



GENERAL ORDER

OAK BROOK POLICE DEPARTMENT

OAK BROOK, ILLINOIS

Title: RULES OF CONDUCT	Number: PER-200
Author: Chief James R. Kruger, Jr.	Page: 1 of 32
Effective Date: 12-26-95	Revised Date: 07-01-2021

200.1 Policy

It is the policy of the Oak Brook Police Department that every sworn Officer shall take an oath of office which shall satisfy both local and state requirements as well as to enforce the law and uphold the Constitution of the United States is a universal practice in law enforcement service. Additionally, abiding by a code or canon of ethics is both traditional and necessary. Traffic stops, arrest or other forms of detention lacking lawful authority based solely upon race, color, ethnicity, sex, age, sexual orientation, etc. are strictly prohibited.

200.2 Purpose

The purpose of this policy is to mandate an oath of office which will satisfy both state and local requirements, to set moral and ethical standards for all law enforcement personnel and to establish rules of conduct for the Oak Brook Police Department.

200.3 Duty to Abide

All personnel shall abide by the Oath of Office, Law Enforcement Code of Ethics, Canon of Law Enforcement Ethics, Civilian Law Enforcement Code of Ethics as well as the Rules and Regulations of the Oak Brook Police Department.

200.4 Oath of Office

1.1.1 All personnel of the Oak Brook Police Department prior to assuming sworn status shall take an Oath of Office.

The following Oath of Office shall be administered by the Clerk of the Village of Oak Brook:

I, _____, having been appointed to the office of _____ in the Village of Oak Brook in the Counties of DuPage and Cook, DO SOLEMNLY SWEAR, that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of _____ to the best of my ability.

200.5 Law Enforcement Code of Ethics

1.1.2

All sworn Officers of the Oak Brook Police Department are required to abide by the Code of Ethics as provided in this policy:

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind, to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality, and justice.

I SHALL keep my private life unsullied as an example to all; maintain courageous calm in the faces of danger, scorn, or ridicule; develop self restraint and be constantly mindful of the welfare of others; honest in thought and deed in both my personal and official life. I shall be exemplary in observing the law of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity, shall be kept ever secret unless revelation is necessary in the performance of my duty.

I SHALL never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I shall enforce the law courteously and appropriately without unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as symbol of public faith, and I accept it, as a public trust to be held so long as I am true to the ethics of police service. I shall constantly strive to achieve these objectives and ideals, dedicating myself before God and my chosen profession...law enforcement.

© *International Association of Chiefs of Police*

200.6 Canon of Law Enforcement Ethics

1.1.2

All sworn Officers of the Oak Brook Police Department are required to abide by the Canon of Law Enforcement Ethics as provided in this policy:

ARTICLE 1. Primary Responsibility of Job

The primary responsibility of the law enforcement service, and the individual law enforcement officer, is the protection of the people of the United States through the upholding of their laws; chief among which is the Constitution of the United States and its amendments. The law enforcement officer represents the whole of the community and it's legally expressed will and is never the arm of any political party or clique.

ARTICLE 2. Limitations of Authority

The first duty of a law enforcement officer, as upholder of the law, is to know the bounds the law has established for its enforcement. The law enforcement officer represents the legal will of the community, be it local, state or federal. The law enforcement officer shall, therefore, be aware of these limitations and proscriptions which the people, through law, have imposed as a primary responsibility. Law enforcement officers shall recognize the genius of the American system of government which gives no person, group, or institution absolute power. Law enforcement officers shall ensure that they, as prime defenders of that system do not pervert its character.

ARTICLE 3. Duty to be Familiar with Laws and with Responsibilities of Self and Other Public Officials

Law enforcement officers shall assiduously apply themselves to the study of principles of the laws which they are sworn to uphold. Law enforcement officers shall ascertain their responsibilities in the particulars of their enforcement, seeking aid from superiors in technical matters or principles when such effort to fully understand their relationship to other public officials, particular in matters of jurisdiction, both geographically and substantively.

ARTICLE 4. Utilization of Proper Means to Gain Proper Ends

Law enforcement officers shall be mindful of their responsibility to pay strict heed to the selection of means in discharging the duties of their office. Violations of law or disregard of public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

ARTICLE 5. Private Conduct

Law enforcement officers shall be mindful of their identification by the public as upholders of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, will certainly reflect upon the Police Department and the individual officer. The community and the service require that law enforcement officers lead decent and honorable lives. Following a law enforcement career gives no one special prerequisites; however, it does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the Citizens of the United States of America. Officers who reflect upon this tradition will not degrade it. Rather, they shall so conduct their private lives that the public will regard them as examples of stability, fidelity and morality.

ARTICLE 6. Conduct Toward the Public

Law enforcement officers, mindful of their responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. Law enforcement officers shall conduct their official lives in a manner such as will inspire confidence and trust. Thus, they will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of them nor a right to command them. Officers shall give service where they can, and require compliance with the law. They shall do so neither from personal preference or prejudice but rather as duly appointed officers of the law discharging a sworn obligation.

ARTICLE 7. Conduct in Arresting and Dealing with Law Violators

Law enforcement officers shall use powers of arrest strictly in accordance with the law and with due regard for the rights of the citizen concerned. Their office gives them no right to judge the violator or to mete out punishment for the offense. They shall, at all times, have a clear appreciation of responsibilities and limitations regarding detention of the violator.

They shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end they shall cultivate a dedication to the service of the people and the equitable upholding of the law, whether in the handling of law violators or in dealing with the law-abiding.

ARTICLE 8. Gifts and Favors

Law enforcement officers, representing government, bear the heavy responsibility of maintaining, in their own conduct, the honor and integrity of all government institution. They shall therefore, guard against placing themselves in a position in which any person can expect special considerations or in which the public can reasonably assume that special consideration is being given. Thus they should be firm in refusing gifts, favors or gratuity, large or small, which can, in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.

ARTICLE 9. Presentation of Evidence

Law enforcement officers shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. They shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, they shall ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

Law enforcement officers shall take special pains to increase perception and skill of observation, mindful that in many situations, theirs is the sole impartial testimony to the facts of a case.

ARTICLE 10. Attitude and Professionalism

Law enforcement officers shall regard the discharge of their duties as a public trust and recognize their responsibilities as a public servant. By diligent study and sincere attention to self-improvement they shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. They shall appreciate the importance and responsibility of their office and hold police work to be an honorable profession rendering valuable service to their community and country.

1.1.2

200.7 Civilian Law Enforcement Code of Ethics

All civilian personnel of the Oak Brook Police Department are required to abide by the Code of Ethics as provided in this policy:

I ACKNOWLEDGE respect for human life, recognizing diversity among the members of the community and department I serve. I will exhibit honesty and integrity through ethical behavior. I will be obedient to the laws of the Village of Oak Brook, State of Illinois and the United States of America. I will not, in the performance of my duty, work for personal advantage or profit.

I WILL, at all time, recognize that I am a public servant, and that ultimately, I am responsible to the public. I will give the most efficient, impartial and courteous service of standards as I maintain for myself. I will accept responsibility for my actions. I will recognize the positive relationship between good physical and mental conditioning in the performance of my duties. I will do only those things that will reflect honor on my fellow employees, supervisors, agency and myself.

12.2.1g
26.1.1

200.8 Rules and Regulations

Pursuant to the laws of the United States of America, the State of Illinois, and the Village of Oak Brook, the attached rules and regulations hereinafter set forth are established for the

guidance and government of the Oak Brook Police Department; its members and employees.

The right is reserved to the Chief of Police with the advice and consent of the legislative body of the Village to amend or revoke any of the attached rules and regulations and to make additional rules and regulations from time to time as the circumstances for the good of the service may require. If any provision, clause or phrase of these rules and regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the remaining rules and regulations which can be given effect without the invalid provision or application, and to this end the provisions of these rules and regulations are declared to be separable.

