

CHAPTER 4
POLICE DEPARTMENT

4.01 CREATION

There is hereby created a Police Department which shall consist of the Chief of Police, one Deputy Chief of Police, six Lieutenants, four Sergeants, nineteen Patrol Officers, and such other members as may be provided for by the City Council. Appointment of a police officer holding a rank under the jurisdiction of the Board of Fire and Police Commissioners to the office of Chief of Police or Deputy Chief of Police shall not create a vacancy in the classified service rank.

4.02 CHIEF OF POLICE

(a) **Head of Department.** The Chief of Police shall be the head of the Police Department and have supervision over all other members thereof.

(b) **Appointment.** The Chief of Police shall be appointed by the Mayor with the advice and consent of the City Council.

(c) **Term.** The Chief of Police shall be appointed for a term which shall not exceed that of the Mayor at the time that the Chief is appointed. The Chief of Police may be removed or discharged from office by the Mayor by filing of reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the Mayor and City Council.

(d) **Compensation.** The Chief of Police shall receive such salary and expenses as authorized by the City Council.

4.021 DEPUTY CHIEF OF POLICE

(a) **Appointment.** The Deputy Chief of Police shall be appointed by the Chief of Police from officers holding the rank of Lieutenant.

(b) **Term.** The Deputy Chief of Police shall serve for an indefinite term at the discretion of the Chief of Police. The Deputy Chief of Police may be removed from that office by the Chief of Police at any time, without cause and without notice. The Mayor, with the advice and consent of the City Council, may remove the Deputy Chief of Police in the event that the office of Chief of Police is vacant.

(c) **Duties.** The Deputy Chief of Police shall have supervision over all members of the Police Department, except for the Chief of Police, and shall exercise all the duties of the Chief of Police in the absence thereof.

4.03 FIRE AND POLICE COMMISSIONERS

(a) **Creation.** There is hereby created a Board of Fire and Police Commissioners, consisting of three members whose terms of office shall be 3 years and until their respective successors are appointed and have qualified.

(b) **Appointment.** The members of the Board shall be appointed by the Mayor with the advice and consent of the Council.

(c) **Members.** The members of the Board shall possess the qualifications required of other officers of the city, shall take oath or affirmation of office, and give bond in the same manner as other appointive officers of the city.

(d) **Rules.** The Board shall make such rules and make such appointments and removals except those herein reserved to the Mayor and Council.

(e) **Secretary.** The Board may employ a secretary or may designate one of its members to act as such. The secretary shall keep the minutes of the Board's proceedings, shall be custodian of all papers pertaining to the business of the Board, shall keep a record of all examinations held, and shall perform such other duties as the Board shall prescribe.

(f) **Powers and Duties.** The Board of Fire and Police Commissioners shall be invested with all of the powers and duties provided under Division 2.1 of Article 10 of the Illinois Municipal Code.

4.04 APPOINTMENT OF MEMBERS

The Board of Fire and Police Commissioners shall appoint all officers and members of the Police Department of the City of Hickory Hills except the Chief of Police. All appointments made by the Board of Fire and Police Commissioners shall be made from the rank next below that to which the appointment shall be made, other than that of the lowest rank, and pursuant to qualifying examinations as provided by law.

4.05 POLICE PENSION FUND MEMBERS

All police officers appointed by the Board of Fire and Police Commissioners shall join the Police Pension Fund.

4.06 CHIEF OF POLICE, DUTIES

(a) **Command.** The Chief shall be responsible for the performance by the Police Department of its functions, and all persons who are members of the Police Department shall serve subject to the orders of the Chief of Police.

(b) **Reports.** He shall keep such records and make such reports concerning the activities of his department as may be required by statute or by the Council.

(c) **Keeper of Jail.** The Chief of Police shall be the keeper of the city jail, and shall have custody of all persons incarcerated therein.

(d) **Rules.** The Chief of Police may make or prescribe such rules, regulations, and orders as deemed necessary; in the conduct of the business of the Police Department. All such rules, regulations, and orders shall conform to the ordinances of the City, laws of the State of Illinois, and laws of the United States. The City Council may change or invalidate any rule, regulation, or order which it deems not in the best interest of the public health, safety and welfare of the City.

(e) **Lost Property.** The Chief of Police shall have the custody of all lost, abandoned or stolen property recovered in the city.

(f) **Rewards.** The Chief of Police, for meritorious service rendered by any member of the police force in the due discharge of his duty, may permit such member to retain for his own benefit, so far as he may be permitted by law, any reward or present tendered him therefor, and it shall be cause of removal for any member of the force to receive any such reward or present without notice thereof to the Chief of Police and without his permission.

