

**ORDINANCE NO. 2022 - 02**

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-313 AND CHAPTER 46, ARTICLE II, SECTION 46-35, AND CREATING A NEW SECTION 46-43 RELATED TO THE LATERAL ENTRY PROCESS AND REQUIREMENTS FOR CERTAIN POLICE OFFICERS FOR THE VILLAGE OF STICKNEY.**

**WHEREAS**, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 (the “Illinois Constitution”); and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, the Village is authorized under the Illinois Constitution and Illinois law to adopt ordinances pertaining to the public health, safety and welfare; and

**WHEREAS**, the Corporate Authorities have previously enacted regulations relative to the manner in which police officers are hired for the Village; and

**WHEREAS**, Section 10-2.1-4 of the Illinois Municipal Code (the “Municipal Code”) (65 ILCS 5/10-2.1-4) provides that “[T]he board of fire and police commissioners shall appoint all officers and members of the fire and police departments of the municipality, including the chief of police and the chief of the fire department, unless the council or board of trustees shall by ordinance as to them otherwise provide”; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the Village to hire more police officers, particularly more police officers that possess certain credentials, special training and/or certifications; and

**WHEREAS**, as a result of the COVID-19 pandemic and other circumstances beyond the control of the Village, there have been substantial delays in getting entry level police officers trained and certified due to an inability to schedule time at the police academy; and

**WHEREAS**, despite difficulties and delays in hiring and training new police officers, the Village still needs to hire new police officers, and in some cases, the Village requires said police officers to possess certain credentials, special training and/or certifications; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to create a lateral entry process for police officers, which shall be binding upon the Board of Fire and Police Commissioners, and to hire lateral police officers in order to continue to serve and protect its residents; and

**WHEREAS**, the Village’s home rule authority and Section 10-2.1-4 of the Municipal Code provide the Village with the authority to create a binding lateral entry process; and

**WHEREAS**, the Corporate Authorities now desire to amend the Municipal Code, Village of Stickney, Illinois (the "Village Code") to create a lateral entry process for police officers, which shall be binding upon the Board of Fire and Police Commissioners;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 2, Article IV, Section 2-313 and Chapter 46, Article II, Section 46-35 of the Village Code, and to create Section 46-43 of Chapter 46, Article II of the Village Code related to the lateral entry process and requirements for certain police officers and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.  
AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-313 AND CHAPTER 46, ARTICLE II, SECTION 46-35, AND CREATING A NEW SECTION 46-43 OF CHAPTER 46, ARTICLE II OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS**

**SECTION 3.0. AMENDMENT OF CHAPTER 2, ARTICLE IV, SECTION 2-313.**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 2, Article IV, Section 2-313 by striking out any language to be removed or repealed and underlining any new language as follows:

**Sec. 2-313. – Duties**

The board of fire and police commissioners shall have charge of all appointments to the fire and police departments and shall conduct and hold all entrance and promotional examinations in the manner required by law. The board of fire and police commissioners shall also have charge of appointments of all lateral entry police officers as provided for in Section 46-43 of the Municipal Code, Village of Stickney, Illinois.

**SECTION 3.1. AMENDMENT OF CHAPTER 46, ARTICLE II, SECTION 46-35.**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 46, Article II, Section 46-35 by striking out any language to be removed or repealed and underlining any new language as follows:

**Sec. 46-35. – Appointments and promotions.**

Appointments to and promotions within the police department, other than to the office of the chief of police, deputy chief and corporal shall be made by the board of fire and police commissioners in the manner provided by law, except that all lateral entry police officers shall be made in compliance with Section 46-43 of the Municipal Code, Village of Stickney, Illinois.

**SECTION 3.2. AMENDMENT OF CHAPTER 46, ARTICLE II, BY CREATING SECTION 46-43 (NEW SECTION).**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 46, Article II to create Section 46-43 as follows:

**Sec. 46-43. – Lateral Entries in the Police Department.**

Section 46-43 shall govern the process for hiring and the qualifications for lateral entry hires and lateral entry transfers of police officers.