Individuals subject to these rules and regulations must understand that no compilation of rules and regulations can be established which will embrace all cases arising in the discharge of their duties. Necessarily some matters must be left to the intelligence and discretion of the individuals. However, all employees and members of the department must understand that if discretion is used in a wanton or unreasonable manner which is determined to be detrimental to the discipline and efficiency of the department and the image of the village and which law and sound public opinion recognize as injurious to the ability of the department and the village to protect and serve the community, that member of the department who violates or attempts to violate these rules and regulations will be subject to disciplinary action.

Existence of facts establishing a violation of law, rules or regulations, general or special orders, policies or procedures, written or verbal orders is all that is necessary as a basis for departmental discipline. All previous rules and regulations of the Oak Brook Police Department are superseded as of the date and time of approval of these rules and regulations. Any cause of action which arose or may arise during a period of time in which these rules and regulations were not in effect shall be handled by the rules and regulations in effect at the time of the occurrence of the event which created the cause of action.

200.9 Article 1 – AUTHORITY

Authority

1.1 Authority in the department shall be exercised with firmness and impartiality.

Delegation of Authority

1.2 Members who are directed by an appropriate commanding Officer to act in capacities above their ordinary or usual rank shall for the necessary time possess the authority of that rank.

1.3 In accordance with the duties and responsibilities of each rank as set forth by the department, members shall possess commensurate authority to achieve said duties and responsibilities. All department members are fully accountable for their use or failure to use delegated authority and responsibility.

Chain of Command

1.4 The chain of command from the Chief on down through the ranks, the line of authority from the lowest rank on up through the ranks, shall be preserved in order to maintain principles of sound administration. Ranks shall not be by-passed except under emergency or unusual situations which demand it.

1.5 Detectives and Juvenile Officers are equal in the chain of command with Patrol Officers. However, in follow-up investigations in which one of the specialists is assigned, the Detective, or the Juvenile Officer bears full responsibility for the case and accordingly shall have the functional authority and control over the investigation.

Functional and/or Staff Supervision and Authority

1.6 Authority delegated or granted to ranking Officers is not confined to their respective commands, but shall include supervision over all members of the police department as may be necessary for efficient administration. This authority shall be exercised with utmost discretion, avoiding the issuance of direct commands to personnel not assigned to the ranking Officer's control except where necessary, e.g. in periods of emergency, serious breach of discipline. In case of such an event, the matter should be communicated to the member's commanding Officer.

Exercise of Authority

1.7 A ranking member should exercise the authority of their position under the conditions which require that he or she shall use such authority in the best interests of the department. They shall not unnecessarily countermand any orders of members below their rank or needlessly interfere with the specific duties of such members.

Command Authority

1.8 When a question of seniority may arise regarding who shall be in command, such seniority shall be determined:

- a. First by rank;
- b. Second, if members are equal in rank, by one member having been designated as in command:
 1. By higher authority.
 2. Or by nature of assignment.
- c. Third, by time and grade.

Acting Authority

1.9 Members who have been designated to serve in an acting capacity by proper authority shall have vested in them all of the authority, command and responsibility of the acting rank. The orders of members with an acting rank shall be obeyed as if the member actually possessed the acting rank.

Responsibility of Command

1.10 Responsibility of command and authority is delegated or granted through the following channels and shall be recognized in the following order:

- a. Chief
- b. Deputy Chief
- c. Division Commander
- d. Sergeant
- e. Patrol Officer

f. Other members with delegated authority

Particular assignments shall be shown on an organization chart.

Command of Scene

1.11 At the scene of any crime, accident or other police incident, the ranking Supervisor present shall assume command and direction of police personnel in a manner to ensure the most orderly and efficient accomplishment of the Police task. When two or more members of the same rank are present and one of these is assigned to the investigative detail that will conduct the investigation, that ranking Officer will be in charge. This provision is intended to provide for coordination of the efforts of the several subordinate members who may be assigned to the incident; therefore, it is incumbent upon the ranking member assuming such control to become acquainted with the facts and ensure that appropriate action is being taken or is initiated.

General Responsibilities of Officers at Crime Scenes

1.12 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:

- a. Summoning of medical assistance and the administration of first aid as required preventing further injury or loss of life.
- b. Arrest of violator.
- c. Security of the scene.

Responsibilities of Assigned Officer at Crime Scene

1.13 The Officer officially assigned to perform the preliminary or other investigation of an alleged crime or incident is responsible for the duties enumerated in Section 1.12 as may be necessary, and the completion of the preliminary or other investigation as directed. This shall include, but is not necessarily limited to, the securing of statements and other information which will aid in the successful completion of the investigation and locating, collecting and preserving physical evidence material to the issue.

Relief of Officer Conducting Preliminary Investigation

1.14 Officers and members shall not interfere with cases being handled by other Officers and members of the department or by any other governmental agency unless:

- a. Ordered to intervene by a superior Officer, or;
- b. The intervening Officer and member believe, based upon information available to them that a manifest injustice would result from failure to take immediate action.

1.15 Upon completion of the preliminary investigation, the assigned Officer shall stand relieved unless otherwise directed by a Supervisor.

- a. Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their superior Officer unless the exigencies of the situation require immediate police action.

200.10 Article 2 - ORDERS

Orders

12.1.3

2.1 Members of the department shall obey and properly execute any lawful order emanating from a Supervisor. The term "lawful order" shall be construed as any written, or oral, direction issued by a Supervisor to any subordinate or group of subordinates in the course of police duty which is not in violation of any law or ordinance.

2.2 Orders from superior to subordinate shall be clear and understandable in language, civil in tone, and issued in the pursuit of departmental business.

12.1.3

2.3 Orders given by a member of equal or lesser rank shall be obeyed when said member is merely relaying the orders of a superior.

2.4 Members in doubt as to the nature or detail of their assignment shall seek such information from their superiors by going through the chain of command.

2.5 Members shall not speak critically or derogatorily to other members of the department or to any person outside the department regarding the orders or instructions issued by any Supervisor.

Conflicting Orders

12.1.3

2.6 Upon receipt of an order conflicting with any previous order or instructions, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then shall rest with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders shall be countermanded or conflicting orders shall be issued only when clearly necessary for the good of the department.

Insubordination

2.7 Failure or deliberate refusal of any member to obey a lawful order given by a superior member shall be considered insubordination. Ridiculing a superior member or their orders, whether in their presence or during their absence, also is insubordination.

Unlawful Orders

2.8 No command or supervisory member shall knowingly issue any order which is in violation of or tends to nullify any law or ordinance. Since obedience to an unlawful order is never a defense for any unlawful action, no member is required to obey any order which is contrary to federal, state, county, or municipal law or ordinance. Responsibility for refusal to obey rests with the member who shall be strictly required to justify their action.

Unjust Orders and/or Orders Contrary to Regulations

2.9 No command or supervisory member shall knowingly issue an order which is unjust or is in violation or tends to nullify any departmental rule or regulation, general or special order or command issued by the Chief or a superior member.

2.10 Members who are given orders they feel to be unjust or contrary to rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided by departmental procedures. A member, in their opinion, receiving an unlawful, unjust or improper order, shall report in writing to the Chief through official channels. Appeals for relief from such orders shall be made at this time.

Oral or Written Orders of Chief or Supervisors

2.11 Any written or oral order posted or communicated over the signature or name of the Chief shall be enforceable as a rule or regulation of the department, but no order shall revoke

or modify the rules and regulations unless specifically so stating and identifying the section so revoked or modified.

2.12 An order issued by a Supervisory Officer pertaining to the personnel of their particular command shall be enforceable as a rule or regulation of that Division or Section.

General and Special Orders

2.13 All departmental orders shall have the effect of rules and regulations. General and Special Orders are specific extensions of areas covered in rules and regulations or treatment and explanation of matters not covered in rules and regulations.

2.14 All department General and Special Orders which have not been specifically revoked in writing are to be considered valid and in full effect.

2.15 Violations of General and Special Orders shall be considered violations of departmental rules and regulations and shall be treated in the same fashion for disciplinary purposes.

