1. Call to Order and Roll Call

2. Approval of Meeting Minutes-March 16, 2023

3. Non-Agenda Items and Visitors (Public Comment)
   The Board of Fire and Police Commissioners allocate fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Board of Fire and Police Commissioners on any matter not listed on the agenda. Each person addressing the Board of Fire and Police Commissioners is asked to limit their comments to a maximum of three (3) minutes.

4. Election of Chairman and Secretary per section 1.3 of the Rules and Regulations of the Board of Fire and Police Commissioners

5. Reading of proposed amendments to the Board of Fire and Police Commission Rules and Regulations

6. Request to create a lateral officer eligibility list

7. Adjournment

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Glen Cole at (847)234-0774 or TDD number (847)234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.
1. **Call to Order**: 1730 hours, member Gerard McDermott, member Kimberly Hauer, Chief of Police Matthew Smizinski, Deputy Chief of Police Erik Gehrke present.

2. **Approval of Prior Meeting Minutes**: Hauer motion, McDermott second, item approved.

3. **Non-Agenda Items and Visitors (Public Comment)**: none

4. **Closed Session for Entry Level Officer Candidate Interviews**:
   a. **Enter**: Hauer motion, McDermott second, item approved. Begin 1734 hours
   b. **Exit**: Hauer motion, McDermott second, item approved. Exit 1926 hours

5. **Adjournment**: 1926 hours, Hauer motion, McDermott second, item approved.
RULES AND REGULATIONS OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
VILLAGE OF LAKE BLUFF
STATE OF ILLINOIS

ADOPTED: JUNE 5, 2006
REVISED: AUGUST 13, 2010
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NOTICE PUBLISHED: AUGUST 19, 2010JULY , 2023
EFFECTIVE: AUGUST 30, 2010__________ __, 2023
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RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
VILLAGE OF LAKE BLUFF
STATE OF ILLINOIS

As adopted by the Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois, effective August 30, 2010.

CHAPTER 1 – ADMINISTRATION

SECTION 1.1 - SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois derives its power and authority from Division 2.1 of the Illinois Municipal Code, entitled "Board of Fire and Police Commissioners", 65 ILCS 5/10-2.1-1 et seq., and the home rule powers of the Village.

SECTION 1.2 - DEFINITIONS

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois. The word "Officer" shall mean any person holding a permanent office full time appointment in the Police Department of the Village of Lake Bluff, Illinois. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

SECTION 1.3 - OFFICERS OF BOARD AND THEIR DUTIES

The Board shall annually, at its first meeting in May, or the next meeting thereafter, elect a Chairman and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary shall keep the Minutes of all meetings of the Board in a permanent record book and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board.

SECTION 1.4 - MEETINGS

a) Meetings shall be called by the Chairman as necessary. Notice shall be posted and meetings shall be open to the public.

b) Special meetings shall be open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of
the Board and signed either by the Chairman of the Board or any two members thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time, and place of such special meeting, and no other business shall be considered at such special meeting unless by unanimous consent of the Board.

c) During any regular or special meeting, a closed session may be held upon a proper motion made by any single member of the Board for the purpose of discussing personnel. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The Secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session.

d) Public notice of any regularly scheduled or special meeting shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, 5 ILCS 120/1 et seq.

SECTION 1.5 - QUORUM

A majority of the members of the Board shall constitute a quorum for the conduct of all business.

SECTION 1.6 - ORDER OF BUSINESS

The order of business at any meeting shall be:

a) Approval of the Minutes
b) Communications
c) Unfinished Business
d) New Business
e) Adjournment

SECTION 1.7 - PROCEDURE

The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable.

SECTION 1.8 - AMENDMENTS

Amendments to the rules of the Board may be made at any meeting of the Board. All amendments shall forthwith be printed for distribution and notice shall be given of the place or places where said rules may be obtained. Such notice shall be published in a newspaper of general circulation in the Village. The notice shall specify the date, not less than ten (10) calendar days subsequent to the date of such publication, when rules shall go into effect.
SECTION 1.9 - ANNUAL REPORT AND BUDGET REQUEST

The Board shall submit an Annual Report of its activities to the Village Board of Trustees as required by the Illinois Municipal Code, 65 ILCS 5/10-2.1-19, and a Budget Request for the ensuing year, as required by local ordinance and 65 ILCS 5/10-2.1-19.

CHAPTER 2 – APPLICATIONS

SECTION 2.1 - RESIDENCE

Applicants for examination must be citizens of the United States and/or an alien admitted for permanent residence or lawfully admitted for temporary residence and who produces evidence of intention to become a citizen of the United States.

SECTION 2.2 - APPLICATIONS

Applications for a position shall be filed upon blank forms furnished by the Commission, and applicants must comply with the requirements of said forms in every respect. Applications must be filed with the Board prior to taking an examination.

Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant.

The applicant shall furnish with his application a copy of his Military Service Record, Discharge Papers, Social Security Card, Birth Certificate, High School Diploma or G.E.D. Certificate, a copy of his College or University Degree and, if requested, a copy of a certified transcript of his course work from an accredited College or University.

A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination.

SECTION 2.3 - DISQUALIFICATION

The Board may refuse to examine an applicant or, after examination, to certify him as eligible:

a) Who is found lacking in any of the established preliminary requirements for the service for which he or she applies;
b) Who is physically unable to perform the duties of the position to which he or she seeks appointment;

c) Who is addicted to the use of drugs or intoxicating beverages or is found to have taken or used drugs and/or narcotics illegally;

d) Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in the Section 10-2.1-6 of the Illinois Municipal Code, 65 ILCS 5/10-2.1-6;

e) Who has been dismissed from any public service for good cause;

f) Who has attempted to practice any deception or fraud in his or her application;

g) Who may be found disqualified in personal qualifications or health;

h) Whose character and employment references are unsatisfactory;

i) Who does not possess a high school education or its equivalent, and either (1) at least sixty (60) credit hours or (2) an Associate’s Degree, each from an accredited College or University, or (3) either of their equivalents. The qualifications in this Section 2.3(i) pertaining to the requirement that an applicant obtain at least sixty (60) credit hours or an Associate’s Degree, or their equivalents, may be waived if the applicant has served at least two years of active military service. Proof of active military service will be required, as well as proof of an honorable discharge if the applicant is separated from the military; or

j) Who has applied for a position as a police officer and is or has been classified by his or her Local Selective Service Draft Board as a conscientious objector.

Any applicant, or eligible, deemed disqualified hereunder, shall be notified by the Board.

SECTION 2.4 - DEFECTIVE APPLICATIONS

Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought.

SECTION 2.5 - AGE REQUIREMENTS

Applicants shall be under 35 years of age, at the time of application and at such time as the final eligibility list is posted, unless exempt from such age limitation as provided in Section 10-2.1-6 of Illinois Municipal Code, 65 ILCS 5/10-2.1-6. Applicants, at such time as they file their application with this board, must be 21 years of age. Proof of birth date will be required at time of application.
SECTION 2.6 - NOTICE OF ACCEPTANCE

The Secretary will notify all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examination with an executed Physicians Certificate that they are physically capable of participating in a strenuous "Physical Aptitude Test."

