

SHERIFF'S DEPARTMENT PERSONNEL POLICIES

1.01 General Provisions.

- (1) The Sheriff shall prepare department rules for the general administration and efficient operation of the Sheriff's Department and submit such rules to the Public Safety Committee for approval. Upon approval, such rules are the Department rules and Deputy Sheriffs shall be required to conduct themselves in accordance with such rules.
 - (a) In addition, the Sheriff shall develop Policies and Procedures which shall supplement the above department rules.
- (2) Salaries for Deputy Sheriffs shall be paid according to the salary schedule adopted by the County Board.
- (3) No person in the Ozaukee County Sheriff's Department, nor any person seeking admission thereto, shall be appointed, reduced in pay, removed, demoted nor in any way favored or discriminated against because of political or religious affiliations or race.
- (4) Deputies shall hold office, for such time as they continue to meet the qualifications prescribed by the Public Safety Committee, and shall not be subject to demotion, suspension or dismissal, except for good cause shown, and after due notice and hearing before said committee, whose determination is subject to review upon appeal to the Circuit Court of Ozaukee County.
- (5) No person holding the position of Deputy Sheriff under this ordinance shall during the hours when he is on duty engage in any form of political activity calculated to favor or improve the changes of any political party or any person seeking or attempting to hold political office nor shall he engage in any political activity when not on duty to such an extent that his efficiency during working hours will be impaired or that he will be tardy or absent from work.
- (6) Should it be determined by the Ozaukee County Board of Supervisors at any time that the number of personnel in the Sheriff's Department is too great and that a reduction in the number of Deputy Sheriffs is necessary, Deputy Sheriffs may and shall be dismissed to bring about such reduction. The Deputy Sheriff(s) so dismissed shall be the youngest in point of service and shall be reappointed if the number of personnel be increased or any vacancy occurs within two years after dismissal, without examination, providing they meet the physical requirements.

1.02 Recruitment Qualifications.

- (1) Every candidate for a position in the Ozaukee County Sheriff's Department shall file a written application with the Ozaukee County Human Resources Director upon forms provided by the Sheriff of Ozaukee County. Applications shall be approved by the Public Safety Committee of the County Board.
 - (a) The minimum qualifications for recruitment shall be:
 1. The applicant shall be a citizen of the United States.
 - a. A birth or naturalization certificate shall serve as evidence of the U.S.

citizenship.

2. The applicant shall possess a valid Wisconsin driver's license prior to appointment.
 - a. The results of a check of the Wisconsin Division of Motor Vehicle's files shall constitute evidence of driver status.
3. The applicant shall have attained a minimum age of 20 years at the time of filing his or her application.
 - a. A birth or naturalization certificate shall serve as evidence of applicant's date of birth.
4. The applicant shall not have been convicted of any Federal felony or of any offense which if committed in Wisconsin could be punished as a felony.
5. Each applicant shall be of good character.
 - a. "Good character" shall be determined from a written report containing the results of the following:
 - (1) The fingerprinting of all applicants with a search of local, state and national fingerprint records.
 - (2) Police and credit checks in all areas of residence.
 - (3) Investigation at all schools attended at the level of high school or above.
 - (4) Investigation in the applicant's current neighborhood of residence and in neighborhoods of former permanent residence during a minimum of the past five (5) years.
 - (5) Investigation at each place of employment during a minimum of the past five (5) years. The interview of the applicant's current employer should be at or towards the end of the investigation. The applicant's specific permission for this interview must be obtained.
 - (6) Such other investigation as may be deemed necessary to provide a basis of judgment on the applicant's loyalty to the United States, general reputation, caliber of associates and personal habits and interests.
6. In order to be eligible for appointment, each applicant shall be free from any physical, emotional or mental condition which might adversely affect performance of his or her duties as a law enforcement officer.
 - a. Upon request, each applicant shall complete a personal medical history, a copy of which is to be submitted to the examining physician.
 - b. Upon request, each applicant shall submit to a physical examination by a Wisconsin licensed physician, who shall provide a written report on the results of the examination. The physician shall be selected by the Administrative Committee of the County Board.
 - c. Upon request, each applicant shall submit to a psychological examination by a Wisconsin licensed psychiatrist and/or psychologist, who shall provide a

written report on the results of the examination. The psychiatrist/psychologist shall be selected by the Administrative Committee of the County Board.

