)            They shall have a knowledge of social case treatment, and be imbued with the social welfare point of view in order that they may be prepared to make the best possible use of all the services which the community provides, and make intelligent and discriminating referrals to proper agencies.

(C)            When a crime has been committed, it is their duty to enforce the law. They shall be thoroughly familiar with police procedure in detaining individuals and preparing cases for prosecution.

(D)            They shall have knowledge of state and local laws relating to youth and their protection.

(E)            They shall develop an awareness of the basic problem underlying a situation, so that they may determine the real difficulty. They shall place emphasis on why a juvenile becomes delinquent, where the delinquency began and how it can be corrected. They shall be equipped to understand a youth's social, physical, economic and personality needs in order to evaluate objectively the latter's resources and capacities and evolve a workable policy, not only to prevent further delinquency, but also to elicit a constructive attitude for future behavior.

(F)            Cases which the Youth Investigator is called upon to handle, fall generally into one of the following groups:

- (1)            Those which require legal action because of an offense against a juvenile or an offense in which a juvenile is involved. In such cases, the officer follows regular departmental procedure in securing the preserving of evidence and in presenting it to the court.

- (2) Those which reportedly relate to an offense but are found by the Youth Officer, after investigation, to be the type which can be handled without legal action, but which require individualized and specialized service by an appropriate social agency.
- (3) Those which the Youth Investigator can adjust without the aid of any agency, particularly cases in minor infractions where a child is released to parents after appropriate interviews and suggestions.

(G) Youth Investigators shall maintain a regular patrol and rigid supervision and inspection of public places where young people congregate, particularly streets and parks. In checking these places, they shall be particularly alert and observant to discover young girls and boys who are potentially delinquent or who are in hazardous situations and to take appropriate action before they become a problem to the community. The Youth Investigator must look, not only for boys and girls who are violating laws but also for those who are in situations dangerous to themselves and to society. They must call the attention of operators of all establishments concerned, responsible authorities and citizen groups to conditions which breed delinquency and crime and they must participate in efforts to correct those conditions.

(H) They shall investigate complaints about young people who are unlawfully employed as minors, or who are exposed to solicitation or exploitation.

(I) They shall search for missing boys and girls, unprotected children, truants, and runaways from home, courts and institutions.

(J) They shall investigate all juvenile cases which are found by them while patrolling, or which are otherwise brought to their attention, and refer them to the proper social agency for study and treatment.

(K) They shall cooperate with other public agencies and civic units in planning delinquency-prevention programs.

(L) They shall work in close correlation with the social agencies treating all information obtained through their facilities as strictly confidential.

(M) They shall interpret the functions of the Police Department as a whole and the Youth Investigator role, in particular, in the suppression of delinquency, by speaking before service, fraternal, educational, and religious groups.

(N) They shall cooperate with the schools, church, civic, social, welfare, press, radio, and other community groups in an effort to reduce juvenile delinquency by pooling community resources. They shall enlist the aid of these groups in correcting the attitude of the individual offender.

(O) Even though juvenile offenders may not be completely responsible for their actions owing to heredity, or to environmental influences, the police officer is charged with the duty of protecting society; in handling juvenile offenders, he must give consideration to the interest of the community as well as the welfare of the child.

(P) When investigating juvenile offenses, they shall collect facts to accomplish a three-fold aim:

- (1) To identify the guilty party,
- (2) To locate the guilty party,
- (3) To provide evidence of the guilt.

(Q) The investigator who is assigned to a case is charged with the general responsibility of piecing the various parts of an investigation into a coherent whole.

(R) They must interview the complainant, search the crime scene, collect and transmit the evidence, interview witnesses, interrogate suspects and perform the innumerable minor chores attached to an investigation.

(S) Investigators shall be responsible for obtaining crime scene sketches and photographs to supplement the physical and documentary evidence pertaining to a crime.