Knowledge of Laws and Regulations

2.16 Every member is required to develop and maintain a thorough working knowledge of all relevant federal and state laws and all village ordinances. In the event of improper action or breach of discipline, it will be conclusively presumed that the member was familiar with the law or ordinance in question.

Knowledge of Rules, Orders, Policies, Procedures and Bulletins

2.17 Members shall read and familiarize themselves thoroughly with the department rules, regulations, orders, policies, procedures and published bulletins. They shall, upon return from any absence, familiarize themselves with all changes that may have taken place during such absence or since their last tour of duty. In the event of improper action or breach of discipline, it will be conclusively presumed that the member was familiar with the rule, regulation, procedure, policy or order in question.

Maintenance of Department Manuals

2.18 Members issued a Village of Oak Brook Personnel Manual shall maintain them in good condition and shall make appropriate changes or inserts therein as directed and provide them for inspection at the discretion of a supervisory Officer.

Supervisory Accountability

11.3.2 2.19 Supervisory personnel and personnel with delegated authority are accountable for the performance and activities of personnel under their immediate control.

200.11 Article 3 - INSPECTIONS

Inspections

53.1.1b 3.1 Division Commanders or Supervisors shall hold inspections at such intervals as may be appropriate to accomplish department objectives.

3.2 Supervisory personnel shall check as to the individual member's proper attire, condition and appearance for duty.

200.12 Article 4 - TRAINING

Training

4.1 All members shall attend in-service, specialized, and promotional training in the theory and practice of law enforcement at the direction of the Chief. Such attendance shall be considered a duty assignment.

4.2 Members are encouraged to further their education in law enforcement through study, special courses, college work, extension programs, and independent readings. Certificates of completion and other relevant documents pertaining to law enforcement courses will be filed, when submitted, in the member's training file.

4.3 A member's history of training and study in the field of law enforcement may be reviewed when they are considered for reassignment or transfer.

200.13 Article 5 - COMMUNICATIONS AND CORRESPONDENCE

Notices

5.1 Members shall not mark, alter or deface any posted notice of the department. Notices or announcements shall not be posted on bulletin boards without approval by the Chief of Police or designee. No notices of an inflammatory or derogatory nature shall be posted at any time. Notices shall not be placed anywhere on department property except on bulletin boards established for such purpose. Said notices shall be initialed by the person posting, dated, and include the date of removal when applicable.

False Reports

5.2 No member of the department shall make false reports, whether written or oral, or enter or cause to be entered in any department book, record, or report any inaccurate, false or improper information.

Correspondence

5.3 Members shall not use the department or any department facility as a mailing address for private or personal purposes, except as authorized by statute.

5.4 Members shall not use departmental letterhead for personal correspondence. Correspondence shall not be sent out of the department over a member's signature without the permission of the Chief of Police or designee.

Telephones and Use of Other Communications Facilities

5.5 Except in an emergency, department telephone equipment shall not be used for the transmission of personal messages outside the toll-free calling area, and then only to the extent not interfering with the business of the department and the duty of the person making the call.

5.6 Department telephones shall be answered promptly and conversations carried on in accordance with current procedure and courtesy.

5.7 Members are required to be accessible by telephone; cell phone or landline. It is the members' responsibility to ensure the accuracy of their telephone number. That number must be provided to the Chief of Police upon employment with the police department. Changes in telephone numbers shall be reported to the Chief of Police as soon as reasonably

practical.

Use of Communications Facilities

5.8 Use of slang, profanity, obscenity or derogatory remarks is prohibited over department communications equipment.

Radio Communications/Mobile Data Terminal/LEADS terminal

5.9 All members operating the police radio either from a mobile or portable unit or in the Communications Section shall strictly observe regulations for such operations as set forth in departmental orders, APCO and LEADS manuals, and by the Federal Communications Commission.

Residential Addresses

5.10 Changes in address shall be reported within 24 hours of the change to the Chief of Police.

200.14 Article 6 - TRANSMISSION OF INFORMATION

Press Relations

6.1 Accredited members of the press are entitled to information concerning police incidents as covered by department policy. The Public Information Officer or in their absence the duty Supervisor shall cooperate with the media by supplying them with requested information in accordance with departmental orders regarding same.

6.2 No member shall use the press as a means of personal publicity.

6.3 No member, without the consent of the Chief, shall offer or allow their opinion to be utilized by the press, nor shall any member formulate either verbally or in writing, department policy which has not been issued by the Chief. Any discussion with members of the press shall be confined only to the facts of the situation or incident.

Confidential Information

6.4 Members shall treat as confidential the official business of the department and shall not reveal police information outside the department, except as may be provided elsewhere by rules and regulations or as required by law or competent authority. Information contained in police records, other information ordinarily accessible only to members of the department, and names of informants, complainants, witnesses and other persons known to the police are considered confidential, and silence shall be maintained to safeguard such information.

This confidential information shall include Personally Identifiable Information (PII), that is defined as information which can be distinguished or trace an individual's identity, such as name, social security, or biometric records, alone or when combined with other personal or identifying information which is linked to a specific individual, such as date and place of birth, or mother's maiden name. PII shall be extracted from Criminal Justice Information for the purpose of official business only.

6.5 Allegations, gossip, hearsay, rumor and anonymous uncorroborated information shall be treated as confidential.

6.6 Members shall not discuss or impart confidential information to anyone except those for whom it was intended, or as directed by their supervisors, or under due process of law.

6.7 Members shall not make known to any person the contents of any confidential directive or order which they may receive, unless so required by the nature of the order.

6.8 Contents of any criminal or police record filed in the department shall be exhibited or divulged only to those persons as prescribed in departmental orders.

6.9 Violation of the security of confidential information shall be cause for disciplinary action.

6.10 No official record(s) of the department shall be removed, altered, destroyed, or added to, except as directed by the Chief of Police or designee or under due process of law.

Reporting

6.11 It shall be the duty of every member to report properly any information given to themselves in good faith by any citizen regarding matters which indicate the need for action or recording by the department.

6.12 Members shall promptly submit such reports as are required by the performance of their duties or by competent authority.

6.13 Any member receiving a written communication for transmission up or down the chain of command shall in every case promptly forward such communications along with a notation that it has passed through their hands.

Information to Citizens

6.14 All information, not prohibited by departmental orders or sound police practice, shall be given to persons requesting the same, carefully, courteously and accurately.

200.15 Article 7 - PROFESSIONAL CONDUCT AND RESPONSIBILITIES

Service

7.1 Members shall serve the department and community with courtesy, fairness, equality, courage and discretion, being cognizant of their responsibilities at all times.

Integrity

7.2 The integrity of a member must be above reproach. Members shall be truthful.

Respect for the Law

7.3 No person has the right to violate the law. When an Officer exceeds their authority by unreasonable conduct, they violate the sanctity of the law which they have sworn to uphold. All members shall respect and uphold the law.

General Responsibilities

7.4 Within the Village of Oak Brook, members shall at all times take appropriate action to:

- a. protect life and property
- b. preserve the peace
- c. prevent crime
- d. detect and arrest violators of the law
- e. render aid and assistance to the public

- f. enforce all federal, state, and local laws and ordinances coming within departmental jurisdiction

Attitude Toward Profession

7.5 All members of the department shall regard the discharge of their duties as a public trust and recognize their responsibility as a public servant.

Abuse of Process

7.6 Members shall not make false accusations of a criminal, traffic or village ordinance violation.

Requests for Assistance

7.7 When any person requests assistance, or makes complaints, or reports, either by telephone, letter or in person, all pertinent information shall be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedures.

Cooperation with Administrative Review

7.8 Failure to answer questions, to respond to lawful orders or to render material and relevant statements in an internal village or departmental investigation when such orders, questions, and statements are related to job responsibilities, will be considered a violation of village or department rules and regulations. The specific procedures for administrative reviews are set out in department general orders. Nothing in this section shall be construed as to be in violation of one's federal or state constitutional rights.