- d. Upon request, each applicant shall submit to and complete with satisfactory results an agility test approved by the Public Safety Committee and administered by the Sheriff.
 7. Upon request, each applicant shall submit to and complete with satisfactory results, an oral interview to be conducted by the Public Safety Committee and the Sheriff of Ozaukee County.
 - a. "Satisfactory results" shall be determined from the contents of a written rating expressing an opinion concerning the applicant's knowledge, experience, appearance, personality, and ability to communicate as observed during the interview.
 8. Each applicant shall submit to and pass a written examination.
 9. Upon request, each applicant shall submit to and pass a pre-employment drug screening test.
 10. Upon request, each applicant shall participate in and pass an assessment procedure approved by the Public Safety Committee and administered by the Sheriff.
 11. The applicant shall possess either a 2 year associate degree from a Wisconsin vocational, technical and adult education district or its accredited equivalent from another state or a minimum of 60 fully accredited college level credits and shall provide satisfactory proof (transcripts) of such educational accomplishments.
- (2) The basis of the examination shall be within the determination of the Public Safety Committee. The weights, if any, to be given for previous experience, training, written test, oral test and the other phases or elements of the examination to which the applicant may be subjected shall be provided for in advance by the rules of the Public Safety Committee. The names of persons passing the various elements of the examination shall be placed on an eligibility list in the order of the weighted grades in the written and oral examinations.
 - (3) Examinations shall be conducted by the Public Safety Committee whenever said Committee deems it necessary to create a new list of eligible candidates. When a new list is created, the old list shall cease to exist.
 - (4) The Committee may refuse to examine a candidate, or after examination, to certify a candidate as eligible who:
 - (a) Is found to lack any of the established preliminary requirements for the position for which he or she applies; or,
 - (b) Has been convicted of a crime which would substantially relate to the applicant's ability to perform the duties of a law enforcement officer; or,
 - (c) Has been dismissed for good cause from any previous employment; or,
 - (d) Has used or attempted to use any personal or political influence to further his or her

eligibility or appointment; or,

- (e) Has intentionally made a false statement in any material fact; or,
- (f) Has practiced or attempted to practice any deception or fraud in his or her application or examination, or in securing his or her eligibility or appointment; or
- (g) May be found to be deficient in personal qualifications requisite for the position for which he or she applies.

1.03 Appointments:

- (1) Appointments to the position of Jailor shall be made by the Sheriff of Ozaukee County whenever a vacancy shall occur. Each appointment shall be made from the list of applicants who are certified as eligible by the Public Safety Committee. The Committee shall certify to the Sheriff the name of three persons standing highest on that list from which he shall make his selection. If more than one vacancy is to be filled, the Committee shall certify to the Sheriff one additional name from that list for each additional vacancy. Said list of applicants shall be valid for a period of up to 2 years. If the Sheriff determines that any of the applicants certified by the Public Safety Committee are not available or eligible for appointment, he shall notify the County Clerk in writing as to such unavailability or ineligibility and the County Clerk shall then furnish an additional name for each applicant determined to be unavailable or ineligible. If an applicant is "passed-over" by the Sheriff after being considered for employment on 2 occasions, such applicant shall also be considered ineligible.
- (2) In case of a vacancy, the appointment herein provided for shall be made within thirty (30) days after the receipt of the certified list from the Committee unless the Public Safety Committee permits a longer period of time.
- (3) All Deputies under this ordinance shall be deemed on probation during the twelve (12) months next succeeding their appointment and may be discharged by the Sheriff at any time before the termination of such probationary period.
- (4) Every appointee, including individuals from outside the department, appointed to the position of Chief Deputy or Lieutenant, shall, if not a resident of Ozaukee County, move into Ozaukee County or to a location that is within a 20 mile radius of the Ozaukee County Justice Center within six months following completion of the probationary period. If he or she at any time resides elsewhere thereafter he or she shall be deemed to have resigned.
- (5) Deputy Sheriffs appointed in conformity with the provisions of this ordinance shall hold office on good behavior and efficiency and shall not be dismissed from such office or suspended except as provided in this ordinance.

