

ST. CLAIR COUNTY MERIT COMMISSION RULES AND REGULATIONS

The following are the Rules, Regulations and Procedures adopted by the St. Clair County Office of the Sheriff's Merit Commission as revised on August 23, 2017.

These Rules and Regulations are for the Office of the Sheriff's use only and do not apply in any civil or criminal proceedings. These Rules and Regulations should not be construed as a creation of a higher legal standard of safety or care in any evidentiary sense with respect to third party claims. Violations of these Rules and Regulations will only form the basis for administrative sanctions by the Office of the Sheriff. Violations of law will form the basis for civil or criminal sanctions in a recognized judicial setting.

ARTICLE I ADMINISTRATIVE MATTERS

Section 1. Officers of the Merit Commission

The officers of the Merit commission shall be a Chairman and a Secretary, to be elected each September for a one (1) year term or until his or her respective term of office as a member of the Commission shall expire, whichever period is shorter. The Secretary shall keep a written record of proceedings, actions and decisions of the Commission.

Section 2. Office

The commission shall maintain an office in Belleville, Illinois, where its files and records shall be kept.

Section 3. Regular Meetings

A regular meeting of the Commission shall be held at the time and place designated by the Commission. The Commission may postpone a meeting to such other time as the Chairman may fix.

Section 4. Special Meetings

A special meeting may be called by the chairman, his designee, or a majority of the Commission. Notice of a special meeting shall be given by the Chairman or his designee to each Commission member specifying the time, date and place of such special meeting at least five (5) days prior to the date thereof unless such notice is waived by unanimous consent of all Commission members. Business of whatever nature may be acted upon at such special meetings.

Section 5. Voting

The concurrence of at least three (3) members of the Commission shall be necessary to render a decision on all matters, and the action of such majority shall be deemed the act of the Commission.

Section 6. Quorum

Three (3) members of the Commission shall constitute a quorum at all meetings.

Section 7. Changes in Rules, Regulations and Procedures

The commission may at any meeting, regular or special, amend, adopt or rescind any Rules, Regulations or Procedures.

Section 8. Confidential Matters

The files of the Commission relating to all personnel matters of the Office of the Sheriff shall be confidential.

Section 9. Policy Statements and Public Releases

It shall be the established practice of the Commission that all policy statements and public releases concerning administration, procedures, rules, regulations and aims of the Commission shall be made by the Chairman or, in his absence or disability, by the Secretary.

**ARTICLE II
APPOINTMENT OF PERSONNEL**

Section 1. Personnel Under Merit System

The Rules, Regulations and Procedures of the Merit System and Merit Commission shall be applicable to all commissioned personnel who are engaged in patrol, law enforcement, criminal investigation and correctional duties and responsibilities of the St. Clair County Office of the Sheriff.

The said Rules, Regulations and Procedures shall not be applicable to other personnel of the St. Clair County Office of the Sheriff including, but not limited to the Chief Deputy Sheriff, Undersheriff, the Assistant Jail Superintendent, the Jail Superintendent and executive assistants to the Sheriff. Encourage the Sheriff to appoint an Undersheriff. May appoint an acting Undersheriff until such time as filling the position permanently, due to current county and state laws.

Section 2. Original Appointments

All initial appointments shall serve a probationary period of twelve (12) months during which time they may be discharged at the will of the Sheriff. The (12) month probationary period begins after completing the passing the Police Officer or Correctional Officer State Certification Test.

Section 3. Application for Appointment

All applications for appointments under the Merit System shall be made to the Commission and shall be in writing on the forms provided by the Commission.

Section 4. Standards for Appointment

The Sheriff of the County of St. Clair, State of Illinois, shall appoint probationary patrolman and probationary correction officers only if those persons who have been certified to him in writing by the Merit Commission as being eligible for appointment. A person certified for appointment must meet the following requirements at said time of certification in addition to any statutory requirements; however, one or more of the following requirements may be waived by unanimous vote of all Commission members present and voting.

