

ORDINANCE NO. 569

AN ORDINANCE TO ADOPT THE LEROY POLICE DEPARTMENT AUXILIARY
RULES AND REGULATIONS

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 21st
DAY OF November, 1994.

PRESENTED: November 21, 1994

PASSED: November 21, 1994

APPROVED: November 21, 1994

RECORDED: November 21, 1994

PUBLISHED: November 21, 1994

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X Juanita Sagley
City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: November 21, 1994.

ORDINANCE NO. 569

AN ORDINANCE TO ADOPT THE LEROY POLICE DEPARTMENT AUXILIARY RULES AND REGULATIONS

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined it is in the best interests of the City and its residents to adopt the LeRoy Police Department Auxiliary Rules and Regulations, and

WHEREAS, the Mayor and City Council of the City of LeRoy have determined that the LeRoy Police Department Auxiliary Rules and Regulations as set forth in a copy of the same attached to this ordinance and incorporated in this ordinance by reference, is in the best interest of the City and in the appointment, administration, discipline and termination of appointment of members of the LeRoy Police Department auxiliary force.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, in lawful meeting assembled, as follows:

Section 1. The LeRoy Police Department Auxiliary Rules and Regulations dated November 21, 1994, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted by the City Council of the City of LeRoy as the rules and regulations for the administration of the auxiliary police unit of the City of LeRoy, and for use in the appointment, administration, discipline and termination of appointment of members of the LeRoy Police Department auxiliary force.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by David McClelland, seconded by Randy Zimmerman, by roll call vote on the 21st day of November, 1994, as follows:

Aldermen elected 6 Aldermen present 6

VOTING AYE:

Randy Zimmerman, Robert D. Johnson, Ronnie Litherland, Patrick Beaty
(full names) David McClelland

VOTING NAY:

Lois Parkin
(full names)

ABSENT, ABSTAIN, OTHER:

None
(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 21st day of
November, 1994.

X Juanita Dagley
Juanita Dagley, City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 21st day of
November, 1994.

X Jerry C. Davis
Jerry C. Davis, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST: (SEAL)

X Juanita Dagley
Juanita Dagley, City Clerk, City of LeRoy,
McLean County, Illinois

**LEROY
POLICE
DEPARTMENT
AUXILIARY
RULES AND
REGULATIONS**

City of LeRoy

POLICE DEPARTMENT
LeRoy, Illinois

Duties and Responsibilities of the Auxiliary Police

The Auxiliary Police Unit shall be maintained for the purpose of assisting regularly appointed Police Officers in preserving law and order within the corporate limits of the City of LeRoy and for such other functions as may come within the scope of the Auxiliary Unit.

The Auxiliary Police shall exercise Police Powers when circumstances make it expedient to preserve order and/or protect life and property pending the arrival of regular Police Officers. The purpose of the Auxiliary Police Unit shall be to cooperate with and assist the LeRoy Police Department in the enforcement of law and order during augmentation of the regular department and during any and all Police Emergencies.

The Auxiliary Police Unit shall be used for traffic control during parades and sporting events, handling of crowds at rallies, fairs and other events as determined by the need for the Auxiliary Unit. The Auxiliary shall also be available for such duties as routine police patrol, police telephone and/or radio communications, or to investigate activities during emergencies when total manpower is essential for public safety and welfare.

CHAPTER I

DEFINITIONS AND TERMINOLOGY

- 101 AUXILIARY POLICE: A unit of the Police Department of the City of LeRoy
- 102 BULLETINS: Bulletins may be issued for the following purposes: 1) to disseminate information or instructions which do not warrant a formal order; 2) to direct the actions of subordinates in specific situations or circumstances under a level of command not authorized to issue a General or Special order (such as directions that shall not deviate from or conflict with established policies and procedures as documented by higher authority); 3) to explain or emphasize portions of previously issued orders; and 4) to inform members of actions and policies of other agencies.
- 103 CHIEF OF POLICE: Chief of Police of the LeRoy Police Department.
- 104 COMMANDING OFFICERS: The officer having the highest rank or grade. Officers of the same grade shall rank according to the date of their appointment. When two or more officers are on duty together, the officer of the highest rank is in command and shall be held responsible for the operation, unless otherwise designated by the Chief of Police or Auxiliary Captain. For a special detail, and for a specific period, an officer may be designated by the Commanding Officer to take command without regard for rank. The Post Officer is the ranking officer when other auxiliary officers are dispatched to his or her post to assist him or her.
- 105 DETAIL: Members of the Unit, sometimes from more than one squad, grouped together for the accomplishment of a specific mission.
- 106 GENDER: Use of the masculine gender herein shall also indicate where applicable the female gender.
- 107 GENERAL ORDER: Permanent written order issued by the Chief of Police not relating to a specific circumstance or situation but affecting or of concern to the entire unit.
- 108 HEADQUARTERS: A place named by Chief of Police.
- 109 INCOMPETENCE: Incapable of satisfactory performance of auxiliary police duties.
- 110 LAWFUL ORDER: Any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duties which is not in violation of any law, ordinance or departmental rule or regulation.
- 111 LEAVE OF ABSENCE: The period of time during which an officer is excused from active duty. A written request is required.
- 112 MAY/SHOULD: "May" and "should" as used herein shall mean the action indicated is permissible.
- 113 MEMBERS: All members of the Auxiliary Police Unit.
- 114 MEMORANDUM: A written memorandum issued by the Chief of Police for the purpose of keeping members informed and aware of situations and matters that affect the unit in general. Such memoranda are not official orders but express the thinking of the issuing authority on the subject under consideration.

