

ORDINANCE NO. 2023 - 08

**AN ORDINANCE AMENDING CHAPTER 46, ARTICLE II, 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; 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 Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, 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 (65 ILCS 5/10-2.1-4) of the Illinois Municipal Code (the “Municipal Code”) 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 previously approved Section 46-43 of the Village Code related to lateral hiring; and

WHEREAS, from time-to-time, the Village Code needs to be revised due to updates in the law or changes in circumstances; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to revise Section 46-43 of the Village Code, which shall be binding upon the Board of Fire and Police Commissioners, related to the hiring of lateral police officers; 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 revise the binding lateral entry process; and

WHEREAS, the Corporate Authorities desire to amend the Village Code to revise the lateral entry hiring 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 Section 46-43 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.
AMENDMENT OF CHAPTER 46, ARTICLE II, SECTION 46-43 OF THE VILLAGE CODE,
VILLAGE OF STICKNEY, ILLINOIS**

SECTION 3.0. AMENDMENT OF CHAPTER 46, ARTICLE II, SECTION 46-43

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 46-43:

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. No felony convictions.
- H. No conviction of domestic related charges.
- I. No convictions for serious misdemeanors involving moral turpitude as defined in 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 minimum essential job functions of the position.

46-43.4 – Application Process.

- A. In accordance with Illinois Municipal Code, the Commission shall cause to have 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 shall also be posted on the Illinois Chiefs of Police Association web page, theblueline.com, the office of the Commission, and at the Police Department. The Lateral Entry Eligibility Pool List shall be valid for a two (2) year period of posting unless the Commission determines that the creation of a new Lateral Entry Eligibility Pool list will achieve higher quality recruits.
- B. Applications shall be obtained at the Stickney Police Department front desk or via the Village of Stickney's website by prospective candidates and a deadline shall be established by the Commission for the application to be returned to the Stickney Police Department. There will be a \$25.00 application fee required upon an applicant's return of the completed application to the Village of Stickney.
- C. A failure to complete the application fully, accurately, and truthfully shall be cause for the applicant's application to not be considered.
- D. The applicant's application shall include references and all training and certification documentation.
- E. The applicant shall be subject to a background investigation of ~~qualified applicant shall be~~ conducted by the Stickney Police Department and/or a firm of the Village's choice. Successful completion of the background check is required.
- F. The applicants shall participate in an oral interview conducted by the board of fire and police commissioners. The Chief of Police or 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 Police and Fire Commissioners identifying the candidates as “highly qualified,” “qualified” and “not qualified.” The chief of police’s recommendation to the Board of Police and Fire Commissioners based upon the applicant’s qualifications and the requirements of the position sought.

- G. 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 List - 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 hire candidate pool shall be posted in a prominent location in the Police Department.

Upon the request of the Chief of Police and the direction of the Village Board, the Board of Fire and Police Commissioners shall have the authority to select a candidate from the Lateral Entry Eligibility Pool, based upon the relative excellence of the candidate, taking into consideration 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 Village Board may include a direction to hire a lateral hire candidate that possesses certain training, skills, or certifications. All successful applicants that are candidates for hire shall be subject to the successful completion of post-offer examinations, which shall include, but are not limited to, a psychological assessment and polygraph. 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 shall state the candidate’s score after completion of the application process, which shall include their performance in the oral interview, with additional points assessed based upon job experience, 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 twenty (20) 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 Village Board.

The ~~lateral hire candidate pool~~ Lateral Entry Eligibility Pool list will be valid for two (2) years from the first date of posting of the list of candidates in the pool, as noted on the list. Notwithstanding the two-year duration of a Lateral Entry

Eligibility Pool list lateral hire candidate pool, whenever the Lateral Entry Eligibility Pool list lateral hire candidate pool falls below three (3) candidates, the process for creating a new Lateral Entry Eligibility Pool list lateral hire candidate pool shall be commenced, and a new pool created, provided that any applicants who remained in the Lateral Entry Eligibility Pool list lateral hire candidate pool when it fell below three (3) candidates shall automatically be added to the new Lateral Entry Eligibility Pool list lateral hire candidate pool, without the need to reapply. Candidates remaining in the Lateral Entry Eligibility Pool list when the pool falls below three (3) candidates may only carry over onto the next Lateral Entry Eligibility Pool list and if not hired, the candidates shall not carryover for a second time and will be required to reapply and shall be subject to the application process if they wish to be considered for hiring on any subsequent Lateral Entry Eligibility Pool list. However, ~~a~~Any candidates who were members of the Lateral Entry Eligibility Pool list lateral hire candidate pool when it expired upon its two-year duration shall be required to reapply for eligibility to become a lateral hire candidate for such subsequent Lateral Entry Eligibility Pool list lateral hire candidate pool.

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

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, including, but not limited to, the installation of any street or parking signs as contemplated herein. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate 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 16th day of May, 2023.

AYES: Trustees White, Milenkovic, Torres and Hrejsa

NAYS: None

ABSENT: Trustees Kapolnek and Savopoulos

ABSTENTION: None

APPROVED by me this 16th day of May, 2023.

Jeff Walik, President

ATTESTED AND FILED in my
office this 16th day of May, 2023.

Audrey McAdams, Village Clerk