

# ***COOK COUNTY SHERIFF'S MERIT BOARD***



## ***RULES AND REGULATIONS***

***JANUARY 2008***

***COOK COUNTY SHERIFF'S MERIT BOARD  
COUNTY ADMINISTRATION BUILDING  
69 W. WASHINGTON STREET-SUITE 1100  
CHICAGO, ILLINOIS 60602***

***TELEPHONE: (312) 603-0170  
FAX: (312) 603-9865***

# *Members of the Board*

**JAMES P. NALLY**

*Chairman*

**MICHAEL D. CAREY**

*Vice-Chairman*

**ARTHUR R. WADDY**

*Secretary*

**BYRON BRAZIER**

*Board Member*

**MARYNELL O. GREER**

*Board Member*

**ROBERT F. HOGAN**

*Board Member*

**DANIEL J. LYNCH**

*Board Member*

**BRIAN J. RIORDAN**

*Board Member*

**THOMAS J. DART**  
*Sheriff of Cook County, Illinois*



**Edward S. Wodnicki**  
*Executive Director*  
*Sheriff's Merit Board*

## **INTRODUCTION**

**The Cook County Sheriff's Merit Board, consisting of nine ( 9 ) members, was established in conformance with the provisions of Chapter 55 3-7002 of the Illinois Compiled Statutes. The Board by virtue of the authority vested in them by Statute may conduct tests which may consist of a written examination, physical ability test and any other examination or process the Merit Board deems necessary to establish a Certified roster of candidates for the positions of Correctional Officer and Deputy Sheriff. The Merit Board further conducts promotional examinations for positions in the Sheriff's Police Department, Department of Corrections and Department of Court Services. Those qualifying for consideration for promotion in these Divisions are certified and referred to the Sheriff who upon further review will effect the actual hiring and promotion of individuals as needed from the Certified list of Candidates. The Board has the responsibility and authority to conduct hearings on disciplinary matters involving Police Officers, Correctional Officers and Deputy Sheriffs subsequent to their one year probationary period. The Board's jurisdiction is applicable only when a disciplinary suspension request exceeds thirty (30) days, demotion in rank or separation from service is recommended by the Sheriff.**

**The Merit System affords Employees of the Sheriff's Department certified, tenured status. It gives the Board discretionary rights to select and conduct tests for applicants as well as establish requisites of education, training, and experience. The Board is empowered to change, modify or replace these provisions by resolution on majority vote of the Board.**

### **CHAPTER 55**

### **ILLINOIS COMPILED STATUTES**

### **DIVISION 3-7**

**ADMINISTRATIVE PROCEDURES**  
**RULES AND REGULATIONS**  
**COOK COUNTY SHERIFF'S MERIT BOARD**

**January 2008**  
**Chicago, Illinois**  
**County of Cook**

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**ARTICLE I**  
**ADMINISTRATIVE MATTERS**

**A. Officers and Employees**

The Merit Board, its staff and records will be maintained in an office in the City of Chicago, Illinois.

**B. Confidential Matters of the Board**

The files of the Board relating to all personnel matters of the Cook County Sheriff's Police Department, the Cook County Department of Corrections and/or the Cook County Sheriff's Court Services Department will be confidential. Any employee on written request approved by the Executive Director or his designee will be permitted to examine their graded written examination(s).

**C. Regular Meetings of the Board**

A regular meeting of the Board will be held at its office in Chicago, Illinois, on the third Thursday in January, April, July and October. The Board may postpone the quarterly meeting to an alternate date as decided by the Chairman, but not later than the last day of the same month.

**D. Special Meetings of the Board**

A special meeting may be requested by the Chairman or any three (3) Board Members specifying the date, time and place of such meeting at least five (5) days before the date thereof.

**E. Quorum**

A quorum consisting of at least 40% of the Board is mandated by Statute to conduct any and all business of the Board.

**F. Voting**

On all matters, the concurrence of at least five ( 5 ) members of the Board ( quorum ) shall be necessary to render a decision. Any such decision will constitute a decision of the entire board.