- 115 MILITARY LEAVE: The period of time during which an officer is excused from duty by reason of service in the Armed Forces of the United States in an active capacity as provided by law.
- 116 OFF DUTY: The status of a member during the period of time he or she is free from the performance of specified duties.
- 117 OFF THE AIR: In service but not available for radio communication.
- 118 OFFICERS: Every peace officer duly appointed to the Auxiliary Police Unit.
- 119 ON DUTY: The status of a member during the period of the day when he or she is actively engaged in the performance of his or her duties. Technically, a police officer or auxiliary police officer is subject to call at all times.
- 120 ON THE AIR: In service with radio equipment in operation.
- 121 OUT OF SERVICE: Not available for radio communications.
- 122 PATROL CAR: Radio equipped automobile used for patrol duty.
- 123 PLURALITY OF WORDS: The singular includes the plural and the plural includes the singular.
- 124 POLICE MANUAL: A manual prepared to define the organizational structure of the force and specific duties of its organic units and members; also outlines the various standard operating procedures of the Unit .
- 125 POST: A geographical area of variable size within the municipality to which one or more officers are specifically assigned.
- 126 PROBATIONARY PERIOD: Each member shall be required to serve a six (6) month probationary period prior to permanent appointment to the Unit.
- 127 PROCEDURE: The official method of dealing with any situation prescribed by the Chief's Order or procedural guide.
- 128 REPORTS: Written communications, unless otherwise specified, relating to police matters.
- 129 RULES AND REGULATIONS: Directions adopted by the City Council of the City of LeRoy to define the police purpose and the duties and conduct of all members.
- 130 SHALL/WILL: "Shall" and "will" as used herein shall indicate the action required is mandatory.
- 131 SHIFT: That period of a calendar day during which a specified number of members are on duty.
- 132 SICK LEAVE: The period of time during which an officer is excused from active duty by reason of illness or injury. This must be in written request to the Chief or Captain.

- 133 SPECIAL ORDER: Written order, issued by the Chief of Police, relating to some specific circumstances or situations usually of a temporary nature that ordinarily does not affect the entire department.
- 134 SQUAD: A primary functional unit of the Auxiliary.
- 135 TENSE OF WORDS: The words used in the present tense shall include the future tense.
- 136 TOUR OF DUTY: The shift during which an individual member is on duty.
- 137 UNIT: The members of the auxiliary grouped together under one officer to accomplish any assigned purpose; sometimes referred to hereafter as the "Unit" when meaning the entire auxiliary force.
- 138 WORK WEEK AND DAY: A work week begins on Monday and ends on Sunday. The duty week for record purposes shall begin at 8:00 a.m. on Monday and shall conclude 7 days later.

CHAPTER II

COMMAND AND OPERATION OF AUXILIARY POLICE UNIT; DUTIES AND RESPONSIBILITIES OF MEMBERS OF THE AUXILIARY POLICE UNIT AND ITS MEMBERS

ORGANIZATION AND STATUS OF THE AUXILIARY POLICE UNIT

- 200 The Auxiliary Police Unit is an organizational unit under the LeRoy Police Department. The Chief of Police shall be considered the director of the Auxiliary Police Unit. The Chief of Police, and the head of the Auxiliary Police Unit, acting under the authority and direction of the Chief of Police, shall be responsible for administering the recruitment, selection and training process of a Police Auxiliary Unit member. The rules and regulations and staffing process utilized by the LeRoy Police Department shall be established, where applicable or practical, as guidelines.
- 201 The Auxiliary Police Unit shall be divided into squads. To provide necessary leadership and supervision over the Unit, there shall be a chief administrative officer of the Unit, to be known as an "Auxiliary Captain," and there shall be members junior in rank to the Auxiliary Captain assigned to act as squad leaders, who shall be designated "Squad Leaders."
- 202 The Auxiliary Police Unit shall be maintained for the purpose of assisting regularly appointed police officers and preserving law and order within the corporate limits of the City of LeRoy, and for such other functions as may come within the scope of the Auxiliary, such as natural disasters and crowd control. The Auxiliary Police Unit shall function only upon request of the LeRoy Police Department and under the control of the LeRoy Police Department. The rank and authority of the individual members pertains only to the Auxiliary. An auxiliary member has no jurisdiction over any regular police officer regardless of rank or title, and, when on duty, shall be subordinate to any regular police officer in charge or on the scene, regardless of the rank of the Auxiliary Unit member.
- 203 The Auxiliary Police Unit shall, and each of its individual members shall, render voluntary police service upon occasions when, in the opinion of the Chief of Police, such augmentation of the regular LeRoy Police Department is essential to the public welfare and safety. Auxiliary members shall exercise these powers when circumstances make it expedient to preserve order and/or protect life and property pending the arrival of regular police officers. The purpose of the Auxiliary Police Unit shall be to cooperate with and assist the Police Department, without compensation to the Auxiliary Unit members, in the enforcement of law and order during augmentation of the regular police department and during any and all police emergencies.
- 204 The Auxiliary Police Unit shall be used for traffic control during parades and sports events, and handling of crowds at rallies, fairs, and other events as determined by the Chief of Police from time to time. The Auxiliary shall be available for such duties as police telephone or radio communications, investigation of activities during emergencies when total manpower is essential for public safety and welfare, and on occasion to assist in routine police patrols as may be appropriate within the guidelines for use of the Auxiliary Police Unit, and within the limitations of the training and experience of the Auxiliary Police Unit members, only after approval by the Chief of Police.
- 205 Auxiliary Police Unit members have authority only while in uniform. While off duty the member shall revert to his or her civilian status. When a situation arises that requires police

attention while an Auxiliary member is off duty and out of uniform, a regular police officer must be summoned before the Auxiliary police officer may perform any police function.