4.07 MEMBERS, DUTIES

(a) It shall be the duty of the members of the Police Department to see to the enforcement of all the ordinances of the city and all statutes applicable therein; and to preserve order and prevent infractions of the law and arrest violators thereof.

(b) No member of the Police Department, except the Chief, shall serve any process except on command of the Chief of Police.

(c) It shall be the duty of every member of the Police Department to conduct himself or herself in a proper and law abiding manner at all times, and to avoid the use of unnecessary force. Each member of the department shall obey the orders and directions of his superior.

(d) Every member of the Police Department shall appear as witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law. No such member shall retain any witness fee for service as witness in any action or suit to which the city is a party; any fees paid for such services shall be turned over to the Chief, who shall deposit the same with the City Treasurer.

(e) It shall be the duty of any member of the Police Department, when ordered to do so by the proper authority, to deliver all calls of specially called meetings of the City Council.

4.08 POLICE MATRON

The Mayor, with the consent of the Council, may appoint a police matron or matrons, who shall perform such duties as may be assigned to her or them by the Chief of Police or by the Mayor.

4.09 POLICE PENSION BOARD

(a) There shall be a Police Pension Board consisting of five members. Of these members, two shall be appointed by the Mayor, with the consent of the Council, to serve a term of two years each; two shall be elected from the regular police force of the Council and one shall be elected from the beneficiaries of the pension. Each member shall serve for two years and elected members shall be selected in the manner provided by law.

(b) It shall be the duty of the members of the Police Pension Board to manage, invest, and control the Police Pension Fund and all monies pertaining thereto in the manner provided by statute and to pay beneficiaries as provided by law.

(c) There shall be deposited in the Police Pension Fund the amounts provided for by statute.

4.10 BUSINESS USE OF AUXILIARY POLICE SERVICES

(a) All agencies, businesses, or individuals desiring or requiring auxiliary police within the corporate limits of the City of Hickory Hills may be furnished with such auxiliary police by assignment from the Chief of Police after proper application therefor.

(b) All applications for auxiliary police shall be made in writing solely to the Chief of Police and shall state the reasons or purposes therefor and the area, date and time for which such are required.

(c) Applicants shall be billed for the services of such auxiliary police by the Chief of Police.

4.11 AUXILIARY POLICE DEPARTMENT

(a) There is hereby established an Auxiliary Police Department for the City of Hickory Hills. Auxiliary police officers shall not be conservators of the peace.

(b) The Mayor is hereby authorized to appoint 20 auxiliary police officers, with the advice and consent of the Council and in accordance with the provisions of this section. The Auxiliary Police Department may be terminated by the Council at the time there no longer exists a need for such a department.

(c) Auxiliary police officers shall be appointed for an indefinite term and shall be considered as city employees. No person shall be appointed as an auxiliary police officer if he has been convicted of a felony or other crime involving moral turpitude.

(d) Any such appointed auxiliary police officers shall not be members of the regular Police Department of the City of Hickory Hills. Identification symbols and shoulder patches worn by such auxiliary police officers shall be different and distinct from those used by the regular Police Department and shall be selected and chosen from time to time by the Chief of Police. Auxiliary police officers shall at all times during the performance of their duties be subject to the direction and control of the Chief of Police or others that may be delegated this authority by the Council. Auxiliary police officers may be discharged or suspended by the Mayor or Chief of Police and are not entitled to any notice, hearing, or due process.

(e) Auxiliary police officers shall have the following powers and duties when properly assigned and on duty:

1. To aid or direct traffic.
2. To aid in control of natural or man-made disasters.
3. To aid in case of civil disorder.
4. To aid in crowd control.
5. To assist in the observation and detention of prisoners.
6. To patrol and guard public facilities and grounds.

(f) Auxiliary police officers shall not carry firearms except with the permission of the Chief of Police on designated assignments while in uniform, and then only if such officer has completed the required training promulgated by the Illinois Law Enforcement Training and Standards Board.

(g) Prior to appointment or entering upon any of their duties, auxiliary police officers shall be required to take a written and physical test and attain a passing grade as established by the Chief of Police. A psychological test may be required at the discretion of the Chief of Police, with the cost of the test to be borne by the City of Hickory Hills. Auxiliary police officers shall receive such training as required by State law.

(h) Auxiliary police officers shall be paid at the rate per hour for each hour of service performed at the direction of the Chief of Police provided from time to time. Auxiliary police officers may, at their discretion, and with the approval of the Chief of Police, volunteer their services on a non-compensated basis.