**G. Change in Procedures, Rules and Regulations**

**The Board, by Board Resolution, shall at any meeting, amend, adopt or rescind any Procedure, Rule and Regulation; provided, however, that written notice shall be given to each Board Member of any proposed amendment, adoption or rescision of any such Procedure, Rule or Regulation.**

**H. Officers of the Board**

**The Officers of the Board will consist of a Chairman, Vice-Chairman, and Secretary.**

**The Chairman will preside at all meetings and will perform all duties required of him by these Procedures, Rules and Regulations.**

**The Vice-Chairman will preside at meetings in the absence of the Chairman.**

**The Secretary will keep or direct to be kept the minutes and records of the Board.**

**The term of each Officer shall be for the tenure prescribed in 55 ILCS 5/3-7002.**

**I. Minutes and Records**

**The Board will keep and maintain written records of Board meetings. The actions and decisions of the Board will be maintained in these records. Pursuant to 5 ILCS 120 *closed meetings* will be audio recorded.**

**J. Personnel Matters**

**The Board will be advised in writing by the Sheriff's Personnel Division of all appointment and promotions to all positions in Court Services, Corrections and Police Department. The Board will further be advised in writing of all separations, i.e. resignation, disciplinary, retirement, pension and leaves of absences identifying individually, those for the benefit of the Sheriff and those for the personal benefit of the employee.**

**K. Assistance to Other Governmental Agencies**

**The Board may provide requesting governmental agencies, having duties similar to the Sheriff's Merit Board, information, specialized or technical assistance, as requested by such agencies. Reciprocity and mutual benefit may be considered and that such information or assistance will not adversely affect the operations of the Sheriff's Department, the Sheriff's Merit Board, or its staff. Compliance with personnel privacy provisions, both those mandated by law and those established by labor contracts will be strictly adhered to.**

**ARTICLE II**  
**APPLICATION PROCESS**

**A. Applicant will be required to state or provide the following:**

- 1. Position Desired**
- 2. Applicants Full Name**
- 3. Home Address, Phone Number and Cell Number**
- 4. Social Security Number**
- 5. Date of Birth and Age at Time of Application**
- 6. United States Citizenship information**
- 7. Gender**
- 8. High School Diploma, G.E.D. , or advanced education with a minimum 60 credit hours.**
- 9. Summary of criminal convictions, if any**
- 10. Certified check or money in the amount of \$25.00 payable to the Cook County Collector.**
- 11. Valid Driver's License**
- 12. The Sheriff's Merit Board may provide a waiver of the filing fee for an applicant who demonstrates financial hardship. Board decision is final.**
- 13. Posses a Valid Illinois Firearms Owner's Identification Card (F.O.I.D.) or qualify to obtain a F.O.I.D. Card prior to being Certified by the Sheriff's Merit Board.**

*The above items either stated or presented must comply with the mandates of the Board. Any suspensions or revocations of required documents may result in decertification by the Board.*

**B. Application distribution times and locations will be prescribed by the Board.**

**C. Applications will not be rejected due to omissions or deficiencies that may be corrected prior to testing, interview phase or certification whichever phase of the applicant process is pending.**

## ARTICLE III

### APPOINTMENT STANDARDS

#### A. Standards for examination/ appointment to the Cook County Sheriff's Police Department

Applicants for examination/appointment to the position of Police Officer in the Cook County Sheriff's Police Department, in addition to meeting the standards prescribed in the Illinois Compiled Statutes, Chapter 55 Division 3-7 5/3-7008 must also:

1. be a Sworn Deputy Sheriff /Corrections Officer by the date of the Examination.
2. be a Certified Deputy Sheriff/Corrections Officer (one year from date of hire) by the date of Appointment to the position of Police Officer.
3. possess a minimum of 60 credit hours from an accredited college or university acceptable to the Board prior to taking the Police Officer examination.
4. be in good physical condition as evidenced by meeting fitness standards and successfully passing written, physical, and other tests and examinations as shall be prescribed by the Board, or required by Illinois State Law.
5. possess such prerequisites of training, education and experience and meet such standards of intelligence, reasoning and judgment as the Board shall from time to time prescribe.
6. be subject to a thorough investigation of background, reputation and character if so required by the Board
7. be acceptable to the Board after oral interview, if so required by the Board

#### B. Standards for appointment to the Cook County Department of Corrections

Applicants for appointment as Correctional Officer in the Cook County Department of Corrections in addition to meeting the standards prescribed by the Illinois Compiled Statutes, Chapter 55 Division 3-7 5/3 -7008 Applicants must also:

1. be no younger than twenty-one ( 21 ) years of age at the time their application is received by the Board or twenty 20 years of age and complies with the educational mandates established in Chapter 55 Division 3-7 ILCS 5/3 -7008
2. **Required Academic Credentials:**
  - a. Possess credentials acceptable to the Board which represent that the applicant is a High School graduate or possesses an equivalent G.E.D. or alternatively a minimum of sixty (60) credit hours from an accredited College or University.
  - b. Applicants presenting documents issued by a *foreign nation* are required to submit supporting documentation acceptable to the Board from an agency authorized to confirm the validity of such documents.