- A. Be not less than 21 years of age for Patrol Division and not less than 18 years of age for Corrections Division.
- B. Have passed such physical examinations as the Commission and/or the Sheriff prescribes.
- C. Have passed such screening, aptitude, psychological, or other examinations and tests the Commission may require.
- D. Be a high school graduate, or be in possession of a high school equivalency certificate issued by a County Superintendent of Schools or similar official or a high school diploma issued on the basis of the General Education Development tests.
- E. Be acceptable to the Commission on oral interview.
- F. Be acceptable to the Commission on investigation as to reputation and character.
- G. Be able to operate a motor vehicle and have a valid driver's license at all times.
- H. Not hold an elective political office in the county government, which could affect the office of the Sheriff of St. Clair County.
- I. Be a citizen of the United States.
- J. Military members who are honorably discharged and met the minimum requirements of their branch, may apply in lieu of education requirements, or prior law enforcement experience if they meet all other Illinois mandates.

On completion of the examination procedure including the oral interview, the Commission shall certify to the Sheriff a list of those eligible for appointment to the department.

The Commission shall maintain a list of at least (3) available eligible applicants. If the list contains less than three (3) such applicants, the Sheriff may either treat the list as terminated or continue to fill appointments there from. In any event, the Commission may strike off the names of candidates for original appointment after such names have been on the list more than one (1) year.

An applicant certified for appointment shall have the option, at their request, to decline the initial offer of employment, but remain eligible for appointment within the one year period.

Section 5. Lateral Entry Appointments

Upon request of the Sheriff, the Commission shall establish a list of those persons eligible for lateral entry, said list not to exceed five (5) for Patrol Division and five (5) for the Corrections Division. Names appearing on this list shall expire one (1) year from the date approved.

Section 6. Classification of Merit System Personnel

- A. The classification of personnel under the Merit System shall be as follows:

LAW ENFORCEMENT OR PATROL DIVISION

Patrolman, Sergeant, Lieutenant

CORRECTIONS OR JAIL DIVISION

Corrections Officer, Corrections Officer-Sergeant &, Correction Officer-Lieutenant

- B. The Merit Commission shall compile two (2) employment lists for the St. Clair County Office of the Sheriff, one Corrections and one Patrol.
- C. The rank of Special Investigator, Master Sergeant, Captain, Major and Lieutenant Colonel shall be appointed by the Sheriff and is not a classification of the Merit System. Any officer under the Merit System holding the rank of Captain prior to January 1, 2008 shall be considered grandfathered into that rank. Future Captain positions will be appointed by the Sheriff at his discretion.
- D. Work assignments of personnel under the Merit Commission shall serve at the discretion of the Sheriff. Merit system personnel shall maintain their commission rank, however, may be moved within the Sheriff's department and given another assigned job on the Sheriff's discretion

Section 7. Rank Promotion

The Sheriff shall notify the Commission in writing when a vacancy or vacancies has occurred within a division requiring promotion procedures.

The Commission, thereafter, shall notify eligible personnel of promotion procedure details. The following Rules and Regulations shall govern promotion and the method by which personnel shall be certified for promotion within each division.

- A. Rank Promotion:

To be eligible for promotion, each person shall:

- 1) File a written request for promotion as required by the Commission,
- 2) Eligibility to test for promotion:

- a) Shall maintain two (2) years of continuous service with the St. Clair County Sheriff Department (suspensions, leaves of absence and extended sick leave can be cause for interrupted work service). The two (2) years of service must be the two (2) years immediately prior to the test date.
- b) The candidate shall be eligible to test for promotion if the candidate has completed studies and been awarded a Bachelor's degree in a work related area from an accredited (per the North Central Association) college or university or have 2 years or more service in a respective rank.
- 3) Successfully complete a promotional examination,
- 4) Be in acceptable physical condition (certification of this by a medical doctor may be requested by either the Sheriff or the Commission) (Stress Test, CBC, CMP, CXR, UA),
- 5) Appear for a Merit Commission oral interview, as requested.
- 6) Not be in any of the following categories:
 - a) Under suspension within the last 30 days prior to testing
 - b) On inactive duty due to disability (May be waived at the discretion of the Sheriff)
 - c) On leave of absence, except for active military service or attendance at an institution of higher education or training (for example, National FBI Academy).
- 7) Testing procedure shall be broken down into the following percentages:

Written Examination	Maximum of 40 Points
Merit Commission Interview	Maximum of 30 Points
Job Performance	Maximum of 30 Points

Eligible candidates must obtain a combined minimum score of at least 70 points, which could include military points and master's degree points to be eligible for placement on the Promotional list submitted to the Sheriff.