Truthfulness

7.9 Members are required to be truthful at all times, whether under oath or not, except when required by official law enforcement assignments.

Unsatisfactory Performance

7.10 Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition requiring police attention; or absence without leave. In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance:

- a. repeated poor evaluations; and/or
- b. a written record of repeated infractions of rules, regulations, directives or orders of the village or department.

200.16 Article 8 - DEATH AND INJURY NOTIFICATIONS

Actions in Case of Death or Injury

8.1 When a member is killed or seriously injured requiring hospitalization, either on or off

duty, immediate verbal notification will be made to the Chief or in his absence, the next in command, Deputy Chief and Division Commanders.

8.2. Any member receiving notice of the death of any Officer, civilian or retired member shall notify the Office of the Chief and a notice shall be posted accordingly.

8.3 The family of any member seriously injured or killed while on duty shall be notified immediately. Notification should be made in person unless a telephone must be used for urgency. Notification shall be made in such instances by the Chief or senior available member of the Division or Section to which the injured or deceased member was assigned unless urgent circumstance require other action.

200.17 Article 9 - OFFICER'S UNIFORM AND EQUIPMENT

Official Uniform and Specifications

9.1 All members whose duties require the wearing of a uniform shall be issued an official uniform and equipment by the department. Such uniforms and equipment shall be maintained in good order and condition. All items of the uniform and equipment not supplied by the department must first be authorized and approved by the Chief of Police in order to be worn or used as part of the official uniform.

9.2 A member of the department shall wear the official uniform during their tour of duty unless otherwise directed by an immediate Supervisor. Civilian clothing shall not be worn with any distinguishable part of the uniform.

9.3 Members shall not wear the uniform or any part thereof while off-duty except when traveling to and from work or as authorized by the Chief of Police.

Wearing of the Uniform

9.4 Uniformed members may wear the uniform when off duty when in attendance at court, inquest, grand jury or any other constituted hearing.

9.5 Uniforms shall be kept neat, clean and well pressed at all times. While wearing the uniform, members shall maintain a military bearing avoiding mannerisms such as slouching, shuffling and hands-in-the-pockets.

9.6 Civilian members shall wear and maintain a uniform when so directed by the Chief.

9.7 During a period of suspension a member of the department shall not wear the official uniform either in whole or in part.

Official Badge, Shield, and Identification Cards

9.8 A member shall wear or carry the badge and identification cards issued to them at all times when on duty unless involved in an undercover assignment. A member assigned to uniform duty shall wear the official badge of their rank upon the left breast of the outer garment of their uniform. No unauthorized devices shall be worn on the uniform, without permission of the Chief of Police. The hat shield shall be affixed to the hat or cap whenever the uniform hat or cap is worn.

9.9 Members shall not exchange badges or shields with other members. A member who has lost the official badge or shield issued by the department shall report such loss immediately by written report to the Chief of Police explaining the circumstances.

9.10 Members permitted to wear civilian attire on duty shall wear professional business clothing. Clothing shall be neat, clean and conservative.

9.11 Members permitted to wear civilian clothing shall conform to standards of cleanliness, neatness, style and modesty normally observed by office personnel in private business firms, unless otherwise directed.

Official Equipment

9.12 An Officer's equipment consists of the specified regulation uniform, fully loaded department issued weapon, two (2) extra magazines, and other uniformed equipment issued by the department. This equipment shall be carried by a uniformed Officer during their tour of duty. A secondary loaded weapon may be carried if authorized by the Chief of Police.

9.13 An Officer assigned to civilian-dress duty, for whatever length of time, shall carry a fully loaded department issued weapon, or other fully loaded weapon authorized by the Chief of Police, one (1) extra magazine, identification card, badge, handcuffs, writing equipment and any other equipment as directed.

9.14 Officers in uniform or civilian dress while on duty shall carry and wear such other items as are specified by department orders or Supervisor's instructions.

Changes in Uniform and Equipment

9.15 Supervisors may specify temporary changes in an Officer's equipment and uniform in order to meet some particular police objective.

Personal Business Cards

9.16 Personal business cards will be issued to each department member and shall be utilized solely for identification purposes.

Uniform and Personal Equipment Damage

9.17 Any reasonable claims for damage to clothing, eyeglasses and other personal equipment incurred in the performance of duty shall be made through the chain of command.

200.18 Article 10 - DEPARTMENT PROPERTY AND EQUIPMENT

Lost, Damaged or Defective Property

10.1 Members are responsible for the proper care of department property and equipment assigned to them. Members are prohibited from loaning any department property or equipment to anyone unless authorized by the Chief of Police. Damage to or loss of property and equipment may subject the responsible person to reimbursement charges and appropriate disciplinary action at the discretion of the Chief.

10.2 Members shall immediately report to their Supervisor on designated forms, a "To/From Memo", any loss of or damage to departmental property assigned to or used by them. A member's immediate Supervisor shall be notified of any defects or hazardous conditions existing in any equipment or property as soon as such defects or hazards are discovered. An appropriate work order shall be completed by the member to correct any defects or hazardous conditions. The operational readiness of department equipment, including stored items, shall be inspected at regular intervals by the Division Commanders, or their assigned designees.

10.3 In the event that department property is found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property was responsible. After receiving notice of loss or damage to department equipment, the member's Supervisor will investigate the matter and report the findings to the appropriate Division Commander.

Surrender of Departmental Property

10.4 Upon separation from service, all members are required to surrender all departmental property in their possession. Failure to return non-expendable items shall cause the individual to reimburse the department for the fair market value of the article(s).

Department Buildings

10.5 Members shall not mark or deface any surface in any department building. No material shall be affixed in any way to any wall in department buildings without specific authorization from the Chief of Police.

200.19 Article 11 - DEPARTMENT MOTOR VEHICLES

Operation of Vehicles

11.1 Members shall not use any departmental vehicle without the permission of a Supervisor.

11.2 Departmental vehicles shall never be used for personal business or pleasure, or for transporting individuals not on department business, except as authorized by the Chief or designee. No member shall operate a departmental vehicle unless they have a valid operator's license.

11.3 Every member of the department assigned to operate a departmental vehicle shall be held accountable for the proper use and care of the vehicle, and of all accessories, equipment, and tools assigned to such vehicle. Standard equipment of vehicles shall not be changed, interchanged, altered or removed from such vehicle unless authorized by an immediate Supervisor.

11.4 At the beginning of each tour of duty, members assigned to departmental vehicles shall carefully inspect the vehicle to ensure that it is in serviceable condition and is not damaged. If any defect or damage is discovered, the member shall report it verbally and in writing to their immediate Supervisor. Any defect, damage, or loss reported after the vehicle has been inspected, and placed into service shall, unless proved otherwise, be construed to have occurred during the tour of duty of the member reporting same and said member shall be held responsible. After receiving notice of damage to a vehicle, the Supervisor will investigate the matter.

11.5 A uniformed member shall not ride in a vehicle other than the department vehicle to which they are assigned, except upon the direction of a Supervisor or in the case of emergency.

11.6 Operators shall not allow persons, other than authorized members of the department, to ride in or upon the vehicle under their control, except in the performance of duty or as may be authorized by the Chief or designee.

11.7 Department vehicles may be driven out of the corporate limits provided that such

routing is reasonable and within the line of duty. It is understood that an assignment or duty may require that a member go into another community, county or state. In a non-police situation, the Shift Supervisor shall designate which member and unit shall leave their post in the Village.

11.8 Drivers shall observe all traffic regulations in respect to parking. If an emergency requires occupation of a restricted or prohibited area, vehicles shall be parked in such a manner as not to interfere unnecessarily with the movement of traffic. When the emergency has ceased to exist, the area shall be vacated immediately.