3. be able to attain a passing score set by the Board for the current entry level examination.
4. be in good physical condition as evidenced by meeting fitness standards and successfully pass written, physical and other tests and examinations as shall be prescribed by the Board, or required by Illinois State Law.
5. possess such prerequisites of training, education and experience and meet such standards of intelligence, reasoning and judgment as the Board shall from time to time prescribe.
6. be acceptable to the Board following a thorough investigation of background, reputation and character.
7. be acceptable to the Board after oral interview, if so required by the Board.

**C. Standards for appointment to the Cook County Sheriff's Court Services Department**

**Applicants for appointment as Deputy Sheriff in the Cook County Sheriff's Court Services Department in addition to meeting the standards prescribed by the Illinois Compiled Statutes, Chapter 55 Division 3-7 ILCS 5/3-7008 Applicants must also:**

1. be no younger than twenty (21) years of age at the time their application is received by the Board or twenty 20 years of age and complies with the educational mandates prescribed in Chapter 55 Division 3-7 ILCS 5/3-7008.
2. **Required Academic Credentials:**
  - a. Possess credentials acceptable to the Board which represent that the applicant is a High School graduate or possesses an equivalent G.E.D. or alternatively a minimum of sixty 60 credit hours from an accredited College or University.
  - b. Applicants presenting documents issued by a *foreign nation* are required to submit supporting documentation acceptable to the Board from an agency authorized to confirm the validity of such documents.
3. be able to attain a passing score set by the Board for the current entry level examination.
4. be in good physical condition as evidenced by meeting fitness standards and successfully pass written, physical and other tests and examinations as shall be prescribed by the Board, or required by Illinois State Law.
5. possess such prerequisites of training, education and experience and meet such standards of intelligence, reasoning and judgment as the Board shall from time to time prescribe.
6. be acceptable to the Board following a thorough investigation of background, reputation and character.
7. be acceptable to the Board after oral interview, if so required by the Board.

**D. Veteran's Preference for Appointment**

Those applicants for appointment to the Cook County Department of Corrections and/or the Cook County Sheriff's Department of Court Services who have served Honorably in the Military Services of the United States of America for two (2) continuous years of active duty, may file with their applicant *Personal History Questionnaire* a copy of their honorable service form (DD 214) or any other confirmable document acceptable to The Board to be considered for Veteran Preference. The Board shall apprise the Sheriff's Department of Personnel of those applicants certified by the Board who have proven Honorable Service in the Armed Forces of the United States. The Board shall suggest that Military Veteran's who have been certified by the Board and successfully complete further review by the Department of Personnel compose ten percent (10%) of the hired candidates.

**E. Applicants/Personnel Recalled to Active Military Duty**

Applicants who have applied for and/or have been Certified for entry level positions as a Correctional Officer or Deputy Sheriff in Court Services and Active Duty Sheriff's personnel who have been Certified for promotion and/or applied for and missed any of the Merit Board promotional examinations because of recall to active duty status in the United States Military will have the term that they are so activated held in abeyance for purposes of the term of their Certification period and/or will be given the opportunity to sit for any missed examinations. Certified Military Documents acceptable to the Board, i.e.: orders to report for active duty and orders terminating the active duty status must be presented to the Board within the period of time prescribed by Title 38, United States Code, Chapter 43, for consideration. Active duty Sheriff's personnel who have notified the Sheriff's Department of Personnel of their Military absence will only be required to submit to the Board documents terminating their active duty Military status.

**F. Standards for Appointment Certification.**

After the written, physical ability test, background investigation and any other testing deemed necessary by the Board has been completed, those applicants who have been found to possess the prescribed requisites for appointment will be so informed by the Board.

