

Champaign County Probation & Court Services



Policies and Procedures Manual

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DISCLAIMER

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This manual is not to be construed as an employment contract or to create contractual rights, but rather to serve as a guideline for day-to-day policies and procedures. The Department reserves the right to vary these policies to meet individual needs. Nothing in this manual may be construed as altering the employment status of any employee. Policies and procedures in this manual are subject to change from time to time, as the needs of the Department require. We will keep you informed of changes as soon as practical.

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For those employees of the Department covered under a Collective Bargaining Agreement, please refer to the appropriate Agreement for further information. In the event of a conflict between the policies set forth in this manual and the provisions of the Agreements, the Agreements will prevail.

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The Administrative Office of the Illinois Courts

The authority for developing and implementing uniform standards for Probation and Court Services is statutorily vested in the Probation Services Division of the Administrative Office of the Illinois Courts (the AOIC). The Probation and Probation Officers Act, 730 ILCS 110/15 (1), provides that: "The Supreme Court of Illinois may establish a Division of Probation Services whose purpose shall be the development, establishment, promulgation, and enforcement of uniform standards for probation services in this State, and to otherwise carry out the intent of this Act."

Illinois Probation and Court Services Departments shall comply with all applicable standards. The AOIC Probation Division is responsible for providing technical assistance and compliance monitoring in regard to implementation of the operational standards for Illinois Probation and Court Services.

Director of Champaign County Probation & Court Services Department

As with the AOIC Probation Division, the authority of the Director of Court Services/Chief Probation Officer is provided per State statute. Policies and procedures are required within the Champaign County Probation & Court Services Department in an attempt to operate efficiently, effectively and consistently. The duties associated with being a Probation Officer are set forth in 730 ILCS 110/12. Each department, however, must take into account local practices. This manual is developed in order to maintain standards and to assist each member of the Department in the completion of their duties. It is the responsibility of each employee of this Department to read and completely understand the rules, regulations and policies of this Department. Of further note, officers need to be aware of local Court practices so each officer may effectively and efficiently perform their duties.

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At orientation, new employees will be provided with a copy of the Department's Policies and Procedures Manual. The manual is also located on the computer network. As needed, revisions or additions to existing Departmental policies and procedures may be effected by memoranda issued to the staff by the Director. Memoranda issued by the Director will take precedence over previously issued operational directives. Employees are to maintain copies of these changes to the Policies and Procedures Manual. A separate area in the manual is included for placement of memoranda.

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On a yearly basis, the Policy and Procedures Manual will be reviewed and necessary revisions and additions made. This review will begin in October and will be completed by December 31st. All revisions will be included in the Annual Plan submitted to the AOIC. Departmental policies and procedures may be changed at any time to meet the requirements of the judiciary, Departmental needs, or to remain in compliance with AOIC guidelines.

Foreword

Provisions for the establishment of Probation and Court Services Departments are contained in Chapter 730 ILCS, Section 110, the Probation and Probation Officers Act, and Chapter 705 ILCS, the Juvenile Court Act. Probation and Court Services Departments are created by legislative act, subject to local judicial policy and administered by the Director of Court Services. Champaign County budgets for the salaries of each employee and ensures the Department has adequate office space and office equipment to meet State mandates. Although the County budgets for the salaries of officers, the County receives reimbursement from the AOIC for the salaries of all officers. The level of salary reimbursement is contingent upon position classification by the AOIC. Operational and supervision standards established by the AOIC must be met and maintained. Should the Department fail to do so, salary reimbursement from the AOIC could be discontinued.

The first policy and procedure manual was published in 1976 and has been updated on several occasions. This revised Policies and Procedures Manual establishes standard policies and procedures for employees of the Champaign County Probation & Court Services Department. Any previous issue of this manual should not be consulted when seeking direction as to Departmental policies. Divisional or Unit manuals have also been approved by the Director of Court Services. Revisions to the Departmental Policies and Procedures Manual and Divisional and Unit procedural manuals shall be completed and published as required.

Personnel under the supervision of this Department are unique and may interact differently. This manual cannot cover every situation that may be encountered. The procedural manual for each Division/Unit will assist employees in the daily performance of their assigned duties. No manual, however, will cover every situation. With that in mind, employees are urged and expected to exercise good judgment in the performance of their duties. Employees must be familiar with all rules and regulations and must never use discretion wantonly or inconsistently.

The Department is governed by the rules of practice established by the Chief Judge of the Sixth Judicial Circuit. Copies of various Administrative Orders for officers of the Sixth Judicial Circuit are contained in this manual.

The Champaign County Probation & Court Services Department generally complies with the conditions of employment as set forth in the Champaign County Personnel Policy Manual. That manual is available to all employees on the County's computer network at <http://www.co.champaign.il.us/Policies/Countypp.pdf>. All employees shall make themselves familiar with the contents of the Champaign County Personnel Policy Manual. Pursuant to 730 ILCS 110/0.01 et seq., the following sections of the Champaign County Personnel Policy Manual are not applicable to Probation Officers and managerial personnel employed by the Court Services Department:

- a. Section 2-2.1 Recruitment Procedure

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- b. [Section 2-2.3 Application Process](#)
- c. [Section 2-2.4 Interviewing & Hiring Procedure](#)
- d. [Section 2-2.5 Employee Promotion](#)
- e. [Section 2-2.6 Department Head Hiring Procedure](#)
- f. [Section 2-2.7 Orientation & Terms of Employment](#)
- g. [Section 2-4 Probationary Period](#)
- h. [Section 4-2 Appointed Department Head Appraisals](#)
- i. [Section 5-2.4 Involuntary Termination Appeal](#)
- j. [Section 5-3 Name Clearing Hearing](#)
- k. [Section 6-1 Grievances](#)
- l. [Section 6-3 Disciplinary Action](#)
- m. [Section 6-4 Involuntary Termination](#)
- n. [Section 7-5 Compensatory Time/Overtime](#)

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Other exemptions may be covered by existing Agreements with the Fraternal Order of Police (FOP) and the American Federation of State, County and Municipal Employees (AFSCME). All employees covered by a Collective Bargaining Agreement shall be furnished with a copy of the appropriate Agreement.

Should a conflict arise concerning Court and County policy, the Department shall comply with Court policy based on statute or AOIC directives.

In the event of a conflict between the County Personnel Policy Manual and the Agreements with FOP and AFSCME, the provisions of the Agreements will prevail. Should there be a conflict between the Champaign County Personnel Policy Manual and the Champaign County Probation & Court Services Department Policies and Procedures Manual, officers should abide by the Departmental manual and report the situation to their immediate Supervisor

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Should there be a conflict between the Champaign County Probation & Court Services Department Policies and Procedures Manual and the Agreements with FOP and AFSCME, the Agreements shall prevail.