SECTION 2.7 – RELEASE OF LIABILITY

All applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Aptitude Test" in favor of the City/Village of on a form to be prescribed by the Board.

CHAPTER 3 - ORIGINAL APPOINTMENTS

SECTION 3.1 - NOTICE OF EXAMINATIONS

Examinations shall be held on the dates fixed by the Board and advertised in a local paper in accordance with the Statutes of the State of Illinois. Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

SECTION 3.2 - EXAMINATIONS

Except as provided for applicants for lateral entry pursuant to Section 3.13 of these Rules, the Board shall call examinations to fill vacancies in the class of service in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement of:

a) The time and place where such examination will be held.

b) The location where applications may be obtained and the date by which applications must be returned to the Board.

c) The position to be filled from the resulting eligibility list.
SECTION 3.3 - TYPE OF EXAMINATIONS

Applicants must attend the orientation program sponsored by the Board. In addition, applicants may be required to participate in a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth in 4 below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

SECTION 3.4 - EXAMINATIONS - MINIMUM GRADE

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

<table>
<thead>
<tr>
<th>Examinations</th>
<th>% of Total Grade</th>
<th>Minimum Passing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orientation</td>
<td>-</td>
<td>Attendance</td>
</tr>
<tr>
<td>Physical Aptitude Test</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
<tr>
<td>Written Test</td>
<td>65%</td>
<td>70%</td>
</tr>
<tr>
<td>Oral Test (Interview)</td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td>Psychological Examination</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
<tr>
<td>Polygraph Test</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
<tr>
<td>Background Investigation</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
<tr>
<td>Medical Examination</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
</tbody>
</table>

*Note: To any person who is entitled to military, educational or law enforcement preference points whose name appears on the register of eligibles, the Board shall add five (5) points (Sections 5/010-2.1-8 and 5/10210-2.1-9) upon request of applicant. Such preference points shall not be cumulative.

SECTION 3.5 - ORIGINAL APPOINTMENT - PHYSICAL APTITUDE TEST

All applicants may be required to submit themselves to a physical aptitude test. If a physical aptitude test is given, only candidates who have participated in the "Physical Aptitude Test" will be permitted to participate in the written examination.

SECTION 3.6 - ORIGINAL APPOINTMENT - WRITTEN EXAMINATIONS
Information as to the type of written examination employed by the Board will be provided as part of the orientation program. All examination papers shall be and remain the property of the Board and the grading thereof by the Board shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.

SECTION 3.7 - ORIGINAL APPOINTMENT - ORAL EXAMINATION

All Commissioners shall participate in the Oral Examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the Oral. Questions shall be asked of the Candidate that will enable the Commissioners to properly evaluate and grade the Candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. On completion of each Oral Examination the Commissioners will discuss the Candidate's abilities using the traits listed above. Candidates who fail to successfully complete the Oral Examination will be notified and eliminated from all further consideration.

SECTION 3.8 - INITIAL ELIGIBILITY REGISTER

a) The Commissioners will prepare an "Initial Eligibility Register" of the Candidates successfully completing the orientation, written test, physical aptitude test (if any) and oral interview. Candidates shall be placed on the eligibility list in order of their relative excellence as determined by their test scores. The Candidates will be listed in order of excellence based on their final score. This register is subject to change with the addition of any claimed preference points as prescribed in 65 ILCS 5/10-2.1-8, 5/10-2.1-9(a) and 5/10-2.1-10(b).

b) A dated copy of the Initial Eligibility Register shall be sent to each person appearing thereon. Candidates who are eligible for veteran, educational or law enforcement certification preference points, shall make a claim in writing with proof thereof within ten (10) calendar days after the date of the eligibility list or such claim shall be deemed waived.

SECTION 3.9 - FINAL ELIGIBILITY REGISTER

a) The Commissioners will prepare a "Final Eligibility Register" which shall include claimed preference points. In the event of a tie score, the placement of the tied candidates' names on the eligibility list shall be determined by lot, in the presence of a quorum of the Board in whatever manner the Board deems appropriate.

b) A dated copy of the Final Eligibility Register shall be sent to each person appearing thereon. This copy shall include the date of expiration of the register two (2) years hence.
c) Applicants shall be appointed from the eligibility list in descending order. Notwithstanding anything to the contrary contained within these rules and regulations, the Board may, at its discretion, choose to appoint an applicant, for a police officer's position, who has been awarded a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, ahead of noncertified applicants.

d) Appointment from this Final Eligibility Register is subject to satisfactorily passing an In-depth Psychological Examination, a Polygraph Test, Background Investigation, and a thorough Medical Examination (which may include a test of the applicant's vision, hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). Unless otherwise exempt, applicants must be under 35 years of age at such time as the final eligibility list is posted.

SECTION 3.10 - PROFESSIONAL EXAMINATIONS AND TESTS

a) Psychological/Psychiatric Examination. Each applicant for original appointment to the Police Department shall submit himself or herself to a Psychological Examination by such licensed psychologist or psychiatrist as the Board may designate. The test shall be given solely to determine an applicant's suitability for the position to which he or she seeks appointment. The examiner shall prepare and submit a report of the examination to the Board who shall determine whether the applicant has passed this examination element. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate the applicant from further consideration.

b) Polygraph Test. Each applicant for original appointment to the Police Department shall submit himself or herself to a Polygraph Device Deceptive Test, commonly known as a Lie Detector Test, administered by a licensed polygraph examiner at such time and place as the Board may designate. Such test shall be given without expense to the applicant. Results of the polygraph test shall be submitted to the Board to determine whether the applicant has passed this examination element. Failure of the applicant to take or successfully complete such test shall eliminate the applicant from further consideration.

c) Medical Examination. Each applicant for original appointment to the Police Department shall submit himself or herself to a comprehensive medical test administered by a licensed physician designated by the Board. The comprehensive Medical Test shall consist of a physical examination as prescribed by the Board and shall include a vision test. The medical examiner shall state in his or her report submitted to the Board his or her opinion regarding the overall health and vision of
the applicant. The Medical Test shall also include a drug screening test administered by a licensed physician or such other person designated by the Board. The physician shall prepare and submit a report of the examination to the Board who shall determine whether the applicant has passed this examination element. Failure to pass this drug screening test shall eliminate the applicant from any further consideration. Failure of the applicant with regard to any other aspect of the medical examination may eliminate the applicant from further consideration.

SECTION 3.11 - PROBATIONARY APPOINTMENT

a) Except for applicants for lateral entry pursuant to Section 3.13 of these Rules, all vacancies in the Police Department shall be filled by individuals from the Final Eligibility Register in the order in which their names appear on the register and having met all requirements previously listed. Pursuant to Section 3.9(c) of these Rules, the Board may choose to appoint certified applicants ahead of noncertified applicants.

b) All original appointments to the Police Department shall be subject to a probationary period commencing upon the date an officer first reports for work with the department and continuing for a period of twelve (12) months after the probationary officer has successfully completed all the requirements of the police department's field training program, provided that the Chief of Police shall have the discretion to reduce or extend this probationary period for applicants for lateral entry as he or she deems appropriate to address such applicants' prior training and experience. If provisions relating to a probationary period are included in and defined by a Collective Bargaining Agreement (“CBA”), the provisions of the CBA will control.

c) Any person whose name appears on the Final Eligibility Register may decline appointment. It shall be the option of the Board to strike from or maintain upon the register the name of such candidate without otherwise altering the candidate's original position on the Final Eligibility Register.

d) Any break in active service occurring during the probationary period shall toll the running of the probationary period.

e) Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers or by statute or these rules.