HEAD OF THE AUXILIARY POLICE UNIT:

- 206 The head of the Auxiliary Police Unit (hereinafter referred to as the Auxiliary Captain, or as the AC) is the chief administrative officer of the unit. He or she exercises all lawful orders as are necessary to assure the effective performance of the unit under the direction of the Chief of Police of the City of LeRoy Police Department.
- 207 Through the head of the Auxiliary the Unit is responsible for the enforcement of all laws and ordinances coming within its legal jurisdiction. The head of the Auxiliary is responsible for planning, directing, coordinating, controlling and staffing of all activities of the unit for its continued and efficient operation, for the enforcement of rules and regulations within the unit for the completion and forwarding of such reports as may be required by competent authority, and for the Unit's relations with local citizens, City government and other related agencies including those of the ESDA coordinator.
- 208 The Auxiliary Captain shall preside or designate an officer to preside at all meetings of the Auxiliary Police Unit. The AC shall be responsible for maintaining complete records of the Unit. The Auxiliary Captain shall endeavor to fill all requests for details, special or otherwise. He or she shall keep in close contact with members under his or her supervision, noting carefully any change in address, telephone number and availability of auxiliary members during the twenty-four (24) hours each day.
- 209 The Auxiliary Captain is responsible to the Chief of Police and will administer the unit under the direction and control of the Chief of Police. He or she shall make written and verbal reports to the Chief of Police as directed. He or she shall keep the Chief of Police informed of incidents or developments that may unusually affect public or official relations. For duty assignments not covered by normal police requirements, such as training exercises, such duties will be performed as approved by the Chief of Police. Such exercises will be coordinated with the director of ESDA, or any other city departments, or approved by the City Council, in order that appropriate coverage under the Worker's Compensation Act of the State of Illinois may be provided, as allowed by law.
- 210 The Auxiliary Captain is responsible for the training of all members of the Unit. This includes the preliminary training of members upon their being taken into the Unit. He or she is responsible for the continued training of all members of the Unit to improve their ability to serve the public more efficiently and to keep them abreast of new developments in the law enforcement field.
- 211 The Auxiliary Captain shall be required to certify to correctness of all bills incurred by the unit.
- 212 The Auxiliary Captain shall be the custodian of all property coming into the possession of the Unit, and shall be accountable for all such property delivered into his or her custody and be responsible for the safe keeping and proper disposition and accurate records of the same. He or she shall see that all property is returned to the lawful owner when no longer needed by the Unit.

ADMINISTRATIVE OFFICER

- 213 The Captain shall assume command in the Chief's absence. He or she shall exercise all duties and responsibilities of the Chief.

COMMANDING OFFICERS:

- 214 Subject to direction from the Auxiliary Captain, a commanding officer has direct control over all members within his or her command. Commanding officers may hold any rank. They are responsible for the direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules, regulations, policies and procedures. They will provide for continuation of command and/or supervision while they are absent.
- 215 Commanding officers are responsible for the promotion of harmony and cooperation with other units and the investigation of personnel complaints assigned to them by the Chief.
- 216 Commanding officers are responsible for the promotion of harmony and cooperation with other units and the department. They will initiate proper action in situations not regularly assigned to their command when delaying of necessary information to the proper unit might result in failure to perform a police duty.
- 217 Commanding officers are responsible for the proper organization and assignment of duties within their unit to assure proper performance of the unit's functions and those of their command.
- 218 Commanding officers are responsible for the presentation of the required correspondence, reports and maintenance of records relating to the activities of their command. They are responsible for the communication of information up and down the chain of command as required. They are responsible for the proper use and maintenance of equipment, supplies and materials assigned their command.
- 219 Commanding officers are responsible for the punctual attendance of all personnel within their command, and shall see that records are completed of each member's attendance in such manner and form as directed by the Chief.
- 220 Commanding officers shall periodically inspect all members of their command to assure proper maintenance of personnel and unit equipment as used within their command.
- 221 Commanding officers shall prepare efficiency ratings of their subordinates as directed by the Chief.
- 222 In accordance with the direction of the Chief, the commanding officer shall observe probationary officers assigned to their command and prior to the expiration date of the probationary period shall submit to the Chief a detailed report concerning the qualifications of such officers to secure permanent status and the opinion of the commanding officer as to the desirability of their retention.
- 223 Commanding officers are charged with and shall be responsible for the investigation of complaints by citizens relative to the conduct of subordinates under their command and shall report all results of investigations to the Chief.

- 224 The commanding officer will closely supervise the activities of their subordinates, making corrections where necessary and commending good work when appropriate. They shall have a working knowledge of their duties and of the responsibilities of their subordinates. They shall observe contacts made with the public by their subordinates and be available for assistance or instructions as may be required. They shall critically observe procedures affecting the operation of their command, and shall recommend changes designed to increase its efficiency.
- 225 The commanding officer shall counsel subordinate officers in the performance of their duties, and shall take suitable action in the case of laxity, misconduct and incompetence or neglect of duty of an officer that may come to their attention.