With the approval of the Director of Court Services, Supervisors shall develop operational procedures to ensure that standards are established and maintained and shall furnish each of the officers under their supervision with a copy of their respective Divisional/Unit policies and procedures. Officers are responsible for understanding the content and requirements of their Divisional/Unit policies and procedures. Additionally, some operations may require knowledge of and compliance with AOIC, Illinois Department of Corrections, Illinois Department of Juvenile Justice, Illinois Department of Children & Family Services, or other local, State or national standards. Supervisors may also from time to time issue written directives on operational issues. Officers shall follow those written directives until such time as the policy or procedure is revised.

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Chapter 1 – Mission Statement

The mission of the Champaign County Probation & Court Services Department is to provide services to the judiciary, community, and offenders. Using a community corrections approach, we improve public safety by enforcing court orders while providing services to juvenile and adult offenders to aid in their rehabilitation.

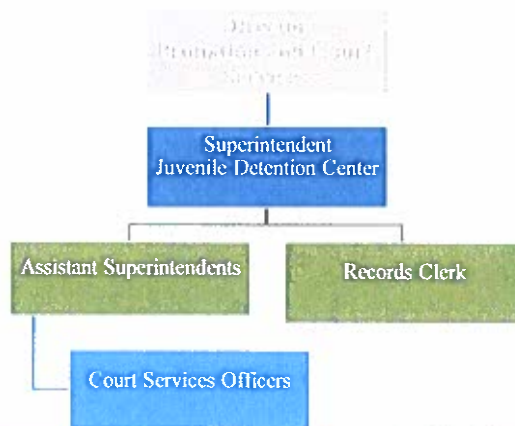
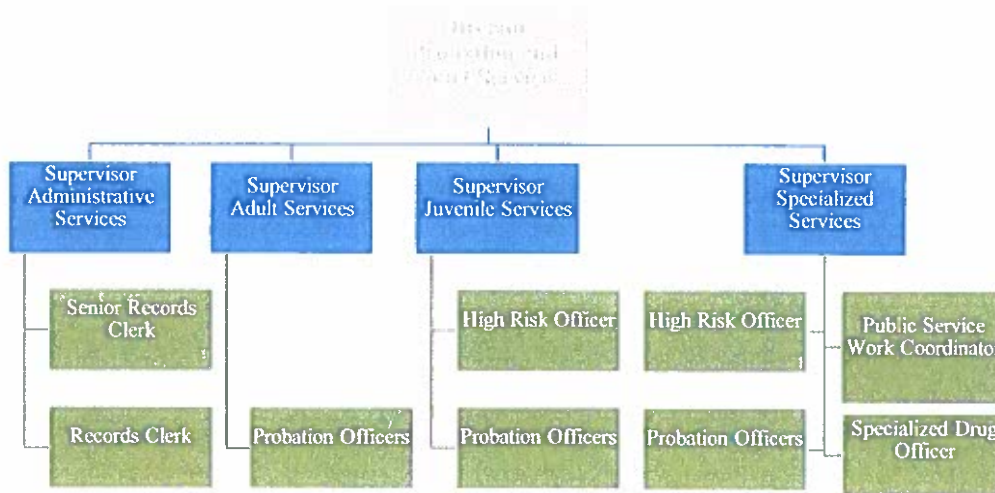
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It is the mission of the Champaign County Probation and Court Services Department to hold offenders accountable for past criminal actions. Accordingly, officers are to closely monitor Court orders closely for each offender and take the appropriate action when an offender is in violation. Working closely with local social service providers, appropriate community resources are to be utilized to ensure each offender is afforded the opportunity to appropriately address his/her needs. Officers are to direct offenders toward lawful conduct by promoting changes in values and beliefs. Victims are to be advised of their rights and afforded the opportunity to actively participate in the criminal justice process. Finally, the Department to operate the Champaign County Juvenile Detention Center, ensuring the safety of minors in our custody. Each minor in custody is to have access to educational services and a wide-range of social services programming.*

Deleted: The mission of the Champaign County Probation & Court Services Department is to complete investigations for the court and to hold offenders accountable. Officers closely monitor court orders on each offender sentenced to probation and take appropriate action when an offender violates those orders. Working closely with local social service providers, appropriate community resources are utilized to ensure each offender is afforded the opportunity to address appropriately his/her needs. Officers direct offenders toward lawful conduct by promoting changes in values and beliefs. Victims are advised of their rights and given the opportunity to participate actively in the criminal justice process. Finally, the Department operates the Champaign County Juvenile Detention Center. In addition to providing a safe and secure environment for minors in JDC custody, each minor has access to educational services as well as a wide range of social services programming.

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Chapter 2 – Organizational Charts



Chapter 3 – Statutory Duties of Probation Officers and Oath

The statutory duties of Probation Officers, as set forth in 730 ILCS 110/12, are:

1. To investigate as required by Section 5-3-1 of the "Unified Code of Corrections", approved July 26, 1972, as amended, the case of any person to be placed on probation. Full opportunity shall be afforded a Probation Officer to confer with the person under investigation when such person is in custody.
2. To notify the Court of any previous conviction for crime or previous probation of any defendant invoking the provisions of this Act.
3. All reports and notifications required in this Act to be made by Probation Officers shall be in writing and shall be filed by the clerk in the respective cases.
4. To preserve complete and accurate records of cases investigated, including a description of the person investigated, the action of the Court with respect to his case and his probation, the subsequent history of such person, if he becomes a probationer, during the continuance of his probation, which records shall be open to inspection by any judge or by any Probation Officer pursuant to order of Court, but shall not be public record, and its contents shall not be divulged otherwise than as above provided, except upon order of Court.
5. To take charge of and watch over all persons placed on probation under such regulations and for such terms as may be prescribed by the Court, and giving to each probationer full instructions as to the terms of his release upon probation and requiring from him such periodic reports as shall keep the officer informed as to his conduct.
6. To develop and operate programs of reasonable public or community service for any persons ordered by the Court to perform public or community service, providing, however, that no Probation Officer or any employee of a Probation Office acting in the course of his official duties shall be liable for any tortious acts of any person performing public or community service except for willful misconduct or gross negligence on the part of the Probation Officer or employee.
7. When any person on probation removes from the county where his offense was committed, it shall be the duty of the officer under whose care he was placed to report the facts to the Probation Officer in the county to which the probationer has removed, and it shall thereupon become the duty of such Probation Officer to take charge of and watch over said probationer the same as if the case originated in that county; and for that purpose he shall have the same power and authority over said probationer as if he had been originally placed in said officer's charge; and such officer shall be required to report in writing every 6 months, or more frequently upon request, the results of his supervision to the Probation Officer in whose charge the said probationer was originally placed by the Court.

8. To authorize travel permits to individuals under their supervision unless otherwise ordered by the Court.

9. To perform such other duties as are provided for in this Act or by rules of Court and such incidental duties as may be implied from those expressly required.