SECTION 3.12 - CERTIFICATION

Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course, as mandated by the State of Illinois, within the prescribed
probationary period. Inability to successfully complete this course shall be grounds for dismissal.

SECTION 3.13 – APPOINTMENT OF APPLICANTS FOR LATERAL ENTRY

a) When a vacancy exists for an original appointment within the Police Department, the Board may, on an opening and continuing basis, receive applications from candidates for lateral entry and appoint such lateral candidates to such an original appointment regardless of whether that person is on the relevant Eligibility Register, if that person meets all of the following qualifications:

1. He or she has been awarded and holds a current certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act;

2. He or she is either (i) currently employed in good standing as a police officer with an Illinois law enforcement agency and has been so employed for at least two continuous years, or, (ii) if not currently so employed by an Illinois law enforcement agency, shall have left the service of such agency in good standing within two years of his application for lateral entry;

3. He or she has furnished an application in compliance with Chapter 2 of these Rules, provided that applicants for lateral entry are exempt from the age requirements of Section 2.5 of these Rules pursuant to Section 10-2.16 of the Illinois Municipal Code;

4. He or she is not subject to disqualification pursuant to Section 2.3 of these Rules;

5. He or she has satisfactorily completed the following examinations:

   a. The physical aptitude test required pursuant to Section 3.5 of these Rules;

   b. The oral examination required pursuant to Section 3.7 of these Rules; and

   c. The professional examinations and tests required pursuant to Section 3.10 of these Rules.
b) The written examination requirement of Section 3.6 of these Rules is waived for lateral entry candidates in accordance with Section 10-2.1-6 of the Illinois Municipal Code, 65 ILCS 5/10-2.1-6.

c) The Board may require applicants for lateral entry to submit themselves to such additional examination as deemed necessary to determine fitness for duties as a police officer.

d) Police Officer Lateral Entry Eligibility List:

1. Establishment of List. The Board may establish a Police Officer Lateral Entry Eligibility List at any time. The Lateral Entry Eligibility List will include experienced police officers, as determined by the Board. The Lateral Entry Eligibility List will not include entry-level police officer applicants. The Board will post and maintain the Police Officer Lateral Entry Eligibility List from time to time.

2. New List. The Board, at any time, may create a new Lateral Entry Eligibility List to replace the existing list.

3. Placement on Entry-Level Register. An applicant on the Lateral Entry Eligibility List may also be placed on the Police Department Entry-Level Register of Eligibles, if the applicant satisfies the requirements for both entry-level and lateral applicants.

4. Dissolution of List. The Board may decide, at any time, that it is no longer necessary or useful under the current circumstances to maintain a Lateral Entry Eligibility List. In that event, the Lateral Entry Eligibility List will be dissolved. The dissolution of a Lateral Entry Eligibility List does not prevent the Board from establishing a new Lateral Entry Eligibility List.

5. Removal of Applicant from Eligibility List. The Board may strike, in consultation with the Chief of Police, any applicant from the Lateral Entry Eligibility List who, as determined by the Board, (i) does not have the necessary qualifications for a Lateral Entry police officer, or (ii) does not meet other applicable standards set forth in this Chapter or elsewhere in these Rules, or (iii) makes a false presentation on any document or in any test or examination, or (iv) commits fraud or aids in the commission of fraud.

e) The final evaluation of the chosen applicant by the Board and the Chief of Police may include, among other things, consideration of qualifications such as (i) law enforcement experience, (ii) the level of law enforcement training, (iii) experience
in specialty law enforcement functions, (iv) result of an oral interview, and (v) result of background investigations.

d) Upon receipt of an original appointment by the Board, a lateral entry candidate will be subject to the probationary appointment provisions of Section 3.11 of these Rules.

CHAPTER 4 - PROMOTIONAL EXAMINATIONS

SECTION 4.1- GENERAL

The Board, by its rules, shall provide for promotion in the Police Department on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases, where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to examination. Probationary, police officers shall be ineligible to test for promotion during their probationary period. All promotions shall be made from the three (3) individuals having the highest rating, and where there are less than three (3) names on the promotional eligibility register, as originally posted, or remaining thereon after appointments have been made therefrom, appointments to fill existing vacancies shall be made from those names or the name remaining on the promotional register. The method of examination and the rules governing examinations for promotion are specified below. The Board shall strike the names of candidates for promotional appointment after they have remained thereon for more than three (3) years, provided there is no vacancy existing which can be filled from the promotional register. For the purpose of determining that a vacancy exists, the Board must have received notice from the appropriate corporate authorities to fill an existing vacancy prior to the date the name(s) are to be stricken from a promotional eligibility register. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

a) The final Promotional Examination score shall be determined as follows:

<table>
<thead>
<tr>
<th>Examination</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Test</td>
<td>70%</td>
</tr>
<tr>
<td>Oral Interview/Assessment Center</td>
<td>30%</td>
</tr>
</tbody>
</table>

Departmental Merit and Efficiency
(based on scale of 1-10) maximum of 10 points

Seniority
½ of a point per year for each full year of service on the Lake Bluff Police Department up to a maximum of five (5) points.

b) In the event no candidate from the immediate next lower rank qualifies for promotion, the Board in determining next in order of rank in promotional examinations herewith determines a policy of extending the examination successively through all the orders of rank in the services in an endeavor to qualify suitable eligible or eligibles for the vacancy or vacancies existing before extending the examination to the general public.

c) Candidates who are otherwise qualified and have timely requested credit for prior military service, shall be granted veterans preference points as provided by state statute.

SECTION 4.2 - TOTAL SCORE

A Candidate's total score shall consist of the combined scores of the merit/efficiency rating, written examination and oral examination plus seniority and veterans preference points. Candidates shall take rank upon a promotional eligibility register in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidates' names on the eligibility list shall be determined by lot, in the presence of a quorum of the Board, in whatever manner the Board deems appropriate.

SECTION 4.3 - PROMOTIONAL VACANCY

Upon notice from the appropriate corporate authority that a promotional vacancy exists, the Board shall select the individual to be promoted in the manner specified in Section 4.1 of these Rules.

CHAPTER 5 - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

SECTION 5.1 - RANK

The order of rank in the Police Department shall be as provided by ordinance and municipal budget.

SECTION 5.2 - CLASSIFICATION

The Board classifies such offices in the police department for the purpose of establishing and maintaining standards of examinations and promotions based upon job descriptions and departmental regulations.
SECTION 5.3 - OATH OF OFFICE

Before entering duty, any person about to become a member of the Police Department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois:

"I ___________ do solemnly swear or affirm 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 ________________ according to the best of my ability.