Thereafter, the Board may conduct oral interviews of applicants as necessary and will (shall) certify alphabetically to the Sheriff for appointment those applicants deemed by the Board to be qualified. When an eligible applicant's name has remained on the eligibility list for two (2) years and a day, it will be stricken from the register and canceled. An applicant certified for appointment who declines to accept appointment within thirty (30) days after it is offered will be deemed to have withdrawn the application and their name will be stricken from the list of those certified and the Board will be so notified.

**G. Physical Ability Test.**

The Merit Board will cause to be administered to all applicants who successfully complete the written examination a Physical Ability Test. The test as developed and certified by Eastern Illinois University will be conducted under the direction of the Sheriff's Physical Training Unit.

The Physical Ability Test consisting of four exercises will be conducted in the following order.

1. Queens College Step Test
2. Hand Grip Strength Test
3. LSU Agility Test
4. Pushup Test

The Candidate will receive one ( 1 ) attempt at the Queens College Step Test and two ( 2 ) attempts at the Hand Grip Strength Test, LSU Agility Test and Pushup Test. Failure of the Physical Ability Test will disqualify the applicant from further consideration for Certification.

**H. Notification of Applicants**

Applicants will be notified of Certification status in writing.

**I. Applicant Certification Change**

All non-hired applicants may be allowed to change their certification category, i.e., Deputy Sheriff to Correctional Officer or the reverse once during the processing of the application or two year term of the certification as prescribed above.

In the event that a change in category does occur, the original certification date will be used in computing the two year certification expiration date.

**J. Review**

The Board will review its certification process annually.

1. The Board will assure the certification process is valid and applicable for the respective needs of the various Cook County Sheriff's Departments.
2. The Board will check for adverse impact and take appropriate measures to correct if necessary.
3. The Board will retain all records for a minimum of three (3) years in conformance with the Illinois Public Records Act.
4. Records and materials deemed expendable will be disposed of by burning or shredding, monitored by at least one ( 1 ) Board Member or their designee.

**ARTICLE IV**

**CLASSIFICATION OF RANKS**

**A. Cook County Sheriff's Police Department**

1. **Police Lieutenant.**
2. **Police Sergeant.**
3. **Police Officer.**
4. **Individuals serving in positions outside the above classified ranks shall be exempt from merit classification.**

**B. Cook County Department of Corrections**

1. **Correctional Captain.**
2. **Correctional Lieutenant.**
3. **Correctional Sergeant.**
4. **Correctional Officer.**
5. **Individuals serving in positions outside the above classified ranks shall be exempt from merit classification.**

**C. Cook County Sheriff's Court Services Department**

1. **Deputy Lieutenant.**
2. **Deputy Sergeant.**
3. **Deputy Sheriff.**
4. **Individuals serving in positions outside the above classified ranks shall be exempt from merit classification.**

**ARTICLE V**

**PROMOTIONAL STANDARDS**

**A. Standards for Promotion in the Cook County Sheriff's Police Department**

**1. To be eligible for examination an Officer:**

- a. must have served in the next immediate lower rank in the Cook County Sheriff's Police Department for at least one ( 1 ) year.**
- b. must not be on leave of absence unless such leave of absence is for the benefit of the Sheriff of Cook County.**
- c. must have taken and passed the promotional examination for the respective rank offered by the Merit Board. The Board shall determine the passing grade on each examination.**
- d. at the time of examination for promotion will not be under suspension by order of the Board.**

**2. Examination**

- a. A written examination shall be given by the Board no less frequently than every two ( 2 ) years for each rank. Notice of an exhausted list of Certified candidates by the Sheriff shall be cause to conduct an examination prior to two years**
- b. All examinations shall be prepared to ensure that they are job related and in compliance with all Federal and State Statutes and any other applicable law.**
- c. A bibliography of study materials used in the formulation of all examinations shall be provided to candidates to assist them in preparing for the examination.**
- d. Candidates shall receive a printed announcement prior to the examination which will include the date, time and location of the written examination**
- e. Requests for inspection, appeals or exceptions to the examination or process shall be made in writing directly to the Board who has the authority for final determination of all appeals. The requests will thoroughly relate the concern of the requestor(s).**

**3. Compiling Scores for Each Promotional Examination**

**Promotional Examination Scores for all ranks within the Sheriff's Police Department shall be based entirely on the results of the written examination administered for each respective position.**

**4. Certification Process**

- a. The Board or any member thereof may conduct oral interviews of qualified candidates. The Board shall submit to the Sheriff a list of those officers found to be certified for promotion to the next respective rank.**
- b. The Board may certify for promotion more or fewer candidates than there are vacancies existing in the various ranks.**
- c. Certification lists shall be published alphabetically.**

