

CHAPTER 7

THE POLICE DEPARTMENT

Article I. GENERAL PROVISIONS

Sec. 1. CREATION

There is hereby created a Police Department, an executive department of the Village. The Police Department shall consist of the Chief of Police and/or such other members as may be provided for from time to time by the President and Board of Trustees.

Sec. 2. DUTIES

It shall be the duty of the members of the Police Department to see to the enforcement of all ordinances of the Village, of all statutes effective in the Village, and to preserve order and prevent infractions of the law and to arrest violators thereof. Every member of the Police Department is hereby declared to be a conservator of the peace.

Sec 3. OFFICE OF CHIEF OF POLICE CREATED

There is hereby created, the Office of Chief of Police. The Chief of Police or a designee shall be appointed by the President and Board of Trustees.

Sec. 4. DUTIES OF CHIEF OF POLICE

The Chief of Police shall keep such records and make such reports concerning the activities of his department as may be required by statute or ordinance. The Chief of Police shall be responsible for the performance by the Police Department of all its functions, and all persons who are members of the department shall serve subject to the orders of the Chief of Police.

Sec. 5. STOLEN PROPERTY - CUSTODY OF

The Chief of Police shall be custodian of all lost, abandoned, or stolen property in the Village.

Sec. 6. SERVING PROCESSES

The Chief of Police and all members of the department, shall be authorized to serve writs, summons, and other processes.

Sec. 7. CONDUCT OF MEMBERS

It shall be the duty of every member of the Police Department to conduct himself in a proper and law abiding manner, and to avoid the use of unnecessary force.

Sec. 8. WITNESS FEES

Every member of the Police Department shall appear as witness whenever this is necessary in a prosecution for a violation of the Village Ordinance or a State or Federal law. But no such member shall receive any witness fee for such services in any action or suit to which the Village is party; all fees due for such services, shall if paid, be turned over to the Village Treasurer.

Sec. 9. RULES AND REGULATIONS

The Chief of Police may make or describe such rules and regulations for the guidance of the members of the department as he shall see fit; such rules when approved by the President and Board of Trustees, shall be binding on such members.

Sec. 10. STANDARD OPERATING PROCEDURES

As stated in the Village of Downs Police Department's standard operating procedures as approved by the Village Board.

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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 others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a 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 as 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.

1. PROFESSIONAL POLICE ETHICS

Whenever men unite to form a community, a nation, a religious body or profession, they set down in writing those fundamental principles which will best guide them in their common effort. Examples of such written codes or personal and organizational conduct are the Ten Commandment, the U.S. Constitution, the state criminal codes and the Law Enforcement Officer's Code of Ethics. These documents are important not only for the guidance they offer, but also a standard against which we measure our work and our attitude. One of the essential factors which elevates a "job" to the level of a respected profession is the fact that the group (All those persons who perform the same occupational task) establishes it's own code of conduct. Since 1956, law enforcement has possessed its own code, developed and disseminated by police practitioners. The Law Enforcement Officer's Code of Ethics is presented in Department Manual with the related code of Police Ethics. In combination, these two documents set forth the broad, basic concepts of professional police service. When ever officers abide by these documents, law enforcement will be a profession.

2. CODE OF POLICE ETHICS

Article 1. Primary Responsibility of Job

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and it's amendments. The law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

Article 2. Limitations of Authority

The first duty of a law enforcement officer, as upholder of the law, is to know it's bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state or federal, he must be aware of the limitations and proscriptions which the people through law, have place upon him. He must recognize the genius of the American system of government which gives to no man, groups of men, or institution, absolute power, and he must insure that he, as prime defender of the system, does not mar its character.

Article 3. Duty to be Familiar with the Law and with Responsibilities of Self and other Public Officials.

The law enforcement officer shall assiduously apply himself to the study of the principles of the laws which he is sworn to uphold. He will make certain of his responsibilities in the particulars of this enforcement, seeking aid from this superior in matters of technicality or principle when these are not clear to him; he will make special effort to fully understand

his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

Article 4. Utilization of Proper Means to Gain Proper Ends

The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong. They are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

Article 5. cooperation with Public Officials in the Discharge of Their Authorized Duties.

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety, under the law, of the action taken or requested.

DEFINITION OF TERMS

1. Rules of Construction

In the construction of the departmental manual, the definitions set up in this section shall be observed, unless such construction would be inconsistent with the manifest intent of The Chief of Police and/or The Police Commissioner. The rules of construction and definitions set out herein shall not be applied to any section of the manual which shall contain any express provision excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

All general provisions, terms, phrases and expressions contained in the departmental manual shall be liberally construed in order that the true intent and meaning of The Chief of Police and/or The Police Commissioner may be fully carried out.

In the interpretation and application of any provisions of the departmental manual, minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare shall be applied. Where any provisions of the manual imposes greater restrictions upon the subject matter than the general provisions imposed by said manual, the provision imposing the greater restriction of regulation shall be deemed to be controlling.

In the construction of tenses, the present tense includes the past and future tense includes the present. In the construction of genders, the masculine gender includes the feminine and neuter genders. In the construction of singular and plural, the singular number includes the plural and the plural, the singular.

Should any section, paragraph, sentence, clause, phrase or word of the Department Rules, Regulations or Manual be declared invalid or unconstitutional, such invalidity or unconstitutionality shall not effect any of the remaining words, phrases, clauses, sentences, paragraphs or sections since the same would have been included and enacted without the incorporation of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph or section.

Policy Statement 1

THE POLICE ROLE

Standard 1.1 The Police Function

If the overall purposes of the police service in The Village of Downs were narrowed to a single objective, that objective would be to preserve the peace in a manner consistent with the freedoms secured by the Constitution. The police alone do not bear the responsibility it is shared by each element of society--every person, institution, and area of government.

Maintaining order requires far more than making arrests for violations of the law. The police must deal with many situations where, although a crime may not have been committed, the safety and order of The Village of Downs may be jeopardized. Conflicts between individuals, failures of other municipal or social services, accidents, and natural disasters are among the many events that can threaten this Village.

Most agencies routinely deploy officers on conspicuous and irregular patrol to create an impression of police omnipresence. In many cases crime may be deterred by the threat of immediate apprehension. Although officers have discovered robberies, burglaries, and other crimes in progress, even the most intensive patrol can do little to suppress crimes committed out of anger, by the mentally ill, or in private homes.

Patrolling officers must observe and attempt to correct conditions that provide opportunity for crime. In order to preserve the peace and to prevent crime, they must regularly question suspicious persons, even if legal cause to make an arrest is not present. The inquiries frequently lead to arrest for outstanding warrants, possession of narcotics or concealed weapons, burglary, robbery and other serious crimes, as well as the recovery of stolen property. In addition, written reports of the contact frequently result in a subsequent arrest for a later discovered crime, since the police contact not only places the subject in the given area, but recorded descriptive data also aids in the identification of a suspect.

The true effectiveness of police patrol as a crime deterrent is difficult to measure. However, if patrols are conducted infrequently because of insufficient manpower, or if patrols are poorly deployed, whatever deterrent effect they may have is greatly diminished.

Legal authority for police intervention is based upon their power to arrest for disturbing the peace. Their effectiveness in restoring peace, however, frequently rests on their acceptance by persons processed by the police has tended to obscure the fact that the police have an affirmative obligation to protect all persons in the free exercise of their rights. The police must insure the safety of persons who exercise their constitutional right to assemble, to speak freely, or who petition redress of their grievances.

Therefore, any definition of the police role must acknowledge that the Constitution imposes restrictions on the power of legislatures to prohibit protected conduct. These constitutional restrictions also define and limit police authority in enforcement of established laws.

The basic purpose of the police in any given jurisdiction is determined to a large extent by state and local law. Because of the limited police resources available to enforce the numerous federal, state and local laws, full enforcement of all laws is not possible. Furthermore, it is not altogether certain that full enforcement, if possible, would be consistent with either legislative intent or the desires of those for whose benefit laws are enacted. The exercise of police discretion is well recognized in this context.

A police officer's workday includes a variety of contacts and situations. The workday fluctuates between periods of limited and of intense pressure. The employee is forced to make decisions during encounters involving various situations. A police officer often sees people at their worst and seldom at their best. It is inevitable that his personal concept of his role will be formed from what he sees and hears during this daily encounters with the public. He must, therefore, be given a clear understanding of what his department expects.

Naturally, each employee carries his own biases and emotions with him. These, however, must always be under self-control. Since the decisions crucial to the individuals involved, the manner in which he deals with a situation is critical to the discharge of his duty.

Like everyone else, a police officer needs self-respect. When he finds that his contact with the public is frequently antagonistic, he may begin to feel alienated. An attitude of this nature cannot be altered by administrative decree. The way an employee views his role depends on many factors, and the desire to achieve the departments' objectives is only one of them.

Management must view the employee as a vital element of the police function. His varied experiences and views are valuable, and must be solicited as part of the input used in developing the direction of the agency. In addition, management must reinforce the police officers self-respect by emphasizing public support for his role in their lives. The officer must be instilled with the realization that, by fulfilling their defined roles, they are serving the highest ideals of their profession.

Standard 1.2 Limits of Authority

As the most visible symbol of the law, police officers must conduct themselves in a manner that inspires respect for the law. To be worthy of public trust, police authority must be exercised in a manner consistent with the highest principles of a free society.

Formal police authority is based primarily upon statutory law that gives police the power to arrest. The authority to conduct investigations, and the guidelines for determining sufficiency of probable cause to make arrests, are based primarily upon court decisions in matters where such statutory power was exercised. The limits of police authority, however, have been defined by not only the statutes, but also by various court decisions. There is no lawful basis for police action outside these limits.

Although it may seem expedient to do so, police must not circumvent procedural constraints laid down by both the courts and the statutes. Such action encourages disrespect for the law and for all those who enforce it.

Police authority to use force in securing compliance with the law is basic to their role in maintaining public order. Indeed, the police are often viewed as the primary coercive force in society. This awesome, but essential authority carries with it a responsibility to use only reasonable physical force necessary on any particular occasion to achieve a lawful objective.

Standard 1.3 Police Discretion

Police discretion is paradoxical. It appears to compromise legal commands, yet it is necessary to offset limited police resources, the ambiguity and breadth of criminal statutes, the informal expectations of legislatures, and the often conflicting demands of the public. The police are professional decision makers who exercise discretion in resolving conflicts that threaten public order.