Signed, ________________________________

Subscribed and sworn to before me this _____ day of 20___

NOTARY PUBLIC."

He shall enter into such bond in such amount as prescribed by the Ordinance.

CHAPTER 6 - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES

SECTION 6.1 - HEARING OF CHARGES

a) Hearings before the Board are not common law proceedings. The provisions of the "Code of Civil Procedure" do not apply to hearings before the Board.

b) "Counsel" as used herein means a person who has been admitted to the bar as an attorney-at-law in this State.

c) No rehearing, reconsideration, modification, vacation, or alteration of a decision of the Board shall be allowed.

d) "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer no longer occupying his position. The right to determine what constitutes cause is in the Board.

e) The complainant or appellant initiating any proceedings which call for a hearing before the Board shall have the burden of proof to establish by a preponderance of the evidence that cause for discipline exists or that a suspension, previously imposed by the Chief of the department, is unwarranted. Should the question of a crime be involved, the rule of "reasonable doubt" shall not control.
f) The phrase "preponderance of evidence" is defined as the greater weight of the evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.

g) Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers by statute or these rules.

h) All hearings shall be public, in accordance with the Open Meetings Act.

i) At the time and place of hearing, both parties may be represented by counsel, if they so desire.

j) All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Board.

k) The records of all hearings will not be transcribed by the court reporter unless requested to do so by the Board or any party of interest. The requestor shall bear the cost of any requested transcripts.

l) All witnesses shall be sworn prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.

m) The Board will first hear the witnesses either substantiating the charges which have been made against the respondent or in support of an appeal brought by a suspended police officer. Thereafter, the other party may present and examine those witnesses whom he desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

SECTION 6.2 - HEARING PROCEDURE

a) **Complaints:** In all cases, written complaints shall be filed in quintuple, setting forth a plain and concise statement of the facts upon which the complaint is based.

b) **Probable Cause:** The Board shall have the right to determine whether there is or is not probable cause for hearing a complaint and may conduct such informal hearings as may be necessary for such purpose.

c) **Notification of Hearing:** Upon the filing of a complaint in quintuple with the Secretary of the Board, and the determination by the Board of probable cause for entertaining said complaint, the Secretary of the Board shall notify both the complainant and the respondent, either by registered or certified mail, return receipt requested, or personally, of the time and place of the hearing of the charges.
contained in the Complaint. The respondent shall also be served with a copy of the Complaint, and if an Order of Suspension Pending a Hearing is entered by the Board, the respondent, the complainant, the Chief of the Department, the treasurer, comptroller, manager, or other finance officer of the municipality shall be notified of the entry of such Order of Suspension Pending a Hearing, and be served either personally or by registered- or certified mail, return receipt requested, with a copy of such Order.

d) **Continuances:** The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.

e) **Stipulations:** Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, as to evidenced guilt. The facts so stipulated shall be considered as evidence in the proceeding. In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be stipulated and agreed that in the event said respondent is to be retained in his position as a result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said respondent during the period of said continuance.

f) **Sufficiency of Charges-Objections To:** Motions or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board.

**SECTION 6.3 - SUBPOENAS**

a) Any party to an administrative hearing may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Subpoenas may be served by any person 21 years of age or older designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas will not be issued for anyone residing outside of the State of Illinois.

b) Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

**SECTION 6.4 - SERVICE**

All papers required by 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 last known residence as
reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to 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.

SECTION 6.5 - FILING

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at the Village of Lake Bluff, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6.6 - FORMS OF PAPER

a) All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.

b) If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.

c) All papers shall be not larger than 8 1/2" by 11" with inside margins of not less than one inch.

d) The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agent, or attorney thereof and copies thereof provided the opposing party or his counsel.

e) If papers are filed by an attorney, his name and address shall appear thereon.

SECTION 6.7 - COMPUTATION OF TIME

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is 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 Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

SECTION 6.8 - SUSPENSION
a) The Board may suspend any member of the Police Department against whom charges have been filed, pending a hearing of the charges by the Board, but not to exceed thirty (30) days, without pay, at any one time.

b) The Chief of the Police Department shall have the right to suspend any officer under his command for a period not to exceed five (5) days, providing no charges on the same offense have been, filed and are pending before the Board, and he shall notify the Board in writing within 24 hours of the time of such suspension. Any police officer so suspended may appeal to the Board for a review of the suspension within five (5) days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department who suspended such police officer, and to the employee so suspended. The burden of establishing that a suspension is unwarranted shall be upon the individual bringing the appeal.

c) Upon such appeal, the Board may sustain the action of the Chief of the Department, may reverse it with instructions that the employee so suspended receive his pay for the period involved, may suspend the employee for a period of not more than thirty (30) days, or discharge him, depending on the evidence presented.

SECTION 6.9 - DISCHARGE OR SUSPENSION AFTER HEARING

a) Discharge from office, or suspension from service in the Police Department shall be in compliance with Division 2.1 of Article 10 of the Illinois Municipal Code, 65 ILCS 5/10-2.1-1 et seq.

b) The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the Board.

SECTION 6.10 - DATE OF HEARING

The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board. This time limitation is not applicable to hearings conducted to review suspensions of five (5) days or less imposed by a Chief of a department on one of its members.

SECTION 6.11 - FINDINGS AND DECISION

In case any member of the Police Department shall be found guilty of the charges filed against him after a hearing by the Board, he may be removed, discharged, or suspended for a period not exceeding thirty (30) days, without pay. Upon an appeal, the Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the
employee for an additional period of not more than thirty (30) days or discharge him depending on the facts presented.

The findings and decision of the Board, following a hearing of charges, shall be preserved by the Secretary, and notice of said finding and decision sent to the officer involved and the department head for enforcement. If the finding or decision is that an officer or employee is guilty of charges investigated, and removal or discharge is, such order of removal or discharge shall become effective forthwith.

SECTION 6.12 - RULES - CONFLICT

The personnel of the Police Department shall be governed by the Rules as adopted by the Board and the Regulations of the Fire and Police, Departments as adopted by ordinance. In case of conflict, the Rules of the Board shall govern.

SECTION 6.13 - VIOLATION OF RULES

All members of the Police Department shall be subject to the regulations of such Department and the Rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

SECTION 6.14 - VIOLATION OF LAW

Any violation of the laws of the municipality or state or federal law, by any member of the Police Department of such municipality may be cause for the filing of charges against said officer, except, as herein otherwise provided.

CHAPTER 7 – GENERAL

SECTION 7.1– POWERS OF THE BOARD

The Board shall have such other powers and duties as are given it by the Statutes of the State of Illinois or by ordinance.

SECTION 7.2—CONFLICTS; SEVERABILITY

Any Chapters, Sections and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statute or with any amendments thereto that may hereafter be enacted are null and void. This, however, does not invalidate any other Chapters, Sections and/or Subsections of said Rules.
SECTION 7.3 – AMENDMENTS

Amendments to the Rules of the Board may be made at any meeting of the Board. A notice shall be published, in a newspaper of general circulation in the municipality, specifying where such Rules are available for inspection. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication when said Rules shall become effective.