~~10. To send written notification to a public housing agency if a person on probation for a felony who is under the supervision of the Probation Officer informs the Probation Officer that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by that public housing agency.~~

~~11. If a person on probation for a felony offense who is under the supervision of the Probation Officer becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or Illinois Department of Human Services, the Probation Officer shall within 3 days of the person becoming a resident, notify the licensing or regulating Department and licensed or regulated facility and shall provide the licensed or regulated facility and licensing or regulating Department with copies of the following:~~

~~(a) (blank);~~

~~(b) any applicable probation orders and corresponding compliance plans;~~

~~(c) the name and contact information for the assigned Probation Officer.~~

Pursuant to the requirements of 730 ILCS 110/10, all officers shall take and subscribe to an oath before the ~~Chief Judge of the Sixth Judicial Circuit or his or her designee to support the constitution and laws of the United States and of the State of Illinois, and faithfully to perform the duties of his or her office,~~ In Champaign County, officers are typically sworn in by the ~~Champaign County Clerk.~~

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Chapter 4 – Code of Professional Conduct

Any violation of the Code of Professional Conduct may result in disciplinary action against the employee. The disciplinary action taken will depend on the severity of the infraction.

Pursuant to the authority to promulgate standards for Probation and Court Services Departments as set forth at 730 ILCS 110/15(1), the Administrative Office of the Illinois Courts hereby promulgates the following standards, effective January 20, 1995, ~~as amended and effective April 15, 2011~~. The standards set forth below have been adopted by the Chief Judge of the Sixth Judicial Circuit and are applicable to all ~~employees~~ of the Champaign County Probation & Court Services Department.

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An independent and honorable judiciary is indispensable to justice in our society. Probation/Court Services employees shall observe high standards of conduct so that the integrity and independence of the judiciary may be preserved and reflect a devotion to public service. In recognition of the essential role that Probation/Court Services employees play in the administration of justice in the State of Illinois, this code is adopted to promote the integrity, efficiency and professionalism of probation services.

4.1 Probation/Court Services Employees Shall

- A. Respect the authority and follow the directives of the ~~Chief Judge, or designee,~~ recognizing at all times ~~the Probation Officer is responsible to~~ the Court;
- B. Respect the civil and legal rights of all persons;
- C. Recognize the appropriate limits of the services offered by the Probation/Court Services profession, and direct individuals to alternative resources when ~~appropriate~~;
- D. Conduct each case with concern for the probationer's welfare, the public's interest, and with no purpose of personal gain;
- E. Maintain relationships with colleagues in such a manner to promote mutual respect and ~~cooperation~~;
- F. ~~Understand~~ the importance of all elements of the criminal justice system and cultivate a professional cooperation with each segment;
- G. Observe and uphold all federal, state ~~and local~~ laws;
- H. Respect and protect the right of the public to be safeguarded from criminal/delinquent activity;

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- I. Accurately record and make available for review any and all case information which could contribute to sound decisions affecting a probationer or the public safety;
- J. Seek only that personal data from the probationer needed to perform the officers' duties and responsibilities;
- K. Clearly distinguish between those public statements that are personal views and those that are statements and positions on behalf of the Department and the Court. Only those employees authorized to do so shall make public statements on behalf of the Department and the Court;
- L. Report without reservation any violations of the law, or this code on the part of other Probation/Court Services employees, probationers or other individuals, which could affect either a probationer or the integrity of the Department, or the Court;
- M. Immediately report to their Supervisor any attempt by any person to violate the law or any standards set forth in this Code of Professional Conduct.

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4.2 Probation/Court Services Employees Shall Not

- A. Use their official position to secure privileges or advantages;
- B. Permit personal interest to impair the objectivity which is to be maintained in their official capacity;
- C. Develop a relationship with probationers other than that necessary to conduct business. Probation/Court Services employees shall not knowingly become socially, romantically, or sexually involved with probationers (including those under court order or supervision, first offender probation, and conditional discharge), or with parolees, engage in any activity that could discredit or cause an embarrassment to the Probation/Court Services Department or the Court. Any such involvement shall be immediately reported to the employee's Supervisor;
- D. Knowingly become personally or intimately involved with, or engage in, any activity with any person that would bring discredit, or cause an embarrassment to the Department or the Court;
- E. Discriminate against any employee, prospective employee or probationer on the basis of race, sex, creed, or national origin;
- F. Accept any gift or favor of any nature which implies an obligation that is inconsistent with the free and objective exercise of professional responsibilities;
- G. Solicit or accept any gift, favor, or compensation for anything to do with or related to the performance of official duties, or for anything that might compromise the integrity of the Court as provided by 730 ILCS 110/14;

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H. Falsify or improperly alter or destroy any records or documents relating to the operation of the Department or the Court;

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I. Conduct financial business dealings with probationers, (including those under court order for supervision, first offender probation and conditional discharge), or with parolees, including but not limited to such matters as serving as a fiduciary, accepting or making loans, or cosigning promissory notes;

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J. Engage in any personal, financial or business dealings which may create an actual conflict of interest with their official duties, or which, may create the appearance of a conflict of interest with their official duties.

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K. Disclose case information, under any circumstances, to unauthorized persons.

4.3 Additional Provisions

The matters set forth above are not intended to be, and do not constitute an exhaustive list of rules and regulations governing the conduct of Probation/Court Services employees. Such employees are responsible for complying with all other applicable statutes, rules, regulations, and other provisions governing Probation/Court Services employees in the discharge of their official duties.

The adoption of this Code of Conduct vests no rights in Probation/Court Services employees and creates no limitation on previous existing rights of the Supreme Court of Illinois, Chief Circuit Court Judges and supervisory personnel with respect to the hiring, setting of terms and conditions of employment, discipline and discharge of Probation/Court Services employees.

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Chapter 5 – Recruitment and Hiring, Psychological Evaluation, Physical Examination and Drug Testing, Background Investigation

5.1 Equal Employment Opportunity Statement

The Department, in compliance with Champaign County Policy, abides by all equal employment opportunity guidelines. It is this Department's policy, to protect all employees and applicants for employment against discrimination based on race, color, religion, national origin, ancestry, sex (including pregnancy), sexual orientation, age, marital status, a physical or mental disability unrelated to an individual's ability to perform the essential functions of his or her job with or without reasonable accommodation, genetic information, military service, unfavorable discharge from the military, order of protection status, or arrest record as defined in the Illinois Human Rights Act, in all aspects of employment, including benefits, discharge, discipline, firing, harassment, hiring, promotion, recruitment, renewal of employment, selection for training or apprenticeship, tenure, terms and conditions of employment, training, transfer, and wages. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

This Department would note that it is a requirement of the Administrative Office of the Illinois Courts that all persons employed as Court Services Officers be citizens of the United States of America.

5.2 Recruitment Procedure

All solicitations or advertisements for employment will be in compliance with Section 2-2.2 of the Champaign County Personnel Policy Manual. Notices of openings are distributed to appropriate agencies and organizations by the Champaign County Administrative Services Department.