While it would be desirable to have the criminal law clearly express effective and enforceable limits of conduct, absence of such clearly defined limits requires the police to establish enforcement policies that provide some clarification to the meaning of the law. As long as those policies are openly adopted, reduced to writing, and applied in a non-discriminatory manner, the public is assured that the police are properly discharging their responsibilities.

Standard 1.4 Communicating With the Public

Law enforcement is founded upon the principle that the police are a part of, and not apart from, the people. This principle dictates that the police make a determined effort to seek information from the public, weight conflicting demands and ideas, and arrive at sound judgments. In addition, it also requires the police to inform the public how to protect themselves against crime as they cooperate with police to reduce crime.

Encounters between police officers and the public shape the image of the police agency. Officers, to a large degree, carry out, and demonstrate by their actions, the police of their agency. However, because of the size of the agency and its internal organizational structure, the knowledge gained by officers may never reach The Chief of Police and/or Police Commissioner unless the officer takes steps to facilitate its transmission.

Communication with the public is not to be restricted to merely a flow of information from the public to the police. Officers must also provide information to the public regarding policies, objectives and priorities of the agency. If uninformed, the officer may offer merely a subjective excuse which fails to satisfy not only the individual, but also results in furthering the public's misconception of the operation. Besides informing officers of agency policies, The Chief of Police and/or Police Commissioner and other management personnel must teach, by example, the importance of communicating with all elements of the community. Above all, an officer must be made aware of this agency's commitment to open communication with the public.

As an effort is made to effectively communicate with the public, public understanding to the police role increases dramatically. However, for total public support to be realized, it is necessary to address at least four distinct groups of persons.

The first group to be reached is the young. A common program for this purpose is that of placing a police officer in the school. Such a program allows young people to be exposed to police, in a nonpolice environment, from the elementary grades upward.

The next group to be reached can be best described as the organized public, i.e., employee organizations, service clubs, fraternal organizations and civic groups that interact with the county on a broad range of issues. These active groups can be important allies since their memberships and activities reach deep into the makeup of the country.

A third group the agency must reach is the privately organized public. Examples of such organizations might be include bridge or flower clubs, local historical societies, etc. While not classed as doers in comparison with the organized public, non-active groups often sponsor programs that provide a forum for public discussion of the police role.

The final group the agency must reach, and perhaps the largest, is that of the individual citizen. To be truly successful, the police agency must not rely on feedback to the individual citizen from various interest groups. Rather, the agency must make every effort to effectuate individual contact.

The program to develop an understanding of the police role on the part of the public is multi-faceted. Effective communication is just one side of the facet. Although it is multi-faceted, requiring a great deal of forethought, development, implementation, and monitoring, it is not beyond the means of this agency.

Policy Statement 2

DEVELOPING COMMUNITY RESOURCES

Standard 2.1 Crime Problem Identification

Crime is a social problem that can never be resolved by the police or the criminal justice system alone. Crime will continue to plague the nation unless individual members of society assume greater responsibility.

This department must insure that patrolmen and members of the public are brought together to solve crime problems on the local basis. As such, it is important that this department adopt a program which insures joint participation in crime problem identification. The geographic policing program under which officers are assigned to, and held accountable for crime problem identification information. Officers assigned to geographic areas must meet regularly and routinely with individuals who live and work in their area. During the course of these meetings, an effort must be made to identify crime problems and cooperatively develop solutions to these problems.

Standard 2.2 Crime Prevention

Crime prevention can be interpreted in several ways, depending upon the type of criminal behavior to be prevented. In some cases it refers to the resolution of social, psychological, and economic conditions that lead to the desire to commit crime. In others, it concerns the elimination of the opportunity for crime through the presence of patrols.

While ultimate success or failure may well depend upon elimination of the conditions that foster crime, the presently overburdened criminal justice system may be relieved by placing obstructions in the way of potential criminals. In addition, investigations can be aided by using the best methods of identifying both the criminal offender and the property he steals.

The department must establish or assist programs that provide crime prevention protection to residence and business establishments. Written material that describes both the program and potential crime hazard should be prepared and distributed. Additionally, every time an officer visits a commercial establishment or meets a citizen, he should be alert to opportunities for offering crime prevention advice.

Policy Statement 3

RELATIONS WITHIN THE CRIMINAL JUSTICE SYSTEM

Standard 3.1 Cooperation and Coordination

Success in protecting society is not measured by the length of time it takes the police to respond to a crime scene, the number of arrests, or by the number of arrests successfully prosecuted. Rather, success or failure is determined by the degree to which society is actually free of crime and disorder.

On this basis, it is fair to conclude that no element of the criminal justice system completely discharges its responsibility simply by achieving agencies which comprise the overall system. Although sometimes difficult because of legal and administrative separation of powers and responsibilities, it is important that all criminal justice agencies communicate with each other.

The Village of Downs Police Department has a responsibility to participate fully in the system and cooperate actively with the courts, prosecutors, prisons, parole boards, mental health clinics, drug rehabilitation centers, social service agencies, youth programs and educational institutions.

Standard 3.2 Diversion

Diversion, a relatively new concept in the resources available to the criminal justice system, is the process of using resources outside of the formal criminal justice system to achieve its basic goals--rehabilitation of the offender and his re-establishment as a functioning member of society.

Just as the law recognizes the fact that all individuals do not possess the same ability to control their behavior, so must we. Therefore, in dealing with juveniles, minor misdemeanants or mentally incompetent individuals, every effort must be made to refer these individuals to other county agencies capable of affording the greatest measure of rehabilitative success. Not only does this promote crime reduction, but it also helps in keeping down criminal justice system costs and manpower requirement.

Standard 3.3 Criminal Prosecution Follow-up

Processing defendants through the criminal justice system has contributed to the common, but erroneous belief that, except for appearance as witnesses, the police function ends when a criminal complaint is issued. This belief thwarts efforts to improve the effectiveness of the criminal justice system. The concept of criminal justice system requires that law enforcement have a greater influence on the overall process than merely serving as the system's intake point.

Both informally and through criminal justice coordinating councils, police influence has been felt increasingly in policy decisions by prosecutors and courts regarding the overall disposition of criminal cases. As such, it is the policy of this agency to take an active role in disposing of criminal cases.

Policy Statement 4

UNUSUAL OCCURRENCES

Standard 4.1 Disaster or Riot

In the face of riot or the wake of disaster, this department must concentrate on restoring order. The use of force must be limited to acts which threaten the safety of the Village of Downs. The potential destruction from rioting and disaster is much greater than the destruction from all crimes committed during the course of an entire year. Although police must be able to handle both, most departments are not prepared to handle large scale emergencies. As such, their response can provoke, rather than subdue the situation. To handle emergencies, this agency needs a plan that can mobilize and deploy the necessary manpower with minimum deviation from established operating procedures. Furthermore, this plan must also provide for minimum curtailment of essential services to the unaffected parts of the county.

In most unusual occurrences, police must recognize that while they are the primary control agency, the services of other agencies are essential if their task is to be successfully concluded. The services of fire and medical personnel demonstrate the need for all various agencies to cooperative with each other during natural disasters or riots.

Policy Statement 5

THE PATROL OFFICER

Standard 5.1 The Role of the Patrol Officer

Patrol has been defined as the deployment of police officers in a given area for the purpose of preventing and deterring criminal activity as well as to provide day-to-day services. The scope of the day-to-day work of the officer is remarkable. He serves as the protector of public safety, the interpreter and enforcer of law, the controller of traffic and the investigator. His functions become as numerous and complex as society dictates.

Police textbooks refer to the patrol officer as “the backbone of the police department”. Interestingly enough, the policies of many departments seem to play down the patrol officer’s importance. The patrolman is usually the lowest paid, least consulted, and most taken for granted member of the force. In this department, however, the patrol officer’s importance shall be the primary resource for the delivery of police services and daily crime prevention.

Standard 5.2 Enhancing the Role of the Police Officer

Traditionally, police personnel of all ranks have tended to equate the road to non-patrol specialization with the road to recognition and promotion. As a result, the highly critical function of “patrol specialist” has not rewarded or retained the numbers of well qualified personnel necessary for delivery of a consistently high level of police service. The entire department must understand that the patrol officer is the source of all police service. Specialized and supportive elements are there to supplement the work of the patrol officer. It is critical, then, to adopt policies which retain well qualified patrol personnel.

To maintain efficiency, all management personnel must recognize the importance of training. No matter how long the officer has been on the force or how experienced he is, on-going training is necessary. As in most professions, little remains constant with the passing of time. In law enforcement, continual changes in the law make it especially vital for the officer to receive regular in-service training in the property techniques of performing his job.

Standard 5.3 Deployment of Patrol Officers

Most police activities are separated into line, staff and auxiliary service operations. Patrol, traffic and detective line operations account of the largest part of the work of any law enforcement agency. Accordingly, the largest portion of manpower resources are traditionally allocated to these areas.

Patrol deployment must include periodic deployment system evaluation based on timely information derived from an analysis of current patrol data. In addition, the number of calls for service must be evaluated on the basis of frequency in relation to day of week and time of day. Shift beat configurations should be evaluated and altered, at least quarterly, on the basis of such information.

Standard 5.4 Secondary Employment

Dividing loyalties between Village of Downs Police Department and secondary occupation may affect an officer's obligation to the department. A law enforcement officer's job is important and delicate, and demands alertness at all times. Alertness may be jeopardized by lack of adequate physical and mental rest between shifts. Impaired judgment and reflexes brought on by months of 16-hour work days can jeopardize the lives of fellow officers. The public may also be placed in danger if the officer has not had sufficient rest time to be alert for his primary job--law enforcement.

And finally, a law enforcement officer has an obligation to help upgrade the department's image. Secondary employment in certain areas could have a degrading effect on the department's image.

Policy Statement 6

OPERATIONS SPECIALIZATION

Standard 6.1 Specialized Assignment

There are essentially two kinds of organizational specialists in the police service; part time and full time. Individual officers possessing special competence or skills can be assigned certain functional responsibilities on a part-time basis. For example, personnel may be given a specialized assignment on a case basis. Because officers perform their specialization only when needed, their primary assignment is not effected.

Standard 6.2 Juvenile Operations

A juvenile becomes a delinquent when he commits an act which, if he were an adult, would be a crime. The activities of law enforcement in connection with juveniles who are not yet delinquent is a matter of controversy and concern. Some believe that the police should have no contact with a juvenile unless he commits a crime. This belief, however, precludes the assistance of agencies in the identification of neglected and dependent children. Furthermore, such a belief prevents law enforcement agencies from directing and assisting a child before his activity results in criminal conduct.