**5. Duration of Certified Promotional Lists**

**A certified list to the Sheriff will remain in force for two (2) years from the date of certification or until a new list is available.**

**B. Standards for Promotion in the Cook County Department of Corrections**

**1. To be eligible for examination an Officer:**

- a. must have served in the next immediate lower rank in the Cook County Department of Corrections for at least one (1) year;**
- b. must not be on leave of absence unless such leave of absence is for the benefit of the Sheriff of Cook County.**
- c. must have taken and passed the promotional examination for the respective grade offered by the Board. The Board shall determine the passing grade on each examination.**
- d. at the time of examination for promotion will not be under suspension by order of the Board.**

**2. Examination**

- a. a written examination will be given by the Board no less frequently than every two (2) years for each rank. Notice of an exhausted list of certified candidates by the Sheriff shall be cause to conduct an examination prior to two years.**
- b. all examinations shall be prepared to ensure that they are job related and in compliance with all Federal and State Statutes and any other applicable law.**
- c. a bibliography of reading materials used in the formulation of the examination will be provided to candidates to assist them in preparing for the examination.**
- d. candidates shall receive a printed announcement prior to the examination which shall include the date, times and location relating to all elements of the process.**
- e. Requests for inspection, appeals or exceptions to the examination or process shall be made in writing directly to the Board who has the authority for final determination of all appeals. The requests will thoroughly relate the concern of the requestor(s).**

**3. Compiling Scores for Each Promotional Examination**

**Promotional Examination Scores for all ranks within the Department of Corrections shall be based entirely on the results of the written examination administered for each respective position.**

**4. Certification Process**

- a. The Board or any member thereof may conduct oral interviews of qualified candidates. The Board shall certify to the Sheriff those officers found to be qualified for promotion to the next respective rank.**
- b. The Board may certify for promotion more or fewer candidates than there are vacancies existing in the various ranks.**
- c. Certification lists will be published alphabetically.**

**5. Duration of Certified Promotional Lists**

**A certified list to the Sheriff shall remain in force for (2) years from the date of certification, or until a new list is available.**

**C. Standards for Promotion in the Cook County Sheriff's Court Services Department**

**1. To be eligible for examination an Officer:**

- a. must have served in the next immediate lower rank in the Cook County Sheriff's Court Services Department for at least one ( 1 ) year;**
- b. must not be on leave of absence unless such leave of absence is for the benefit of the Sheriff of Cook County.**
- c. must have taken and passed the promotional examination for the respective rank offered by the Board. The Board shall determine the passing grade on each examination, and;**
- d. at the time of examination for promotion will not be under suspension by order of the Board.**

**2. Examination**

- a. a written examination shall be given by the Board no less frequently than every two (2) years in each rank. Notice of an exhausted list of certified candidates by the Sheriff shall be cause to conduct an examination prior to two years.**
- b. all examinations shall be prepared to ensure that they are job related and in compliance with all Federal and State Statutes and Cook County Ordinances.**
- c. a bibliography of reading materials used in the formulation of the examination shall be provided to candidates to assist them in preparing for the examination.**
- d. candidates shall receive a printed announcement prior to the examination which will include the date, times and location relating to all elements of the process.**
- e. Requests for inspection, appeals or exceptions to the examination or process shall be made in writing directly to the Board who has the authority for final determination of all appeals. The requests shall thoroughly relate the concern of the requestor(s).**

**3. Compiling Scores for Each Promotional Examination**

**Promotional Examination Scores for all ranks within the Department of Court Services shall be based entirely on the results of the written examination administered for each respective position.**

**4. Certification Process**

- a. the Board or any member thereof may conduct oral interviews of qualified candidates. the Board shall certify to the Sheriff those officers found to be qualified for promotion to the next respective rank.**
- b. the Board shall certify for promotion more or fewer candidates than there are vacancies existing in the various ranks.**
- c. Certification lists shall be published alphabetically.**

**5. Duration of Certified Promotional Lists.**

a certified list to the Sheriff shall remain in force for (2) years from the date of certification, or until a new list is available.

**D. Probationary Period.**

Cook County Sheriff's Police Officers, Cook County Correctional Officers and Cook County Sheriff's Deputies shall be on probation for one (1) year from the date of appointment to the respective position.