The Supervisor of Administrative Services is required to obtain and review the current eligibility list for non-Supervisory personnel maintained by the Administrative Office of the Illinois Courts and notify all eligible applicants, unless those applicants have been previously notified.

5.3 Application Process

Each applicant will complete an online Employment Application in compliance with County standards, including certification that the information provided in the application is true in all respects. If the information given is found to be false in any way, it shall be considered sufficient cause for denial of employment, or discharge in the event that discovery of the false or misleading statements occurs after commencement of employment. References will be checked in accordance with County and Departmental policies as well as guidelines provided by the Administrative Office of the Illinois Courts.

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Successful applicants will have completed all paperwork required by the Administrative Office of the Illinois Courts in order to be certified by that agency as eligible for employment as a Probation Officer in the State of Illinois. Only those individuals whose names appear on the eligibility list maintained by the AOIC, will be considered for employment by the Department.

Former employees wishing to be considered for employment must submit a written request to the Director. Former and current Illinois Probation Officers applying for employment with the Department will be considered after completion of an online Employment Application (see above).

5.4 Psychological Testing

A conditional offer of employment may be made to candidates for the position of Court Services Officer. All candidates must complete and pass a psychological evaluation as ordered by the Chief Judge of the Sixth Judicial Circuit. Failure to complete and pass the required psychological evaluation will result in withdrawal of the offer of employment. The expense associated with psychological testing shall be paid by the Department. Reports of psychological testing are the property of the Department and shall not be disclosed to candidates.

5.5 Pre-Employment Physical Examination and Drug Testing

Following a conditional offer of employment, the applicant shall undergo and successfully complete a pre-employment physical examination, including drug testing. The expense associated with the physical examination and drug testing shall be paid by the Department with the physician being designated by the Department. Failure of an applicant to satisfactorily complete the prescribed physical examination and lab tests as certified by the physician designated by the Department shall result in withdrawal of the conditional offer of employment. Should the applicant wish to challenge the results of the physical examination and/or lab tests, he or she may do so by requesting a second opinion from a specialist agreed to by the physician designated by the Department. All costs incurred to obtain and provide a second opinion shall be paid by the applicant. The final decision regarding successful completion of the physical examination and drug testing will be made by the Director of Court Services.

5.6 Background Investigation

Following a conditional offer of employment, the immediate Supervisor will contact the applicant's previous employers and personal references and will record the results of those contacts on forms approved by the Director of Court Services. The immediate Supervisor will also check LEADS and the records of the Illinois Secretary of State to determine if the applicant has a history of prior arrests/convictions, and will request a search of the Child Abuse and Neglect Tracking system (CANTS) to determine whether the applicant has been a perpetrator of an indicated incident of child abuse and/or neglect or if s/he is involved in a

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The pool of successful applicants provides the Department with a current and updated group of persons who are in a position to fill vacancies arising in the Department.

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pending investigation. Written verification of contact with the applicant's previous employers, contact with his/her personal references, and the results of criminal records and CANTS checks shall be forwarded to the Supervisor of Administrative Services for retention in the employee's personnel file, should she be hired. Failure to successfully complete the background check will result in withdrawal of the conditional offer of employment. In the event that an offer of employment is not made, the results of the background investigation shall be retained with the candidate's application form.

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In addition to the foregoing, the Policies Governing Hiring, Promotions and Training of Illinois Probation/Court Services Personnel established by the Administrative Office of the Illinois Courts, effective July 1, 1998, shall be observed by this Department. Those policies are included herein as Appendix A.

The psychological, physical and drug testing procedures outlined above apply only to the recruitment and hiring of Court Services Officers. For non-certified personnel (i.e., Records Clerks), the Department will comply with the employment and hiring procedures outlined in Chapter 2 of the Champaign County Personnel Policy Manual and the existing Agreement with the American Federation of State, County and Municipal Employees.

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Chapter 6 – Probationary Periods, Promotional and Lateral Transfers

THE FOLLOWING POLICIES DO NOT APPLY TO EMPLOYEES COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT. THOSE EMPLOYEES SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR DETAILS REGARDING PROBATIONARY PERIODS, PROMOTIONAL AND LATERAL TRANSFERS.

6.1 Probationary Period

All employees shall be subject to an initial probationary period of one year's continuous service to determine his/her ability and fitness for the position. The Director shall have the sole right to determine the employee's ability and fitness at any time during such probationary period.

6.2 Lateral Transfer/Promotional/Demotional Evaluation Period

The right to laterally transfer, promote, or demote an employee is vested exclusively with the Director. Any employee involved in a lateral transfer, promotion or demotion within the Department shall be subject to an evaluation period of one year's continuous service to determine his/her ability and fitness for the position. The remedy for failing to satisfactorily complete the evaluation period shall be the return to the previous job assignment or termination of employment, the determination of which is vested exclusively with the Director.

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6.3 Promotions, Demotions and Lateral Transfers

A lateral transfer is defined as movement from/into positions of equal pay within the Department. A promotion is considered an opportunity to move into a position where an increase of pay will occur. A demotion is considered movement into a position where a decrease of pay will occur. The Director shall be responsible for setting forth the minimum qualifications for all positions within the Department. Employees meeting the minimum qualifications for a position may apply for the opening when posted. The posting will set forth the minimum qualifications for the position as well as information regarding when and where such application should be made.

Promotional openings will be filled by evaluating experience, education, and the work history of each candidate. It is the goal of the Department to select the best matched candidate to fill the specific requirements of each promotion.

Chapter 7 – Personnel Records

7.1 Personnel Files

Individual personnel files shall be maintained which minimally contain the following documents:

- Employment application/resume
- Copy of appointment by Chief Judge or Director, as applicable
- Oath from County Clerk's Office, if applicable
- Copy of college transcripts or diploma (where appropriate)
- Verification of past employment
- Documentation of personal references
- Annual performance evaluation, if applicable
- Documentation of salary increases/decreases
- Verification that the employee has received the Departmental Policies and Procedures Manual
- Verification that the employee has received the Sixth Judicial Circuit's Sexual Harassment Policy
- Criminal history check
- Documentation of any counseling, commendation or disciplinary action
- Written record of persons seeking to examine documents in the employee's personnel file and dates those documents were examined

*Note: All training records are maintained in the Departmental database and/or the Relias Learning System and are available for review by individual employees. Employees can obtain a printout of their training record from their Supervisor or from the Supervisor of Administrative Services.

7.2 Medical Files

- Results of the psychological examination, if applicable
- Results of pre-employment physical examination, including drug testing, if applicable
- Bloodborne pathogen classification information and verification of completed training
- Incident Reporting Forms for any incident of mucous membrane or parenteral exposure to blood, body fluids or tissue
- Verification of all vaccinations or refusals
- Any information related to mental/emotional or substance abuse counseling or treatment, including results of drug testing

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THE FOLLOWING PERSONNEL RECORDS POLICIES APPLY ONLY TO DEPARTMENTAL PERSONNEL NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT. EMPLOYEES REPRESENTED BY A BARGAINING UNIT SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR FURTHER DETAILS.