1.04 Training Standards: Minimum standards for recruit training shall require that each trainee successfully complete, within his or her original probationary period, the number of hours of basic training prescribed by the Wisconsin Law Enforcement Standards Board in order to be certified for the position to which appointed. Under justifiable circumstances, this period may be extended, but the total period during which a person may serve on a probationary or temporary basis without successfully completing this training shall not exceed two years.

1.05 Chief Deputy.

- (1) He or she shall be appointed by the Sheriff from a list of eligible candidates submitted by the Public Safety Committee, on the basis of competitive written and oral examination.
- (2) Qualifications shall be determined by the Public Safety Committee..
- (3) Under the direction of the Sheriff, be responsible for the operation of the Sheriff's Department due to the absence or incapacitation of the Sheriff, or as delegated by the Sheriff, perform related work as follows:
 - (a) Be the head administrative and personnel officer within the department.
 - (b) Direct development and revision of department policies and procedures.
 - (c) Assign and review work of officers and employees within the department.
 - (d) Advise personnel on policies and procedures.
 - (e) Prepare and make recommendations to the Public Safety Committee and County Board.
 - (f) Keep records and make reports as directed by the County Board.
 - (g) Make complaints for disciplinary purposes to the Sheriff and to the Public Safety Committee on against any deputy he or she believes has acted so as to show him or her to be incompetent or to have merited suspension, demotion or dismissal.
 - (h) The Chief Deputy shall out-rank all other deputies, sergeants, detectives or lieutenants.
 - (i) Act as the Sheriff in the event of a vacancy in the office of the Sheriff.

1.06 Promotion.

- (1) In case of promotion within the department, notice of date, time and place for conducting examinations for such promotion shall be by placing a notice on the bulletin board in the Sheriff's Department not less than 15 days prior to the date set for such an examination.
 - (a) The Public Safety Committee shall conduct all examinations for promotions and shall certify to the Sheriff the name or names of the candidates who qualify. The Sheriff shall make an appointment from the three persons standing highest on the list of candidates unless he/she notifies the County Clerk in writing that one or more of those candidates is no longer interested in the promotion. Such examinations shall be the same as the examination for original appointment except that subjects, weights and manner of examinations shall be set by the Committee. All promotions shall be made from within the department except for promotion to Lieutenant or Chief Deputy which may be made from outside the department. Individuals from outside the department must have held at least the rank of Sergeant for a minimum of one year and have years of police experience and education as required for members of the department.
- (2) In order to qualify to apply for promotion, the applicant must be a member of the Department as follows:
 - (a) For Chief Deputy - have held the rank of Lieutenant, Sergeant or Detective for a minimum of one year, have a minimum of eight years of full-time continuous duty with the department, be a certified law enforcement officer and have a minimum of

an associate degree or its equivalent in police science, management or a related field.

- (b) For Patrol Sergeant - a minimum of four years of full-time continuous duty with the department, have held the position of Patrol Officer for at least two years and be a certified law enforcement officer.
 - (c) For Process Server - a minimum of three years of full-time continuous duty with the department and be a certified law enforcement officer.
 - (d) For Patrol Officer - a minimum of one year of full-time continuous duty with the department.
 - (e) For Lieutenant have held the rank of Sergeant or Detective for a minimum of one year, have a minimum of five years of full-time continuous duty with the department and be a certified law enforcement officer.
 - (f) For Jail Sergeant or Jail Services Sergeant - a minimum of four years of full-time continuous duty with the department and be a certified law enforcement or jail officer.
 - (g) For Community Services Sergeant or Detective - a minimum of four years of full-time continuous duty with the department and be a certified law enforcement or jail officer.
- (3) Each applicant to be employed as a law enforcement officer after February 1, 1993 shall possess either a 2 year associate degree from a Wisconsin vocational, technical and adult education district or its accredited equivalent from another state or a minimum of 60 fully accredited college level credits. An individual who has not met this standard at the time of promotion shall meet the standard as a requirement of recertification by the Law Enforcement Standards Board at the end of the individual's fifth year of employment.
- (4) Each list of eligible individuals shall be established for the specific position for which the individual applied. Such list shall be maintained for up to two (2) years. If additional individuals become eligible for promotion to a given position they may apply to be placed on the list of eligible individuals. In such a case, the individuals remaining on the initial list shall submit to a new oral interview. If the written exam has changed since the previous candidates took it, all candidates must retake the written exam. If the written exam has not changed, the initial candidates will have the choice of retaking the written exam and obtaining a new score that will replace their old score, or retaining their old score. Candidates whose exam scores are less than six months old will not be permitted to retake the written exam. The results of the written exam and of the new oral interview will then be combined to obtain a current average score.
- (5) When a vacancy occurs, individuals within the categories of positions listed below may apply for a lateral transfer. Such requests shall be made to the Sheriff, in writing, within three days of the posting date for a particular vacancy. The Sheriff shall approve or deny the request in writing within the next three days. If the request is approved, the new vacancy will be posted and filled as provided in this section. Each individual signing the initial job posting notice, will be advised of the new posting.
- (a) Lieutenant/Shift Commander or Lieutenant/Detective Coordinator or Lieutenant