To suggest that law enforcement abrogate its preventive responsibilities concerning juvenile delinquency is to recommend that police merely enforce the law through the apprehension process. Since the department function is equally concerned with the prevention of crime, it is imperative that, the department direct its attention towards this area of such critical importance.

In order to be truly effective in this area, a spirit of cooperation must prevail between this law enforcement agency and the entire county. Neither can function adequately without the support of the other. As part of its responsibilities, The Village of Downs Police Department must direct its efforts towards:

1. Exerting every possible effort towards discovering potential delinquencies,
as well as conditions conducive to delinquent behavior;
2. Working closely with other agencies to remove, or control, environmental conditions conducive to creating juvenile problems;
3. Offering advice and assistance to organizations concerned with juvenile problems, even when The Village of Downs Police is not directly involved
in the activity;

4. Using preventive patrol techniques in areas where potential juvenile problems exist;
5. Conducting thorough investigations into delinquency problems that lead to the commission of crimes, including the apprehension and prosecution of adults who contribute to, or who are actually involved in delinquency related offenses;
6. Detecting, apprehending, processing and referring juvenile offenders as prescribed by existing laws and procedures, conducting follow-up inquiries where necessary.

Standard 6.3 Traffic Operations

The role of law enforcement in motor vehicle transportation systems has undergone significant changes throughout the years. The traditional police function has centered around traffic law enforcement, accident investigation, and traffic control processes. In today's highly complex and mobile society, the officer's responsibilities have expanded beyond the restrictive area of traffic supervision. Other activities vital to the safe and efficient movement of traffic, such as providing motorist assistance and motor vehicle theft prevention, have been thrust upon the law enforcement community.

The traffic law enforcement function has been defined as the total police effort directed towards voluntary compliance with traffic regulations. This function is triggered only after traffic safety education, driver training programs, traffic engineering, and similar activities have failed.

Although the ultimate goal of traffic enforcement centers around accident related injury reduction, accidents, nonetheless, occur on a daily basis. Officers arriving at the scene of a traffic accident have many duties to perform. They must be alert for spilled gasoline or other dangerous substances. They must locate victims, protect them from further harm, and summon other emergency services as needed. At the same time, they must ascertain whether another crime is involved, take immediate steps to apprehend the offenders, locate witnesses, secure physical evidence, maintain order and keep traffic moving as though no accident had occurred. In the midst of this activity, an accurate and complete investigation must be conducted. As part of this investigation, the incident must be properly reported. Reports must be accurate, clear and as brief as possible. Report documentation is critical since it operates as an impetus towards the institution of new safety measures and programs. Officers should not hesitate to take other appropriate action as may be necessary to keep the peace and alleviate traffic congestion, even when official written reports are not required.

Standard 6.4 Criminal Investigation

The patrol officer is usually the first to arrive at the scene and can start an investigation without delay. In many cases there is no need to wait for investigative specialists.

Because this department will never have enough investigators to answer every call on a 24-hour basis and to conduct follow-up investigations, every patrol officer must have adequate training as a criminal investigator.

The patrol officer should pursue the initial investigation at the scene until the time he spends seems unlikely to produce additional benefits. However, based upon departmental resources, the agency should assign very serious or complex preliminary matters to investigative specialists. In unusually serious or complex crimes, such as sophisticated burglaries and homicides, the preliminary investigation should be conducted by a full-time investigator. The uniformed officers should protect the scene from contamination and request an investigator at once.

Where further investigation is likely to produce positive results, systematic follow-up investigations should be undertaken. These should focus on areas not previously covered and should continue until it appears that additional investigation will prove fruitless. In any event, quality control procedures should be applied to criminal investigation operation to insure that each reported crime receives the investigation that it warrants. Procedures must include constant review of reported crimes, preliminary investigation and follow-up reports. The Chief of Police and/or Police Commissioner must constantly be alert for protracted investigations that are neither productive nor promising. At the same time, the activities of the criminal investigation operation must be coordinated with those of all other agency operations. Efficient operations depend upon rapid and free-flowing communication within the agency.

All command personnel of this department must guard against officers and investigators becoming mere report takers. Failure to insure that each crime receives the appropriate level of investigation permits some crimes to go unchallenged, creates a negative attitude regarding many types of crime. In addition, the criminal investigative specialist's role must not be permitted to overshadow that of other agency members. Total operational effectiveness and employee morale are directly contingent upon equitable publicity of the efforts of all agency elements.

Because patrol officers, detectives and other agency employees share responsibility for the success or failure of criminal investigations, they must keep abreast of the investigation's progress. Roll call training periods provide an excellent opportunity for the exchange of information between uniformed officers and investigative specialists.

Standard 6.5 Intelligence Operations

From a police standpoint, intelligence, is the awareness of potential problems and criminal activity. Information on past, present and future activity is vital not only to the effective operation of law enforcement agencies, but also continued public safety and security.

Intelligence should be carefully guarded. Above all, every individual's right to privacy must be protected as conditions warrant. Dissemination of information on suspected offenders should be restricted exclusively to officers needing such information to lawfully achieve the goals of the department. Informants should be secure in their anonymity and should be assured that their contributions will not be identified. Specific safeguards must be built into the intelligence system to prevent any information from being disseminated to unauthorized persons, or to any person for uses not consistent with the role of the department in maintaining or participating in the system.

Policy Statement 7

PROFESSIONAL ASSISTANCE

Standard 7.1 Professional Expertise

In every profession, situations arise that require expertise beyond the practitioner's professional capabilities. Police are particularly likely to encounter circumstances in which specialized technical assistance is of critical importance. Police agencies cannot afford to wait until a situation arises to locate competent sources of professional assistance. Rather, police management must foresee these needs and plan accordingly so the assistance is available when needed.

Standard 7.2 Legal Assistance

Police, because they enforce the law, are particularly obligated to operate in complete compliance with the directives of the law. Because of the number and frequency of judicial decisions, the heavy caseloads and diverse duties of The States Attorney and the ever-increasing complexity of the law enforcement function, law enforcement agencies often need supplemental legal assistance to function effectively.

Standard 7.3 Social Services

The nature of law enforcement duties regularly exposes officers to circumstances of deteriorating social, psychological and economic conditions. Under these conditions, police frequently observe people in need of help that is customarily provided by some other community agency.

In order to effectively deal with such conditions, officers must be able to turn to professionals in the social services field. These professionals should be of responding to an officer's request at all times, regardless of the time of day.

Policy Statement 8

SUPPORT SERVICES

Standard 8.1 Records Management

Records not only serve as the official memory of the department, but also the basis for planning future operations. Therefore, it is important that these facilities become a reservoir of knowledge, structured so as to permit easy, rapid and accurate retrieval of information and data.

Standard 8.2 Communications

This agency acknowledges that the speed with which it can communicate with field units is critical, that it affects the success of agency efforts to preserve life and property, and that it increases the potential for immediate apprehension of criminal suspects. Therefore, a rapid and accurate communication network must be properly maintained and supervised.

Basic communications involve the use of telephone, radio and teletype. The capability of receiving and transmitting messages expediently and accurately is essential both to the community relations effort and to internal operations. It is impossible to provide adequate operations without sound communication technology, properly trained personnel and well defined procedures.

Standard 8.3 Property Management

There are basically two kinds of property which come into the official custody of the department. The first type of property is that which is owned by The Village of Downs, but purchased and assigned to The Village of Downs Police Department. Such property must be continuously inventoried and kept in top working condition.

The second type of property is that which comes into the department's custody as the result of the operation itself. The Village of Downs Police Department, regardless of their size, locale or function, routinely take possession of, and become responsible for evidence, personal property and other articles of value. The department must not only insure the safekeeping of such property, but it must also provide for proper storage, retrieval and disposition. A department's ability to process such property in this manner is directly related to an accurate record keeping system.

At a minimum, this Village of Downs Police Department ;must keep a chronological record of all property items booked into custody. This record may take the form of a log that is completed as the employee receives the property. However, a separate and more permanent record must be made listing all items of property taken into custody as a result of particular incident. This type of information usually is best documented in a format similar to that of arrest or crime reports. This report should include a complete description of each items, in addition to pertinent booking data and the circumstances surrounding recovery of property.

Finally, a record must be kept of the movement of each property item from it's entry into the property system until its final disposition. Such a record should reflect an unbroken chain of evidence, as depicted by accurate documentation relative to the name and assignment of each person receiving the property, as well as dates and times of actual custodial care. Items going into a property system must remain in it and be accounted for until such time as the property is legally disposed of. Furthermore, because items of value are placed into the system, a strict accountability system is of paramount importance. Only through careful record keeping and strict auditing procedures can one avoid the possibility of property or evidence "slipping through the cracks".

Policy Statement 9

RECRUITMENT/LAW ENFORCEMENT, CIVILIAN DEPARTMENT RESERVES

Standard 9.1 Police Recruitment

The primary goal of recruiting programs should be directed toward attracting the best qualified candidate. Because it is important to recruit officers from all sectors of society, one set of recruiting standards must be used. The existence of separate standards tends to direct the recruiting efforts towards a specific sector of the populations rather than the best qualified candidates.

Because of the nature of public confidence in law enforcement officers, it is critical to include physical and psychological examinations as apart of the selection process, as well as a thorough background investigation. Furthermore, the demographic composition of The Village of Downs dictates the necessity for establishing minimum academic and scholastic excellence requirements.

Policy Statement 10

CAREER ENHANCEMENT AND DEVELOPMENT

Standard 10.1 Salaries

Salaries in private business are based on several variables. Wages paid by competitors and productivity, are just a few of the many criteria often employed in wage setting practices. Department salaries, on the other hand, are determined by local officials representing the people. Salaries are influenced by both tax resources and priorities set by the citizens. Yet police officers, like everyone else, find standard of living and their self esteem affected by how much they earn. Too often, these employees are based on job tenure and classification level, rather than on demonstrated performance.

The development of formal merit pay system enables an agency to provide employee salary compensation commensurate with performance. A salary incentive program of this nature distinguishes the outstanding performer from the mediocre one. Such compensation may take the form of salary increases, educational bonuses, merit pay, or any combination of these. A workable and competitive salary plan should reward employees for superior achievement, individual initiative, and demonstrated excellence in job performance. These measures, hopefully, have the potential for raising performance levels of incumbent officers while, at the same time, attracting higher caliber applicants.

