

RESOLUTION NO. 7-11-91

July 11, 1991

WHEREAS, the Board of Metropolitan Police Commissioners of the Town of St. John, Lake County, Indiana, is charged with the duty to make general and special rules for the government and the discipline of the Police Department for the Town of St. John, Lake County, Indiana; and

WHEREAS, it has come to the attention of the Board that some modification and clarification of the Rules and Regulations is necessary; and

WHEREAS, it has been the intent of the Metropolitan Board of Police Commissioners that the disciplinary procedures and requirements for the St. John Police Department be exactly the same as that set forth in state statute; and

WHEREAS, it has come to the attention of the Board of Metropolitan Police Commissioners that the Rules and Regulations of the Department and policies and procedures of the same may not completely and in entirety state the same; and

WHEREAS, it is the intent of the Metropolitan Board of Police Commissioners that the civilian personnel and employees of the Police Department be employees at will and treated as such; and that the Chief and the sworn personnel of the Police Department, namely, the Police Officers, be subject to in entirety the disciplinary policy and procedures as set forth in Indiana Statutes.

NOW THEREFORE, BE IT RESOLVED that the Rules and Regulations and the policies and procedures of the St. John Police Department be amended to reflect that the unsworn civilian employees employed by the St. John Police Department shall be employees at will; and

BE IT FURTHER RESOLVED that the Chief and the Officers of the Police Department, the same being the sworn personnel of the Police Department of the Town of St. John, Lake County, Indiana, shall be governed in entirety with regard to disciplinary matters and procedures by the Indiana Code; and

BE IT FURTHER RESOLVED that the definitions contained in the Rules and Regulations, namely, the definition of "officers" shall be as follows:

O. OFFICER

Wherever the word "officer" shall be used or referred to in these Rules and Regulations, it shall refer to and mean "a police officer appointed to the department or the police chief." It shall not apply to any other employee of the Police Department or unsworn personnel other than stated aforesaid.

BE IT FURTHER RESOLVED that the Section designated "Procedure for Disciplinary Action" shall read as follows:

SECTION IV - PROCEDURE FOR DISCIPLINARY ACTION

The St. John Police Department procedure for disciplinary action shall be the same as set forth in the Indiana Code, as amended, but not necessarily limited to, the following Sections: I.C. 36-8-3-4, I.C. 36-8-3-4.1, and I.C. 36-8-9-4.

Nothing in the foregoing is intended to give any more rights to any employees of the Department than already exist. Stated differently, the procedure for disciplinary action shall apply to members of the Police Department, which shall be defined and mean the Police Chief or a Police Officer appointed to the Department. The civilian personnel and employees who are unsworn employees of the Police Department shall be entitled to no greater rights than allowed them under state law at any given time.

PASSED AND ADOPTED BY THE BOARD OF METROPOLITAN POLICE COMMISSIONERS THIS 11TH DAY OF JULY, 1991.

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JAMES WOZNIEWSKI, Chairman

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RON VALE, Commissioner

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FRED KISH, Commissioner