**E. Annual Evaluation.**

The entry level and promotional process will be evaluated on an annual basis and revised, if the Board so rules.

## ARTICLE VI

### RESIGNATIONS / REINSTATEMENTS / CERTIFICATION CHANGE

- A. **Any Police Officer who resigns from the Cook County Sheriff's Police Department, or any Correctional Officer who resigns from the Cook County Department of Corrections, or any Deputy Sheriff who resigns from the Cook County Sheriff's Court Services Department for any reason shall not be reinstated.**
- B. **Should a former Police Officer, Correctional Officer or Deputy Sheriff desire to be reinstated with the Cook County Sheriff's Department, they must meet the basic requirements for appointment to the Cook County Sheriff's Department and take the requisite examinations being administered at the time of application as directed by the Sheriff's Merit Board.**
- C. **Any person who is employed as a Deputy Sheriff or Correctional Officer *will not* be allowed to change their certification category unless:**
  - 1. **A written request is made to the Sheriff's Merit Board explaining the need for the change. Board approval of the requested change will result in the Certification in the prior position being rescinded.**
    - a. **Certification change requires the approval of the majority of the Board Members. When a Certification change is approved by the Board the member shall not be subject to a new probationary period.**
    - b. **Approval of the requested Certification change may subject the requester to further training as mandated by the Board or the Sheriff's Department of Personnel.**

## ARTICLE VII

### LEAVE OF ABSENCE

Leaves of absence without pay may be granted to any member of the Cook County Sheriff's Police Department, Cook County Department of Corrections, or Cook County Sheriff's Court Services Department irrespective of rank. The leave shall be from the position and rank they hold at the time the leave is granted. Upon termination of the leave, the officer shall be returned to the same rank they held at the time the leave was granted provided a vacancy still exists. Leaves of absence shall not be granted to any Cook County Sheriff's Police Officer, Cook County Correctional Officer, or Deputy Sheriff who has not completed their probationary period.

All leaves of absence, except for military service, shall be for one (1) year or less, with the privilege of reapplying for a new leave of absence at the expiration of the first. Leaves of absence shall be granted by the Sheriff, with notification to the Board. An officer on leave of absence who accepts a position other than that for which the leave is granted, without written approval of the Sheriff, will be deemed to have resigned. An officer who fails to return to their position following the granted leave or fails to request and be granted a new leave of absence before the expiration of the first leave, shall be deemed to have resigned.

Leaves of absence without pay may be granted for the following reasons and purposes:

1. illness of an employee properly certified by a physician acceptable to the Sheriff and the Board. However, the Board may require a member who has applied for such leave to submit to a physical examination by a physician of the Board's choosing.
2. required active duty in the military service of the United States of America, upon presentation of confirmed military documentation acceptable to the Board.
3. training in an institute of higher learning, when approved by the Sheriff and the Board.
4. other reasons acceptable to the Sheriff and the Board.

## ARTICLE VIII

### DISCIPLINARY MEASURES

#### A. By the Sheriff

1. The Sheriff or his designated representative, without filing charges with the Board, may suspend for any reasonable period of time not to exceed thirty ( 30 ) days any Police Officer of the Cook County Sheriff's Police Department, any Correctional Officer of the Cook County Department of Corrections or any Deputy Sheriff of the Cook County Sheriff's Court Services Department for infractions of the Rules and Regulations. Such suspension may be ordered only if the employee has had an opportunity to respond to the Sheriff's decision.
2. The Sheriff or his designated representative, without filing charges with the Board, may take reasonable disciplinary measures for infractions of the Rules and Regulations in addition to, or in place of, suspension.
3. The Sheriff or his designated representative, may recommend separation, demotion or suspension for a period of time in excess of thirty ( 30 ) days of any Police Officer of the Cook County Sheriff's Police Department or any Correctional Officer of the Cook County Department of Corrections or any Deputy Sheriff of the Court Services Department. However, charges against such person must be filed with the Board.
4. Nothing within this Article will be considered a limitation on the Sheriff's authority to file charges against any Police Officer of the Cook County Sheriff's Police Department, Correctional Officer of the Cook County Department of Corrections, or Deputy Sheriff of the Cook County Sheriff's Court Services Department for infractions of the Rules and Regulations.