SECTION 7.4 - LEAVE OF ABSENCE

Leaves of Absence shall be granted by reason of military service or duty-related disability as specified in 65 ILCS 5/10-2.1-23. If a Leave of Absence is granted by the Board during a probationary period, such probationary period shall be tolled until the probationary employee returns from his leave of absence.

SECTION 7.5 - POLITICAL CONTRIBUTIONS

No person in the Police Department of the Village of Lake Bluff, Illinois, shall:

A. solicit the contribution of funds or rendering of any political service, while on official duty, on the Village-owned premises, or using Village-owned equipment and facilities;

B. be under any obligation to contribute any funds to render any political service, and no such person shall do so or be removed or otherwise prejudiced for refusing to do so; and

C. discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use his official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.
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RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
VILLAGE OF LAKE BLUFF
STATE OF ILLINOIS

As adopted by the Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois, effective _______, 2023.

CHAPTER 1 – ADMINISTRATION

SECTION 1.1 - SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois derives its power and authority from Division 2.1 of the Illinois Municipal Code, entitled "Board of Fire and Police Commissioners", 65 ILCS 5/10-2.1-1 et seq., and the home rule powers of the Village.

SECTION 1.2 - DEFINITIONS

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the Village of Lake Bluff, Illinois. The word “Officer” shall mean any person holding a full time appointment in the Police Department of the Village of Lake Bluff, Illinois. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

SECTION 1.3 - OFFICERS OF BOARD AND THEIR DUTIES

The Board shall annually, at its first meeting in May, or the next meeting thereafter, elect a Chairman and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary shall keep the Minutes of all meetings of the Board in a permanent record book and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board.

SECTION 1.4 - MEETINGS

a) Meetings shall be called by the Chairman as necessary. Notice shall be posted and meetings shall be open to the public.

b) Special meetings shall be open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of
the Board and signed either by the Chairman of the Board or any two members thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time, and place of such special meeting, and no other business shall be considered at such special meeting unless by unanimous consent of the Board.

c) During any regular or special meeting, a closed session may be held upon a proper motion made by any single member of the Board for the purpose of discussing personnel. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The Secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session.

d) Public notice of any regularly scheduled or special meeting shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, 5 ILCS 120/1 et seq.

SECTION 1.5 - QUORUM

A majority of the members of the Board shall constitute a quorum for the conduct of all business.

SECTION 1.6 - ORDER OF BUSINESS

The order of business at any meeting shall be:

a) Approval of the Minutes
b) Communications
c) Unfinished Business
d) New Business
e) Adjournment

SECTION 1.7 - PROCEDURE

The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable.

SECTION 1.8 - AMENDMENTS

Amendments to the rules of the Board may be made at any meeting of the Board. All amendments shall forthwith be printed for distribution and notice shall be given of the place or places where said rules may be obtained. Such notice shall be published in a newspaper of general circulation in the Village. The notice shall specify the date, not less than ten (10) calendar days subsequent to the date of such publication, when rules shall go into effect.
SECTION 1.9 - ANNUAL REPORT AND BUDGET REQUEST

The Board shall submit an Annual Report of its activities to the Village Board of Trustees as required by the Illinois Municipal Code, 65 ILCS 5/10-2.1-19, and a Budget Request for the ensuing year, as required by local ordinance and 65 ILCS 5/10-2.1-19.

CHAPTER 2 – APPLICATIONS

SECTION 2.1 - RESIDENCE

Applicants for examination must be citizens of the United States and/or an alien admitted for permanent residence or lawfully admitted for temporary residence and who produces evidence of intention to become a citizen of the United States.

SECTION 2.2 - APPLICATIONS

Applications for a position shall be filed upon blank forms furnished by the Commission, and applicants must comply with the requirements of said forms in every respect. Applications must be filed with the Board prior to taking an examination.

Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant.

The applicant shall furnish with his application a copy of his Military Service Record, Discharge Papers, Social Security Card, Birth Certificate, High School Diploma or G.E.D. Certificate, a copy of his College or University Degree and, if requested, a copy of a certified transcript of his course work from an accredited College or University.

A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination.

SECTION 2.3 - DISQUALIFICATION

The Board may refuse to examine an applicant or, after examination, to certify him as eligible:

a) Who is found lacking in any of the established preliminary requirements for the service for which he applies;
b) Who is physically unable to perform the duties of the position to which he seeks appointment;

c) Who is addicted to the use of drugs or intoxicating beverages or is found to have taken or used drugs and/or narcotics illegally;

d) Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in the Section 10-2.1-6 of the Illinois Municipal Code, 65 ILCS 5/10-2.1-6;

e) Who has been dismissed from any public service for good cause;

f) Who has attempted to practice any deception or fraud in his application;

g) Who may be found disqualified in personal qualifications or health;

h) Whose character and employment references are unsatisfactory;

i) Who does not possess a high school education or its equivalent, and either (1) at least sixty (60) credit hours or (2) an Associate’s Degree, each from an accredited College or University, or (3) either of their equivalents. The qualifications in this Section 2.3(i) pertaining to the requirement that an applicant obtain at least sixty (60) credit hours or an Associate’s Degree, or their equivalents, may be waived if the applicant has served at least two years of active military service. Proof of active military service will be required, as well as proof of an honorable discharge if the applicant is separated from the military; or

j) Who has applied for a position as a police officer and is or has been classified by his Local Selective Service Draft Board as a conscientious objector.

Any applicant, or eligible, deemed disqualified hereunder, shall be notified by the Board.

SECTION 2.4 - DEFECTIVE APPLICATIONS

Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought.

SECTION 2.5 - AGE REQUIREMENTS

Applicants shall be under 35 years of age, at the time of application and at such time as the final eligibility list is posted, unless exempt from such age limitation as provided in Section 10-2.1-6 of Illinois Municipal Code, 65 ILCS 5/10-2.1-6. Applicants, at such time as they file their application with this Board, must be 21 years of age. Proof of birth date will be required at time of application.
SECTION 2.6 - NOTICE OF ACCEPTANCE

The Secretary will notify all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examination with an executed Physicians Certificate that they are physically capable of participating in a strenuous "Physical Aptitude Test."

SECTION 2.7 – RELEASE OF LIABILITY

All applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Aptitude Test" in favor of the Village of on a form to be prescribed by the Board.