7.3 Access to Personnel Files

Access to an individual's personnel file shall be reasonably permitted. Only the following individuals shall have access to an individual's personnel file:

- The Chief Judge or his designee or other appropriate judicial or County officials
- The Director of Court Services
- Departmental supervisory personnel for official business
- The AOIC or its designees as necessary to discharge its responsibilities
- The employee/designee pursuant to statute

7.4 Copying Files

An employee may not remove any part of his/her personnel file from the premises of the Department; however, upon request, the employee will be provided with copies of any information contained within their personnel file at no cost to the employee.

7.5 Correction of Personnel Record/Disagreements

Champaign County Personnel Policies and the Departmental grievance procedure may be used to resolve any disagreements with respect to personnel records.

7.6 Maintaining Personnel Records for Temporary/Part-Time Employees

Individual folders for temporary/part-time employees shall be maintained which minimally contain the following documents:

- Employment application/resume
- Verification of past employment
- Documentation of personal references
- Criminal history check

7.7 Release of Information to Outside Sources Regarding Current and Former Employees

Any person or entity seeking information regarding a current or former full-time employee must request that information in writing from the Director and provide the appropriate release of information authorization allowing the Department to divulge prior employment history. Only the Director, or his designee, is authorized to release information regarding a current or

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former full-time employee. The Superintendent or the Director, with the submission of an appropriate release, may release employment history information regarding current or former part-time employees.

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Chapter 8 – Performance Appraisals

APPLICATION OF THE FOLLOWING POLICIES MAY BE AFFECTED BY EXISTING COLLECTIVE BARGAINING AGREEMENTS. EMPLOYEES COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR FURTHER DETAILS.

The purpose of performance appraisals is to provide a systematic method for the objective, consistent assessment of job performance; to ensure that employees are aware of expectations regarding the requirements of their current position; to encourage and promote individual growth and development; and to assure that all merit increases and salary adjustment decisions are based on objective evaluation.

Each non-supervisory employee of the Champaign County Probation & Court Services Department shall receive an annual performance evaluation completed by the employee's immediate Supervisor, and/or the Director of Court Services. Appraisals will be used for merit pay increases when funded by the County and will be taken into consideration for promotions, demotions, training needs, job description maintenance, suitability of job assignment and organizational planning.

Annual performance appraisals, signed by the evaluator and the employee, will be forwarded to the Supervisor of Administrative Services for retention in individual employee personnel files.

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~~Any employee wishing to dispute the outcome of their performance appraisal may submit a request to the Director for review. Said request must be submitted no later than the 31st~~

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Chapter 9 – Working Hours, Attendance Records, Overtime, Compensatory Time

APPLICATION OF THE FOLLOWING POLICIES MAY BE AFFECTED BY EXISTING COLLECTIVE BARGAINING AGREEMENTS. EMPLOYEES COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR FURTHER DETAILS.

9.1 Normal Work Day

The normal work day for employees in the Probation Division is 8.00 a.m. to 4.30 p.m., Monday through Friday, for a total of 7.5 hours per day (excluding a one-hour meal break). Officers in the Juvenile Detention Division work 75 hours in a two-week pay period and are provided with a one-hour unpaid meal break within the premises.

Employees are expected to report for duty on time and be prepared to begin assignments. Employees are not to begin work early, work late or leave early without prior approval from the employee's immediate Supervisor. Employees shall be awake and alert at all times while on duty. On those occasions when an employee is held over because of a Court hearing or some other exigent circumstance, the employee shall advise their Supervisor no later than the following workday. The employee shall report the reason and amount of actual time worked. Actual time worked, excluding meal breaks, are recorded on the employee's time record in the County's timekeeping system, and are available for supervisory review.

9.2 Schedules/Shifts Other Than Normal Work Day

For officers who are assigned work shifts or schedules other than the normal work day (defined as Monday through Friday from 8:00 a.m. to 4:30 p.m.), said shifts and schedules will be developed by Management. As indicated in the preceding Section, employees are required to report on time, not begin early or work later than scheduled, and to record all actual hours worked in the County's timekeeping system. Time records with the number of actual hours worked are maintained in the County's timekeeping system and are available for supervisory review.

9.3 Shift Scheduling by Bid Process

Shifts and/or schedules (other than the normal work day) shall be filled on a seniority basis through a bid process. The bid process and time frames shall be developed by Management and may change from time to time. Notice of schedule changes and the bid process shall be posted for a minimum of ten (10) calendar days.

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9.4 Attendance

Every employee is expected to attend work regularly. Furthermore, there is an expectation that all employees will be at their workstations and ready to work at the starting time of their assigned shift. Good attendance is an important job requirement. An employee who is frequently absent or tardy places additional responsibilities on fellow employees. Excessive absences and tardiness, even when reported, may be grounds for disciplinary measures.

On the infrequent occasions personnel may be late for work, or are late in returning to work due to circumstances beyond their control (i.e., flat tire, minor accident, unexpected traffic delay, etc.) the individual is to report to their Supervisor noting the reason for being tardy.

In accounting for actual hours worked and benefit time used, all employees of the Department are required to document their attendance utilizing the County's timekeeping system. The method of documentation shall be determined by the Director of Court Services and may change after notice is provided.

9.5 Meal Periods

The standard lunch period for officers assigned to the Probation Office is 12:00 noon to 1:00 p.m. Employees in the Probation Office may not work more than five (5) consecutive hours without taking a one-hour meal break. Officers not designated as duty officers are to take their lunch break at the standard lunch break time, unless given approval to vary their lunch break by their Supervisor.

One officer designated as duty officer shall take their lunch break from 11:30 a.m. to 12:30 p.m., and the other duty officer shall take their lunch break from 12:30 p.m. to 1:30 p.m. Administrative staff assigned to the Probation Office shall alternate their lunch periods, with one staff member taking his/her lunch break from 11:30 a.m. to 12:30 p.m., and the remaining administrative staff member taking his/her lunch break from 12:30 p.m. to 1:30 p.m.; or other times as may be mutually agreed upon by administrative staff with the approval of the Supervisor of Administrative Services or other supervisory personnel.

Officers assigned to the Juvenile Detention Center shall take a lunch/meal break within the confines of the Center at times designated by the Supervisor on duty. Meal breaks for Detention Officers will occur approximately at the mid-point of each officer's shift. Detention Officers should rotate their meal breaks and remain flexible so the operational needs of the Center are maintained. Administrative staff assigned to the Detention Center shall take their lunch break at approximately the mid-point of their shift.

Officers assigned to evening shifts not associated with the Detention Center should take a one-hour meal break at approximately the mid-point of the officer's shift. Regardless of the officer's assignment, officers may not use the meal period to delay the start of or shorten the workday.