Unless an employee's performance has been satisfactory, his merit pay should be withheld until he becomes eligible for another evaluation. Merit pay should be considered a privilege that is earned or retained on the basis of job performance, not a right.

To avoid the rumors and misinterpretations that often accompany such an innovative concept, the agency must thoroughly explain the merit plan to all employees. Upon implementation of the plan, employees should be provided with a method of airing their grievances or pointing out inequities in the system. To further preserve the integrity of the merit principle, this agency must insure that complete objectivity is exercised in the awarding of merit pay, and that favoritism or personal antagonisms do not enter into the evaluation procedure.

Standard 10.2 Position Classification

This Department should have clearly defined positions, each with specific duties and responsibilities. Because it serves as the basis for assignment and promotion, the proper development of such a system is prerequisite for efficient personnel management. Without a sound classification plan, an agency could not provide all employees with consistent opportunities for career advancement. And finally, the classification plan should include well-defined criteria that facilitate movement through the various career paths.

Because most managerial positions are presently included in the promotional structure, the attendant salary increments should reflect only increases that are consistent with the position attained. A non-managerial career path should reflect a similar series of salary elevations within its structure.

All the inherent advantages of a multilevel classification system will probably be lost unless equitable promotion and assignment procedures are established in conjunction with the system. The purpose of this procedure is to identify the truly capable individual, evaluate his abilities, and select him on the basis of his demonstrated performance, potential for growth and to a great extent his level of experience. The Chief of Police and/or Police Commissioner has the ultimate responsibility not only to devise methods by which such attributes can be accurately measured, but also to insure that procedures for the selection of qualified personnel are standardized and consistent.

Standard 10.4 Personnel Development

Personnel development is directed towards not only improving the performance of incumbent personnel, but also creating a pool of personnel qualified for the positions of advanced generalists, specialists, supervisors, managers and executives. Personnel development incorporates the concepts of career and management development.

The first step toward insuring the availability of qualified personnel is establishing appropriate selection standards. Development must begin with individuals of high caliber and continue throughout their careers. This Department must provide education, training, and opportunities designed to bring officers to their fullest potential. However, the organization can only provide the opportunity for development. It cannot require it. Some officers will be satisfied with a specific assignment and lack desire to advance further. Since the motivation to develop must come from within the employee, this attitude should be respected.

Standard 10.5 The Training Program

Training particularly that which is directed towards the fullest development of the officer's potential, has been decidedly neglected in contemporary police service. The very nature of the police service dictates the necessity for knowledge of the law, criminal procedure, the social sciences and advanced communication skills. The thrust of any training program should be directed toward two specific areas: Basic recruit and in-service training. Regardless of the training objective, however, it is important to note that training programs themselves must take into account the different speeds and competency levels at which various individuals assimilate the content of the training material.

In response to the variables inherent in any training process, it is important to communicate performance objectives to the student. A clearly stated objective succeeds in communicating a visual conception of an individual's skills at the end of the program. It must be noted that a specific course objective is not explicit enough until it indicates how the instructor intends to sample student comprehension.

Personnel often resist being taught by outsiders. Nevertheless, outside professional assistance should be retained to advise the agency on methodology, develop instruction material, and to train sworn police instructors. When possible, outside instructors should be used to present material that requires professional knowledge and understanding.

Although management has a responsibility to see that training material mirrors the department's philosophy, it should not keep too tight a rein on the methods of instruction. Very often, experienced training officers know the best way to arouse and maintain the interest of the student. Rather, the student himself can provide valuable feedback both on the quantity and quality of content, as well as methodology employed by the instructor.

Standard 10.6 Basic Training

New officers enter training with varying degrees of knowledge, skills and abilities. The basic training program should bring all students up to a predetermined level of knowledge and skill. Too often there are no objectives, or if they do exist, they are so low as to improperly equip the recruit for the police job.

Unfortunately, the duration of the basic recruit program may be too long for some students and too short for others. In any event, the officer should be given remedial training. If all else fails, the officer should be terminated.

Standard 10.9 Personnel Records

Comprehensive records are the basis of effective personnel management. Decisions concerning the development, advancement and promotion of individuals are facilitated by ready access to detailed information. It has already been noted that advancement and promotion should not be based solely on written examinations and oral interviews. Data pertaining to experience, quality of performance, level of education, specialized training and other skills should be examined and carefully weighed.

Pertinent data should be consolidated and stored in one location. Security measures should be taken to insure that access is limited to those who have a legitimate right to review the information. Although employees should not be permitted to view their pre-employment background investigation, they should, nonetheless, be allowed to examine the contents of their personnel folders in the presence of The Chief of Police and/or Police Commissioner. Decisions concerning personnel are only as good as the information upon which they are based. Because outdated records are of little use, they should be updated at least semi-annually and preferably, whenever a significant change of status occurs.

Policy Statement 11

INTERNAL DISCIPLINE

Standard 11.1 Goal of Discipline

The public, the Village of Downs Police Department and each employee provide the foundation for responsible professional law enforcement. The goal of internal discipline is internal order and individual employee accountability. As in law, the administration of internal discipline must be founded on solid, formal and written principles. It must provide sanctions for proven misconduct and protection from false accusations. Because discovery of truth is a paramount importance in these proceedings, the actual administration questions on the administration of internal discipline.

Public respect for department hinges on it's preservation of internal discipline. Because The Village of Downs is accountable for the conduct of all department employees, it should insure the administration of internal discipline. For this reason, all but minor internal investigations of employee misconduct should be conducted by a person directly responsible to him.

Standard 11.2 Reception of Complaint

Procedures to insure reception of complaints from the public generate both public respect and cooperation. Furthermore, adequate complaint reception procedures must provide management with a valuable tool for gauging and measuring employee performance. For this reason, it is in the best interest of this Department that employee inefficiency and misconduct be identified. The receipt and investigation of all citizen complaints is but one method this Department can use to monitor performance.

Employees must be protected from malicious and false complaints. If any employee is falsely accused of misconduct in a concerted, malicious effort, the agency's best defense is to publicly disclose the investigation results. The employee should be protected from future discredit based on these false accusations by not including such complaints of this nature in his personnel folder. In all other matters, however, the confidentiality of internal discipline investigations must be preserved.

Policy Statement 12

PHYSICAL FITNESS

Standard 12.1 Physical Fitness

In many occupations the daily level of physical exertion is predictable. Unfortunately, a police officer cannot predict this physical activity. For many days he may operate minimal level, then suddenly be faced with a situation requiring fast pursuit and physical exertion to apprehend a suspect. If the officer is physically unfit, he may not only fail to catch the suspect, but he may further endanger himself or the public. According to the American Heart Association, a person in poor condition who attempts sudden strenuous physical activity runs a relatively high risk of injury, strain, or heart attack.

Policy Statement 13

POLICE EQUIPMENT

Standard 13.1 Uniforms

Although many variables may influence the design and selection of police uniforms, the fundamental purpose of any uniform must always be given primary consideration. Ease of identification is particularly important with police apparel. A distinctive uniform not only identifies a police officer to those who need his services, but also provides a high level of police visibility that offers some degree of crime deterrence.

While uniforms will continue to differ from agency to agency, variation within agencies must be avoided. In an effort to insure compliance with uniform regulations, a continuing program of inspection must be implemented. This is best accomplished through daily uniform inspection by supervisory personnel. Many departments utilize the time afforded during roll call for this purpose. When a subordinate's appearance is deficient, the supervisor should routinely inform the officer that his uniform should be replaced, if necessary, after a predetermined period of wear. Uniforms or equipment damaged in the course of duty should be repaired or replaced at the expense of the department. It should be emphasized to all officers that their appearance says much about themselves, their agency and their regard for the public trust they hold.

Policy Statement 14

EMPLOYEE RELATIONS

Standard 14.1 Employee Evaluation

An employee grievance is an employee's complaint that he has been treated unjustly by the agency or one of its members. A system that allows employees to resolve their grievances fairly and expeditiously can function within current police organizational structures. A grievance system may be viewed as a tool for maintaining or increasing employee morale and as yet another channel of internal communication. Through an effective grievance system, The Village of Downs may receive valuable feedback which can be used to pinpoint organizational problems and solutions.

When employees bring a problem to the attention of the Village of Downs he/she must use them as a resource to solve the problem. Very often the solution may lie within the employees' reach. This method puts some of the responsibility on the employees themselves, lets them feel the difficulties of the development firsthand, and allows them an opportunity for occupational growth. However, to be successful, it is important to note that participation in the decision making process demands a certain degree of compatibility on the part of all involved. Although the employee must recognize that final decisions rest with The Chief of Police and/or Police Commissioner, The Chief of Police and/or Police Commissioner must, nonetheless, encourage both formal and informal employee involvement. Evaluations to occur at least annually.

Policy Statement 15

THE SUPERVISORY FUNCTION

Standard 15.1 Orders

The very nature of the supervisory function requires the supervisor to direct and guide his subordinates. In order to deal effectively with this responsibility, the supervisor must be adept at issuing clear and concise orders which can be readily understood by subordinates. Equally important is the need to predicate such orders on sound, responsible principals, followed by inspection to assure actual compliance.

Special care must be taken to insure that orders, regardless of their origin, are uniform and not contradictory. Such practice reflects stability among all supervisors and precludes the possibility of ridicule. Furthermore, as subordinates are transferred to another assignment, it is not necessary to adjust to new set of standards which may be inconsistent with overall departmental policy.

Standard 15.2 Performance of Duties

Promotion requires increased activity, alertness, diligence and devotion. Far too often, supervisory personnel are of the opinion that their own personal level of performance is permitted to diminish. Rather, the supervisor's performance level must be at its zenith. The character and ability of supervisor is reflected in the efficiency and discipline OF HIS SUBORDINATES. Undoubtedly, the strengths and weaknesses of the supervisor are readily detected in the quantity and quality of work performed by his subordinates.

The relationship of responsibility to authority is apparent -- the latter is prerequisite. And, of course, accountability breeds responsibility. Regardless of the task, the supervisor must possess the necessary initiative and self-confidence to meet and accept responsibility in those matters which are not covered by hard and fast rules of policy and procedure.

Standard 15.3 Morale

Supervisors must be made aware of their influence on the overall morale of their department, particularly with their own subordinates. Openly criticizing the polices, procedures and decisions of police management not only breeds contempt, but also contributes to decreased effectiveness coupled with poor attitudes.

Supervisors, however, must not neglect their duty to sample the existing morale level of the department. First line supervisors must particularly recognize their responsibility to provide high management personnel with feedback on the effect of proposed programs and polices. Without this feedback, first line employees generate impersonal feelings towards those who direct and guide the day-to-day operation of the department.