(T) The Youth Investigators shall keep the Chief of Police informed of all matters coming to their knowledge relating to the duties of the Department.

(U) Under no circumstances shall they make public any information that might jeopardize the successful completion of the investigation or the apprehension of the perpetrator.

(V) They shall complete and forward such forms and reports as may be necessary.

(W) They shall render services to the public as may be required at the directions of the Chief of Police.

(X) They shall provide follow-up investigation and technical services to other investigators as needed.

(Y) They shall perform the functions of a patrol officer as required.

(Z) They shall carry out their duties strictly in conformity with the rules, regulations, and operating procedures of the department.

(AA) When a case has been assigned to an investigator, he shall review the complainant without delay and insure that he properly identifies himself. He thereafter shall consult with the complainant from time to time regarding the progress of the case, until it has been closed.

(BB) They shall keep the Chief of Police informed on the progress of their investigations. They shall report the need for further instructions when further progress seems impossible.

(CC) On receiving information or other assistance from any member of the Police Department, Youth Investigators shall cause the facts of such assistance to be noted in their report in order that the assisting officer may be given due credit.

(DD) Investigators shall, without specific instructions, establish the required detail and assignment to carry out the functions of the Police Department, and of their duties in particular.

(EE) The professional officer, whether he be investigating, arresting or transporting a juvenile, must always remain conscious of the conduct he must display in relation to the juvenile offender. And so, ordinarily, he has the opportunity to alter the condition and circumstances of the youngster so that he does not proceed to a life of adult crime.

**22-3 AUTHORITY BY CHAIN OF COMMAND.**

(A) Youth Investigators shall be under the control of the Chief of Police.

(B) Employees shall, at all times, adhere to the Chain of Command unless otherwise designated by the special orders of the Chief of Police, or in an emergency situation.

**22-4 COUNTERMAND OF ORDERS.** When a Youth Investigator (Juvenile Officer) in the necessary performance of duties, is given an order by a superior which conflicts with a previous order given by a superior, that Youth Investigator (Juvenile Officer) will advise the superior of the previous order and ask for clarification of the issue at hand.

Nothing in this Section shall be construed as limiting the authority of the Chief of Police, from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.



**ARTICLE XXIII - JOB DESCRIPTION, INVESTIGATOR/DETECTIVE  
REPORTS TO CHIEF OF POLICE**

**23-1            BASIC FUNCTION.**

- (A)            An Investigator is an officer assigned by the Chief of Police.
- (B)            The Investigator basically functions as an investigator of offenses committed within the Village or in assistance to another agency. The Investigator gathers facts and evidence to prepare cases to be delivered to the State's Attorney for prosecution.

**23-2            SPECIFIC FUNCTIONS AND RESPONSIBILITIES.** The Investigator will have the authority and responsibility to complete the following specific tasks:

- (A)            Shall acquire/maintain a thorough knowledge of acquisition, custody, packaging, presentation, and disposal of evidence materials.
- (B)            The Investigator who is assigned to a case is charged with the general responsibility of piecing the various parts of an investigation into a coherent whole.
- (C)            They must interview the complainant, search the crime scene, collect and transport the evidence, interview witnesses, interrogate suspects and perform the innumerable minor chores attached to an investigation.
- (D)            Investigators shall be responsible for obtaining crime scene sketches and photographs to supplement the physical and documentary evidence pertaining to a crime.
- (E)            Under no circumstances shall they make public any information that might jeopardize the successful completion of the investigation or the apprehension of the perpetrator.
- (F)            They shall complete and forward such forms and reports as may be necessary.
- (G)            They shall provide follow-up investigation and technical services to the patrol officers and other investigators as needed.
- (H)            They shall carry out their duties strictly in conformity with the rules, regulations and operating procedures of the department.
- (I)            When a case has been assigned to an Investigator, he shall interview the complainant without delay and insure that he properly identifies himself. He thereafter shall consult with the complainant from time to time regarding the progress of the case until it has been closed.
- (J)            On receiving information or other assistance from any member of the Police Department, the Investigator shall cause the facts of such assistance to be noted in their report in order that the assisting officer may be given due credit.
- (K)            When in doubt as to law, procedure or status of case, he shall consult suitable authority. The State's Attorney will be kept abreast of the status of an investigation by the Investigator.
- (L)            The Investigator shall keep the Chief of Police informed on the progress of any investigation. He shall report the need for further instructions when further progress seems impossible.