AUXILIARY MEMBER

- 250 An auxiliary member is responsible for the accomplishment of the police mission on his or her post. He or she shall consistently be vigilant and on the alert for violations of the law and ordinances and shall make every effort to prevent breaches of the peace and offenses against persons and property.
- 251 Members of the Auxiliary Police Unit shall be required to undergo appropriate training, as well as further or additional training and schooling from time to time as may be directed by the Chief of Police or Auxiliary Captain. Such training or schooling may be conducted by members of the LeRoy Police Department, under the auspices of the LeRoy Police Department, or by such other recognized institutions, academies, training programs and the like, as may be approved from time to time by the LeRoy City Council.
- 252 He or she shall report promptly at the designated hour and place in proper uniform, for assignments and inspections. He or she shall listen attentively to orders and instructions of his or her superior officers and shall read such material as is made available to him. He or she shall make written memoranda of such information as necessary and shall immediately proceed to his or her post upon completing the aforesaid tasks.
- 253 Auxiliary officers are charged with learning the geographical character of the City well enough to enable them to give adequate directions to streets, public buildings, depots, hospitals and highways in an intelligent manner when requested. They shall either obtain the information or direct the inquiring party to the person from whom the information may be obtained. An auxiliary member shall thoroughly familiarize himself or herself with his or her post, learning locations of alleys, fire alarms, streets, highways public businesses, offices, their entrances, exits, fire escapes and other possible means of escape.
- 254 An auxiliary member shall at all times maintain an alert and business like manner, avoiding loitering or lounging about places of business or on the street. He or she shall not conceal himself or herself, nor leave his or her post except by written order or verbal command. During his or her tour of duty, the auxiliary member shall continuously patrol every part of his or her post, giving particular attention to and frequently re-checking locations where crime hazard is great. Insofar as possible, he or she shall not patrol his or her post according to any fixed pattern, but shall alternate frequently and backtrack in order to be at a location that is least expected.
- 255 An auxiliary member shall observe all persons whom he or she encounters upon his or her post and shall investigate persons whose appearance, conduct or presence seem suspicious. He or she shall be on the alert for persons answering the description of missing persons, wanted criminals, and vehicles reported stolen or used in the commission of a criminal act.

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

CHAPTER III

RULES AND REGULATIONS

- 300 PURPOSE The purpose of these regulations is to provide a basis for the orderly and disciplined performance of duty. Their publication will promote a surer knowledge of what is expected of personnel generally, and of all ranks and assignments specifically. This should result in a greater degree of self-assurance in all positions. In relationships between the ranks, it should be the individual's aim to build continuously mutual respect and confidence which is also essential to the operation of the City of LeRoy Police Department.
- 301 LOYALTY: Loyalty to the City, the Department and associates is an important factor in departmental morale and efficiency. Members and employees shall maintain a loyalty to the City, to the Department and to their associates which is consistent with law, personal ethics and professional standards.
- 302 GENERAL RESPONSIBILITIES: Within their lawful jurisdiction, members shall at all times take appropriate action to protect life and property; preserve the peace; to prevent crime and detect and to arrest violators of the law. They will also enforce all Federal, State and City laws and ordinances coming within the Unit's jurisdiction.
- 303 DEPORTMENT: Unit members, whether on duty or off duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior and shall not commit any act tending to bring reproach or discredit upon the department or auxiliary unit.
- 304 COORDINATION: In carrying out the functions of the department and of the Unit, members shall direct and coordinate their efforts in such manner as will tend to establish and maintain the highest standards of efficiency.
- 305 COOPERATION BETWEEN THE RANKS: Cooperation between the ranks and within the Department is essential for effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.
- 306 COOPERATION WITH OTHER AGENCIES: Officers shall cooperate with all law enforcement agencies, other City departments and public service organizations, and shall give aid and information as such organizations may be entitled to receive, consistent with departmental orders.
- 307 CONDUCT TOWARDS THE PUBLIC: Members shall be courteous and orderly in their dealings with the public. They shall perform their duties quietly, not using harsh, violent, profane or insolent language, and shall always remain calm, regardless of provocation to do otherwise. Upon request, they are required to supply their names, in a courteous manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other units or members of the department.
- 308 KNOWLEDGE OF LAWS AND REGULATIONS: Every Unit member is required to establish and maintain a working knowledge of all municipal ordinances currently in force, the rules and policies of the department and the General and Special Orders of the Department. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule or policy in question.

