



Lake County Forest Preserves

General Offices
1899 West Winchester Road
Libertyville, Illinois 60048
847-367-6640 • Fax: 847-367-6649
www.LCFPD.org

DATE: October 3, 2022

MEMO TO: Jessica Vealitzek, Chair
Operations Committee

Agenda Item# 10.6

FROM: John F. Tannahill
Director of Public Safety

RECOMMENDATION: Recommend approval of an Ordinance approving a revised Public Safety Department Policies and General Orders Manual.

STRATEGIC DIRECTIONS SUPPORTED: Leadership; Organizational Sustainability

FINANCIAL DATA: There is no financial impact.

BACKGROUND: The Lake County Forest Preserve District Public Safety Department Policies and General Orders Manual (Manual) was developed to guide the operation and govern the conduct of the Public Safety Department. The last full revision of the Manual was completed in 2003. It has been rewritten and revised to comply with applicable laws and law enforcement best practices. The Manual has been designed to encompass the accreditation standards of the Illinois Law Enforcement Accreditation Program (ILEAP) and in a format that best serves the District's needs now and into the future.

The Manual was reviewed with the committee at the April 4, 2022 meeting. A link was provided to committee members so that they could review the entire document at their convenience. The policy manual presented today is exactly the same, with one exception. The policy on secondary employment has been updated to allow any employee that owns a business (prior to October 1, 2022) that would otherwise be considered in conflict with the policy to continue to operate that business. A redline version of the updated policy is attached as Exhibit A.

REVIEW BY OTHERS: Chief Operations Officer, Director of Administration, Director of Finance, Corporate Counsel.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR OCTOBER MEETING
OCTOBER 11, 2022**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **OPERATIONS COMMITTEE** presents herewith “An Ordinance approving the Public Safety Department Policies and General Orders Manual,” and requests its approval.

OPERATIONS COMMITTEE:

Date: 10-3-2022 Roll Call Vote: Ayes: ___ Nays: ___
 Voice Vote Majority Ayes; Nays: 0

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE APPROVING THE PUBLIC SAFETY DEPARTMENT POLICIES
AND GENERAL ORDERS MANUAL**

WHEREAS, pursuant to Section 8a of the Downstate Forest Preserve District Act, 70 ILCS 805/8a, the Board of Commissioners (the "Board") of the Lake County Forest Preserve District (the "District") may appoint and maintain a sufficient police force, the members of which shall be peace officers certified and trained under the provisions of the Illinois Police Training Act and shall have and exercise police powers over District territory, for the preservation of the public peace, and the observance and enforcement of the ordinances and laws; and

WHEREAS, on September 21, 1990, the Board approved written rules, regulations, and procedures governing the conduct of its police force, which were then known, collectively, as the "Ranger Manual"; and

WHEREAS, the Ranger Manual has been amended from time to time and, in its amended form, is now known as the "Public Safety Policies and Procedure Manual" (the "Current Manual"); and

WHEREAS, the District's police force is part of its Public Safety Department, such Department is seeking accreditation through the Illinois Law Enforcement Accreditation Program, and, to meet the 180 standards of accreditation, it is appropriate and in the best interests of the District to replace the Current Manual with the updated "Public Safety Department Polices and General Orders Manual" in the form attached to this Ordinance (the "Amended Public Safety Department Policies and General Orders Manual"); and

WHEREAS, the Amended Public Safety Department Policies and General Orders Manual sets forth the foundation for the Public Safety Department's operational decisions, organizational directives and general orders governing the conduct of the District's police force; and

WHEREAS, pursuant to Section 8 of the Downstate Forest Preserve District Act, 70 ILCS 805/8, the District is authorized to adopt all necessary ordinances, rules, and regulations for the management of its property and the conduct of its business; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section 2: Approval of Amended Policies and General Orders Manual. The Amended Public Safety Department Policies and General Orders Manual attached to this Ordinance is hereby approved and incorporated as part of this Ordinance.

Section 3: Severability. The provisions of this Ordinance and the Amended Public Safety Department Policies and General Orders Manual shall be deemed to be severable and the invalidity or unenforceability of any such provision shall not affect the validity or enforceability of the other provisions of this Ordinance or the Amended Public Safety Department Polices and General Orders Manual.

Section 4: Repealer. All prior versions of the Amended Public Safety Department Policies and General Orders Manual (including without limitation the Ranger Manual and the Current Manual) and the provision of any other District ordinance, resolution, policy, regulation, and requirement (to the extent they are inconsistent with all or any part of this Ordinance or the Amended Public Safety Department Policies and General Orders Manual) are hereby repealed.