CHAPTER 3 - ORIGINAL APPOINTMENTS

SECTION 3.1 - NOTICE OF EXAMINATIONS

Examinations shall be held on the dates fixed by the Board and advertised in a local paper in accordance with the Statutes of the State of Illinois. Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

SECTION 3.2 - EXAMINATIONS

Except as provided for applicants for lateral entry pursuant to Section 3.13 of these Rules, the Board shall call examinations to fill vacancies in the class of service in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement of:

a) The time and place where such examination will be held.

b) The location where applications may be obtained and the date by which applications must be returned to the Board.

c) The position to be filled from the resulting eligibility list.
SECTION 3.3 - TYPE OF EXAMINATIONS

Applicants must attend the orientation program sponsored by the Board. The Board, in its discretion, may determine that an in-person orientation is not needed and simply distribute orientation materials to Applicants. “Attendance” at orientation means either attendance at any in-person orientation sponsored by the Board or acceptance/delivery of orientation materials distributed by the Board. In addition, applicants may be required to participate in a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth in 4 below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

SECTION 3.4 - EXAMINATIONS - MINIMUM GRADE

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

<table>
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<tr>
<th>Examinations</th>
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<td>Orientation</td>
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<td>Attendance</td>
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<tr>
<td>Mandatory</td>
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<tr>
<td>Physical Aptitude Test</td>
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<tr>
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<td>70%</td>
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<tr>
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<td>Pass or Fail</td>
</tr>
<tr>
<td>Medical Examination</td>
<td>-</td>
<td>Pass or Fail</td>
</tr>
</tbody>
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*Note: To any person who is entitled to military, educational or law enforcement preference points whose name appears on the register of eligibles, the Board shall add five (5) points (Sections 5/10-2.1-8 and 5/10-2.1-9) upon request of applicant. Such preference points shall not be cumulative.

SECTION 3.5 - ORIGINAL APPOINTMENT - PHYSICAL APTITUDE TEST

All applicants may be required to submit themselves to a physical aptitude test. If a physical aptitude test is given, only candidates who have participated in the "Physical Aptitude Test" will be permitted to participate in the written examination.

SECTION 3.6 - ORIGINAL APPOINTMENT - WRITTEN EXAMINATIONS

Information as to the type of written examination employed by the Board will be provided as part of the orientation program. All examination papers shall be and remain the property
of the Board and the grading thereof by the Board shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.

SECTION 3.7 - ORIGINAL APPOINTMENT - ORAL EXAMINATION

All Commissioners shall participate in the Oral Examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the Oral. Questions shall be asked of the Candidate that will enable the Commissioners to properly evaluate and grade the Candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. On completion of each Oral Examination the Commissioners will discuss the Candidate's abilities using the traits listed above. Candidates who fail to successfully complete the Oral Examination will be notified and eliminated from all further consideration.

SECTION 3.8 - INITIAL ELIGIBILITY REGISTER

a) The Commissioners will prepare an "Initial Eligibility Register" of the Candidates successfully completing the orientation, written test, physical aptitude test (if any) and oral interview. Candidates shall be placed on the eligibility list in order of their relative excellence as determined by their test scores. The Candidates will be listed in order of excellence based on their final score. This register is subject to change with the addition of any claimed preference points as prescribed in 65 ILCS 5/10-2.1-8, 5/10-2.1-9(a) and 5/10-2.1-10(b).

b) A dated copy of the Initial Eligibility Register shall be sent to each person appearing thereon. Candidates who are eligible for veteran, educational or law enforcement certification preference points, shall make a claim in writing with proof thereof within ten (10) calendar days after the date of the eligibility list or such claim shall be deemed waived.

SECTION 3.9 - FINAL ELIGIBILITY REGISTER

a) The Commissioners will prepare a "Final Eligibility Register" which shall include claimed preference points. In the event of a tie score, the placement of the tied candidates' names on the eligibility list shall be determined by lot, in the presence of a quorum of the Board in whatever manner the Board deems appropriate.

b) A dated copy of the Final Eligibility Register shall be sent to each person appearing thereon. This copy shall include the date of expiration of the register two (2) years hence.
c) Applicants shall be appointed from the eligibility list in descending order. Notwithstanding anything to the contrary contained within these rules and regulations, the Board may, at its discretion, choose to appoint an applicant, for a police officer's position, who has been awarded a certificate attesting to his successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, ahead of noncertified applicants.

d) Appointment from this Final Eligibility Register is subject to satisfactorily passing an In-depth Psychological Examination, a Polygraph Test, Background Investigation, and a thorough Medical Examination (which may include a test of the applicant's vision, hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). Unless otherwise exempt, applicants must be under 35 years of age at such time as the final eligibility list is posted.

SECTION 3.10 - PROFESSIONAL EXAMINATIONS AND TESTS

a) Psychological/Psychiatric Examination. Each applicant for original appointment to the Police Department shall submit himself to a Psychological Examination by such licensed psychologist or psychiatrist as the Board may designate. The test shall be given solely to determine an applicant’s suitability for the position to which he seeks appointment. The examiner shall prepare and submit a report of the examination to the Board who shall determine whether the applicant has passed this examination element. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate the applicant from further consideration.

b) Polygraph Test. Each applicant for original appointment to the Police Department shall submit himself to a Polygraph Device Deceptive Test, commonly known as a Lie Detector Test, administered by a licensed polygraph examiner at such time and place as the Board may designate. Such test shall be given without expense to the applicant. Results of the polygraph test shall be submitted to the Board to determine whether the applicant has passed this examination element. Failure of the applicant to take or successfully complete such test shall eliminate the applicant from further consideration.

c) Medical Examination. Each applicant for original appointment to the Police Department shall submit himself to a comprehensive medical test administered by a licensed physician designated by the Board. The comprehensive Medical Test shall consist of a physical examination as prescribed by the Board and shall include a vision test. The medical examiner shall state in his report submitted to the Board his opinion regarding the overall health and vision of the applicant. The Medical Test shall also include a drug screening test administered by a licensed physician or
such other person designated by the Board. The physician shall prepare and submit a report of the examination to the Board who shall determine whether the applicant has passed this examination element. Failure to pass this drug screening test shall eliminate the applicant from any further consideration. Failure of the applicant with regard to any other aspect of the medical examination may eliminate the applicant from further consideration.

SECTION 3.11- PROBATIONARY APPOINTMENT

a) Except for applicants for lateral entry pursuant to Section 3.13 of these Rules, all vacancies in the Police Department shall be filled by individuals from the Final Eligibility Register in the order in which their names appear on the register and having met all requirements previously listed. Pursuant to Section 3.9(c) of these Rules, the Board may choose to appoint certified applicants ahead of noncertified applicants.

b) All original appointments to the Police Department shall be subject to a probationary period commencing upon the date an officer first reports for work with the department and continuing for a period of twelve (12) months after the probationary officer has successfully completed all the requirements of the police department's field training program, provided that the Chief of Police shall have the discretion to reduce or extend this probationary period for applicants for lateral entry as he deems appropriate to address such applicants' prior training and experience. If provisions relating to a probationary period are included in and defined by a Collective Bargaining Agreement ("CBA"), the provisions of the CBA will control.

c) Any person whose name appears on the Final Eligibility Register may decline appointment. It shall be the option of the Board to strike from or maintain upon the register the name of such candidate without otherwise altering the candidate's original position on the Final Eligibility Register.

d) Any break in active service occurring during the probationary period shall toll the running of the probationary period.

e) Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers or by statute or these rules.

SECTION 3.12 - CERTIFICATION

Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course, as mandated by the State of Illinois, within the prescribed
probationary period. Inability to successfully complete this course shall be grounds for
dismissal.