- 309 QUESTIONS REGARDING ASSIGNMENTS: Unit members in doubt as to the nature or details of their assignments shall seek such information from their supervisors by going through the chain of command.
- 310 REPORTING FOR DUTY: Members of the Unit shall be punctual in reporting for duty at the time and place designated by their superior officer. Repeated failure to report promptly at the time directed will be deemed neglect of duty and made the subject of charges. Sickness must be reported by a member at least one hour prior to the time he or she is to report for duty. Once having reported in as sick, the member shall keep his or her Commander informed as to his or her status and expected time to return to duty.
- 311 MAINTAINING COMMUNICATIONS: Officers on duty, and when officially on call, shall be directly available by normal communications or shall keep the Unit or superior officer informed by means of which he or she can be reached when not immediately available.
- 312 ABSENCE FROM DUTY: Every member who fails to appear for duty at the date, time and place specified for doing so without the consent of competent authority is "absent without leave." Such absences within the period normally constituting a tour of duty shall be the subject of a written report to the Chief and the Police Committee of the City of LeRoy.
- 313 INSPECTIONS: From time to time, the Chief may call for full dress inspection for the unit or any part thereof. The Unit will be inspected by the Chief or his or her representative(s) every three months and at uniform changes. Members directed to attend such inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspections is chargeable as "absence without leave."
- 314 INTOXICANTS: No officer in uniform shall drink any alcoholic beverage. No officer in plain clothes shall drink an alcoholic beverage while on duty,. No officer while off duty shall drink any alcoholic beverage to an extent which results in the commission of obnoxious or offensive acts which might tend to bring discredit upon the Unit. No member of the Unit will appear for or be on duty while under the influence of liquor or drugs or any alcohol on his or her breath or be unfit for duty because of their excessive use.
- 315 SMOKING: Officers in uniform shall not smoke in view of the general public. Smoking shall not be indulged in by any member of the Unit under conditions which may be harmful to good conduct or procedure.
- 316 IMPARTIAL ATTITUDE: All members, while charged with vigorous and unrelenting enforcement of the law, must remain completely impartial towards all persons coming to the attention of the department. Violations of the laws are not against the individual officer. All citizens are guaranteed equal protection under the law.
- 317 NON-DISCRIMINATION: Members will not discriminate against any person because of their nationality, race, creed or beliefs.
- 318 RESPONDING TO CALL WHEN IN UNIFORM: Members of the Unit shall respond without delay to calls for police assistance from citizens or other members of the public. Emergency calls take precedence; however, all calls shall be answered as soon as possible, consistent with normal safety precautions and vehicle laws. Failure to answer a call for police assistance is justification for misconduct charges.
- 319 CARE OF DEPARTMENTAL PROPERTY: All members are responsible for the safekeeping of and proper care of all property used by them and belonging to the

department or Unit. Property shall only be used for official purposes and in the capacity for which it was designed. It shall not be transferred to any other member without the explicit permission of the member's commanding officer.

- 320 DAMAGED OR INOPERATIVE PROPERTY OR EQUIPMENT: Members shall immediately report to their commanding officer on designated forms the loss or damage to departmental or Unit property. The immediate supervisor will be notified of any defects or hazardous conditions existing in any departmental equipment or property.
- 321 PRESUMPTION OF RESPONSIBILITY: In the event that City property is found to bear evidence of damage which has not been reported; it shall be prima facie evidence that the last person using the vehicle or other property is responsible.
- 322 COURT APPEARANCE: Attendance at a court or quasi-judicial hearing as required by subpoena or other official order is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case, or other competent court official. When appearing in court, the officer shall wear either the official uniform or a suit and tie (if a male, or appropriate clothing if a female). Members shall present a neat and clean appearance, avoiding any mannerism which might imply disrespect for the court.
- 323 PROPERTY: PERSONAL USE: Members shall not convert to their own use or have any claim upon found property, recovered property or property held as evidence.
- 324 OFF DUTY REPORTING IN EMERGENCIES: Members off duty shall upon official notice report for duty immediately upon receipt of notification and comply with instructions given at the time of notification. Members shall report immediately in the event of any major disaster.
- 325 ACTS OR STATEMENTS BY OFFICERS: Officers shall not perform any acts or make any statements oral or written. All releases are to be made by the LeRoy Police Department.
- 326(A) CRITICISM OF CITY, DEPARTMENT OR UNIT: Constructive criticism of any department, operation, employee or policy of local government is encouraged. Whenever there is such constructive criticism, it shall only be discussed with members of the Unit, and shall be transmitted up the chain of command for appropriate action.
- 326(B) CRITICISM OF OFFICERS: Every member shall refrain from making any statement or allusion which discredits any member except when reporting to his or her supervisors as required by these rules. Every member shall accord courtesy, consideration and cooperation to every other member. He or she shall avoid the manifestation of any unfriendliness toward any member.
- 326(C) UNCALLED FOR REMARKS: No officer of the Unit shall upon the street or in any business house or elsewhere, to any officer or member of the department, Unit or citizen, make any remark in regards to any officer, member of the department or unit which may bring the department, Unit or officer or member thereof disrespect or subject it or them to ridicule. Any such matter should be brought to the attention of the Chief.
- 326(D) FALSE OFFICIAL REPORTS: No officer or member shall make a false official report or make false statements or gossip about any officer or member of the department, Unit or business of the department to the discredit or detriment of any such officer or member of the department, Unit or department as a whole.

- 327 ASSISTANCE TO OTHER MEMBERS: All officers are required to take appropriate police action to aid a fellow officer exposed to danger or in a situation where danger might be impending.
- 328 SPECIAL POLICE WORK: No officer shall engage in private or special police work unless he or she has received specific permission to do so from the Chief.
- 329 TESTIFYING FOR THE DEFENDANT: Any officer subpoenaed to testify for the defense in any trial or hearing or against the City, Department or Unit, shall notify the Chief of Police upon receipt of the subpoena.
- 330 CHANGE OF ADDRESS: Officers shall notify the Unit within 24 hours of change of address or telephone number. This notification will be in written form to the commanding officer.
- 331 TELEPHONE: All officers of the Unit shall maintain a telephone in their residence.
- 332(A) RESPECT TO SUPERIORS: Every officer shall accord respect to their commander, superior or supervisor at all times and shall refrain from critical or derogatory comment on orders received from or issued by him or her.
- 332(B) ADDRESSING SUPERVISORS When addressing fellow officers, members shall observe a respectful attitude and use proper titles, particularly in the presence of the public.
- 332(C) INFORMING SUPERIORS. Officers shall inform superiors of any matters coming to their attention which may affect the welfare or be of interest to the Unit or any other city employee or official.
- 332(D) OBEYING ORDERS: All officers shall promptly obey any lawful order emanating from any superior officer. Obedience to any unlawful order is never a defense for an unlawful action.
- 332(E) CONFLICTING ORDERS: Should any order conflict with any previous order from any other superior officer, the officer shall promptly but respectfully call attention to such a conflict between orders for the benefit of the said superior officer. If said superior officer does not change his or her order to prevent such a conflict, his or her order shall stand.
- 332(F) UNLAWFUL ORDERS: No command or supervisory officer shall knowingly issue any order which is in violation of any lawful ordinance or departmental order or rule.
- 332(G) REPORTING VIOLATIONS OF LAWS, ORDINANCES, RULES OR ORDERS:
Officers knowing of other officers, members or employees violating laws, ordinances, rules of the department or Unit, or disobeying orders shall report the same in writing to the Chief via official channels. If the member officer or employee believes the information is of such gravity that it must be brought to the immediate attention of the Chief of Police, official channels may be bypassed.
- 332(H) ACTING SUPERVISOR: Any officer temporarily filling the position of a superior, in any acting capacity, shall be vested with all the authority and responsibility of the superior.
- 333 FORWARDING COMMUNICATION TO HIGHER COMMAND: Any officer receiving a written communication for transmission to a higher command shall in every case promptly forward such communication to the designated command.