Operating Vehicles Under Emergency Conditions

11.9 When responding to an emergency assignment, the Officer will not operate their vehicle at a speed or in a manner that interferes with their control of it at all times. They will not proceed through intersections or traffic signals until they are reasonably sure that all other traffic has yielded the right-of-way. The basic rule of traffic safety will be adhered to at all times regardless of the nature of the assignment. The siren and/or emergency lights will be used only in those situations where a true emergency exists or is reasonably thought to exist. Improper use of the siren and/or emergency lights will result in disciplinary action. Operators of department vehicles shall give the right-of-way to fire department apparatus, ambulances and other life-saving equipment on emergency runs.

11.10 When operating an emergency vehicle in pursuit of a known or suspected offender, the Officer will always weigh the risks involved against the nature of the offense which caused the pursuit. Pursuit will be terminated when, in the Officer's best judgment, the risks of high-speed pursuit outweigh the desirability of apprehension or by order of Supervisor. This is especially true when the only known offense is a traffic misdemeanor violation. Pursuit shall always be terminated when the Officer's safety or the safety of others on the highway is in jeopardy.

Operating Vehicles Under Non-Emergency Conditions

11.11 When any department Officer is not on an emergency call, all normal safe driving practices must be observed, including obedience to all traffic laws and basic rules of courtesy and safety.

11.12 Courteous, intelligent "defensive" driving practices are to be adopted by all department officers.

Violation of Driving Regulations

11.13 Violation of driving regulations whether such violation results in an accident or not will be treated as infractions of department regulations.

11.14 Safe arrival is always to be considered of paramount importance. A vehicle may never be operated in a manner or speed which is in violation of safe and prudent driving practices.

Leaving Vehicle Unattended

11.15 Operators shall not permit the engine of the vehicle they are driving to be left running with the keys in the ignition while the vehicle is unattended.

Maintenance of Department Vehicles

11.16 Vehicles shall be fueled at the end of each tour of duty by the Officer operating same

or as a Supervisor may direct.

11.17 Upon receipt of information that a departmental vehicle is involved in an accident, the immediate Shift Supervisor, when feasible, will be dispatched to the scene to make an investigation and necessary report of the accident. The operator will also submit a memo of the accident to the Chief of Police. If an accident occurs outside of the corporate limits involving a departmental vehicle, the Shift Supervisor should respond to the scene when reasonable and make arrangements for obtaining copies of the accident report from the investigating department or agency. An investigation will be conducted to determine whether or not the accident is chargeable to the operator of the departmental vehicle.

11.18 Department members involved in chargeable accidents while on duty or in department vehicles may be subject to disciplinary action.

200.20 Article 12 - FIREARMS

Regulations

12.1 All sworn Officers of the department when on duty shall carry the fully loaded handgun authorized and approved by the department.

12.2 Members of the department who are authorized by law to carry firearms shall exercise the utmost care and precaution in the preservation and use of such weapons.

12.3 Sworn members shall not be required to carry a weapon when off duty.

12.4 Officers are required to obtain Firearms Instructor approval and register with the Firearms Instructor the description and serial number of privately owned weapons which are carried on their person on or off duty.

12.5 The weapon, whether issued or personal, when carried on duty shall be clean, oiled and in proper working condition.

12.6 When assigned to uniform duty, an Officer shall carry their weapon in regulation black basket weave holster affixed to a regulation belt. At all other times they shall carry their weapon in such a way as to provide themselves with quick accessibility to such weapon. The weapon shall not be carried in a pocket or in such a manner as to make it unavailable for instant use.

12.7 Off-duty Officers who are authorized to carry weapons when not in uniform are required to carry their weapons reasonably concealed.

Display and Discharge

12.8 Firearms shall never be displayed or drawn unnecessarily on or off duty except for inspection, cleaning, range firing, dry firing, or official use. With the exception of the firing range, dry firing shall be prohibited.

12.9 Officers are required to report any deliberate or accidental discharge of firearms, except in the case of routine target practice. Such report shall be in writing forwarded to the Chief of Police through the Officer's commanding or superior Officer on duty.

12.10 Officers assigned to patrol cars equipped with other special weapons may arm themselves with and utilize such weapons whenever, in their best judgment, the situation would warrant this type of weapon and the Officer is trained and qualified in its use.

12.11 Officers may carry a second weapon while on-duty provided they are proficient in its use; it is concealed, meets department standards, and is authorized by the Firearms Instructor.

12.12 An Officer of the department shall not loan their weapon to any other Officer unless an emergency situation demands it.

Firearms Proficiency

12.13 All Officers shall participate in all required department firearms training. Officers who do not score a minimum qualification shall practice weapon firing at the direction of the department Firearms Instructor until they qualify.

200.21 Article 13 - PERSONNEL MATTERS

Transfers

13.1 A member may request a transfer by forwarding their request in writing through the chain of command to the Chief of Police.

Resignations

13.2 An Officer wishing to resign from the department shall forward a written resignation to the Chief at least two weeks prior to the date of resignation.

Emergency Service

13.3 Whenever a condition exists that is deemed by the Chief of Police or a Supervisory member to be of an emergency nature, regular tours of duty may be extended and/or days off, vacations, leaves of absence and any other absence may be canceled for any or all department members.

Absent from Duty Without Report

13.4 Every member who fails to report for duty at date, time and place specified shall be deemed "absent without leave." Such absences must be reported to the Chief of Police in writing by the immediate Supervisor for that duty period.

Compensation for Damages

13.5 Members shall not seek in any way nor shall they accept from any person money or other compensation for damages sustained or expenses incurred by them in the line of duty without notifying the Chief in writing of such action.

Civil Actions Against Officers and Civilians

13.6 Members served with notices that they are being sued as a result of actions performed in the line of duty shall immediately notify the Chief of Police in writing. Such report shall include all of the facts of the incident and details relating to the civil suit.

Off-Duty Employment

13.7 Permission must be obtained prior to accepting or commencing any off-duty employment, consulting service or business venture. Such permission shall be requested in writing citing all the facts of such employment, consulting service or business venture including location, hours, days and type. Any member of the department who engages in employment outside of regular duty hours shall be subject to call at any time to perform the

22.3.4

duties and fulfill the responsibilities of their position with the department. Performance of police duties for or in another community is prohibited. Performance of private security duties within the Village of Oak Brook is prohibited. Off-duty employment or business venture of any nature shall not be conducted during duty hours. Primary employment plus off-duty employment or business venture shall be limited to 72 hours per week in the aggregate (a week being 7 days, Monday through Sunday).

Conduct in Personnel and Criminal Investigations

13.8 Members of the department shall refer all investigators and inquiries of a police, criminal or personal nature requesting any information about any personnel of the department to the Chief of Police. Members shall cooperate with any departmental investigator when so requested in any investigation required or so ordered by the Chief of Police.

13.9 Members of the department shall report any wrongdoing directly to their immediate Supervisor. Members holding the rank of Patrol Officer do not have the authority to conduct an internal investigation.

200.22 Article 14 - CONDUCT REGARDING THE PERFORMANCE OF DUTY

General Duties

14.1 Officers of the department shall be charged with the enforcement of all federal, state and local laws and ordinances; the preservation of the public peace; the protection of life and property; the prevention of crime; and the detection, apprehension and prosecution of violators arrested.

14.2 An Officer or a person acting under the color of law commits law enforcement misconduct when , in the performance of their duties with the intent to prevent the apprehension or obstruct the prosecution or defense of any person, they knowingly and intentionally:

- a. misrepresents or fails to provide material facts describing an incident in any report or during any investigations regarding the law enforcement employee's conduct;
- b. withholds any knowledge of the material misrepresentations of another law enforcement officer from the law enforcement employee's supervisor, investigator, or other person or entity tasked with holding the law enforcement officer accountable; or
- c. fails to comply with following regarding the Officer Worn Body Cameras:
 1. Cameras must be turned on at all times when the officer is in uniform and is responding to calls for service or engaged in any law enforcement-related calls for service or engaged in any law enforcement-related encounter or activity, that occurs while the office is on duty.
 2. The Officer must provide notice of recording to any person if the person has a reasonable expectation of privacy and proof of notice must be evident in the recording. If exigent circumstances exist which prevent the officer from providing notice, notice must be provided as soon as practicable.
 3. For the purposes of redaction, labeling, or duplicating recordings, access to

camera recordings shall be restricted to only those personnel responsible for those purposes. The recording officer and their supervisor may access and review recordings prior to completing incident reports or other documentation, provided that the officer or his or her supervisor discloses that fact in the report or documentation.