A candidate who tests for promotion and who has completed studies and been awarded a Master's degree in a work related area from an accredited (per the North Central Association) college or university shall earn one (1) extra point added to the total score after the Commander's Evaluation, written examination and Merit Commission scores are tabulated. Commander evaluation will be delivered by certified mail to the Merit Commission prior to the written evaluation test.

- 8) A candidate shall earn one (1) extra point for United States Military Service. To be eligible the candidate must have been honorably discharged and actively serving in the military for a minimum of 1 year. The candidate will decide within ten (10) days of posting promotional testing process he/she will use the point. The point can only be used one time for a promotion.

If not promoted from the final list you may use the point(s) for future promotional lists.

B. Probationary period:

All personnel under the Merit System shall serve a (12) month probationary period and:

- 1) Serve as directed by and at the pleasure of the Sheriff.
- 2) Successfully complete training as required by the Office of the Sheriff and Commission.
- 3) Comply with disciplinary action by the Sheriff, which is not subject to review by the Merit Commission.
- 4) Submit to a drug screen test at the beginning of and at the completion of the probationary period.

C. Promotion Certificate and Notification:

- 1) A person shall be ranked by the Commission according to his or her promotional grade, determined by:
 - a) The score on a written examination,
 - b) Merit Commission Interview,
 - c) Commander Evaluation.
- 2) The Commission shall thereafter submit to the Sheriff a list of personnel certified for promotion.
- 3) Promotions shall be made by the Sheriff from the Certification List. The Sheriff should consider the top three candidates, not all candidates on the list.
- 4) The Commission shall maintain a list of at least three (3) available eligible applicants. If the list contains less than three (3) such applicants, the Sheriff may either treat the list as terminated or continue to fill applicants there from. In any event, the Commission shall strike off the names of candidates for promotional appointment after they have remained thereon for more than one (1) year unless the

Sheriff requests the Merit Commission to extend the list for an additional year. At no time will any promotion list be valid for more than three (3) years.

- 5) The applicant shall be advised of his or her promotional rank.
- 6) Persons appointed to a higher rank shall be on probation in such higher rank for a period of twelve (12) months. Such appointees may be demoted by the Sheriff to their former rank at any time during the period of probation if, in the opinion of the Sheriff, they have failed to demonstrate the ability and the qualifications necessary to furnish satisfactory service. In case of demotion, personnel may be returned to their tenured rank by the Sheriff after written notification of cause is filed with the Commission.

Section 8. Transfer from Corrections to Patrol Division

Refer to Lateral Entry Appointments (Article II, Section 5). If Military points are used, you must notify Board within 10 days in writing of posting of the promotional list.

**ARTICLE III
DISCIPLINARY MEASURES**

Section 1. By Sheriff

- A. The Sheriff may dismiss or take other disciplinary measures against a probationary Correction Officer or probationary Patrol Officer without filing charges with the commission for actions violating either the Rules and Regulations of the Commission or the internal procedures of the Sheriff's Office. The Sheriff shall furnish the Commission a written report of any dismissal or disciplinary action for all personnel under the Merit Commission.
- B. The Sheriff, without filing charges with the Commission, may:
 - 1) Reprimand a person verbally;
 - 2) Reprimand a person in writing;
 - 3) Suspend without pay for any reasonable period not to exceed a total of thirty (30) days within a twelve-month period. In case of a suspension the reason or reasons shall be reported to the Commission in writing within five (5) days.
- C. Except as is otherwise provided in the Rules and Regulations, no certified person shall be removed, demoted or suspended except for cause, upon written charges filed with the Merit Commission by the Sheriff. Upon the filing of such a petition, the Sheriff may suspend the certified person pending the decision of the Commission on the charges. If a person has been suspended without pay, the Commission, after the charges have been heard, may direct that the person receives his pay for any part or all of the suspension period.