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~~Deleted: From the onset of the calendar year, each employee will be provided a timecard for the upcoming year (not administrative staff/grant personnel will be provided with timesheet on a bi-weekly basis). During the first week of the new calendar year, Supervisors will gather completed timecards for the previous year. The timecards are then to be given to the Chief Administrative Probation Officer for filing in personnel files. Timecards and timesheets are retained by the Department for a period of three (3) years.~~

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9.6 Breaks

Employees are permitted two 15-minute breaks per day. The first break should be taken approximately one-quarter into the employee's workday and the second break should be taken approximately three-quarters into the workday. On those rare occasions when an employee is unable to receive a break, the employee should advise his/her immediate Supervisor. Break periods may not be utilized to delay the start of or shorten the workday.

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9.7 Minimum Staffing

For officers assigned to the Probation Division, generally, 50% of the officers scheduled for duty must be present within each Division/Unit. Management personnel are excluded from this equation. Meal periods are also excluded from this requirement.

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At the Juvenile Detention Center, officer staffing levels in compliance with established standards must be maintained at all times. Approximately 75% of assigned Juvenile Detention Center staff are to be present at any one time.

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Regardless of the divisional assignment, actual staffing requirements may differ based on the daily operational needs of the Division/Department.

9.8 Compensatory Time

Compensatory time for officers represented by the Fraternal Order of Police is earned by employees who are required by their Supervisor to work in excess of 75 hours in a pay period. Compensatory time is calculated at hour-for-hour for time worked between 75 hours and 80 hours in a pay period, and time and one-half for all hours worked over 80 hours.

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For employees represented by the American Federation of State, County and Municipal Employees, all hours worked from 37.5 up to 40 in a one-week period shall be calculated as compensatory time on an hour-for-hour basis. Any employee required to work more than 40 hours in a one-week period shall receive compensatory time off at the rate of one and one-half hours for each hour worked in excess of 40 in the week.

~~Deleted: Supervisors will maintain written documentation of compensatory time earned/used by the employees under their supervision.~~

~~Moved down [6]: Employees are required to report compensatory time earned to their Supervisor immediately using the form provided. If an employee cannot immediately report compensatory time earned, they should do so within three (3) working days.~~

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~~Moved down [3]: Any employee required to work more than 40 hours in a one-week period shall receive compensatory time off at the rate of one and one-half hours for each hour worked in excess of 40 in the week.~~

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Employees are required to report compensatory time earned to their Supervisor immediately using the form provided. If an employee cannot immediately report compensatory time earned, they should do so within three (3) working days. Supervisors will maintain written documentation of compensatory time earned/used by the employees under their supervision.

Should there be a requirement for an employee to work beyond the normal work week, the opportunity to earn such compensatory time will be distributed and/or assigned as outlined in the appropriate bargaining unit contract.

An employee may accumulate up to 75 hours of compensatory time. Compensatory time earned over 75 hours will be paid as overtime on an hour-for-hour basis in the pay period in which it was earned. Compensatory time off will be taken with the prior approval of the

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employee's Supervisor. A maximum of 37.5 hours of compensatory time off may be taken consecutively.

Holidays, vacation days and personal days shall be considered hours worked for the purpose of calculating compensatory time.

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THE FOLLOWING PARAGRAPH APPLIES ONLY TO SUPERVISORY PERSONNEL

Compensatory time (hour-for-hour) is available to Assistant Superintendents at the Juvenile Detention Center for work performed in the regular line of duty beyond normal working hours. All other supervisory personnel are not eligible for compensatory time. Compensatory time may not be accrued beyond 75 hours and no payment of overtime will be made for compensatory time earned in excess of 75 hours. Employees shall keep a record of all compensatory time earned and submit it to their Supervisor for verification. Compensatory time may be taken at any time with prior approval of the employee's Supervisor. A maximum of 37.5 hours of compensatory time may be taken off consecutively.

9.9 Paychecks

Payroll periods end every other Saturday night at 11:59 p.m. and pay periods begin at 12:01 a.m. on Sunday morning. Pay notices are issued to employees by email on the first Friday following the end of a pay period.

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Chapter 10 – Use of Personal Time, Vacation and Sick Time

10.1 Personal Time

Employees may take personal time subject to prior approval of a Supervisor. Subject to exigent circumstances, personal time may be taken at any time. Personal time shall not be used in increments of less than one-quarter hour.

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10.2 Vacation

Employees are required to provide their immediate Supervisor with ten (10) working days advance notice of their intent to use vacation time. If an employee fails to meet the advance notice timeframe, exigent circumstances shall be considered and the requested time may be approved, reduced or denied. Conflicts in the areas of multiple requests and minimum staffing will be resolved by seniority. Vacation time shall not be used in increments of less than one-quarter hour.

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10.3 Sick Time

The use of sick leave is limited to absence of an employee due to the employee's illness, disability, or injury or illness, disability, or injury of an employee's spouse, mother, father, children, domestic partner, or sibling, if the sibling resides in the employee's household.

When an absence is unplanned as a result of illness or an emergency, employees are to call or text their immediate Supervisor no later than 60 minutes prior to the start of their assigned shift. Supervisors shall provide each of the employees in their Unit/Division with the Supervisor's cell or home telephone number. When calling in, employees must speak directly to their immediate Supervisor. If the immediate Supervisor is not available, the employee is to notify another Supervisor of the reason for their absence. Employees are not to leave voice mail messages, nor are employees to leave word of absence with clerical staff or with other officers. In the event of notification by text, employees must receive confirmation of receipt from their Supervisor. Providing notice of absence other than by contacting supervisory personnel will be rejected and shall constitute a violation of policy.

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Deleted: While absent from work due to illness, if the employee leaves the confines of his/her home (to visit a doctor, or obtain medication), the employee is required to first notify their Supervisor of the absence. Upon returning from the approved destination, the employee is to notify the Supervisor by telephone. Once again, the employee must not leave a voice mail message, notify line-staff or leave a message with support clerical staff. The employee is to make direct contact with a their Supervisor or with the Assistant Director.

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It is the expectation of the Department that employees absent from work due to illness will be at home. Violations of this policy may subject the employee to disciplinary action.

An employee may be required to obtain a statement from a physician when their absence is due to illness, injury or other disability if the absence is continuous for a period exceeding three (3) working days. In situations where an employee is returning to work following surgery or an accident, a physician's statement certifying the employee's fitness to return to duty may be required, regardless of the length of absence.

Employees using sick time for medical appointments will be granted actual time for travel to/from those appointments. If time remains on the employee's assigned shift/work day following their appointment, the expectation is that the employee will return to work.

Employees choosing not to return to work following an appointment are to submit a request for use of appropriate benefit time (i.e., vacation, personal, or compensatory time).