4. Recordings made on officer-worn cameras must be retained by the law enforcement agency or by the camera vendor used by the agency, on a recording medium for a period of 90 days.

14.3 Officers on duty shall be constantly alert, and shall keep a vigilant watch for needed police services.

14.4 Officers shall patrol their beats and perform their assigned duties in proper fashion. They shall not leave their beat, post, duty or assignment except as directed or in the discharge of police duty.

14.5 All Officers shall employ every lawful means at their disposal in the investigation, arrest and prosecution of any person observed or known to be violating or have violated any applicable statute or ordinance.

Specific Duties

14.6 All members of the department shall perform those specific duties and responsibilities assigned to them. They shall perform all such other duties as may be required of them by competent authority.

14.7 The administrative delegation of the enforcement of certain laws and ordinances to particular divisions or sections of the department does not relieve Officers of other divisions or sections from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

Conformity to Rules and Regulations

14.8 It shall be the responsibility of every member of the department to familiarize themselves thoroughly with the rules, regulations, orders and policies of the department and to conform to and abide by the same. Each member must have a working knowledge of all laws and ordinances in force. Members shall obey all such laws and ordinances and render service to the Village with enthusiasm, courage, discretion and loyalty. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule, regulation, order or policy in question.

14.9 Any member, when assigned to duty with other members of the department, shall be individually and jointly responsible for compliance with rules and regulations and the proper performance of duty.

General Discharge of Duties

14.10 Sworn members shall discharge their duties in a firm and efficient manner. Sworn members shall act together and assist and protect each other in the maintenance of law and order.

14.11 All sworn members are required to take appropriate police action toward aiding a

fellow Officer exposed to danger or in a situation where danger might be impending.

14.12 Members shall conduct themselves in a manner that will foster the greatest harmony and cooperation between each other and between divisions and sections of the department and other governmental departments and agencies.

Performance of Duty

14.13 Any member of the department who shall in the performance of their official duties display reluctance to perform their assigned duties properly, or who acts in a manner tending to bring discredit upon themselves or the department, or who fails to assume responsibility or exercise diligence, intelligence and interest in the pursuit of their duties, or whose actions or performance in a position, rank or assignment are below standards, may be deemed incompetent and shall be subject to disciplinary action up to and including dismissal from the department.

Hours of Duty

14.14 Officers of the department shall have regular hours assigned to them for active duty by the Chief of Police, and when not so engaged shall be considered "off duty." However, they shall be always subject to duty as needed.

14.15 Members of the department shall be punctual in reporting for duty at the time and place designated by their Superior Officers. Habitual failure to report promptly at the time directed shall be deemed neglect of duty.

14.16 Unless otherwise directed, members shall report to daily roll call at the time and place specified properly uniformed and equipped. They shall give careful attention to orders and instructions, avoiding unnecessary talking or movement.

Meals

14.17 Sworn members may suspend their duties for a brief reasonable lunch period not to exceed 30 minutes for an eight (8) hour work day or 45 minutes for a twelve (12) hour work day. Members are subject to emergency call assignment during this lunch period and as such must monitor radio communications.

Availability When on Duty

14.18 Members on duty shall not conceal themselves except for the furtherance of a police objective. They shall be immediately and readily visible and available to the public during duty hours, and shall immediately respond to the lawful orders of Supervisors and other competent authorities.

14.19 Although emergency calls take precedence, all calls shall be answered as soon as possible, consistent with normal safety precaution and vehicle laws. Failure to answer a call for police assistance promptly without justification shall constitute cause for disciplinary action. Except under the most extraordinary circumstances, or when otherwise directed by competent authority, no member shall fail to answer any radio call directed to them.

Recovered Property

14.20 Members taking any property into custody in connection with their official duties shall as soon as practicable record such property on the department property inventory supplementary report and place such property in the designated location for such property in accordance with current department policy.

Prisoners Needing Medical Attention

14.21 Arresting Officers, Detectives and Supervisors shall promptly take any person in their custody before competent medical authority whenever there is any visible or reasonable evidence of the need for medical attention or where the prisoner claims that they are in need of such attention.

Sleeping on Duty

14.22 Sleeping and dozing are strictly prohibited while on duty. Even activity which might give the impression in the view of the public that such relaxation is being engaged in is forbidden.

Department Files and Information

14.23 Members shall not obtain or attempt to obtain any information from department files, sources or reports other than that to which they are entitled in accordance with their duties and assignments.

14.24 Members shall not use for their own private purposes information received or acquired during the course of employment or duty.

14.25 Information from department records, files, or sources obtained in the course of duty shall not be passed on to other parties within or outside of the department except as required by law, duty or assignment, or to other agencies to further a proper objective.

Information Regarding Suspected Criminal or Vice Activity

14.26 Members shall report, in writing, to the Chief of Police, through the Investigations Supervisor, all information in their possession regarding persons and places suspected of being involved or connected with violations of federal, state, county or municipal laws and ordinances relating to criminal matters or vice operations. Such reports shall be submitted before the conclusion of the tour of duty during which the member received the information or at the first opportunity in cases where the information was received while the member was off duty.

14.27 Members shall not reveal the identity, presence, activities or description of informants, undercover, plainclothes and vice Officers except in the strict discharge of duty.

14.28 Except in the strict discharge of duty, members shall not reveal the existence of or any information regarding department projects, investigations, or operations aimed at the apprehension of criminals or the suppression of vice activities.

200.23 Article 15 - PERSONAL CONDUCT

Standard of Conduct

15.1 Members shall conduct themselves in their private and professional lives in such a manner as to avoid bringing themselves or the department into disrepute. Members shall not engage in behavior which constitutes conduct unbecoming an Officer or neglect of duty. Members whether on duty or off duty, shall be governed by the ordinary rules of good conduct and behavior, and shall not commit any act that would bring discredit to the department.

Toward Superiors, Subordinates and Associates

15.2 Members shall treat Supervisors, subordinates and associates with respect, being courteous and civil in their relationships with one another at all times. When on duty and in the presence of other members and the public, members shall conform to the normal standard of courtesy and refer to each other by title or rank.

Public Relations

15.3 It is the policy of the department that members shall strive to gain public support and win citizen cooperation with the department's programs and procedures in order to facilitate the accomplishment of the department's objectives.

15.4 Department members answering department telephones shall verbally identify themselves to the public unless they are working in a covert or undercover capacity.

15.5 Members shall be courteous and efficient in their dealings with the public. In non-restrictive situations, the attitude of each Officer should be pleasant and personable, and on occasions calling for regulation and control, the attitude of each Officer should be firm and impersonal, but avoiding an impression of rudeness. They shall perform their duties in such a manner as to avoid harsh, violent, profane or insolent language, and/or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar characteristics. They shall remain calm regardless of provocation to do otherwise. Upon request they shall supply their names, rank and badge numbers in a courteous manner; and shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other divisions or individuals of the department.

15.6 All members shall maintain a completely impartial attitude toward all persons coming to the attention of the department, regardless of a person's race, nationality, sex, creed or influence.

15.7 Since violations of the law are against the people of the Country, State, County or Village and not against the individual member and since all citizens are guaranteed equal protection under the law, exhibiting partiality for or against any person shall be considered conduct unbecoming a member of the department. Similarly, unwarranted interferences in the private business of others when not in the interest of justice also are prohibited.

Outside Assistance

15.8 No member shall seek the influence or intervention of any person outside the department for purposes of personal preferment, advantage, transfer or advancement.

Loyalty

15.9 Loyalty to the department and to associates is an important factor in departmental morale and efficiency. Members shall maintain a loyalty to the department and their associates which is consistent with the law, department policy, professional law enforcement code of ethics, and for the good of the department.