SECTION 3.13 – APPOINTMENT OF APPLICANTS FOR LATERAL ENTRY

a) When a vacancy exists for an original appointment within the Police Department,
the Board may, on an opening and continuing basis, receive applications from
candidates for lateral entry and appoint such lateral candidates to such an original
appointment regardless of whether that person is on the relevant Eligibility Register,
if that person meets all of the following qualifications:

1. He has been awarded and holds a current certificate attesting to his
   successful completion of the Minimum Standards Basic Law Enforcement
   Training Course, as provided in the Illinois Police Training Act;

2. He is either (i) currently employed in good standing as a police officer with
   an Illinois law enforcement agency and has been so employed for at least
   two continuous years, or, (ii) if not currently so employed by an Illinois law
   enforcement agency, shall have left the service of such agency in good
   standing within two years of his application for lateral entry;

3. He has furnished an application in compliance with Chapter 2 of these
   Rules, provided that applicants for lateral entry are exempt from the age
   requirements of Section 2.5 of these Rules pursuant to Section 10-2.16 of
   the Illinois Municipal Code;

4. He is not subject to disqualification pursuant to Section 2.3 of these Rules;

5. He has satisfactorily completed the following examinations:

   a. The oral examination required pursuant to Section 3.7 of these
      Rules; and

   b. The professional examinations and tests required pursuant to Section
      3.10 of these Rules.

b) The written examination requirement of Section 3.6 of these Rules is waived for
lateral entry candidates in accordance with Section 10-2.1-6 of the Illinois

c) The Board may require applicants for lateral entry to submit themselves to such
additional examination as deemed necessary to determine fitness for duties as a
police officer.
d) Police Officer Lateral Entry Eligibility List:

1. Establishment of List. The Board may establish a Police Officer Lateral Entry Eligibility List at any time. The Lateral Entry Eligibility List will include experienced police officers, as determined by the Board. The Lateral Entry Eligibility List will not include entry-level police officer applicants. The Board will post and maintain the Police Officer Lateral Entry Eligibility List from time to time.

2. New List. The Board, at any time, may create a new Lateral Entry Eligibility List to replace the existing list.

3. Placement on Entry-Level Register. An applicant on the Lateral Entry Eligibility List may also be placed on the Police Department Entry-Level Register of Eligibles, if the applicant satisfies the requirements for both entry-level and lateral applicants.

4. Dissolution of List. The Board may decide, at any time, that it is no longer necessary or useful under the current circumstances to maintain a Lateral Entry Eligibility List. In that event, the Lateral Entry Eligibility List will be dissolved. The dissolution of a Lateral Entry Eligibility List does not prevent the Board from establishing a new Lateral Entry Eligibility List.

5. Removal of Applicant from Eligibility List. The Board may strike, in consultation with the Chief of Police, any applicant from the Lateral Entry Eligibility List who, as determined by the Board, (i) does not have the necessary qualifications for a Lateral Entry police officer, or (ii) does not meet other applicable standards set forth in this Chapter or elsewhere in these Rules, or (iii) makes a false presentation on any document or in any test or examination, or (iv) commits fraud or aids in the commission of fraud.

e) The final evaluation of the chosen applicant by the Board and the Chief of Police may include, among other things, consideration of qualifications such as (i) law enforcement experience, (ii) the level of law enforcement training, (iii) experience in specialty law enforcement functions, (iv) result of an oral interview, and (v) result of background investigations.

f) Upon receipt of an original appointment by the Board, a lateral entry candidate will be subject to the probationary appointment provisions of Section 3.11 of these Rules.
CHAPTER 4 - PROMOTIONAL EXAMINATIONS

SECTION 4.1- GENERAL

The Board, by its rules, shall provide for promotion in the Police Department on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases, where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to examination. Probationary, police officers shall be ineligible to test for promotion during their probationary period. All promotions shall be made from the three (3) individuals having the highest rating, and where there are less than three (3) names on the promotional eligibility register, as originally posted, or remaining thereon after appointments have been made therefrom, appointments to fill existing vacancies shall be made from those names or the name remaining on the promotional register. The method of examination and the rules governing examinations for promotion are specified below. The Board shall strike the names of candidates for promotional appointment after they have remained thereon for more than three (3) years, provided there is no vacancy existing which can be filled from the promotional register. For the purpose of determining that a vacancy exists, the Board must have received notice from the appropriate corporate authorities to fill an existing vacancy prior to the date the name(s) are to be stricken from a promotional eligibility register. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

a) The final Promotional Examination score shall be determined as follows:

<table>
<thead>
<tr>
<th>Examination</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Test</td>
<td>70%</td>
</tr>
<tr>
<td>Oral Interview/Assessment Center</td>
<td>30%</td>
</tr>
</tbody>
</table>

Departmental Merit and Efficiency
(based on scale of 1-10) maximum of 10 points

Seniority
½ of a point per year for each full year of service
on the Lake Bluff Police Department
up to a maximum of five (5) points.

b) In the event no candidate from the immediate next lower rank qualifies for promotion, the Board in determining next in order of rank in promotional examinations herewith determines a policy of extending the examination successively through all the orders of rank in the services in an endeavor to qualify
suitable eligible or eligibles for the vacancy or vacancies existing before extending the examination to the general public.

c) Candidates who are otherwise qualified and have timely requested credit for prior military service, shall be granted veterans preference points as provided by state statute.

SECTION 4.2 - TOTAL SCORE

A Candidate's total score shall consist of the combined scores of the merit/efficiency rating, written examination and oral examination plus seniority and veterans preference points. Candidates shall take rank upon a promotional eligibility register in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidates' names on the eligibility list shall be determined by lot, in the presence of a quorum of the Board, in whatever manner the Board deems appropriate.

SECTION 4.3 - PROMOTIONAL VACANCY

Upon notice from the appropriate corporate authority that a promotional vacancy exists, the Board shall select the individual to be promoted in the manner specified in Section 4.1 of these Rules.

CHAPTER 5 - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

SECTION 5.1- RANK

The order of rank in the Police Department shall be as provided by ordinance and municipal budget.

SECTION 5.2 - CLASSIFICATION

The Board classifies such offices in the police department for the purpose of establishing and maintaining standards of examinations and promotions based upon job descriptions and departmental regulations.

SECTION 5.3 - OATH OF OFFICE

Before entering duty any person about to become a member of the Police Department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois:

"I ____________, do solemnly swear or affirm 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 ______________according to the best of my ability.

Signed, ________________________________

Subscribed and sworn to before me this _____day of 20__

NOTARY PUBLIC.

He shall enter into such bond in such amount as prescribed by the Ordinance.