Section 5: Executive Director Authority. The Executive Director is authorized to approve any further amendment to the Amended Public Safety Department Policies and General Orders Manual if such amendment is necessary (i) for accreditation under the Illinois Law Enforcement Accreditation Program or (ii) to bring the Amended Public Safety Department Policies and General Orders Manual into compliance with applicable law. The Executive Director shall report any such amendment to the Board promptly.

Section 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this _____ day of _____, 2022

AYES:

NAYS:

APPROVED this _____ day of _____, 2022

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A



LAKE COUNTY FOREST PRESERVE DISTRICT PUBLIC SAFETY DEPARTMENT

SUBJECT

SECONDARY EMPLOYMENT

SECTION CODE

PER 01

DATE OF ISSUE

00/00/0000

EFFECTIVE DATE

00/00/0000

REVIEW DATE

00/00/0000

CANCELS

All Previous Orders in Conflict

DISTRIBUTION

All Personnel

Accreditation Standards: PER.04.01 & 04.02

I. PURPOSE

The purpose of this policy is to set forth guidelines to govern secondary employment by members of the Lake County Forest Preserves Public Safety Department.

II. POLICY

The policy of this agency is to provide guidelines to full time law enforcement employees to inform them of the types of secondary employment that are appropriate, and to establish procedures to maintain accountability for the welfare of the agency. These requirements are essential for the efficient operation of the agency and for the protection of officers, the agency, and the community.

III. DEFINITIONS

[CONFLICTING SECONDARY EMPLOYMENT – Employment that presents a potential conflict of interest between duties as a law enforcement officer and duties for the secondary employer, including work that may provide real or implied law enforcement service.](#)

EMPLOYMENT - The provision of a service, ~~whether or not~~ in exchange for a fee or other form of compensation, whether or not such activities fall within the legal definition of employment, agency, independent contracting, or other relationship. Employment does not include volunteer work for charitable organizations.

EXTRA-DUTY EMPLOYMENT - Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee.

OFFICER-OWNED CONFLICTING BUSINESS – A business (i) for which an officer provides conflicting secondary employment, (ii) that is (and was as of October 1, 2022) owned in whole or in part (in an amount not less than 25%) by the officer, and (iii) for which the information required in Section IV.D.4 of this Policy has been timely provided.

REGULAR OFF-DUTY EMPLOYMENT - Any employment that ~~will not require the use of law enforcement powers by the officer~~ is not extra-duty employee employment.

IV. PROCEDURES

There are two types of off-duty employment in which an employee may engage: (i) regular off-duty employment and (ii) extra-duty employment.

A. Regular Off-Duty Employment

Employees may engage in regular off-duty employment that meets all of the following criteria:

1. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty
2. Employment that ~~presents no potential conflict of interest between duties as a law enforcement officer and duties for the employer~~ is not conflicting secondary employment, unless it is employment with an officer-owned conflicting business. Examples of conflicting secondary employment representing a conflict of interest include, but are not limited to, the following:
 - a. Work as a process server, reposessor, or bill collector; towing of vehicles; or any other employment in which police authority might be used to collect money or merchandise for private purposes.
 - b. Work involving personnel investigations for the private sector or any employment that might require the police officer to have access to police information, files, records, or services as a condition of employment.

- c. Employment using the police uniform in the performance of tasks other than those of a police nature.
 - d. Employment that assists (in any manner) the case preparation for the defense in any criminal action or for either side in any civil action or proceeding.
 - e. Work for a business or labor group that is on strike.
 - f. Work in occupations that are regulated by, or that must be licensed through, the police agency or its civilian board.
3. Employment that does ~~not~~ constitute a threat to the status or dignity of law enforcement as a professional occupation. Examples of employment that constitute such a threat and should be denied include, but are not limited to:
- a. Establishments that sell pornographic books or magazines, sexual devices or videos, or that otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business.
 - c. Any gambling establishment.
 - d. Any employment involving the sale, manufacture, or transport of cannabis or cannabis related products as the principal business.
4. The only exception to this policy addresses the ownership of any establishment whose main purpose is listed in Section 3 prior to the date of approval of the policies by the District Board of Commissioners. An employee may request an exception to this policy in writing and include the following information:
- a. A full description of each establishment separately, type of business performed on the premises, and the specific section of the policy effected by the exception requested for each establishment; and
 - b. Provide a certified copy of any license or ownership documents dated prior to the Board of Commissioners approval of this policy; and
 - c. Immediately provide notice of any change in ownership that would affect the employee's ownership interest in the establishment.