Intoxicants

15.10 Members shall not consume intoxicants to include cannabis while off duty to the extent that evidence of such consumption is apparent when reporting to duty or to the extent their ability to perform duty is in any way impaired by alcohol or cannabis. The odor of alcohol or cannabis on the breath will not be permitted during any period when the member is on duty.

15.11 Members in uniform may never consume intoxicants whether on or off duty.

15.12 Members shall not consume intoxicants while on duty unless necessary in the performance of a police duty, and then only under the direction or permission of the Chief of Police.

15.13 No intoxicating liquor or cannabis shall be consumed by any member while on departmental premises. Members shall not bring into or keep any intoxicating liquor or cannabis on departmental premises except when necessary in the performance of a police task and/or as authorized by the Chief of Police.

15.14 Members who are found impaired, while on duty, shall be subject to immediate relief of duty pending an investigation and are subject to discipline up to and including termination.

Use of Narcotics

15.15 Members of the department shall not use habit-forming drugs or narcotics unless such drugs or narcotics are properly prescribed by a physician, for an illness or injury, and are consumed according to the prescribed dosage.

15.16 Non-sworn personnel are prohibited from possession or use of cannabis on-duty, at work or anywhere on village property.

15.17 Sworn personnel are prohibited from cannabis use, medical or otherwise, in accordance with Illinois Compiled Statute 410 ILCS 130/30.a.9 both on and off duty. Cannabis possession is prohibited, except as required in the performance of official police duties.

Smoking

15.18 Smoking is prohibited in the police department, police vehicles and the village commons.

15.19 Members while on duty shall refrain from smoking while in direct contact with the public, conducting interviews or under like conditions where smoking may be detrimental to good conduct, appearance and procedure.

Prohibited Activity While on Duty

15.20 Members are prohibited from engaging in the following activities while on duty with the exceptions as noted:

- a. Sleeping, loafing, idling, loitering
- b. Recreational reading
- c. Conducting unauthorized private business, shopping, and/or any personal activity not related to the police task, except lunch or authorized breaks
- d. Gambling, except in the performance of a police duty, and then only under the direction of the Chief of Police
- e. Eating in an establishment devoted primarily to the sale of alcoholic beverages, when in uniform. In no event shall an Officer eat at the bar or in the bar section of any establishment
- f. Entering and loitering in taverns, theaters, or other public places, except in the performance of a police task

Financial Matters

15.21 Members shall promptly pay all just debts and legal liabilities incurred by them. Neglect to pay a just indebtedness within a reasonable and legal time after it was incurred while a member of the department shall constitute cause for disciplinary action.

15.22 Every member is prohibited from buying or selling any service or thing of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to the attention or which arose out of their department employment except as may be specifically authorized by the Chief of Police. Entering into any financial or business transaction whatsoever, with any arrestee, person under investigation, or any person acting on behalf of such persons is also prohibited.

Appearance of Impropriety or Instability

15.23 Department personnel shall avoid actions which give the appearance of impropriety. Activities on or off duty engaged in by department members which indicate instability of character or personality shall subject the Officer to disciplinary action.

Solicitation and Acceptance of Gifts, Fees, Rewards, Loans, etc.

15.24 Members shall adhere to the Village of Oak Brook Ethics Ordinance.

Disposition of Unauthorized Gifts, Gratuities, etc.

15.25 Any unauthorized gift, gratuity, reward, service or other thing of value coming into the possession of any member shall be forwarded immediately to the Office of the Chief. The Office of the Chief shall make all reasonable attempts to return the item to the donor. Failing in this, the item shall be donated to a charitable organization or deposited in the department at the discretion of the Chief of Police.

Prohibited Associations

15.26 Members shall avoid regular or continuous associations or dealings with persons whom they know, or should know, to have been convicted of a felony, or are under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of personal family relationships of the member.

Prohibited Establishments

15.27 Members of the department shall not knowingly visit, enter or frequent a house of prostitution, illegal gambling house, or establishment wherein the laws of the United States, the State of Illinois, or the Village of Oak Brook are regularly violated except in the performance of duty or while acting under the proper and specific orders from a Supervisor.

Social Media

15.28 Members of the department are reminded that their conduct both on and off duty must meet a high standard of comportment. This includes conduct related to materials posted on the internet. As such, members shall not maintain, or permit to be maintained, a website or webpage accessible to the public that identifies the individual as a member of the department which contains statements that could be reasonably interpreted as having an adverse effect upon department morale, discipline, operation of the agency, or perception of the public. A member is expressly prohibited from creating or maintaining public web content which identifies the individual as a member of the department that contains material of a lewd sexual nature, or depicts the member in unprofessional, unbecoming or illegal conduct.

Further, unless expressly authorized, a member shall not create or maintain any internet content accessible to the public which contains statements, speeches, or appearances that could reasonably be considered to represent the views of the department. A member may comment on a subject of general interest and of value and concern to the public at the time of publication provided that in doing so, the member does not suggest or imply that the views expressed are those of the department.

Accountability and Responsibility

15.29 Members are directly accountable for their actions, through the chain of command, to the Chief of Police.

15.30 Members shall report for duty, including court and off-duty assignments, at the time and place required.

1.2.10

15.31 Members have a duty to intervene within their scope of authority and training to prevent or stop wrongdoing by another officer when it is safe and reasonable to do so to include any unreasonable use of force.

15.32 Members have a duty to report any misconduct of which they become aware and shall notify a supervisor as soon as possible when another member of the department is violating law or policy.

15.33 Members shall cooperate fully in any internal administrative investigation conducted by this or any other authorized agency and shall not attempt to conceal, divert, or mitigate any culpability of theirs or others by falsehoods or omissions.

15.34 Member shall utilize department supplies, property, and equipment only for their official purpose and in accordance with established department rules, policies, and procedures and shall not intentionally abuse, destroy, dispose of, or damage these items.

200.24 Article 16 - PUBLIC ACTIVITY

Public Criticism, Publicity, Commercial Testimonials and Political Activity

16.1 Members shall not publicly criticize or ridicule the department, its policies, or other Officers by speech, writing, or other expression, where such speech, writing or other expression is defamatory, obscene, and unlawful undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

16.2 Members shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the department while holding them self out as representing the department in such matters without proper authority. Members may lecture on "police" or other related subjects only with the proper approval of the Chief of Police.

16.3 Members shall not allow their names, photograph, badge, insignia, logo or the phrase Oak Brook Police to be used to endorse any products or service which is in any way connected with law enforcement without the permission of the Chief of Police.

16.4 Members shall not allow their names, photograph, badge, insignia, logo or the phrase Oak Brook Police to be used in any commercial testimony which alludes to their position or

employment with the department, unless proper approval has been given by the Chief of Police.

16.5 Members have a constitutional right to engage in political activity through voluntary political contributions or voluntary political work. Nothing will be done to abridge the constitutional right of a member to participate in the political process. Members shall not participate in political activities while at work, nor shall Village supplies and equipment, including uniforms, be used in connection with political activities.

200.25 Article 17 - PERSONAL APPEARANCE

Clothes and Uniforms

17.1 It shall be the duty of every member of the department to maintain a neat and clean appearance at all times.

17.2 Members assigned to plain clothes details shall be dressed neatly and in good taste, in keeping with the standards established by department policy.

17.3 Uniforms shall be kept pressed and as neat as possible at all times; leather accessories shall be kept dyed and polished, metal parts shall be shined, and weapons and handcuffs shall be kept clean and in serviceable condition.

Military Bearing

17.4 When on duty in uniform, members shall maintain a military bearing.

Physical and Mental Condition

17.5 Officers shall maintain good physical and mental condition so they can handle the strenuous physical contacts required by a Law Enforcement Officer.

Tattoos

17.6 Tattoos and brands that cannot be concealed by the uniform of the day, without alteration or accommodation, are prohibited.

Members while in the service of the department may not acquire tattoos or brands on any part of their body that may be exposed to public view while on duty, in uniform or civilian attire.