CHAPTER 6 - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES

SECTION 6.1- HEARING OF CHARGES

a) Hearings before the Board are not common law proceedings. The provisions of the "Code of Civil Procedure" do not apply to hearings before the Board.

b) "Counsel" as used herein means a person who has been admitted to the bar as an attorney-at-law in this State.

c) No rehearing, reconsideration, modification, vacation, or alteration of a decision of the Board shall be allowed.

d) "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer no longer occupying his position. The right to determine what constitutes cause is in the Board.

e) The complainant or appellant initiating any proceedings which call for a hearing before the Board shall have the burden of proof to establish by a preponderance of the evidence that cause for discipline exists or that a suspension, previously imposed by the Chief of the department, is unwarranted. Should the question of a crime be involved, the rule of "reasonable doubt" shall not control.

f) The phrase "preponderance of evidence" is defined as the greater weight of the evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
g) Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers by statute or these rules.

h) All hearings shall be public, in accordance with the Open Meetings Act.

i) At the time and place of hearing, both parties may be represented by counsel, if they so desire.

j) All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Board.

k) The records of all hearings will not be transcribed by the court reporter unless requested to do so by the Board or any party of interest. The requestor shall bear the cost of any requested transcripts.

l) All witnesses shall be sworn prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.

m) The Board will first hear the witnesses either substantiating the charges which have been made against the respondent or in support of an appeal brought by a suspended police officer. Thereafter, the other party may present and examine those witnesses whom he desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

SECTION 6.2 - HEARING PROCEDURE

a) Complaints: In all cases, written complaints shall be filed in quintuple, setting forth a plain and concise statement of the facts upon which the complaint is based.

b) Probable Cause: The Board shall have the right to determine whether there is or is not probable cause for hearing a complaint and may conduct such informal hearings as may be necessary for such purpose.

c) Notification of Hearing: Upon the filing of a complaint in quintuple with the Secretary of the Board, and the determination by the Board of probable cause for entertaining said complaint, the Secretary of the Board shall notify both the complainant and the respondent, either by registered or certified mail, return receipt requested, or personally, of the time and place of the hearing of the charges contained in the Complaint. The respondent shall also be served with a copy of the Complaint, and if an Order of Suspension Pending a Hearing is entered by the Board, the respondent, the complainant, the Chief of the Department, the treasurer, comptroller, manager, or other finance officer of the municipality shall be notified of the entry of such Order of Suspension Pending a Hearing, and be served either
personally or by registered or certified mail, return receipt requested, with a copy of such Order.

d) **Continuances:** The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.

e) **Stipulations:** Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, as to evidenced guilt. The facts so stipulated shall be considered as evidence in the proceeding. In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be stipulated and agreed that in the event said respondent is to be retained in his position as a result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said respondent during the period of said continuance.

f) **Sufficiency of Charges-Objections To:** Motions or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board.

**SECTION 6.3 - SUBPOENAS**

a) Any party to an administrative hearing may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Subpoenas may be served by any person 21 years of age or older designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas will not be issued for anyone residing outside of the State of Illinois.

b) Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

**SECTION 6.4 - SERVICE**

All papers required by 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 last known residence as reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to 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.
SECTION 6.5 - FILING

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at the Village of Lake Bluff, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6.6 - FORMS OF PAPER

a) All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.

b) If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.

c) All papers shall be not larger than 8 1/2" by 11" with inside margins of not less than one inch.

d) The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agent, or attorney thereof and copies thereof provided the opposing party or his counsel.

e) If papers are filed by an attorney, his name and address shall appear thereon.

SECTION 6.7 - COMPUTATION OF TIME

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is 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 Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

SECTION 6.8 - SUSPENSION

a) The Board may suspend any member of the Police Department against whom charges have been filed, pending a hearing of the charges by the Board, but not to exceed thirty (30) days, without pay, at any one time.

b) The Chief of the Police Department shall have the right to suspend any officer under his command for a period not to exceed five (5) days, providing no charges on the same offense have been, filed and are pending before the Board, and he shall notify
the Board in writing within 24 hours of the time of such suspension. Any police officer so suspended may appeal to the Board for a review of the suspension within five (5) days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department who suspended such police officer, and to the employee so suspended. The burden of establishing that a suspension is unwarranted shall be upon the individual bringing the appeal.

c) Upon such appeal, the Board may sustain the action of the Chief of the Department, may reverse it with instructions that the employee so suspended receive his pay for the period involved, may suspend the employee for a period of not more than thirty (30) days, or discharge him, depending on the evidence presented.

SECTION 6.9 - DISCHARGE OR SUSPENSION AFTER HEARING

a) Discharge from office, or suspension from service in the Police Department shall be in compliance with Division 2.1 of Article 10 of the Illinois Municipal Code, 65 ILCS 5/10-2.1-1 et seq.

b) The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the Board.

SECTION 6.10 - DATE OF HEARING

The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board. This time limitation is not applicable to hearings conducted to review suspensions of five (5) days or less imposed by a Chief of a department on one of its members.

SECTION 6.11 - FINDINGS AND DECISION

In case any member of the Police Department shall be found guilty of the charges filed against him after a hearing by the Board, he may be removed, discharged, or suspended for a period not exceeding thirty (30) days, without pay. Upon an appeal, the Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the employee for an additional period of not more than thirty (30) days or discharge him depending on the facts presented.

The findings and decision of the Board, following a hearing of charges, shall be preserved by the Secretary, and notice of said finding and decision sent to the officer involved and the department head for enforcement. If the finding or decision is that an officer or
employee is guilty of charges investigated, and removal or discharge is, such order of removal or discharge shall become effective forthwith.

SECTION 6.12 - RULES - CONFLICT

The personnel of the Police Department shall be governed by the Rules as adopted by the Board and the Regulations of the Fire and Police, Departments as adopted by ordinance. In case of conflict, the Rules of the Board shall govern.

SECTION 6.13 - VIOLATION OF RULES

All members of the Police Department shall be subject to the regulations of such Department and the Rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

SECTION 6.14 - VIOLATION OF LAW

Any violation of the laws of the municipality or state or federal law, by any member of the Police Department of such municipality may be cause for the filing of charges against said officer, except, as herein otherwise provided.

CHAPTER 7 – GENERAL

SECTION 7.1-- POWERS OF THE BOARD

The Board shall have such other powers and duties as are given it by the Statutes of the State of Illinois or by ordinance.

SECTION 7.2—CONFLICTS; SEVERABILITY

Any Chapters, Sections and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statute or with any amendments thereto that may hereafter be enacted are null and void. This, however, does not invalidate any other Chapters, Sections and/or Subsections of said Rules.

SECTION 7.3 – AMENDMENTS

Amendments to the Rules of the Board may be made at any meeting of the Board. A notice shall be published, in a newspaper of general circulation in the municipality, specifying where such Rules are available for inspection. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication when said Rules shall become effective.
SECTION 7.4 - LEAVE OF ABSENCE

Leaves of Absence shall be granted by reason of military service or duty-related disability as specified in 65 ILCS 5/10-2.1-23. If a Leave of Absence is granted by the Board during a probationary period, such probationary period shall be tolled until the probationary employee returns from his leave of absence.

SECTION 7.5 - POLITICAL CONTRIBUTIONS

No person in the Police Department of the Village of Lake Bluff, Illinois, shall:

A. solicit the contribution of funds or rendering of any political service, while on official duty, on the Village-owned premises, or using Village-owned equipment and facilities;

B. be under any obligation to contribute any funds to render any political service, and no such person shall do so or be removed or otherwise prejudiced for refusing to do so; and

C. discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use his official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.