Standard 15.4 Development of Agency Goals and Objectives

All management personnel should encourage and solicit employees, at all levels, to contribute their ideas and suggestions directed towards the department's long-range goals and objectives. It is particularly important to foster participation by the newer, younger employee. At the time long-range goals and objectives come to realization, these employees are likely to be moving into command level positions. They will be better prepared for this progression if they have actively participated in the development of this agency.

Standard 15.5 Inspections

Inspections provide a method by which management can evaluate the efficiency and effectiveness of the agency's operations. It is essential that an inspection system be mandatory to insure that the agency is accomplishing the purpose for which it was established. The system must include both on-going line inspections and routine scheduled and unscheduled inspections of all personnel, material, facilities, procedures and operations.

Implementation of effective line inspection requires that all supervisors have a clear understanding of the functions of their subordinates. Equally important, each supervisor must be given well-defined responsibility and authority to inspect personnel and equipment. When deficiencies in employee performance are observed, they should be noted and immediately brought to the employee's attention by the supervisor. Likewise, competent and exemplary performance should be commended, when noted.

Inspections are one of management's best tools for the determination of strengths and weaknesses of the agency's personnel, facilities, and equipment. Not only do departmental inspections have a direct impact on the decision-making process, but they also shape the future path of the operation. It is from this point that plans and objectives are formulated.

Standard 15.6 Commitment to Planning

The results of the department effort are difficult to measure. Effective comparisons with other agencies are all but impossible. Although each agency works around the clock, each is faced with different conditions under different circumstances. The focus of work changes from month to month as new problems arise and old ones are brought under control.

Work schedules, paydays, assignments and uniforms, are all part of planning. The decision the police agency must make is not whether to plan, but rather how much to plan, in what detail, and how far ahead. Planning should not be so detailed that the effort and cost outweigh the benefit.

The business that plans effectively generally succeeds, makes a profit, and regards its shareholders. The Village of Downs Police Department that plans effectively generally operates efficiently, rewarding The Village with effective and dependable service. At the same time, planning provides valuable indirect benefits for the department. Fresh insight into particular problems often improves morale as a sense of direction, coupled with unified purpose, emerges.

Standard 15.7 Budget

The preparation of an annual budget gives the administrators an opportunity to plan and project future needs. Although the highest administrator assumes the ultimate responsibility for budget preparation, patrolmen, sergeants and lieutenants, should all be involved in the process. Every supervisor should inform his superior of the need for additional personnel, equipment, or supplies if they are necessary to successfully perform assigned tasks. A police manager who recognizes the necessity for financial support must be able to justify the expenditure. If possible, cost-effectiveness should be documented.

ARTICLE 1:

VILLAGE OF DOWNS POLICE DEPARTMENT
RULES AND REGULATIONS
(non-civilian)

Section 1:

Subsection

CD 86.00 Officers shall preserve the peace, protect life and property, prevent crimes, apprehend criminals and recover lost an stolen property.

CD 86.01 Officers shall enforce, in a fair and impartial manner, the enforceable ordinances of The Village of Downs, The County of McLean, and the laws of the State of Illinois and the United States.

CD 86.02 Officers shall fulfill proper request for information or assistance or they shall assist the person in otherwise obtaining the requested information or assistance.

CD 86.3 Officers shall avoid giving the impression that they are evading the performance of their duty or that they are not interested.

CD 86.04 Officers shall not belittle a seemingly trivial request, complaint or information, invariably thank the complainant or informant regardless of the value of the information received.

CD 86.05 Officers shall act promptly, with energy, firmness, fairness and decision at the scene of the crimes, disorders, accidents or other situations which require police attentions.

CD 86.06 Officers shall take appropriate action on all incidents, whether assigned or self initiated, even though the incident would normally be dealt with by some other officer of the Department.

CD 86.07 Officers shall be attentive to, and take suitable action, on reports and complaints.

(continued)

- CD 86.10 When open to public view, officers shall not place their feet on desks or other furniture in the police building.
- CD 86.11 Officers shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens except alcoholic beverages, controlled substances, narcotics or hallucinogens which are held as evidence.
- CD 86.12 Officers shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a superior officer.
- CD 86.13 Officers shall not appear for duty, or be on duty, while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath.
- CD 86.14 Officers, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication or obnoxious or offensive behavior which discredits them or the Department while in a public place, or renders the officers unfit to report for their regular tour of duty.
- CD 86.15 Officers shall not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of the member by a physician or dentist and shall report to their supervisor when medication is prescribed.
- CD 86.16 Officers shall not knowingly visit, enter or frequent a house of prostitution, gambling house or establishment wherein the laws of the United States, the state or local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior officer.
- CD 86.17 Officers in the execution of any responsibility assigned to their official capacity or during an official inquiry, shall not willfully depart from the truth.

ARTICLE 1:

VILLAGE OF DOWNS POLICE DEPARTMENT
RULES AND REGULATIONS
(non-civilian)

Section 2:
Authority

Limits of

Subsection
Rule

CD 86.00 While on duty, members of the department shall not go outside the limits of
of
suspected violators of
business.

McLean County except in the fresh pursuit of known or
the law, or while on official Village of Downs Department

CD 86.01 Officers who receive written communications directly from citizens,
officials
action or make
The Chief of
answered through

or other criminal justice agencies, shall not take personal
personal answer, but shall forward such communications to
Police and/or Police Commissioner to be processed and
official channels, unless otherwise authorized by a superior.

CD 86.02 All official correspondence, telegrams, circulars and other
communications
upon the authority of The Chief of Police

shall be sent over the signature, or

and/or the Police Commissioner.

CD 86.03 Officers shall not use stationery containing Village of Downs letterheads
except for official department correspondence.

CD 86.04 Officers shall not interfere with cases assigned to other officers except
with
Commissioner.

the consent of The Chief of Police and/or The Police

CD 86.05 Officers shall not interfere with the courts, or with any lawful private
enterprise.

CD 86.06 Officers shall treat as confidential the official business of the department
and
shall not impart official information to anyone.

CD 86.07 Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their Chief of Police and/or The Police Commissioner unless the exigencies of the situation require immediate police action.

CD 86.08 Unless otherwise directed by The Chief of Police and/or The Police Commissioner, member shall not reveal the identity of a confidential or informant to anyone not affiliated with the department.

(continued)

CD 86.09 Officers shall not communicate information or take any action whatsoever which may delay arrest or aid a person the escape of justice.

CD 86.10 Officers shall immediately act to suppress any breach of the peace or disturbance which may grow, or has grown out of, a civil dispute (such as eviction for nonpayment of rent).

CD 86.11 Officers who are directly or indirectly engaged in civil controversy shall not use their official position with the department as means of forcing a settlement in their (the Officer's) favor.

CD 86.12 Officers shall not institute civil action arising out of their official duties without first notifying The Chief of Police and/or The Police Commissioner.

CD 86.13 Officers shall not accept, or agree to accept, anything as payment for personal injury or property damage, incurred in the line of duty, without first notifying The Chief of Police and/or The Police Commissioner.

CD 86.14 Any officer of the department who has a civil suit filed against him arising out of the performance of his official duty, shall immediately notify and consult with The Chief of Police and/or Police Commissioner.

CD 86.15 Officers involved in any civil suit arising out of the performance of his official duty, shall furnish a copy of a civil complaint served upon them, together with an accurate and complete report pertaining to the incident in question to The Police Chief of Police and/or Police Commissioner.

CD 86.16 Officers shall not testify in civil or criminal cases unless legally summoned as a defense witness.

CD 86.17 Officers shall not interfere with any fire department while in the performance

of their duty.

CD 86.18 Officers shall not disseminate any police information to the news media without prior approval from The Chief of Police and/or The Police Commissioner.

CD 86.19 Officers in their official capacity, shall not suggest or recommend specific attorneys, or any firm or place of business.

CD 86.20 Officers shall not deny an attorney the right to visit with any prisoner whom he claims to be representing, provided the prisoner desires such counsel. The attorney must give proper identification.

(continued)

CD 86.21 Officers shall not use tear gas canister, tear gas weapons, automatic weapons, high-powered rifles without the approval of The Chief of Police and/or The Police Commissioner.

CD 86.22 Officers discharging, firing intentionally or accidentally any weapon or gun, except on the target range, shall report the circumstances to their superior officer immediately and shall file a written report of the incident as soon as is practical.

CD 86.23 Officers of this department are prohibited from firing warning shots at any time.

CD 86.24 Officers shall not draw or display their sidearm in any public place, except when said weapon is to be used or for inspection by a superior officer.

CD 86.25 Officers shall not place or store any firearm or other weapons in police buildings except when the place of storage is locked.

ARTICLE 1

VILLAGE OF DOWNS POLICE DEPARTMENT
RULES AND REGULATIONS
(non-civilian)

Section 3
Discretion

Use of

Subsection
Rule

CD 86.00 Officers shall not engage in controversies nor attempt to exact police discipline or make arrests in their own quarrels or in those of their families, or in disputes arising between their neighbors, except under such circumstances as would justify them in using self-defense or to prevent injury to another or when a serious offense has been committed.

CD 86.01 Disputes involving a member of the department shall be initially investigated by that member's supervisor, who shall immediately thereafter, forward all information through the chain of command, to The Chief of Police and/or The Police Commissioner.

CD 86.02 Except when driving a police vehicle, members not in uniform and not on duty, shall not stop, pursue or arrest traffic violators except when the violation is of such that the member reasonably believes that immediate harm may occur to persons or property.

CD 86.03 Officers are forbidden to solicit petitions for their promotion or change in line of duty, or for the promotion or change of duty of any other member, or for the appointment of any man to the department.

CD 86.04 Officers shall not use their official position to solicit special privileges or themselves or others.

CD 86.05 Officers on street duty shall not have in their possession the key to a business premise.

CD 86.06 Officers shall not engage in any strike including, but not limited to, the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinance in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

CD 86.07 Officers shall not interfere with the efficient and effective operation of The Village of Downs Police Department.

ARTICLE 2

COMMUNITY RESOURCES
Crime Problem Identification

Section 1

Subsection
Rule

CD 86.00 Officers shall become familiar with residents who live or work in their assigned beat, developing a relationship of mutual trust, cooperation, and understanding.

CD 86.01 Officers shall make every effort to coordinate police service by passing on and seeking out information relevant to their assignments.