- 334 OFFICER IN CHARGE: At the scene of any occurrence when a superior officer is not present, the officer assigned to that particular post will be in charge. In his or her absence and in the absence of a superior officer, the ranking officer shall be in charge.
- 335 GENERAL RESPONSIBILITY OF OFFICER AT CRIME SCENE: The first officer to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation: summoning medical assistance and the administration of first aid as required to prevent further injury or loss of life; detain violators; and secure the scene.
- 336 GRIEVANCES: Any officer who feels that he or she has been injured or discredited by a superior officer through unreasonable, unjust, arbitrary or tyrannical conduct, or abusive language, shall state his or her grievance in writing and direct it through the chain of command to the Chief of Police.
- 337 RADIO DISCIPLINE: All officers of the Department operating the police radio, either from a mobile Unit or the communications center, shall strictly observe regulations for such operation as set forth by both departmental orders and the Federal Communications Commission.
- 338 RADIO OPERATOR: Officers shall always obey instructions given via the radio by the Radio Operator.
- 339 AVAILABILITY WHEN ON DUTY: Officers on duty shall not conceal themselves except for some police purpose. They shall be immediately and readily available to the public during duty hours.
- 340 REQUIRED DUTY: Officers on duty shall devote their entire time and energies to the duties and responsibilities of the rank, grade or position to which they are assigned.
- 341 DIVULGING CRIMINAL RECORDS: Contents of any criminal record or report filed in the Police Department shall not be exhibited or divulged to any person other than during the process of an investigation or to another duly authorized law enforcement officer, or under due process of law, except as directed by the commanding officer.
- 342 ASSISTING CRIMINALS: Officers shall not communicate, in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment, or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.
- 343 COMPROMISING CRIMINAL CASES: Officers shall not interfere with the proper administration of criminal justice. They shall not attempt to disrupt legal process except where a manifest injustice might otherwise occur, nor participate in or be concerned with any activity which might interfere with the due process of the law. Except in the interest of justice, they shall not attempt to have any citations or notices to appear reduced, voided or stricken from the records or files. Any officer having knowledge of such action and failing to inform his or her superior officer thereof shall be subject to charges.
- 344 WITHHOLDING CRIMINAL INFORMATION: Officers receiving or possessing facts or information relative to a criminal offense shall not retain such facts or information through ulterior motives, desire for personal credit or aggrandizement, but shall report the facts or information in accordance with Unit or departmental procedure.

- 345 FALSE REPORTS: No officer of the Unit shall make false reports or knowingly enter or cause to be entered in any department book, record or report, any inaccurate, false or improper police information or other material matter.
- 346 TRUTHFULNESS: All officers are required to be truthful at all times whether under oath or not.
- 347 DEPARTMENTAL INVESTIGATION--TESTIFYING: Officers are required to answer questions by or render material and relevant statements to a competent authority in any Unit or department personnel investigation when so directed.
- 348 SUBVERSIVE ORGANIZATIONS: No officer shall knowingly become a member of or connected with any subversive organization except when necessary in the performance of his or her duty, and then, only under the direction of the Chief of Police.
- 349 REPORTING: Members shall promptly submit such reports as are required by the performance of their duties or by competent authority.
- 350 PERSONAL APPEARANCE: Same as city police.
- 351 UNIFORM: Uniforms will be kept clean and pressed neatly. Shoes and boots will be polished.
- 352 ATTENDING MEETINGS: Any officer not attending two (2) consecutive Unit meetings will be subject to disciplinary action.
- 353 FIREARMS: Members of the Auxiliary Police Unit shall not carry firearms nor shall they be permitted to use guns of any sort in carrying out their duties from time to time.
354. BENEFITS: Members of the Auxiliary Police Unit shall serve without pay, shall be considered volunteers, shall be required to pay for their own uniforms, other than items which are provided by the City, and which shall remain City property, and shall receive no other benefits (pay, vacation pay, sick pay, bonuses, health insurance, and so forth), but shall be covered by liability insurance coverage and other similar insurance coverage for their actions and conduct when acting as a member of the Auxiliary Police Unit within the scope of their duties and authority.

CHAPTER IV

UNIFORMS AND EQUIPMENT FOR THE UNIT

400 OFFICER UNIFORMS: All officers shall have at all times the property listed below. All uniforms shall be supplied from a supplier designated by the Chief of Police. Personnel shall be properly uniformed on duty, except those officers assigned to civilian dress by specific order of the Chief.