#### B. By the Board

The Board, after hearing written charges pursuant to their authority in Chapter 55 (ILCS 5/3-7012 of the Illinois Compiled Statutes, may upon the finding of the charges being proven order any of the following disciplinary measures.

1. Separation.
2. Reduction in rank.
3. Suspension for a period not to exceed a total of one hundred and eighty ( 180 ) days.
4. Or any other such sanctions prescribed by the Rules and Regulations of the Board which in the opinion of the members thereof the offense(s) may merit.

## ARTICLE IX

### DISCIPLINARY PROCEDURES

#### A. Complaints

In all cases where the Sheriff desires to discipline a Police Officer of the Cook County Sheriff's Police Department, Correctional Officer of the Cook County Department of Corrections, or Deputy Sheriff of the Cook County Sheriff's Court Services Department beyond the measures prescribed by Article VIII, Section A, of these Rules and Regulations (except in the case of probationary employees), he shall file with the Board a written complaint in quintuplicate, setting forth a plain and concise statement of the facts upon which the complaint is based and the specific section or sections of these Rules and Regulations which the employee is charged with violating.

#### B. Notification of Hearing

1. On receipt of a complaint from the Sheriff, the Board shall send a letter to the named employee enclosing a copy of the complaint. The letter shall advise the filing of the complaint, the charges contained in the complaint and the time and place of the hearing therefore. Said letter shall constitute no less than ten ( 10 ) days notice to the named employee. The letter shall be sent by registered or certified mail, return receipt requested, to the residence address of the accused employee shown on the face of the complaint. Delivery of the letter to their residence, as shown by the return receipt, shall constitute service of the complaint on the accused employee. If service by registered or certified mail is not effectuated, the Board may provide for alternative methods of service.
2. A copy of the letter shall be mailed to the Sheriff and shall constitute notice to him of the time and place of the hearing on the complaint.

#### C. Respondent

1. Upon receipt of the Complaint, the individual named in the Complaint shall have twenty-eight ( 28 ) days in which to file an answer or otherwise plead.
2. The individual named in the Complaint shall serve one ( 1 ) copy of such answer or other pleading(s) to both the Sheriff and the Merit Board.

#### D. Hearings

1. The Board, or any member thereof, shall hear the case and receive the evidence thereto. All hearings shall be public.
2. At the time and place of the hearing, the Sheriff and the named employee may be represented by counsel.
3. At any Hearing before the Merit Board, the Sheriff's Office may designate an individual to serve as its designated representative to be present throughout the hearing. Such individual may be a witness in the proceeding and their identity must be made known prior to commencement of any hearing on the merits.
4. All proceedings before the Board and all those present during the hearing shall be recorded by a court reporter.
5. The record of hearings shall not be transcribed by the court reporter unless requested by the Board or by any party interested in the hearing. The cost of the transcription shall be borne by the person requesting it.

6. All witnesses shall be sworn by any member of the Board, by another employee of the Board or by the court reporter prior to testifying.
7. The Board or any member thereof shall first hear the evidence and witnesses supporting the charges which have been made. Thereafter, the named employee may present and examine the evidence and present witnesses whom they desire the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party. The Board shall have the right to examine and to recall witnesses.

**E. Decisions on Charges**

1. If the case is heard by one Merit Board Member, the entire Board shall review the evidence and the hearing transcript. The Board shall then make its findings and determine its order. The findings and order of the Board shall then be mailed to the accused employee by registered or certified mail, return receipt requested. A copy of the notice shall be mailed to the Sheriff.
2. If the conclusion of the Board results in separation, the following information shall be provided to the accused employee:
  - a. A statement citing the reason for separation;
  - b. The effective date of separation.
3. No motions or memo of request for reconsideration shall be accepted subsequent to the Board's Final Decision.
4. Filing time for administrative review actions shall be calculated from the date of service of the Board's Final Decision, i.e. thirty-five ( 35 ) days, pursuant to provisions of the Administrative Review Law.

**F. Subpoenas**

1. The Sheriff and the named employee or their respective counsel, may at any time before the hearing, apply to the Board for subpoenas directed to specific persons requiring their appearance at the hearing, and, if necessary, requiring them to produce at the hearing, books, papers, records and such other things that may be relevant to the hearing. The application shall specify the names and addresses of the persons to be subpoenaed and the documents and things which they are required to produce. The subpoenas shall be issued upon proper application to the Board.
2. Subpoenas issued by the Board may be served by an adult person designated by the party requesting the subpoenas. Subpoenas shall not be issued for anyone residing outside the State of Illinois.