**23-3            COUNTERMAND OF ORDERS.** When an Investigator, in the necessary performance of duties, is given an order by a superior which conflicts with a previous order given by a superior, that Investigator will advise the superior of the previous order and ask for clarification of the issue at hand.

**23-4**            **AUTHORITY BY CHAIN OF COMMAND.**

(A)            The Investigator shall be under the immediate control of the Chief of Police.

(B)            He shall perform the functions of his rank as may be required.

Nothing in this Section shall be construed as limiting the authority of the Chief of Police from assigning such functions or responsibilities as are necessary to establish and maintain maximum departmental efficiency and effectiveness.

**ARTICLE XXIV - TOWING/IMPOUNDMENT OF MOTOR VEHICLES**

**24-1**            **TOW SCHEDULE.** A schedule will be maintained in the Washington County Dispatch Center of qualified, available tow services so that tow services can be requested on a rotation basis.

**24-2**            **REQUEST OF TOW SERVICES; MOTORIST ASSIST.** Owners or operators of motor vehicles in need of tow services will have the right to choose the towing service of their choice, provided their choice does not cause unnecessary or undue delay. In the event a motor vehicle is of such size or load (i.e. semi-truck, bus, etc.) the officer in charge may, at his discretion, direct a towing firm from outside the county capable of providing adequate towing service.

**24-3**            **REQUEST OF TOW SERVICES; CUSTODIAL ARREST.** When a custodial arrest situation arises involving a motor vehicle and the arrestee is either the owner or in control of said vehicle, the officer shall have the vehicle towed to a local tow storage area or to a Village owned vehicle storage area for safe keeping.

**24-4**            **TOW REPORTS.**

(A)            A tow report must be properly completed for any towed vehicle when it is not at the request of the owner or it is a custodial arrest tow.

(B)            A completed copy of the tow report will be given to the tow agency performing the service and must be signed by the tow operator. The original will be filed in appropriate department files.

**24-5**            **TOWED VEHICLE INVENTORY.** To protect the public from danger (i.e. bombs, explosives, hazardous material), the Village and officer from false claims of damages, theft, etc., and to adequately protect the owner/operator's property, a complete inventory will be conducted by the Reporting Officer of all vehicles where a tow report is required. This inventory will include the entire vehicle (i.e. passenger compartment, glove compartment, trunk, truck bed, engine compartment, etc.). All inventoried items should be safely stored and protected without unnecessary delay.

**24-6**            **D.U.I. IMPOUNDMENT.** To protect the public, protect drunk driving suspects from themselves, pursuant to law, the vehicles of drunk driving suspects will be impounded for a minimum of **twelve (12) hours** with the following exceptions:

(A) **Arrestee-Owned Vehicle.** The officer will seek identification of any sober passenger who is willing to transport the vehicle to arrestee's home. The officer shall include in his/her report:

- (1) Name, address and telephone number of passenger, and
- (2) Proof of valid Driver's License.

The Officer shall not release the vehicle to the passenger unless the officer reasonably believes that the passenger is able to operate the vehicle in a safe manner and the arrestee has consented to the release.

(B) **Non-Arrestee Owned Vehicle.** If the vehicle was not owned by the arrestee, the officer can release the vehicle to the owner if the owner:

- (1) Possesses a valid Driver's License,
- (2) Has proof of ownership, and
- (3) Is able to safely operate the vehicle.