Cap Emblem
Cap Badge
One Baton and carrier ring

- * One black leather garrison belt with chrome buckles
- * One black leather fully lined Sam Brown style belt less strap or hardware .
- * One name plate, chrome finish
- One I.D. Card
- Two regulation hats, one summer and one winter
- * One chrome cap band
- One winter jacket
- Two long sleeved uniform shirts (prescribed by order)
- Two short sleeved uniform shirts (prescribed by order)
- One pair of uniform trousers with stripes
- * One uniform tie
- * One tie bar or clasp
- One uniform rain hat and cap cover
- * One flashlight (at least 2-cell capacity)
- * One pair of black uniform shoes with no ornamentation
- * All personnel shall wear black accessories, including gloves, scarves and socks.

* (Furnished by the individual)

401 REQUIRED EQUIPMENT IN UNIFORM ON DUTY: As described in item 400

402 REQUIRED EQUIPMENT IN CIVILIAN CLOTHES, ON DUTY: On duty members wearing civilian clothes will carry the following:

Badge
I.D. Card
Notebook

403 WEARING OF UNIFORM AND ITS APPEARANCE: Officers shall keep their uniforms clean, well brushed and pressed. They shall wear well polished shoes. Members shall keep hair neatly cut and be clean shaven. They shall, as often as necessary, examine and clean their equipment and keep the same always in good serviceable condition. While wearing a uniform, members shall maintain a military bearing and avoid mannerisms such as slouching, shuffling or putting their hands in their pockets. Jackets and coats shall be zipped and buttoned when in public. The uniform hat shall be worn whenever out of doors, and at all times while officers are in patrol cars unless otherwise directed by the commanding officer.

404 REPLACEMENT OR REPAIR OF UNIFORMS: If any part of the uniform becomes shabby or shows excessive wear or is damaged in the line of duty, it should be submitted to the commander for inspection. Failure to maintain and wear the auxiliary police uniform

in the prescribed manner will result in disciplinary action. Any piece of the uniform or other departmental equipment damaged through neglect, carelessness or misuse will be replaced or repaired at the expense of the officer to whom it is issued.

- 405 LENDING OF BADGE, CREDENTIALS OR WEAPONS: Members shall not permit any person not appointed as an officer in this Unit to use a police department or Unit badge, identification card or weapon at any time.
- 406 COMBINATIONS PROHIBITED: Officers are prohibited from wearing part of the police uniform and part civilian clothes at the same time.
- 407 UNIFORM OF THE DAY: The uniform of the day shall be set by the commander. Otherwise, seasonal uniform orders issued for the season's use shall be followed.
- 408 ACTION WHILE IN UNIFORM: All officers shall be held accountable for any action while in uniform, either on or off duty.

CHAPTER V

PERSONNEL AND DISCIPLINE

- 500 ABSENCE FROM DUTY: No officer or member of the Unit shall be absent from his or her regular tour of duty without notifying his or her commanding officer.
- 501 EMERGENCY DUTY: All officers of the Unit are subject to recall to duty by the Chief of Police in the event of an emergency which, by its nature, would necessitate the need for such officers.
- 502 UNEXPLAINED ABSENCES: Unexplained absence from assigned duty by an officer of the Unit shall be deemed and held to be a resignation by such officer and accepted as such by the Chief of Police.
- 503 INJURY IN LINE OF DUTY: In case of personal injury sustained by an officer or member of the Unit while in the performance of his or her duty, he or she shall immediately, or as soon thereafter as possible, report or cause to be reported such injury to the Auxiliary Captain who shall investigate and report to the Chief of Police and other interested departments in the City within 24 hours.
- 504 WHO IS SUBJECT TO DISCIPLINARY ACTION: Any officer violating his or her office and trust by committing an offense punishable under the laws or statutes of the United States, State of Illinois or local ordinances, or who violates any provisions of the rules and regulations or procedures of the Auxiliary of the LeRoy Police Department, or who disobeys any lawful order, or who is guilty of conduct unbecoming an officer, or who is incompetent to perform his or her duties, is subject to appropriate disciplinary action.
- 505 DISCIPLINARY PENALTIES: Any officer of the Unit shall be subject to reprimand, suspension from duty, reduction in rank, dismissal from the Unit or any combination of the foregoing penalties according to the nature and aggravation of the offense.
- 506 TESTIFYING IN DEPARTMENTAL INVESTIGATIONS: members are required to answer questions by or render any relevant statements to a competent authority in departmental personnel investigations when so directed.
- 507 ESTABLISHING ELEMENTS OF VIOLATION: Existence of facts establishing a violation of any law, ordinance or rule is all that is necessary to support any allegation of such as a basis for a charge under this section. It is not necessary that a formal complaint be filed or sustained. Nothing in this manual prohibits disciplining or charging a member merely because the alleged act or omission does not appear herein, in a departmental order, Unit orders, or in laws and ordinances within the cognizance of the department or Unit.
- 508 DEPARTMENTAL AUTHORITY TO DISCIPLINE: Final departmental disciplinary authority and responsibility rests with the Chief of Police. Except for oral reprimands and emergency suspensions, all departmental discipline must be taken or approved by the auxiliary captain. Other supervisory personnel may take the following disciplinary action or measures:
- Oral Reprimand
 - Written Reprimand (Chief's approval)
 - Emergency Suspension
 - Written recommendations of other penalties.

