

Chapter 4

POLICE DEPARTMENT

Current as of 11-25-15

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4.01 DEPARTMENT ESTABLISHED.

There is hereby established a Police Department of the City of DeKalb which shall consist of a Chief of Police and such officers, police officers and other civilian employees as the City Manager shall from time to time determine. (03-82)

4.02 CHIEF OF POLICE.

a) Appointment. There is hereby created the office of Chief of Police who shall be the head of the Police Department. The Police Chief shall be appointed and removed from office at the discretion of the City Manager. The appointment shall be subject to the approval of the Council. (12-71; 2015-16)

b) Duties. The Chief of Police shall have the custody, care and control of the public property of the Police Department, and of all firearms and other equipment and the books and records of the Police Department. He shall devote his whole time to the municipal affairs of the City to preserve the peace, order, safety and cleanliness thereof, and to this end he shall execute and enforce all laws and ordinances unless the enforcement of any ordinance is specifically the responsibility of some other officer of the City. He shall be charged with the duty of protecting the rights of persons and property and providing a proper police force at every fire.

c) Authority. The Chief of Police shall be the chief administrative officer for the Police Department and shall have responsibility and the authority for the supervision of all officers and civilian employees of the department. He shall be responsible to the City Manager for the proper management and efficient operation of the department.

d) Reports. The Chief of Police shall submit annual reports to the City Manager of the state of the police force, with a detailed statement of the transactions of the department as he may deem advisable. He shall also

make reports of any other matter or thing concerning such department when requested by the City Manager. (03-82)

e) City Jail. The Chief of Police shall have the custody, charge and keeping of the City Jail and of all persons committed thereto.

f) Selection of Certain Officers. The Chief of Police shall be responsible for the selection and promotion of all Lieutenant and successively higher ranked officers within the Police Department, subject to the advice and consent of the City Manager. Lieutenants and successively higher ranked officers shall not be subject to selection or promotion by the Board of Fire and Police Commissioners. (12-71)

g) Police Agreements. The Chief of Police is and shall be authorized to enter into one or more agreements or intergovernmental agreements with other law enforcement agencies or governmental agencies, for the shared use of available resources, shared law enforcement or prosecutorial activities, joint operations, co-policing initiatives, integration of command, mutual aid arrangements, and similar law enforcement operations including utilization of sworn peace officers from other agencies to supplement or temporarily serve in, with or under the City's standing compliment of police officers. Said agreements may cover any terms related to such operations, including the indemnification or insuring of officers involved, chain of command issues, use of City resources, or related topics. Any such agreement shall require the approval of the City Manager. Any agreement which requires the appropriation or use of unbudgeted funds shall require the approval of the City Council for that budgetary amendment, prior to approval by the Chief of Police. (13-30)

4.03 ORGANIZATION.

The Police Department shall be organized into such divisions and units thereof as shall be determined by the Chief of Police with the approval of the City Manager. The scope, duties and responsibilities of each division and for each officer or civilian employee therein shall be determined and spelled out in a printed procedures manual prepared by the Chief of Police, subject to the approval of the City Manager and thereafter distributed to each officer and civilian employee of the department. The manual may be revised from time to time.

4.04 POLICE OFFICERS.

a) Police officers shall be appointed by the Board of Fire and Police Commissioners, taking into consideration the recommendation of the Chief of Police. Appointments shall be made only after a vacancy has been established or upon requisition by the Chief of Police with the approval of the city Manager, provided, however, that no appointment shall be made without an appropriation having been made for the salary for said position.

b) A police officer shall be a citizen of the United States and must be of good moral character, of temperate habits, of sound health, and must be physically able to perform the duties of the position for which he/she applies. The burden of establishing these facts rests upon the applicant. Applicants must possess an Associates degree from an accredited college or university in Criminal Justice, Law Enforcement, or a Bachelor's degree in any discipline, or possess certification as a State of Illinois Peace Officer. (03-82)

c) All police officers shall, within the period of fifteen (15) months from their appointment or after completion of their probationary period, (whichever comes last), become residents within the following described residential boundaries: The area allowed for residency is bordered by Route 47 (eastern boundary), North Ogle/DeKalb County Line (northern boundary), Route 251 (western boundary) and Chicago Road (southern boundary). If any portion of the police officer's property crosses the boundary line, the police officer

may live on either side of the boundary line. If any portion of the incorporated limits of a city, town or village touches the boundaries, all of the city, town, or village shall be included within the area (93-52, 03-82)

d) Original appointments of police officers to the Police Department shall be for fifteen (15) month probationary periods. At the end of the fifteen (15) month probationary period, the Chief of Police shall certify to the Board of Fire and Police Commissioners that the appointment is either to be made permanent or nullified. (80-33, 03-82)

e) DELETED. (03-82; 2015-16)