Members employed after September 1, 2014:

- a. Tattoos and brands must be naturally covered by the uniform of the day.
- b. The use of flesh-colored sleeves, bandages or make-up to conceal tattoos or brands is not permitted.
- c. Tattoos or brands on the legs are permitted if the tattoo or brand can be concealed by uniform pants.

Members employed prior to September 1, 2014:

- a. The tattoos may be concealed with a flesh colored wrap or, in those instances in which the tattoo is located between the elbow and the wrist, the department member may wear a long sleeve shirt. Uniformed personnel may wear the long sleeve shirt without the tie during the summer uniform season. A white crewneck t-shirt will be

worn under the uniform shirt.

- b. Tattoos or brands on the legs are permitted if the tattoo or brand can be concealed by uniform pants.

Members having tattoos or brands on the legs may be excluded from participation in the Bicycle Patrol Unit if that tattoo or brand cannot be concealed by the bike patrol uniform without alteration or accommodation.

200.26 Article 18 - VIOLATIONS AND DISCIPLINARY ACTION

Summary of Actions Subject to Discipline

18.1 Any member of the department who shall be guilty of any one or more of the following shall be subject to disciplinary action hereinafter provided. This list does not include all possible violations contained in the Rules and Regulations.

18.2 Violation of any Federal, State law, County or Municipal Ordinance.

18.3 Willful maltreatment of a person.

18.4 Unlawful, careless, or negligent use of any weapon.

18.5 Making a false report.

18.6 Intoxication on duty.

18.7 Drinking of any kind of intoxicating liquor while on duty or in uniform, except where such action is required in the performance of assigned duties.

18.8 Immoral conduct.

18.9 Use of habit-forming drugs or narcotics, except by physician's direction.

18.10 Conduct unbecoming a member of the department.

18.11 Neglect of duty.

18.12 Sleeping, lounging, loitering while on duty.

18.13 Inattention to duty.

18.14 Incapacity or inefficiency in the performance of duty.

18.15 Neglect or disobedience of orders.

18.16 Insubordination or disrespect to a Superior Officer.

18.17 Failure to treat another department member or any other person civilly and courteously.

18.18 Using coarse, profane or insolent language.

18.19 Failure to maintain an impartial attitude toward persons coming to the attention of the police.

18.20 Failure to identify self by giving name, rank, and badge number when so requested.

18.21 Receiving, soliciting or attempting to solicit a bribe of money, gift, present, reward or anything of value for police services rendered or for failure to perform a police service or from a person under arrest or from someone on their behalf.

- 18.22 Associating or conducting business with disreputable individuals, having criminal records, criminal connections or organized crime syndicate affiliation.
- 18.23 Visiting, frequenting or patronizing disreputable establishments.
- 18.24 Failure to be properly attired and equipped.
- 18.25 Failure to maintain a neat and clean appearance of self and clothing.
- 18.26 Absence from duty without leave or appropriate permission.
- 18.27 Leaving post without permission or without being properly relieved.
- 18.28 Neglect to pay a just indebtedness within a reasonable time after it was incurred while a member of the department.
- 18.29 Publicly criticizing official actions of a Superior.
- 18.30 Unauthorized dissemination or release of any information concerning essential police matters to the press, public or others.
- 18.31 Soliciting business, clients or customers for any business establishment or any business or professional person.
- 18.32 Willfully destroying property of the department.
- 18.33 Unauthorized use of property of the department.
- 18.34 Failure to obey a lawful order.
- 18.35 Violation of a direct order of a ranking Officer, Supervisor, or the Chief.
- 18.36 Violation of department Rules and Regulations.
- 18.37 Violation of departmental policies, procedures, General or Special Orders.
- 18.38 Failure to notify a Supervisor that a member is guilty of violating a rule, regulation or order of the department.
- 18.39 Any act which brings or tends to bring the individual or the department into disrepute.
- 18.40 Any other act or omission contrary to good order and discipline of the department.
- 18.41 Failure to use good judgment or discretion in the performance of a police duty or service contrary to sound police practice.
- 18.42 A member of the department guilty of any violations as set forth in these Rules and Regulations, and/or policies of the department shall, in addition to any punishment provided by law or ordinance, be subject to action set forth below:
- a. Oral reprimand
 - b. Written reprimand
 - c. Suspension without pay, and/or dismissal of non-sworn members from the police department
 - d. Suspension without pay, and/or dismissal of sworn police members from the police department. This action is subject to the provisions of the rules and regulations as stated by the Oak Brook Fire and Police Commission and/or the Collective Bargaining Agreement.
- 18.43 A Supervisor below the rank of Chief of Police may invoke disciplinary action as cited

in 18.42 a and b. The Chief of Police may invoke or order disciplinary actions as cited in 18.42 a, b, c and d.

18.44 Requests for disciplinary action beyond a Supervisor's or Commander's authority must be submitted in writing in full detail through channels to the Chief of Police. Written notification of all formal reprimands must be submitted to the Chief of Police through channels.

18.45 Any Supervisor may summarily place a member on administrative leave with pay in cases of serious disciplinary infraction, criminal offense or similar incident for up to 24 hours so that proper disciplinary action may be initiated. The Chief of Police must be notified as soon as possible in such cases.

200.27 Article 19 - MEDICAL CANNABIS

19.1 Passage of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act (PA098-0122) has not altered Department policy with regard to use or possession of cannabis by Department members. Cannabis remains an illegal controlled substance under the Federal Controlled Substances Act (21 USC 812(b)(1)) thereby prohibiting Department members from using, possession, or selling cannabis (except when acting in their official capacity as a law enforcement officer) or engaging in any other conduct that would violate the Controlled Substances Act.

19.2 Department employees, volunteers, and interns are prohibited from having any ownership interest in, personal involvement, or association with a medical cannabis dispensing organization or cultivation center, whether as a consumer, owner, agent, cultivator, consultant, or in any other manner except as may be necessary when acting as a law enforcement officer.

19.3 Any employee who has any person living with their residence or in any property they own, manage or are under the control of that is considered under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act to be a "qualifying patient" or "caregiver" shall immediately notify the Chief of Police in writing indicating the person's name, the location in question, and what relationship the department member has with the person(s) and/or location.

19.4 No member of the Department shall be permitted to be a "caregiver" as defined by the Illinois Compassionate Use of Medical Cannabis Pilot Program Act for any person, unless so authorized in writing by the Chief of Police.

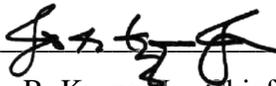
200.28 Biennial Training

All personnel shall receive biennial training pertaining to the Oath of Office, Law Enforcement Code of Ethics, Cannon of Law Enforcement Ethics, Civilian Law Enforcement Code of Ethics as well as the Rules and Regulations of the Oak Brook Police Department.

200.29 Issuing Authority

This General Order will supersede any directives or understandings in conflict.

By order of:


James R. Kruger Jr., Chief of Police

Revisions		
01-13-2014	200.26	Article 19 Medical Marijuana
09-10-2014	200.24	Revised box 200.24 Section 17.6 Tattoos
03-30-2016	200.22	Article 15.4 added department members identify themselves answering phones. Changes numbering for previous Article 15.4-15.26.
07-13-2016	200.3	Added 200.3 Duty to Abide. Adjusted numbering of subsequent sections.
07-13-2016	200.28	Added 200.28 Biennial Training
11-21-2016	200.14	Added paragraph about confidential information under paragraph 6.4.
3-2-2017	200.25	Removed Article sections 17.7 & 17.8 (Haircuts & Shaves) Moved to PER 210.
12-16-2019	200.23	Added prohibited Cannabis use to section 15.16 & 15.17. Adjusted numbers.
6-9-2020	200.23	Added 'Accountability and Responsibility' sections 15.29-15.34.
4-19-2021	200.23	Added language to 'duty to intervene' language for CALEA 6 th Edition.
07-01-2021	200.22	Added Law Enforcement Misconduct in compliance with SAFE-T Act.