- D. The charges shall be heard by the Commission upon not less than fourteen (14) days certified notice. At such hearing, the accused certified person shall be afforded full opportunity to be represented by counsel, to be heard in his own defense and to produce proof in his defense. Both the Commission and the Sheriff may be represented by counsel. The State's Attorney of St. Clair County may advise either the Commission or the Sheriff. The other party may engage private counsel.

ARTICLE IV DISCIPLINARY PROCEDURES

Section 1. Filing of Charges

In all cases where the Sheriff desires to discipline a person under the St. Clair County Office of the Sheriff Merit System beyond the powers given him under Article III, Section 1, he shall file with the Commission a written complaint, setting forth a plain and concise statement of the facts upon which the complaint is based.

Section 2. Notice of Hearing

On receipt of a complaint from the Sheriff, the Commission shall send a letter to the Merit employee enclosing a copy of the complaint. The letter shall be sent by registered or certified mail, return receipt requested, to the residence of said person, and delivery of the letter as shown by the return receipt shall constitute service of the complaint. Personal service may be made if necessary. The letter shall advise of the filing of the complaint and set forth of the date, time and place of a hearing on the charges of the complaint.

A copy of said letter shall be mailed or personally delivered to the Sheriff and shall constitute notice to him of the date, time and place of the hearing on the complaint.

Section 3. Hearings

- A. All hearings shall be public.
- B. At the time and place of the hearing, the Sheriff and the person who is the subject of the complaint, may be represented by counsel if they desire.
- C. All proceedings of the hearing before the Commission shall be recorded by a reporter provided by the Commission or by other means provided by the Commission.
- D. The record of all hearings will not be transcribed unless requested by the Commission or any party in interest. The cost of the transcript shall be borne by the person requesting it.
- E. All witnesses shall be sworn by the Commission Chairman or other Commission member prior to testifying.
- F. The commission will first hear the witnesses sustaining the charges which have been made against the person. Thereafter, said person against whom charges have been filed may present the witnesses that he or she desires the Commission to hear. All parties shall have

the right to cross-examine witnesses presented by the opposite party. The commission shall have the right to examine and to recall witnesses.

- G. The findings of the Commission shall be decided on evidence presented at the hearing. Should the accused be found guilty of wrong doing, the Commission shall conduct a hearing in aggravation and mitigation.

Section 4. Subpoenas

- A. The Sheriff and the person who is the subject of the complaint, or their counsel, at any time before the hearing, may make application to the Commission 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 things as 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 to be required to produce. Subpoenas will not be issued for anyone residing outside the State of Illinois.
- B. Subpoenas issued by the Commission may be served by any person designated by the Commission or by the Office of the Sheriff.
- C. Any request for continuance by reason of inability to serve subpoenas shall be filed with the Commission at least two (2) days before the date set for the hearing; however, the Commission may waive this rule.

Section 5. Proof of Service of Papers

All papers required under Article IV of these Rules and Regulations to be served shall be delivered personally to the party designated or mailed by United States mail in an envelope properly addressed, with postage prepaid, to the designated party at his or her last known address. Proof of service of any paper may be made by the certification of any person, so mailing the paper or delivering same for the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party. Service on the Sheriff may be made in a similar manner.

Section 6. Filing of Papers

All papers may be filed with the Commission by mailing them or personally delivering them to the St. Clair County Office of the Sheriff Merit Commission Office in Belleville, Illinois, or to the Commission staff. For purposes of the Rules, Regulations and Procedures hereinafter set forth, the filing date of any paper shall be the date it was received in the Commission Office.

Section 7. Form of Papers

- A. All papers filed in any proceeding shall be legibly type-written and shall be on one side of the paper only.
- B. The lines shall be double spaced, except that long quotations may be single space and indented.