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10.4 Unpaid Leave of Absence

Employees requesting time off for which they do not have sufficient accrued benefit time shall contact their immediate Supervisor and make a request for an Unpaid Leave of Absence (LOA). An Unpaid LOA may be granted for a short-term disability, or for reasons other than those covered by the Family & Medical Leave Act.

An employee requesting an Unpaid LOA for more than one shift shall first discuss the situation with their immediate Supervisor. Following that discussion, the employee will complete the Champaign County Employee Leave Request Form, which will then be submitted to the Director by the employee's Supervisor. If possible, the request should be submitted three (3) days prior to the requested Unpaid LOA. The Director will notify the employee of his decision regarding the request for Unpaid LOA and will also notify the Supervisor of Administrative Services for payroll purposes.

An employee requesting Unpaid LOA for less than one shift shall first discuss the situation with their immediate Supervisor. Following that discussion, the employee will submit a request for Unpaid LOA to the Director via email. The employee must note the reason for the request, the date for which s/he is requesting unpaid leave and the number of hours requested. The employee shall copy their immediate Supervisor on the email. The Director will notify the employee of his/her decision regarding the request for Unpaid LOA and will also notify the Supervisor of Administrative Services for payroll purposes.

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10.5 Benefit Slips

Whenever practicable, prior to using benefit time employees will complete a written request for use of benefit time on the form utilized by the Department. The employee will then submit the written request to his/her Supervisor. Upon approval of the request, the Supervisor will forward the completed benefit slip to the Supervisor of Administrative Services. To ensure proper accounting, Supervisors shall forward benefit slips to the Supervisor of Administrative Services prior to the end of the pay period in which the benefit time was taken, or as soon thereafter as possible. In the event that an employee is unable to complete a benefit slip prior to using benefit time, the employee will complete a benefit slip immediately upon their return to work.

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Chapter 11 – Safety and Health

11.1 Employee Safety

Employees of this Department may be required to complete tasks that place them in a position of danger. Employees should consider the risk involved in the task vs. the need to complete the assignment. Safety of employees is always our first concern. If an assignment is not completed based on safety issues, the employee should contact their Supervisor and explain the situation. All employees are required to attend an orientation session conducted by the Supervisor(s) and an Officer Safety Training Course provided by the Department.

11.2 Emergency Procedures

Employees at the Juvenile Detention Center should also refer to the Center's Emergency Response Manual for Emergency Procedures.

11.2.1 Fire Evacuation

Notice of evacuation in case of a fire is required in the interest of safety of all employees. In case of fire, fire alarm or notification of a fire, employees are required to leave the building immediately. If an employee is with a client or visitor, the employee is to assist the client or visitor in exiting the building. The staircase should be used, if possible. Use of the elevator should be avoided. Fire evacuation information is posted on each floor of the Department and is available from the Supervisor of Administrative Services.

Any person discovering a fire should:

- Pull the fire alarm.
- Evacuate the area.
- From a safe area Dial Extension #1608 Court Security, then call 9-1-1.
- State: "This is (your name) at (department, building, address, floor and office number). There is a fire." Provide additional details as requested.

Employees are directed to:

- Leave the building via the closest exit.
- Take the closest stairway.
- Assist clients and visitors in exiting the building.
- Report to the assigned assembly point.
 - The assembly point for the Probation Office is near the Center Court of Lincoln Square Mall.
 - The assembly point for the Juvenile Detention Center is defined in the Divisional Emergency Response Manual.
- Be accounted for by Department representative.
- Remain at the assembly point until released by Supervisor.

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11.2.2 Bomb Threats

Bomb threats may occur within the Department. The primary concern is the protection of staff and visitors in the building. The employee receiving the call should remain calm and attempt to get as much information as possible. Write down the information to include: the sex of the person making the call (if a determination can be made by voice), accent, if any, tone of voice (intoxicated sounding, hysterical or calm); and the exact words used. The Director or an available Supervisor should be contacted immediately. Evacuation of the building may be ordered during the process by the Director or by law enforcement personnel.

Bomb threats by Telephone:

- Take notes during the call. Record as much information as possible, including details of the caller and background noise.
- Have co-worker contact Court Security at Extension #1608 (or 9-1-1 for the Juvenile Detention Center).
- Do NOT interrupt or argue with caller.
- Try to identify time of detonation, bomb placement.

Bomb threats by Fax/E-Mail:

- Do not touch the computer or fax machine that received the threat.
- Contact Court Security at Extension #1608 (or 9-1-1 for the Juvenile Detention Center).
- Follow all instructions provided by Court Security or METCAD.

11.2.3 Tornado Warnings

Tornadoes are a very real possibility in Central Illinois. Employees should make themselves aware of the location of County shelters and procedures. Department staff should take charge of all clients and visitors in the building and direct them to safety.

Upon notification of a Tornado Warning, employees are to:

- Move to the designated shelter area.
 - The designated shelter area in the Probation Office is the Waiting Area.
 - The designated shelter area at the Juvenile Detention Center is defined in the Divisional Emergency Response Manual.
- Assist clients and visitors with moving to the designated shelter.
- Move well inside the designated shelter, remain quiet and listen to the National Weather Service Radio located in the shelter for weather updates.
- Remain in the shelter area until the tornado warning has expired or the National Weather Service has stated that the area is no longer threatened.
- When leaving the shelter area, be aware of possible dangers as a result of storm damage.

11.2.4 Personal Injury/Medical Emergency

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The person discovering the injury/medical emergency should:

- Call Court Security at Extension #1608 or call 9-1-1.
- State: "This is (your name) at (department, building, address, floor and office number). There is an injured person(s)."
- Describe what you are seeing.
- Provide additional details as requested.
- Have co-worker meet emergency responders at main entrance.

Automatic External Defibrillator:

- Automatic External Defibrillators (AEDs) are located on the first and third floors of the Courthouse.
- An AED is located in Master Control at the Juvenile Detention Center.
- If needed, call Court Security at Extension #1608 or call 9-1-1 to report a medical emergency.

Summary:

- Treat all medical situations as an emergency and call Court Security at Extension #1608 or call 9-1-1.
- Follow all safety protocols when dealing with bodily fluids that are not yours.
- Have someone guide emergency responders to the victim.

11.2.5 Active Shooter

Good practices for coping with an active shooter situation:

- Be aware of your environment for any possible dangers.
- Take note of the nearest two exits in any facility you visit.
- If you are in an office, stay there and secure the door.
- If you are in a hallway, get into a room and secure the door.
- As a last resort, attempt to take the active shooter down. When the shooter is at close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.
- CALL 9-1-1- WHEN IT IS SAFE TO DO SO.

How to respond when an active shooter is in your vicinity:

- Quickly determine the most reasonable way to protect your own life.
- If there is an accessible escape path, attempt to evacuate the premises.
- Be sure to:
 - Have an escape route and plan in mind.
 - Evacuate regardless of whether others agree or follow.
 - Leave your belongings behind.
 - Help others escape, if possible.
 - Prevent individuals from entering an area where the active shooter may be.