ARTICLE 3

RELATIONS WITHIN THE CRIMINAL JUSTICE SYSTEM (continued)

Section 3 Criminal Prosecution Follow-up

Subsection
Rule

CD 86.00 Officers shall prepare themselves, as well as any items of evidentiary value, to adequately testify in Court.

CD 86.01 Officers shall appear on time for all assigned court appearances and follow the direction of The State's Attorney while in court.

Excused absences shall be procured through the proper channels in the chain of command. This includes written and oral assignments from The State's Attorney or supervisory personnel.

CD 86.02 Officers shall dress appropriately for all Court sessions. Uniforms are preferred but not required. Civilian attire may be worn at the discretion of the officer, but shall be either a suit, sport coat and tie. Female officers should dress in an appropriate manner, such as a business like dress or suit.

CD 86.03 Officers shall conduct themselves in a proper demeanor while in Court, obeying the lawful orders of judicial personnel.

ARTICLE 4

UNUSUAL OCCURRENCES

Section 1

Disaster or Riot

Subsection

Rule

CD 86.00 The first officer on the scene at riots or disaster shall be in charge until
officially relieved by The Chief of Police and/or The Police
Commissioner.

and other such information as required, recording on a daily basis, such information in their memorandum book.

CD 86.07 Officers seeking transfer to another shift shall make a written request for such transfer through channels to the proper Division Commander who has the final authority on the matter.

CD 85.08 Officers who fail to report for duty for ten consecutive days, without approval, shall be subject to disciplinary action.
(continued)

CD 86.09 Officers shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.

CD 86.10 Officers shall carry their badge, Department Identification and be armed at all times whether on duty or not. Weapons shall not be carried by any member of the agency while drinking alcoholic beverages or when under the influence of and alcoholic beverage, nor shall said weapon be displayed or used in any manner except as set forth in this manual or state law.

CD 86.11 The Chief of Police and/or The Police Commissioner shall make appropriate adjustments in personnel shift assignments that from time to time may be required in the best interest of the department.

listeners

can readily understand what they say.

CD 86.09 Officers shall not loiter, nor shall they permit loitering or conduct in the building which interrupts the operation of Public Buildings in the Village of Downs.

CD 86.10 Officers shall not, while on duty, in uniform, or in any governmentally owned facility, engage in loud or boisterous conduct.

ARTICLE 5

THE PATROL OFFICER (continued)

Section 3 Deployment of Patrol Officers

Subsection Rule

CD 86.00 Officers assigned to a specific area shall not leave that area except when in pursuit of suspected criminals or violations, or upon proper notification to, and acknowledgment from, the on-duty supervisor.

CD 85.01 Officers are strictly accountable for incidents which occur while they are on duty in their assigned area, for exchanging information with each other with respect to previous activity occurring in their area when going on or off duty, and for coordinating their efforts with other members assigned to the same area and following up on previous initiated actions.

ARTICLE 6

OPERATIONS SPECIALIZATION

Section 1

Special Assignment

Subsection
Rule

CD 86.00 Officers are responsible for maintaining the skills acquired from
specialized training.

CD 86.01 Officers are responsible for maintaining the validity of licenses, permits or
certificates received by them as a result of specialized
training.

ARTICLE 7

PROFESSIONAL ASSISTANCE

Section 1 Professional Expertise

Subsection Rule

CD 86.00 Requests for professional expertise outside the reach of the officers of the Village of Downs Police Department shall first be approved by The Chief of Police and/or The Police Commissioner.

CD 86.01 Officers shall bring to the attention of The Chief of Police and/or The Police Commissioner the need for any outside professional expertise.

ARTICLE 7

PROFESSIONAL ASSISTANCE (continued)

Section 2

Legal Assistance

Subsection

Rule

CD 86.00
felony

physical lineups.

Officers shall obtain legal assistance in the investigation of murders,
arrests, search warrants and in the construction of photo or

ARTICLE 8

SUPPORT SERVICES

Section 1

Records Management

Subsection

Rule

CD 86.00 Once filed, officers and other persons shall not have access to original department records and reports, except The Chief of Police, The Police Commissioner, and officers assigned to process, maintain and file them.

CD 86.01 When it is necessary, in the performance of police duties, to remove original departmental records or reports temporarily from the division or the normal repository where they are maintained, the member to whom they are issued shall sign a receipt for them and shall be held accountable for their return.

CD 86.02 No original departmental record shall be destroyed, altered or permanently removed from its file without prior approval of The Chief of Police and/or The Police commissioner.

CD 86.03 Officers shall not remove, or secrete from its normal repository, any original copies of warrants, complaints or tickets without prior approval from The Chief of Police and/or The Police Commissioner.

ARTICLE 9

RECRUITMENT/POLICE, CIVILIAN, POLICE AUXILIARY (continued)

Section 2

Civilian Employees

Subsection
Rule

CD 86.00 Convictions for serious misdemeanors or felonies shall automatically preclude a civilian from being employed by the department.

ARTICLE 10

CAREER ENHANCEMENT AND DEVELOPMENT

Section 1

Salaries

Subsection

Rule

CD 86.00
recommendation

then, only on the
the Village of Downs

Officers shall be awarded merit pay increases only upon the

of The Chief of Police and/or The Police Commissioner

basis of satisfactory job performance, and availability of

funds.

ARTICLE 10

CAREER ENHANCEMENT AND DEVELOPMENT (continued)

Section 4 Personnel Development

Subsection
Rule

86.00 Members who desire to attend special training programs directed towards
furthering their specific career goals shall submit a written request
for such attendance.

86.01 Officers shall maintain sufficient competency to properly perform their
duties and assume the responsibilities of their positions. Officers shall
perform their duties in a manner which will maintain the highest standards of efficiency
in carrying out the functions and objectives of the department.

86.02 Unsatisfactory performance may be demonstrated by lack of knowledge of
the application of laws which require enforcement, an unwillingness or
inability to perform assigned tasks, the failure to conform to work standards
established for the member's rank, grade or position, the failure to take
appropriate action on the occasion of crime, disorder, or other condition
deserving attention, or absence from duty without
leave.

86.03 Repeated inferior evaluations or written record of repeated infractions of
rules, regulations, directives or orders of the department shall be considered
prima facie evidence or unsatisfactory performance.

ARTICLE 10

CAREER ENHANCEMENT AND DEVELOPMENT (continued)

Section 6 Training

Subsection Rule

- CD 86.00 Officers shall not carry firearms until they have successfully completed the prerequisite firearms training course mandated by the State of Illinois.
- CD 86.01 Officers shall submit to and successfully complete departmental weapons training as set forth in department policies.

ARTICLE 10

CAREER ENHANCEMENT AND DEVELOPMENT (continued)

Section 9 Personnel Records

Subsection

Rule

- CD 86.00 Officers shall have a working telephone at their place of residence.
- CD 86.01 Officers shall immediately report, in writing, to The Chief of Police and/or The Police Commissioner any change of telephone number or address.
- CD 86.02 Officers shall immediately report, through the chain of command, any change in their marital status.
- CD 86.03 Officers shall, with prior written request, while in the presence of The Chief of Police and/or The Police Commissioner be permitted to inspect the contents of their personnel file.
- CD 86.04 Officers shall not be held accountable for following conflicting orders provided the conflict is called to the attention of the supervisor issuing the order, prior to compliance.
- CD 86.05 Any Officer having a grievance against another members shall reduce the grievance to writing and direct it, through the channels.
- CD 86.06 Officers have no expectation of privacy with respect to lockers, facilities and vehicles used by or assigned to them.
- CD 86.07 Lockers, facilities and Squad Cars are subject to inspection, without notice, at any time.

ARTICLE 11

DISCIPLINE

Section 2 Reception of Complaint

Subsection

Rule

CD 86.00 All citizen complaints regarding the behavior or performance of a member of the department shall be documented.

CD 86.01 Any member becoming aware of possible violation of department rules shall notify the immediate supervisor of the member complained against who shall, as soon as practical, begin a preliminary investigation to determine whether a violation occurred.

CD 86.02 The preliminary investigation shall be limited to those members who are assigned to the supervisor performing the preliminary investigation as well as questioning witnesses and complaints who are immediately available and gathering evidence which may be lost if not secured immediately. Such preliminary investigation shall be completed within two (2) working days.

CD 86.03 The immediate supervisor shall not take any investigative action which might jeopardize a simultaneous or subsequent investigation.

CD 86.04 All reports resulting from a preliminary investigation of a citizen's complaint involving a member of the department shall be forwarded, through the chain of command, to The Chief of Police and/or The Police Commissioner.

CD 86.05 Officers shall be deemed guilty of neglect of duty who fail to immediately report, in writing, to The Chief of Police and/or The Police Commissioner, infractions of rules, regulations, policy and procedure or citizen-lodged

complaints.

ARTICLE 12

EQUIPMENT

Section 1
Uniforms

Subsection

Rule

CD 86.00 Officers shall wear only such uniform which may, from time to time, be prescribed by The Chief of Police and/or The Police Commissioner.

CD 86.01 Officers shall report for duty in a neatly appearing, properly maintained uniform, unless the nature of their assignment requires otherwise.

CD 86.02 Officers are prohibited from exchanging with other members, any uniform equipment assigned to them including, but not limited to, badges, name tags, weapons, handcuffs and hat shields.

ARTICLE 12

EQUIPMENT (continued)

Section 2 Auxiliary/Special Equipment

Subsection

Rule

CD 86.00 Officers shall only carry such equipment which may, from time to time, be authorized by The Chief of Police and/or The Police Commissioner.

CD 86.01 Office furniture, files and other fixtures, furnishings and equipment assigned to the use of the various divisions and offices in the building shall not be removed without the consent of The Chief of Police and/or The Police Commissioner.

CD 86.02 Pictures, advertising, material or items of similar nature shall not be hung upon, or fixed to, the walls of the building except as otherwise authorized by The Chief of Police and/or The Police Commissioner.

CD 86.03 Any officer who through negligence, loses, damages or destroys department property, shall pay the cost of repair or replacement.

CD 86.04 Lost, damaged or property in need of repair shall be reported immediately to the member's supervisor.

CD 86.05 The Village of Downs Police Department will provide body armor for the individual officers. Body armor may be worn at officers' discretion. Officers may be required to wear body armor from time to time by authorization of The Chief of Police and/or The Police Commissioner.

ARTICLE 12

EQUIPMENT (continued)

Section 4

Fleet Safety

Subsection
Rule

CD 86.00 Members shall be held responsible for vehicle damage resulting from accidents wherein the evidence shows carelessness, negligence or a violation of a traffic law.