- 509 EMERGENCY SUSPENSION: The following personnel have the authority to impose emergency suspensions until the next business meeting against a member when it appears that such action is in the best interest of the Unit:
Officer in Charge
- 510 FOLLOW UP ACTION ON EMERGENCY SUSPENSIONS: A member receiving an emergency suspension shall be required to report to the Auxiliary Captain at the next business meeting unless otherwise directed by proper authority. The Commander or Officer in Charge imposing or recommending the suspension shall also report at the business meeting at the same time.
- 511 REPORT OF DISCIPLINARY ACTION TAKEN OR RECOMMENDED: Whenever disciplinary action is taken or recommended (except oral reprimand), a written report must be submitted immediately, containing the following information:
1. Full name, and rank of the person recommended for disciplinary action;
 2. The date, time and location of the alleged misconduct;
 3. The section number(s) of this manual alleged to have been violated or common description of the alleged infraction if not covered in a section of this manual;
 4. A complete statement of facts of the alleged misconduct;
 5. Punishment imposed or recommended;
 6. The written signature of the reporting officer.
- 512 DISTRIBUTION OF REPORTS OF DISCIPLINARY ACTIONS: The report shall be distributed as follows by the officers board imposing or recommending disciplinary action:
1. The original and one additional copy to Auxiliary Captain;
 2. One copy to be retained by the officer imposing or recommending action;
 3. One copy shall be placed in the officer's file in the Department office.
- 513 INFORMING MEMBER WHO HAS COMMITTED INFRACTION: When the infraction investigation has been completed, a copy of the facts including the recommended disciplinary action will be given to the offending officer. This report must include the rule or regulation the member is alleged to have violated and the facts to substantiate this charge.
- 514 CITIZENS COMPLAINTS AGAINST POLICE PERSONNEL: Any member receiving such a complaint shall notify the Auxiliary Captain who will investigate the complaint and make a written report of his or her findings to the Chief of Police.
- 515 INVESTIGATION OF ALLEGED MISCONDUCT: The Auxiliary Captain will be assigned to the investigation of an alleged act of misconduct on the part of the member of this Unit and shall conduct a thorough investigation. Such investigation shall include formal statements from all parties concerned when necessary and pertinent statements from all parties concerned shall be gathered and physical evidence pertaining to the case or bearing on the matter shall be preserved.
- 516 COMPLAINTS AGAINST SUPERIORS: Complaints against all superior officers shall be made by members of the Unit in writing directly to the Auxiliary Captain (or Chief of Police if the complaint is about the Auxiliary Captain) with supporting facts and circumstances.
- 517 ADMINISTRATIVE DISCIPLINARY ACTION: The Auxiliary Captain shall have the power to suspend temporarily any officer, not to exceed ten (10) days, for violation of any law, ordinances of the City of LeRoy, rules and regulations or orders, and within 24 hours after he or she shall report said suspension to the Chief of Police. A member of the Unit under suspension shall not wear the uniform or any part thereof during the period of

suspension and shall surrender his or her badge, cap emblem and I.D. Card to the Auxiliary Captain for the period of his or her suspension.

- 518 The appointment or continuation of an appointment to the Auxiliary Police Unit of the various members of the Auxiliary shall depend upon their ability and willingness to attend all calls of duty, scheduled training and compliance with the manual of rules and regulations.
- 519 All decisions on enforcement of rules and regulations, policy and discipline shall be up to the Auxiliary Captain, Chief of Police, Police Committee and City Council.
- 520 Appeal of the decision of the Auxiliary Captain may be made to the Chief of the LeRoy Police Department. Appeal from the decision of the Chief of Police may be made to the Police Committee, of the LeRoy City Council, whose decision is then final.
- 521 The Chief of Police shall have the power to suspend, remove or discharge any member of the Auxiliary Police Unit for insubordination or dereliction of duty. Such suspension, removal or discharge shall take effect only after the member has been furnished with a written statement for the reason of such action, and has been given the right to appeal any such disciplinary action, which rights shall remain open for a period of five (5) days after notice of the intended action has been given to the member. An appeal from a member of any proposed disciplinary action shall be in writing to the Police Committee.
- 522 The Code of Ethics, Professional Standards of Duty Performance and Rules and Regulations of the LeRoy Police Department applicable to regular police officers shall also be applicable to members of the Auxiliary Police Unit, unless any provision of the aforesaid shall be in opposition to any provision set forth in the LeRoy Police Department Auxiliary Rules and Regulations, in which case these rules and regulations shall take precedence. An Auxiliary Police Unit member may be suspended or dismissed for violation of any of the provisions of the Code of Ethics, Professional Standards of Duty Performance and Rules and Regulations of the LeRoy Police Department.

CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on November 21, 1994, the Corporate Authorities of such municipality passed and approved Ordinance No. 569, entitled:

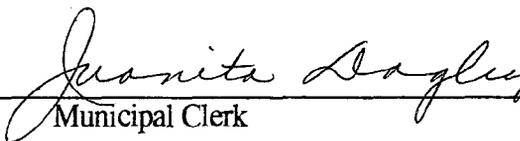
AN ORDINANCE TO ADOPT THE LEROY POLICE DEPARTMENT AUXILIARY RULES AND REGULATIONS,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 569, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on November 21, 1994, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 21st day of November, 1994

(SEAL)


Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Juanita Dagley, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE TO ADOPT THE LEROY POLICE DEPARTMENT AUXILIARY RULES AND REGULATIONS.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the ____ day of _____, 1994, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this _____ day of _____, 1994.

X _____
 City Clerk

(SEAL)