**Section 46-43.1 – Board of Fire and Police Commissioners – Source of Authority for Lateral Entries for the Police Department.**

In accordance with Section 10-2.1-14 of the Illinois Municipal Code (65 ILCS 5/10-2.1-14), the board of fire and police commissioners may prepare and keep a second register of persons who have previously been full-time sworn officers of a regular police department in any municipal, county, university, or State law enforcement agency, provided they are certified by the Illinois Law Enforcement Training and Standards Board and have been with their respective law enforcement agency within the State for at least two (2) continuous years.

**Section 46-43.2 – Intent of Process.**

The Village recognizes the need to expand the pool of eligible candidates for appointment as police officers to include trained individuals whose knowledge, skills, abilities, and level of experience meet the specific and defined needs to the police department. The chief of police may request that the board of fire and police commissioners solicits applications for lateral entries to the position of police officer when he or she identifies such need. In such circumstances, the provisions of this Section shall apply. It is intended that the call for, evaluation of, and ultimate appointment of a lateral entry candidate who has particular knowledge, skills, abilities, and level of experience will be a more streamlined process that will enable the police department to expeditiously address critical, functional and staffing needs.

**46-43.3 – Qualifications for Lateral Entries.**

In order to be eligible for a lateral entry, the potential candidate shall:

- A. Be at least twenty-one (21) years of age.
- B. Be currently certified as a full-time law enforcement officer, as established by the officer's previous law enforcement agency and verified by the Illinois Law Enforcement Training and Standards Board and have two (2) years of continuous service as a full-time police officer.
- C. Be a United States citizen or naturalized citizen.
- D. Possess a valid Illinois driver's license and FOID card.

- E. Have fewer than two (2) chargeable accidents within the past thirty-six (36) months at the time of the application. Chargeable accidents are defined as accidents where fault was established by a law enforcement investigative body.
- F. Have no convictions for DUI, driving under the influence of cannabis, or loss of license as a result of a moving violation within the past thirty-six (36) months at the time of the application.
- G. Have no felony convictions.
- H. Have no conviction of domestic related charges.
- I. Have no convictions for serious misdemeanors involving moral turpitude as defined in Section 10-2.1-6 of the Illinois Municipal Code (65 ILCS 5/10-2.1-6).
- J. Have a clean disciplinary record, including but not limited to no sustained violations involving excessive force or dishonesty, including stealing, lying, or being under the influence of alcohol or drugs, either on or off duty. A sustained violation is defined as a finding by a law enforcement investigating body that it was more likely true than not true that the accused did what he/she was accused of doing.
- K. Be able to perform the minimum essential functions of the position.

#### **46-43.4 – Application Process.**

- A. In accordance with Illinois Municipal Code, the board of fire and police commissioners shall cause to be published electronically an advertisement of its intention to establish a hiring list consisting of a pool of candidates for lateral entry as police officers. This advertisement may also be posted on the Illinois Association of Chiefs of Police web page, theblueline.com, the office of the board of fire and police commissioners, and at the police department. The lateral entry eligibility pool list shall be valid for a two (2) year period after posting unless the board of fire and police commissioners determines that the creation of a new list will achieve higher quality recruits.
- B. Prospective candidates shall be able to obtain applications from the front desk of the police department or via the Village's website and a deadline shall be established by the board of fire and police commissioners for the application to be returned to the police department.
- C. The application shall include references and all training and certification documentation for each applicant.
- D. Qualified applicants shall be subject to a background investigation conducted by the police department and/or a firm of the Village's choice. Successful completion of the background check is required.
- E. Qualified applicants shall participate in an oral interview conducted by the board of fire and police commissioners. The chief of police or a designee shall be allowed to participate in the oral interview and give his or her non-binding recommendation or opinion to the board of fire and police commissioners. The chief of police shall

provide a recommendation only to the board of fire and police commissioners identifying the candidates as “highly qualified,” “qualified” or “not qualified.” The chief of police’s recommendation to the board of fire and police commissioners shall be based upon the applicant’s qualifications and the requirements of the position the Village is seeking to fill.