ARTICLE 13

EMPLOYEE RELATIONS AND SERVICES

Section 1
Relations

Management Employee

Subsection
Rule

CD 86.00 Supervisory members shall solicit, and immediately forward through the
chain of command, all grievances brought to their attention
by any member.

ARTICLE 13

EMPLOYEE RELATIONS AND SERVICES (Continued)

Section 2 Employee Evaluation

Subsection
Rule

CD 86.00 Supervisory members shall prepare efficiency ratings for each subordinate at such intervals and upon such forms as may be required by The Chief of Police and/or The Police Commissioner.

CD 86.01 Supervisory members shall submit, at least forty (40) days prior to the termination of a subordinate's probationary status, a written report to The Chief of Police and/or The Police Commissioner, recommending either termination of the subordinate or this continued employment.

CD 86.02 Supervisory members are responsible for promoting strengths and correcting weakness of their subordinates through constructive criticism.

ARTICLE 14

THE SUPERVISORY FUNCTION

Section 1 Orders

Subsection Rule

CD 86.00 Supervisory officers shall, without delay, and when appropriate,
communicate orders to their subordinates.

CD 86.01 Supervisory officers shall issue clear, concise, and definite orders to their
subordinates and shall, through inspection, ensure their
proper execution.

CD 86.02 Supervisory members shall not issue orders which are in violation of the
Department Manual.

CD 86.03 Supervisory officers, when issuing orders or giving direction, shall
continually make every effort to maintain uniformity of
overall department operations.

CD 86.04 Supervisory officers shall insure that their subordinates obey orders,
observe rules and regulations, and adhere to departmental policies
and procedures.

CD 86.05 Supervisory officers shall exercise their authority without bias or
prejudice.

CD 86.06 Supervisor officers shall endeavor to assist subordinates in understanding
all rules, regulations, policies and orders of the department.

ARTICLE 14

THE SUPERVISORY FUNCTION (Continued)

Section 2 Performance of Duties

Subsection

Rule

CD 86.00 Supervisory officers shall exercise direct command over lesser members outside their usual command in situations where the purpose, or the reputation of the department is jeopardized, followed by notification to the Chief of Police.

CD 86.01 During the temporary absence of supervisory member, when no other member present who has the provision is made by competent authority, the most service in-grade time shall take command.

CD 86.02 An officer, temporarily filling the position of a supervisor, is vested with all authority and responsibility of that supervisor, but except in extreme emergency, the officer shall not interfere with or countermand previous orders from the absent supervisor.

CD 86.03 Supervisory officers shall be held directly responsible for all activity occurring during their tour of duty.

CD 86.04 Supervisory officers shall require each member to perform his own duties, lending assistance only when the officer is incapable of performing the task at hand.

CD 86.05 Supervisory officers shall forward, through the chain of command, all written requests for transfers, grievances, or suggestions submitted by their subordinates.

CD 86.06 Supervisory officers shall maintain on their person, at all times, the address and telephone number of each subordinate assigned to them for emergency purposes.

CD 86.07 Supervisory officers shall, while on duty, notify the dispatcher where they

may
available by radio.

be reached by telephone or page when they are not

CD 86.08
officer of a higher

Supervisory officers have direct supervision and control over all officers
assigned to their command, subject only to orders from an
rank.

(continued)

- CD 86.09 Supervisory officers shall routinely instruct their subordinates on the contents of the department manual and the rules and regulations.
- CD 86.10 Supervisory officers shall take measures to ensure that in their absence, their areas of responsibility are under the command of a competent officer.
- CD 86.11 Supervisory officers may place a subordinate officer in a temporary supervisory position.
- CD 86.12 Supervisory officers shall routinely make such assignments as may be necessary to carry out the function of the department.
- CD 86.13 Supervisory officers shall not permit subordinates to take meals and coffee breaks in such a manner so as to jeopardize the department purpose or image.
- CD 86.14 Supervisory officers shall immediately report any serious crime, or unusual occurrence, to their immediate supervisor.
- CD 86.15 Supervisory officers shall personally respond to incidents of a serious or unusual nature unless their presence at their duty station would be of more value under the circumstances, in which case they shall assign a competent officer to take command at the scene of the emergency.
- CD 86.16 Supervisory officers shall respond to calls where members of their command are involved in controversy or accident.
- CD 86.17 Supervisory officers shall be responsible for the prompt service of all official notices, summonses, or subpoenas which may be sent to them by proper authority.
- CD 86.18 Supervisory officers shall accord prompt recognition, respect, courtesy, sincerity and patients attention to every citizen.
- CD 86.19 Supervisory officers shall take custody of, and deliver to The Chief of Police

property in the
or who otherwise

and/or The Police Commissioner, all department-owned
possession of a member who has resigned, been suspended,
terminates his employment.

CD 86.20
discipline

Supervisory officers are responsible for the good order, conduct and
of their subordinates.

ARTICLE 14

THE SUPERVISORY FUNCTION (continued)

Section 3	Morale
<u>Subsection</u>	<u>Rule</u>
CD 86.00	Supervisory officers are responsible for maintaining the highest level of inter-divisional cooperation within the department.
CD 86.01	Supervisory officers shall constantly strive for harmony among all officers of the department.
CD 86.02	Supervisory officers shall not ridicule rules, regulations, orders or staff decisions.
CD 86.03	Supervisory officers shall not permit officers to ridicule rules, regulations, orders or staff decisions.
CD 86.04	Supervisory officers shall exercise their authority with kindness, firmness, justice and reason, with the ultimate welfare of the department as the primary goal.
CD 86.05	Supervisory officers shall support subordinate officers when they are acting within their rights.
CD 86.06 immediate	Supervisory officers shall immediately identify and report to his supervisor, <u>any morale problem</u> .
CD 86.07 diminish	Supervisory officers shall exhaust every effort to dispel rumors and gossip.
CD 86.08	Following the performance of meritorious service by a officer of the department, that officer's immediate supervisor shall submit a written report of the incident to his commanding officer, making such recommendation as he deems proper within 30 working days.
CD 86.09	An Official Commendation from the Chief of Police and/or The Police Commissioner may be presented to the officer who exhibit an exceptionally

who through the high degree of courage in carrying out the police mission or highest degree of diligence, perform a difficult service.

ARTICLE 14

THE SUPERVISORY FUNCTION (continued)

Section 4 Development of Department Goals and Objectives

Subsection Rule

CD 86.00 Supervisory officers shall solicit and immediately forward, through the chain of command, all suggestions brought to their attention, in writing.

and submit a
commander.

inspection of all subordinate's and departmental equipment,
written report on the equipment to the support services

DEFINITIONS

II. Organic Units

.01 Post:
which an officer is assigned to duty.

A fixed point to

.02 Reporting District:
geographical

Any area of the County for which specific

boundaries have been established, which is used for the
identification, collection and analyzing of statistical data.

.03 Bureau:
within The Police Department, Village
of Downs.

Functional units

.04 Shift:
during which a designated group of

That period of a day

personnel is on duty. The precise hours of work for each
established by a departmental order.

are

.05 Beat/Area:
to which an officer is
assigned for duty.

A specific geographical area

CHAPTER 7

Article II. WEAPONS LIABILITY

Sec. 1. FIREARMS

Training, qualification and use by officers.

Sec. 2. PURPOSE

This order establishes departmental procedure for the training, qualification and use of weapons by sworn officers of The Village of Downs Police Department.

Sec. 3. TRAINING

Proficiency in the use of firearms is a continuing requirement for those Village of Downs Police Department employees who are required to be armed pursuant to their duties (sworn officers), or those that are authorized by the Village of Downs to be armed while on duty and in uniform pursuant to their assigned duties (correctional officers and reserve officers).

It is the intent of the Village of Downs Police Department to insure that all armed employees are adequately trained in the use of the firearms they are authorized to carry pursuant to their duties.

Firearms training for armed officers shall consist of, but not limited to, the following:

1. Firearms safety on and off duty.
2. Civil liability concerning the use of deadly force.
3. Familiarization of applicable state statues concerning the law enforcement officers use of deadly force.
4. Ongoing range training exercises covering basic marksmanship, target identification, survival tactics, subdued light firing, and unloading drills, malfunction drills and safe weapon handling.

Training Guidelines as follows:

The department will make every effort to make available a suitable range training area for live fire weapons training. Since the Village of Downs does not currently own or control any such property, the department cannot be certain that a suitable site will always be available. The training guidelines and requirements set forth by MTU #8 in this order are contingent upon range availability.

As long as an adequate range facility is available, firearms instructors shall make the range training area available a minimum of once per month. All armed personnel are required to participate in the training sessions a minimum of once every three months. Instructors may make the range available more than once per month and may require armed personnel to attend range training as often as is necessary to raise the individuals proficiency to an acceptable level.

Every effort shall be made by supervisors to have their personnel attend firearms training and qualifications while on duty, however, officers who cannot attend firearms training/qualifications while on duty are not exempt from this order. Officers attending training on their off duty time shall receive credit for such attendance according to the existing departmental policies in effect at that time. Officers who have met the quarterly training requirements and who wish to voluntarily attend additional training sessions on their off duty time may do so if they provide their own ammunition. Officers in this category are not eligible for overtime credit.

Sec. 4. QUALIFICATION

All armed employees must meet the following requirements before they are authorized to carry a weapon, either on duty or off duty.

The officer must have successfully completed the state mandated firearms course, or an equivalent course approved by the Illinois Local Governmental Law Enforcement Officers Training Board, or have been covered under the Firearms Training Grandfather Clause if employed prior to January 1, 1976.

The employee must meet or exceed departmental training and qualification standards as set by the Village of Downs.

The employee must have been issued a valid department firearms certification form, as outlined in the order. Employees are not authorized to carry any weapon, on duty or off duty unless they have been issued a certification form prior to using the weapon.

Employees who may have been hired after annual firearms qualifications may be authorized to carry a handgun pursuant to their duties after they have successfully completed the State mandated firearms training course. These employees must first demonstrate proficiency at the range in the presence of a firearms instructor and have been issued a firearms certification form for the same type of weapon they used during their State mandated firearms course.