**G. Interrogatories/Depositions/Pre-Trial Memorandum**

1. Each party appearing before the Board for administrative hearings shall be allowed to propound a maximum of twenty ( 20 ) interrogatories. Any and all subsections shall be included in tabulating the maximum number allowed.
2. The hearing officer, shall have the sole authority to allow supplemental interrogatories.
3. No depositions shall be allowed.
4. Each party shall be allowed to make a reasonable request to produce documents. The latitude of reasonableness shall be determined at the discretion of the hearing officer.

5. The hearing officer may request each party to submit a request to admit facts, to facilitate judicial economy.
6. A pre-trial memorandum shall be filed by each party at least seven ( 7 ) days prior to the hearing date.
7. The hearing officer may request proposed findings of facts and conclusions of law at the conclusion of each hearing.
8. Unless otherwise excused by the hearing officer, all parties must appear either in person or through counsel on each date the matter is set for hearing. Failure to appear as set forth may result in dismissal of charges or a finding of default.

**H. Filing of Papers**

All papers may be filed with the Board by mailing them to the Cook County Sheriff's Merit Board at its address in Chicago, Illinois. All papers may also be filed by delivering the same to the Board's office in Chicago, Illinois personally or by messenger. In the event any paper is delivered personally or by messenger, for the purpose of these Procedures, Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's office. In the event any paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope containing such paper.

**I. Forms of Papers**

1. All papers filed in any proceeding shall be type written or printed and shall be on one side of the paper only.
2. If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.
3. All papers will not be any larger than eight and one half ( 8.5 ) inches by eleven ( 11 ) inches and will have margins of not less than one ( 1 ) inch.
4. The original of all papers filed will be signed in ink by the party filing the papers or by their designated counsel.
5. If papers are filed by an attorney, their name and address shall appear thereon.

**J. Continuances**

1. All records of the Merit Board will include a summary of the procedural history of the case, setting forth each date the parties appeared before the Merit Board and the reason for each continuance, according to the following designations:

BA	-	By Agreement
MR	-	Motion Respondent
MS	-	Motion Sheriff
OC	-	Order of the Commissioner

2. In any proceeding before the Merit Board, a continuance from the first date on which the Respondent is required to appear before the Merit Board to the Merit Board's next available date shall be designated as Order of the Commissioner (OC).

3. **In any proceeding before the Merit Board, continuances for the purpose of obtaining discovery and/or from scheduled trial dates shall be designated as Motion Respondent ( "MR" ), Motion Sheriff ( "MS" ), Order of the Commissioner ( "OC" ) or By Agreement ( "BA" ) whichever, in the discretion of the Merit Board or any member thereof is appropriate. All reasonable requests for discovery must be complied with. For purposes of this section, compliance must occur within thirty-five (35) days of the request for discovery. Failure of a respondent to comply in a timely manner with a reasonable discovery request shall result in the continuance being charged to the responding party.**

## ARTICLE X

### **RULES AND REGULATIONS FOR THE CONDUCT OF EMPLOYEES OF THE COOK COUNTY SHERIFF'S POLICE DEPARTMENT, THE COOK COUNTY DEPARTMENT OF CORRECTIONS, AND THE COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT.**

**Any Police Officer of the Cook County Sheriff's Police Department, Correctional Officer of the Cook County Department of Corrections or Deputy Sheriff of the Cook County Sheriff's Court Services Department who will be found in violation of any of the following shall be subject to disciplinary action by the Sheriff and the Merit Board.**

**No Police Officer of the Cook County Sheriff's Police Department, Correctional Officer of the Cook County Department of Corrections or Deputy Sheriff of the Cook County Sheriff's Court Services Department shall not:**

- 1. violate any law or statute of any State or of the United States of America.**
- 2. violate any ordinance of a County or Municipal Government.**
- 3. violate any of the general orders, special orders, directives, or rules and regulations of the Cook County Sheriff's Office.**
- 4. fail to immediately notify, in writing, the appropriate Department of the Sheriff's Office, of a change of residence, phone number and/or name.**
- 5. have provided false or misleading information during the hiring process.**
- 6. have applied or been hired by the Sheriff's Department without having complied with all the standards for application, certification and appointment required by State Statute and the Cook County Sheriff's Merit Board at the time of application.**