Jail Administrator.

1.07 Suspension, Dismissal or Other Disciplinary Provisions.

- (1) Any member of the Ozaukee County Sheriff's Department may be suspended, demoted or dismissed in accordance with Section 59.26 (8)(b), Wisconsin Statutes, and the labor agreement then in effect between Ozaukee County and the union representing members of the Sheriff's Department.
 - (a) Whenever the Sheriff or Chief Deputy believes that a deputy has acted so as to show him or her to be incompetent to perform his or her duties or to have merited suspension, demotion or dismissal, he or she shall report in writing to the Public Safety Committee setting forth specifically his or her complaint, and, when the party filing the complaint is the Sheriff or Chief Deputy, may suspend or demote the deputy at the time such complaint is filed.
 - (b) The Public Safety Committee shall forthwith notify the accused deputy of the filing of the charges and on request furnish him or her with a copy of the same.
 - (c) The Public Safety Committee shall, if the deputy requests a hearing within 10 working days of mailing or serving notice of charges filed, appoint a time and place for the hearing of the charges, the time to be within 3 weeks after the filing of such request for a hearing and the committee shall notify the Sheriff or Chief Deputy, who filed the complaint with the Committee, and the accused of the time and place of such hearing. If the accused deputy makes no request to the Public Safety Committee, then the committee may take whatever action they deem justifiable on the basis of the charges filed and shall issue an order in writing as provided in Section 59.26 (8)(b)5. The committee may take testimony at the hearing, and any testimony taken shall be transcribed. The chairperson of the committee shall issue subpoenas for the attendance of such witnesses as may be requested by the accused.
 - (d) At such hearing the chairperson of the committee shall possess authority to maintain order and enforce obedience to his or her lawful requirements and if any person at the hearing shall conduct himself or herself in a disorderly manner, and after notice from the chairperson, shall persist therein, the chairperson may order him or her to withdraw from the hearing, and on his or her refusal, may order the Sheriff or other person to take him or her into custody until the hearing is adjourned for that day.
 - (e) At the termination of the hearing the Public Safety Committee shall determine in writing whether or not the charge is well founded and shall take such action by way of suspension, demotion, discharge or reinstatement as it may deem requisite and proper under the circumstances and file the same with the secretary of the committee.
 - (f) The accused may appeal from the order to the Circuit Court by serving written notice thereof on the secretary of the committee within 10 days after the order is filed. Within 5 days thereafter, the committee shall certify to the Clerk of the Circuit Court the record of the proceedings, including all documents, testimony and minutes. The action shall then be at issue and shall have precedence over any other

cause of a different nature pending in the Court, which shall always be open to the trial thereof. The Court shall, upon application of the accused or of the Public Safety Committee, fix a date of trial, which shall not be later than 15 days after such application except by agreement. The trial shall be by the Court and upon the return of the committee, except that the Court may require further return or the taking and return of further evidence by the committee. The question to be determined by the Court shall be: Upon the evidence, was the order of the committee reasonable? No costs shall be allowed either party and the Clerk's fees shall be paid by the County. If the order of the committee is reversed, the accused shall be forthwith reinstated and entitled to his or her pay as though in continuous service. If the order of the committee is sustained, it shall be final and conclusive.