Mandatory qualifications shall be conducted annually and all personnel who are required or authorized to be armed must meet or exceed the qualification standards established by the firearms instructors and approved by the Village of Downs. The firearms staff may, if necessary and if practical, conduct additional qualification sessions during the year. The qualification course shall not be limited to any one course of fire and may include, but not limited to:

- Written examination
- Bull's eye shooting for accuracy
- Combat type shooting with silhouette targets
- Low light/night shooting
- Barricade position shooting / use of cover
- Friend/foe target identification
- Moving targets
- Position shooting (prone, sitting, etc.)
- Timed events
- Loading drills, drawing drills, re-holstering drills, and malfunction drills

Firearms training sessions will cover these areas prior to qualifications, however, during qualifications all participants must successfully complete the requirements as presented.

Minimum standards shall be established for firearms qualifications. Personnel participating in qualifications will be graded on a pass/fail system. Personnel who do not meet the minimum standards will not be authorized to carry a firearm and may, at the direction of The Village of Downs be relieved of their duties and reassigned to other duties within the department that do not require the employee to be armed. remedial training will be provided for any sworn officer who fails the qualification course. This training will be provided for a minimum of three months. If the officer cannot meet the minimum standard after the three month period, a report will be immediately filed with The Village of Downs.

Firearms Certification Forms:

All employees who are required to carry firearms pursuant to their duties as Police Officers, and those who may be authorized by the Village of Downs to carry firearms pursuant to their assignments. Firearms certification forms are issued, after successful qualification, for each specific weapon. One form does not allow the employees to carry any weapon he or she chooses. If two different weapons are used (i.e. one for on duty and a different weapon off duty), the individual must have qualified with both weapons and have two valid certification forms, one for each weapon.

Firearms instructors do have the option of issuing certification forms for employees who have qualified with one weapon and who are changing to a similar, or “like” weapon. Weapons shall be grouped in three categories for the purpose of determining “like” weapons:

1. Double action revolvers
2. Double action semi automatic pistols
3. Single action semi automatic pistols

Administrative Order 91.001

If an employee chooses to change weapons under the “like weapon” portion of this order, the employee should check with the range staff before the new weapon is purchased. This is to insure the weapon would be authorized as a “like weapon”. Employees choosing to change weapons under the “like weapon” portion of this order would also be aware that any new leather (holster, ammo carrier, etc.) that is required for the new weapon must be purchased at the officers expense (see Section 6 of this order).

If the “like weapon” authorization is granted, the employee need not re-qualify, however, the employee will be required to have the weapon inspected by a range instructor and show proficiency at the range with the weapon. Such certification without qualification would be at the sole discretion of the range staff, and if approved, would still require the officer to qualify at the next scheduled range qualification.

NOTE: SEE SECTION 5 “AUTHORIZED WEAPONS AND USE”

Firearms certification forms must contain the following information before they are considered valid:

Employee name

Date of qualification

Make, model, caliber and serial number of the weapon

Type of authorized holster

Use authorization (on duty, off duty, etc.)

Firearms instructor signature

Firearms certification forms are valid until the next annual qualification held by the department. Forms shall be made out in triplicate. One copy to the master firearms file, one copy to the employee, and one copy to The Village of Downs Police Commission.

Employees of The Village of Downs Police Department shall be considered in violation of this order and may be subject to disciplinary action if they violate any portion of the authorizations listed on the firearms certification form or if they use any weapon for which they have not received a valid certification.

**Sec. 5. AUTHORIZED WEAPONS AND USE
ON DUTY HANDGUN REQUIREMENTS.**

Handguns and loading devices (speed loaders/magazines) shall be the property of the individual employee, who is required to purchase the weapon and loading devices subject to the following:

1. The weapon must be a double action revolver, double action semi automatic pistol, or single action semi automatic pistol of reputable manufacture.
2. All safety devices built into the weapon by the manufacturer must be present and functional.
3. The weapon must have a barrel length of not less than three (3) inches not more than six and one quarter (6 1/4) inches. Plain clothes personnel may be authorized to use handguns with shorter barrels, but not less than two and one half (2 1/2) inches.
4. The weapon must be no smaller than .380 caliber and no larger than .45 caliber.
5. The weapon make and model must be one that allows the reasonable acquisition of approved departmental issue leather gear.
6. Any weapon brought into law enforcement service after September 15, 1991 must have a hammer block safety or a firing pin retaining device.
7. Loading devices must be of reputable manufacture, capable of withstanding vigorous law enforcement use, and be of the type to allow the reasonable acquisition of leather gear to secure them.

Final approval or denial of any specific type of firearm rest with the Village of Downs Police Department.

CHANGING WEAPONS:

If an officer wishes to change weapons and the change would be to a different category of weapon (as listed in Section 2), the individual must attend practice sessions with the new weapon and must be competent with the new weapon before attempting qualification. The length and number of practice sessions required may vary depending on the individual employee.

Before purchasing a new firearm, individuals who wish to change weapons should

first

check with the firearm staff to insure the weapon meets departmental requirements. The firearms staff is not required to provide special qualification sessions for officers

changing weapons, but such additional sessions are held, employees wishing to change

weapons must plan on qualification at the regularly scheduled annual qualification session, the dates of which are posted at the beginning of each year. Employees

who

which to change weapons should also be aware that they must provide the approved

leather gear required for the weapon (see Section 6 of this order).

No one will be allowed to change weapons more than once per year.

USE OF ON DUTY WEAPONS:

Sworn Officers: Sworn officers shall at all times, while on duty, be armed with the handgun with which they have qualified, except such times they are required to secure their weapon to enter a restricted area. Employees of The Village of Downs Police Department shall obey all restricted weapons areas of this department, other law enforcement agencies, and state and federal prisons. Other non law enforcement/prison agencies who establish firearms restrictions for law enforcement shall be brought to the attention of The Downs Police Commissioner, who has the final authority on whether or not members of this department will be required to check their weapons.

On duty plain clothes officers shall at all times have their departmental identification and badge on their person. Plain clothes officers shall keep their weapons concealed at all times when outside the confines of The Village of Downs.

OFF DUTY HANDGUNS:

Sworn Officers: Sworn officers may carry their handguns while off duty. If carrying a weapon off duty, the weapon is at all times to be concealed from public view unless displayed in the performance of official duties.

Smaller weapons may be carried by sworn officers while off duty if they have met all of the training and qualification requirements of this order and have received a valid firearms certification form for that specific weapon.

Authorized off duty weapon criteria is the same as the duty weapon, with the following exceptions:

1. The weapons shall be no smaller than .380 caliber.
2. The barrel length shall be no shorter than two (2) inches.
3. The weapon must be capable of holding a minimum of five (5) rounds in a magazine or cylinder.

Sworn officers shall not carry a weapon while off duty if they are in a bar, tavern or other location for the specific purpose of consuming alcoholic beverages.

Sworn officers carrying authorized off duty weapons must at all times have their departmental identification and badge on their person.

BACK UP WEAPONS FOR SWORN OFFICERS:

The purpose of a back up weapon for sworn officers on duty is to have a second concealed weapon that can be used in an emergency situation, such as a malfunction

of the primary weapon or the loss of the primary weapon. Sworn officers may carry

a back up weapon under the following guidelines:

1. The weapon must be a reputable manufacture and have adequate and functional safety devices. Weapons without hammer block safeties or firing pin safeties (devices to keep the weapon from firing dropped) will not be authorized.
2. The officer had demonstrated that he or she can safely handle and accurately fir the weapon under close combat conditions, as simulated in training.
3. The officer has been issued a valid departmental firearms certification form for the weapon prior to use.
4. Back up weapons shall be restricted to those weapons that can be securely concealed on the individuals person. Larger weapons that cannot be adequately concealed on the individual will not be authorized as it defeats the purpose of having an undetected second firearm.

Because the use of a back up weapon is limited to emergency situations, the officer need not fire the normal qualification course. The officer must however, show an acceptable level of proficiency with the weapon.

ALL WEAPONS, ALL OFFICERS:

Final authority and authorization for the use of any weapon will be make by the firearms staff and The Village of Downs Police Department. Officers who may not be proficient with the weapon (duty, off duty, or back up) may, at the discretion

of the firearms instructor, be denied the use of such weapon until the officers proficiency level is acceptable.

**Sec. 6. AUTHORIZED HOLSTERS, LEATHER AND ACCESSORIES FOR
FIREARMS**

The department shall furnish the necessary on duty leather firearms gear for sworn officers on an as needed basis.

Sworn officers to whom this equipment is issued or signed out to shall be responsible for the proper care, maintenance, and upkeep of the equipment. This equipment will be replaced only when it becomes unserviceable, and all equipment must meet or exceed departmental requirements.

Sec. 7. SHOTGUNS

USE OF TRAINING

Only Village of Downs issued Remington 870 12 gauge shotguns will be carried and used only by members to the department pursuant to their duties as law enforcement officers.

Prior to any employee using a departmental shotgun, they must have successfully completed the shotgun instruction course given by a departmental firearms instructor.

Completion of this course shall be evidenced by the issuance of Firearms Certification form prior to any use.

OO Buck ammunition will be carried and used in the shotguns. Slug rounds may be carried in the vehicle.

The use of the shotgun may be incorporated into the annual handgun qualifications course.

THE FOLLOWING RULES APPLY TO DEPARTMENTAL PERSONNEL USING THE SHOTGUN:

1. The individual officer using or in possession of a shotgun is responsible for the safe assigned keeping of the weapon. This includes when the weapon is in the officer's unit, or when the officer has the weapon in his or her immediate possession.
2. Shotguns shall not be left in any location that would allow a civilian or suspect to reach it.
3. Officers shall inspect their shotguns daily, at the start of their shift, to insure that the weapon is in good condition and is functional. This includes the ammunition in the weapon. During this inspection, officers shall observe all safety precautions as outlined in this order.
4. Any shotgun not in use shall be stored in the arms room in an unloaded or "clear" condition.
5. Shotguns in routine use in squad cars shall be carried in the "shooters safe" position only. That is: magazine tube fully loaded, chamber empty, hammer down (uncocked), safety off.

6. When a shotgun is needed by an officer, the weapon is to at all times be carried in the shooter safe position. A round may immediately be chambered if the officer needs to fire the weapon.

7. If a round is chambered because a situation exists that the officer needs, or may need, to fire the weapon, but the situation later reaches a level that the officer need not fire, the safety shall be engaged on the shotgun, placing it in the "armed safe" condition. The officer may move with the weapon in this condition if the circumstances do not allow the officer to return to the shooters safe position. The weapon should be returned to shooters safe position at the officers first safe opportunity.

8. Before an officer secures the shotgun anywhere or gives control of the weapon to another officer, the weapon must be returned to the shooters safe position.

SHOTGUN INFORMATION