- F. The applicant shall execute an Authorization to Release Information and Waiver form as supplied by the board of fire and police commissioners.

#### **46-43.5 – Lateral Entry Eligibility List– Lateral Entry Candidate Pool.**

Candidates that successfully complete the application process will be rated and placed on a lateral entry eligibility pool list. The lateral entry eligibility pool list that is established will be maintained in alphabetical order. A copy of the lateral entry eligibility pool list shall be posted in a prominent location in the police department.

Upon the request of the chief of police and the direction of the board of trustees, the board of fire and police commissioners shall have the authority to select a candidate from the lateral entry eligibility pool list, based upon the relative excellence of the candidate, taking into consideration the needs of the police department, the candidate’s performance at the oral interview and the candidate’s credentials, special training and/or certifications, as detailed below. Said request by the chief of police and the direction of the board of trustees may include a direction to hire a lateral entry candidate that possesses certain training, skills, or certifications. All successful applicants that are candidates for hire shall be required to successfully complete post-offer examinations, which shall include, but are not limited to, a psychological assessment and polygraph test. The successful applicant shall also be subject to a successful background check.

While the board of fire and police commissioners may hire any person on the lateral entry eligibility pool list, regardless of score, the lateral entry eligibility pool list shall state the candidate’s score after completion of the application process, which shall include his or her performance in the oral interview, with additional points assessed based upon job experience, and which shall include the candidate’s credentials, special training and/or certifications. The maximum score for the oral interview test and questions process shall be eighty-eight (88) points and the maximum score for the job experience and diversification process, as further set forth below, shall be twelve (12) points, for a combined maximum score of one hundred (100) points. These points shall serve as a guide but, as provided for herein, the board of fire and police commissioners may hire any person off of the lateral entry eligibility pool list; provided the candidate satisfies the requirements of the position and has the credentials, special training and/or certifications requested by the chief of police or the board of trustees.

The lateral entry candidate pool will be valid for two (2) years from the first date of the posting of the lateral entry eligibility pool list that contains the candidates in the pool. Notwithstanding the two (2) year duration of a lateral entry candidate pool, whenever the lateral entry candidate pool falls below three (3) candidates, the process for creating a new lateral entry candidate pool shall be commenced, and a new pool shall be created, provided that any applicants who remained in the lateral entry candidate pool when it fell below three (3) candidates shall automatically be added to the new

lateral entry candidate pool, without the need to reapply. However, any candidates who were members of a lateral entry candidate pool when it expired after a two (2) year duration shall be required to reapply to be eligible as a lateral entry police officer candidate for such subsequent lateral entry candidate pool.

All lateral entry police officer hires shall be placed at the bottom of the seniority schedule upon hire.

**46-43.6 – Job Experience and Diversification Process.**

This screening process is based upon documented specialized police-specific training, certificates, or specialized units of assignments. Points are awarded to those individuals who can provide the proper documentation that they have received such training/certification or belonged to a specialized unit of assignment.

<u>Crime Prevention</u>	<u>0.5 points</u>
<u>Foreign Language Proficiency</u>	<u>0.5 points</u>
<u>Breath Analyzer Operator</u>	<u>0.5 points</u>
<u>Crisis Intervention Training (CIT) Certified</u>	<u>0.5 points</u>
<u>40-hour Investigator</u>	<u>0.5 points</u>
<u>Federal/State/County Task Force</u>	<u>1.0 points</u>
<u>Lead Homicide Investigator Certified</u>	<u>1.0 points</u>
<u>Firearms Instructor</u>	<u>1.0 points</u>
<u>Juvenile Officer</u>	<u>1.5 points</u>
<u>Field Training Officer</u>	<u>1.5 points</u>
<u>Evidence Technician</u>	<u>1.5 points</u>
<u>Accident Reconstructionist</u>	<u>2.0 points</u>

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft, disseminate and publish any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force immediately upon its passage, approval and publication in accordance with Illinois law.

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PASSED this \_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Jeff Walik, President

ATTESTED AND FILED in my  
office this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Audrey McAdams, Village Clerk