B. Extra-Duty Employment

Police officers may engage in extra-duty employment. This occurs where a government, profit-making, or not-for-profit entity has an agreement with the police agency for police officers in uniform who are able to exercise their police duties.

Types of extra-duty services that may be considered for contracting are as follows:

- a. Traffic control and pedestrian safety;
- b. Crowd control;
- c. Security and protection of life and property; and
- d. Routine law enforcement for public authorities.

C. ~~Limitations on~~Requirements for regular off-duty employment and extra-duty employment are as follows:

1. A police employee must be in good standing with the District. Continued District approval of a police employee's off-duty employment is contingent on such good standing.
2. Those officers who have not completed their probationary period or who are on medical or other leave due to sickness, temporary disability, an on-duty injury, FMLA leave, or parental leave shall not be eligible to engage in regular or extra-duty employment.
3. Prior to obtaining off-duty employment, a police employee shall comply with agency procedures for granting approval of such employment or registration for extra-duty employment.
4. Employees shall be responsible for scheduling all off-duty employment in a manner that does not conflict or interfere with the police employee's performance of duty with the District.
5. A police officer engaged in any off-duty employment is subject to call-out in case of emergency, and may be expected to leave his off-duty or extra-duty employment in such situations.
6. Permission for a police employee to engage in outside employment may be revoked where it is determined, pursuant to agency procedure, that such outside employment is not in the best interests of the agency.
7. ~~A police officer~~A full time law enforcement employees may work a maximum of 24 hours of off-duty-regular or extra-duty employment, in combination with regular duty in each calendar week. Any exceptions

require prior approval by the Director of Public Safety.

8. Not less than annually, and more frequently if requested by the Director of Public Safety, the officer shall, on forms provided by the Director of Public Safety, certify (i) the name of employer, location of the employment, specific type of work to be completed or engaged in during employment, and hours of employment and (ii) for an officer-owned conflicting business, that the officer still owns at least 25% of the officer-owned conflicting business.
9. When a full time law enforcement employee performs secondary employment during any calendar week, then, no later than the first business day of the next calendar week, they will submit in writing to the Director of Public Safety, the number of hours, type of work, and location of the secondary employment they performed during such calendar week. The Director of Public Safety or designee will review the submissions on a regular basis (or monthly) to ensure compliance with this policy.
10. All full time law enforcement employees will submit in writing to the Director of Public Safety any changes or termination of secondary employment status immediately. This notice will identify the type of change including name of employer, type of work, hours, and location of employment or the date of termination of the employment.

D. Approval or Denial of Secondary Employment

1. All requests for secondary employment by full time law enforcement employees shall be submitted to the Director of Public Safety in writing prior to engaging in the requested employment.
2. The request will include name of employer, location of the employment, specific type of work to be completed or engaged in during employment, and hours of employment.
3. The Director of Public Safety will review the requests and supporting documents and make a determination to approve or deny a request based on this policy.
4. If an officer desires to continue working at an officer-owned conflicting business, the officer has the burden of establishing that the business is an officer-owned conflicting business, as defined in this Policy. To do so, the officer (in addition to the other requirements of this policy) must provide supporting documents to the Director of Public Safety on or before November 10, 2022. Such documents may include the following:
 - a. the complete legal name of the business,
 - b. a copy of the articles of incorporation, articles of organization, partnership agreement, or similar document for the business, establishing

that the business was formed and when it was formed,

- c. copies of stock certificates, an operating agreement, a partnership agreement, or other document establishing the officer's ownership (including percentage of ownership) of the business (financial information or other confidential information in agreements that is not necessary to identify the officer's ownership interest may be redacted),
- d. a certificate of good standing or similar assurance from the state in which the business was incorporated, if such state requires such a certificate or assurance,
- e. if the municipality, county, or other local jurisdiction within which the business operates requires a business license for the operation of the business, a copy of such business license.

EFFECTIVE DATE

The effective date of this order, **SECONDARY EMPLOYMENT**, is 00/00/0000. PER 01

John F. Tannahill
Director of Public Safety

DISTRIBUTION:

All units, sworn and civilian personnel

I have read the above order and fully understand it.

Signature

Date