- C. All papers shall not be longer than 8 ½ inches wide by 11 inches long and shall have inside margins of not less than one (1) inch.
- D. The original of all papers filed shall be signed in ink by the party filing the paper or by his or her counsel, including the address and telephone number of such party.

Section 8. Continuances

No hearing shall be continued at the request of any of the parties to the proceedings or their attorneys unless such request is made and received in writing by the Commission or its staff at least two (2) days before the scheduled hearing date.

Section 9. Computation of Time

The time within which any act under these Rules, Regulations and Procedures is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday, Sunday, or a holiday as defined or fixed in any statute now or hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Saturday, Sunday, or holiday is a holiday or a Saturday or Sunday, then such day shall also be excluded.

Section 10. Decision of the Commission

After the hearing, the Commission shall make its findings and determine its order and shall mail to the party charged, by registered or certified mail, return receipt requested, a notice of the finding and order of the Commission. A copy of the finding and order shall be mailed to the Sheriff. The Commission may, at its discretion, order reinstatement with partial or full back pay.

ARTICLE V
MISCELLANEOUS PERSONNEL MATTERS

Section 1. Leave of Absence

Leave of Absence without pay may be granted personnel under the Office of the Sheriff's Merit System. The leave shall be from the rank held at the time permission is granted. Upon termination of the leave, the person shall be returned to the same rank held at the time the leave was granted. Such leave may be granted whether the person has or has not completed the probationary period.

All leaves of absence except for military service shall be for one year or less, with privilege of obtaining a new leave at the expiration of the first leave. The Sheriff shall grant leaves of absence, with approval of the Commission and in compliance with Illinois Municipal Retirement Fund regulations. An employee on leave of absence who accepts a position other than that for which leave was granted shall be deemed to have resigned. A person who fails to return to the position or who fails to request, and be granted a new leave of absence on or before the expiration of the first leave, shall also be deemed to have resigned.

Leave of absence without pay may be granted for the following reasons:

- A. Illness of the person requesting the leave of absence, properly certified by a physician. The Commission may require said person to submit to a physical of the Commission's choice.
- B. Active duty, Reserve or National Guard (on orders or drill weekends) in the military service of the United States. The Merit Commission will adhere to State and Federal Laws.
- C. Training in an institution of higher learning.
- D. Other reasons acceptable to the Sheriff and the Commission.

Section 2. Resignation, Reinstatements and Retirement

Any member who resigns from a position under this Merit System for any reason will not be reinstated.

Should a former St. Clair County Office of the Sheriff's Merit System employee desire to re-affiliate with the Department and come under the Merit System, he or she must meet the basic requirements for eligibility for appointment under the Merit System as provided under Article II herein.

Section 3. Political Activity

Personnel under the St. Clair County Office of the Sheriff's Merit System shall not use their office in any manner for the purpose of furthering their own political campaign interests or those of any other person. It is the purpose of these rules and regulations to provide guidelines for officers to follow regarding involvement in political activities.

All officers will adhere to the following procedural guidelines:

- A. Officers shall not, while in uniform or on duty, take an active part in another person's campaign for an elective position. This includes, but not limited to, making political speeches, passing out cards or other political literature, writing letters, signing petitions, actively and soliciting votes, and making public derogatory remarks about candidates for such elective positions.
- B. Officer shall not use their office in any manner for the purpose of furthering their own political campaign interests or those of any other person.
- C. Officers shall not place any written or graphic material whatsoever on a county vehicle or property without written permission of the Sheriff. They shall remove such material from any county vehicle or property in their control.
- D. Officers shall not prevent or obstruct any citizen from participating in the political process as long as the citizen's activity is lawful.
- E. No provision contained in this section is intended to restrict any employee's right to lawfully participate in the political process as a citizen of the United States.

St. Clair County Sheriff's Department Merit System Rules, Regulations and Procedures were approved and adopted by the Merit Commission on July 24, 2024.

Merit Commission

Chairman Roger Poole

Member Dr. James Wade

Member James Vest

Member Areeda Johnson

Member Ted Beatty