4.05 POLICE OFFICERS' AUTHORITY.

Police officers shall have the power and it shall be their duty in the City to serve and execute warrants and other process for the apprehension and commitment of persons charged with a violation of any City ordinance, or any crime or misdemeanor or offenses against the peace of the City or State, or of the United States, or held for examination or trial or taken in execution for the commission of any crime or misdemeanor or violation of any law as aforesaid or an ordinance of the City. They shall also have the power and authority and it shall be their duty to serve and execute any civil process issued by any judge in any case in which the City is a party. While serving and executing, or assisting in the service or execution of any warrant or process, they shall be vested with and retain all the powers and authority conferred on police officers by the laws of the State of Illinois. (03-82)

4.06 INTERFERENCE WITH POLICE.

No person in the City shall resist any member of the police force in the discharge of his duties or in any way interfere with or prevent or hinder him in the discharge of his duty as such member, or shall endeavor or offer to do so, or in any manner assist any person in the custody of any member of the police force to escape or attempt to escape from such custody, or attempt to rescue any person in such custody.

4.07 UNIFORMS AND BADGES.

Every member of the Police Department shall wear a suitable badge and uniform to be furnished by the City and any member who shall negligently lose or destroy the same, shall be required to pay the cost of replacing it. Whenever any member shall leave the department, he shall immediately deliver his badge and uniform and all of the articles in his possession belonging to the City, to the Chief of Police.

4.08 OFFICERS' DUTIES.

a) Seized Property. It shall be the duty of the police officers to report and deliver to the Chief of Police all property seized or found by them immediately after the same shall have come to their possession, which property with the date of delivery and the description of the same, and the name of the police officer depositing the same, shall be entered in books kept for that purpose by the Chief of Police, who shall be held responsible for same.

b) Bail. No member of the police force shall become or furnish bail for a person arrested for violation of any ordinance of the City or the criminal laws of the State of Illinois, or of the United States.

c) Performance of Duties. No member of the Police force shall neglect or refuse to perform any duty required by him by the ordinances of the City, or by the Chief of Police in the discharge of his official duties,

or be guilty of any fraud, extortion, favoritism or willful wrong or injustice.

d) Other Duties. Police officers shall have such other powers and duties as are prescribed by ordinance, by the laws of the State of Illinois, and as may be assigned from time to time by the Chief of Police, as spelled out in the procedures manual.

4.09 CIVILIAN EMPLOYEES.

Civilian employees of the Police Department shall be appointed by the City Manager taking into consideration the recommendation of the Chief of Police. Their powers, duties and responsibilities shall be as outlined in the procedures manual. Civilian employees shall not be considered as police officers and do not have the powers or authorities vested in police officers. Secretaries, Telecommunicators, Parking Patrol and Community Service officers shall be considered to be civilian employees. (03-82)

4.10 POLICE VOLUNTEERS.

It shall be duty of the Chief of Police to organize, recruit and train volunteers who may assist the regular police officers of the Police Department. Police volunteers shall be appointed for an unlimited tenure, as determined by the Chief of Police. During the actual time on duty in uniform such police volunteers shall possess such authority as may be delegated by the Chief of Police, not inconsistent with the laws of the State of Illinois. The persons so appointed shall conform and be subject to all rules and regulations as the Chief of Police shall make concerning such police volunteers. (03-82)

4.11 IMPERSONATION OF POLICE OFFICERS.

a) No person shall falsely impersonate any member of the police force, or maliciously or with intent to deceive, use or imitate any of the signs, signals or devices adopted or used by the Police Department, or shall wear in public the uniform adopted as the police uniform after having been removed or suspended.

b) It shall be unlawful for any person, other than a member of the Police Department to assume to act as a police officer in any capacity in the city or any regularly appointed police volunteer of the City. (03-82)

c) It shall be unlawful for any person other than a police officer or patrolman to wear a badge, uniform or other similar device like that of a police officer. (03-82)

4.12 DUTY TO AID POLICE OFFICERS.

a) It shall be the duty of any person in the City, when called upon by the Chief of Police or any member of the Police Department to promptly aid and assist him in the execution of his police duties.

b) It shall be the duty of any person engaged in the practice of medicine or conducting or operating a hospital or clinic to telephone the Police Department immediately upon rendering medical assistance or treatment of any kind to a person who is not accompanied by a police officer when the person engaged in the practice of medicine or conducting or operating a hospital or clinic, or any employee thereof, knows that the person injured requires treatment as a result of any injury resulting from the discharge of a firearm, any injury or wound apparently inflicted by any object used as a weapon or any injury or Illinois sustained in the commission of any criminal offense.

c) Any person giving the information required in this section shall not be responsible for inaccurate

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information given by the patient or by any person accompanying the patient, and shall not be liable under this section for failure to know that a particular injury or illness was sustained in the commission of a criminal offense.

4.13 POLICE PENSION BOARD.

There is hereby established in the City a Police Pension Fund in accordance with 40 ILCS 5/3-101 et.seq. The pension fund shall be administered by a Board of Trustees as provided by said 40 ILCS 5/3-101 et.seq.
(99-13)