(C) The officer shall mark the tow report "D.U.I. Impound" and indicate the time of release (i.e. no sooner than **twelve (12) hours**). The officer shall make the tow operator aware of the law and advise that operator that the vehicle cannot be released prior to the release time on the tow report.

(D) The officer shall advise the tow service to immediately contact the department prior to release of any D.U.I. Impound vehicle if the towing service has any reason to believe that the arrestee is under the influence of alcohol and/or drugs at the time arrestee requests return of the vehicle.

**24-7 IMPROPER BUSINESS PRACTICES.** Any employee who becomes aware of any tow services conducting improper business practices (i.e. excessive billing, unauthorized removal of vehicles, willful, wanton destruction of property, failure to conduct cleanup, etc.) will without delay, report the specific incident to the Chief of Police. These complaints will be reviewed by the Chief of Police to determine if this tow service should be suspended from the tow service list.

**24-8 BANK/FINANCIAL ALARM RESPONSE.**

(A) **Purpose.** To provide guidelines for responding and handling alarms at banks and other financial institutions.

(B) **Policy.** It is essential that all law enforcement officers understand their role and responsibilities when responding to bank/financial alarms and the inherent dangers involved, therefore, when responding to robbery alarms at these establishments, officers shall follow the procedures set forth in this policy in order to enhance arrest possibilities of suspects and observe proper precautions for the safety of officer, employees, and citizens.

(C) **Responding Officer Procedures.**

- (1) Responding officers shall use appropriate emergency warning devices when approaching the scene, but the siren will not be used within the hearing range of the reported robbery;
- (2) Responding units should be observant of any suspicious vehicles leaving the scene as well as other vehicles or persons outside the facility;
- (3) The first officer on the scene shall serve as the primary officer until relieved by a supervisor and shall take a position in front of the facility that provides good observation without being easily visible to those inside. The primary officer shall report on

- observable conditions at the location to the communications center but should not initially approach the building;
- (4) The primary and all subsequent officers shall report their arrival and position to the communication center. The primary officer or supervisor should direct responding units into positions that will establish a building perimeter covering all exits and entrances;
  - (5) Once the building perimeter has been established and no notice of a false alarm has been received, the supervisor shall determine whether telephone contact should be made with the establishment. If the call is made, the telecommunicator or officer shall identify himself and inquire if a robbery is in progress. If the call is not answered or a questionable response is provided, officers at the scene shall be informed of these facts and told that a possible robbery is in progress;
  - (6) If a robbery in progress is suspected, the primary officer or supervisor shall determine whether to request additional officers. Unless otherwise directed, officers shall wait until suspect(s) have exited the building before attempting apprehension;
  - (7) Once suspect(s) have been apprehended, the crime scene shall be secured by officers in preparation for processing by crime scene technicians;
  - (8) If a robbery has been committed and the suspect(s) have left the scene, the officers should begin preparation of the initial report by identifying witnesses, caring for any injured persons, protecting the crime scene and obtaining necessary information regarding the suspect(s) for an I.S.P.E.R.N. broadcast. Remaining officers should initiate the search for subject(s) on likely escape routes, being alert to unusual activities and circumstances;
  - (9) If the telecommunicator notifies officers that he has been in contact with an employee of the establishment and there does not appear to be a robbery in progress, officers shall determine the identity and description of the employee and wait for him to exit the building and approach the officers using the prearranged signal. At least one officer shall accompany the employee into the establishment in order to verify the situation and shall notify the communications center once the verification is complete;
  - (10) If the alarm is received after business hours and the establishment is not occupied, responding officers shall assume positions in the front and rear of the building and jointly conduct an inspection of the facility for signs of forced entry. If signs of forced entry exists, officers shall follow procedures for conducting a building search. If the building is secure, the communication center shall contact the owner or designated contact person to meet the officers at the scene. If this person is unwilling to respond, officers will resume normal duty tasks.