- Hide out if evacuation is not possible. Find a place to hide where the active shooter is less likely to find you. Your hiding place should:
 - Be out of the active shooter's view.
 - Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door).
 - Not trap you or restrict your options for movement.

- To prevent an active shooter from entering your hiding place:
 - Lock the door.
 - Blockade the door with heavy furniture.

- If the active shooter is nearby:
 - Lock the door.
 - Silence your cell phone.
 - Turn off any source of noise (i.e., radios, televisions).
 - Hide behind large items (i.e., cabinets, desks)
 - Remain quiet.

- If evacuation or hiding are not possible:
 - Remain calm.
 - Call 9-1-1, if possible, to alert police to the active shooter's location.
 - If you cannot speak, leave the line open and allow the dispatcher to listen.

- Take action against an active shooter as a last resort and only when your life is in imminent danger.
 - Attempt to disrupt and/or incapacitate the active shooter by:
 - Acting as aggressively as possible against him/her.
 - Throwing items and improvising weapons.
 - Yelling.
 - Committing to your actions.

- How to respond when law enforcement arrives:
 - Remain calm and follow officers' instructions.
 - Put down any items in your hands (i.e., bags, jackets)
 - Immediately raise your hands and spread your fingers.
 - Keep your hands visible at all times.
 - Avoid making quick movements toward officers such as holding onto them for safety.
 - Avoid pointing, screaming and or yelling.
 - Do not stop to ask officers for help or direction when evacuating – just proceed in the direction from which the officers are entering the premises.

11.2.6 Suspicious Letters/Packages

Signs of a suspicious letter/package:

- Oily, stained, may have an odor, poorly packaged, wrapped in twine or tape.
- Excessive postage, no return address, misspelled words.
- Peculiar delivery instructions.
- Envelopes that may be lumpy.
- If the item meets any of these criteria, do NOT disturb. Call Court Security at Extension #1608 or call 9-1-1.

If you receive or observe a suspicious letter or package:

- Do not handle any further.
- Move all persons out of the immediate area.
- Call Court Security at Extension #1608 or call 9-1-1.
- State: "This is (your name) at (department, building, address, floor and office number). There is a suspicious package/letter here."
- Describe what you are seeing.
- Provide additional details as requested.

11.2.7 Suspicious Person/Activity

Examples of a suspicious person/activity:

- Staying in the same place for a long time, in or out of a vehicle.
- Taking photos of security cameras, loading docks, entry and exit points, etc.
- Trying to conceal the use of a camera or video camera.
- Making notes, diagrams or sketches of an area.
- Attempting unauthorized access to facility areas.
- Asking unusual questions about or having a prolonged and unexplained interest in the facility, infrastructure, security, etc.

If you observe a suspicious person/activity:

- Get a description of the person and their activity.
- Call Court Security at Extension #1608 or call 9-1-1.
- State: "This is (your name) at (department, building, address, floor and office number). There is a suspicious person/activity."
- Describe what you are seeing.
- Provide additional details as requested.

Summary:

- A suspicious person or activity is anything that is out of the ordinary or that does not "appear" to be quite right, such as:
 - Package under a chair in a public area.
 - Someone placing a large device inside a trash receptacle.
 - Taking photos of a sensitive or secure area or security system.
 - Someone asking a lot of questions about security and safety protocols.

11.2.8 Closing of County Offices

In the event the Sheriff of Champaign County closes all County offices prior to the end of the normal work day, Probation Office staff should leave the building and proceed home as safely as possible. Should the weather become threatening and County offices are not officially closed, employees wishing to leave should make that request to their immediate Supervisor (see below for use of benefit time). Detention staff must follow the directions of the Superintendent or an Assistant Superintendent. Employees conducting field contacts should not place themselves at risk on snow covered roads and should discuss the situation with their Supervisor or the Director.

11.2.9 Hazardous Weather Policy

If a hazardous weather situation arises before the start of an employee's shift, the following procedure will be used:

An employee will not be required to forfeit a day's pay during times of natural disaster when, by order of the Sheriff, the County office building in which s/he works is closed.

If the County office building in which an employee works is not declared to be closed and the employee is unable to arrive at work, the employee may:

- Utilize accrued benefit time (i.e., vacation, personal or compensatory time),
- Have a day's salary deducted from his/her next paycheck.

If a hazardous weather situation arises after the start of an employee's shift, the employee's Supervisor may allow the employee to leave work early by appropriate use of benefit time and if consistent with office staffing requirements.

11.3 Accidents on County Property

Any accident which occurs on County property shall be immediately reported to the individual's Supervisor. The employee and his/her immediate Supervisor shall complete the appropriate paperwork and forward it to the Supervisor of Administrative Services for inclusion in Departmental records. The Supervisor of Administrative Services will then file the information with the appropriate County personnel, if applicable. Any visitor reportedly hurt on County property is to be directed to the County Board Office Administrative Services Department.

11.4 Accidents Involving Departmental/County Property

Any property of the Department or the County which is damaged or broken shall be reported to the individual's Supervisor. The employee and his/her immediate Supervisor shall complete the appropriate paperwork and forward it to the Supervisor of Administrative

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Services for inclusion in Departmental records. The Supervisor of Administrative Services will then file the information with the appropriate County personnel, if applicable.

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11.5 Vehicle Use Policy

The purpose of this policy is to ensure that the vehicles owned by the Department are well maintained and kept in good operating condition and to ensure that officers using the vehicles are aware of their responsibilities for the care and condition of the vehicles.

Departmental vehicles are available to all officers for official business. This may include transporting detained minors to/from the Juvenile Detention Center, conducting home visits and curfew checks, meeting clients at schools or elsewhere in the community, completing employment checks, and attending meetings or approved trainings. Officers are to refrain from conducting personal business while using Departmental vehicles.

When transporting detained minors to/from the Juvenile Detention Center, officers should, whenever possible, utilize a Departmental vehicle equipped with a security screen.

Departmental vehicles are available to all officers on a first-come basis and must be signed out using the designated sign out form. Vehicles may be reserved for out-of-town trips the night before a scheduled trip. It is the officer's responsibility to return the key following use of a Departmental vehicle.

The officer signing out a vehicle is responsible for inspecting the vehicle before leaving the parking area. Any damage, operational or cleanliness issues should be immediately reported to a Supervisor. Supervisors and the Public Service Work Coordinator will coordinate inspection of all vehicles to ensure cleanliness and to maintain the operating condition of the vehicles.

The officer who last signed out a vehicle for use shall be responsible for all damage or issues with cleanliness. If a vehicle is accepted in a damaged or unacceptable condition, the officer/driver assumes responsibility. The excuse that a vehicle was damaged or in an unacceptable condition when signed out will not be allowed unless the damage or condition was reported to a Supervisor in advance.

If during the inspection process or operation of a vehicle an officer becomes aware of damage or an operational issue, the officer shall report the issue to their Supervisor immediately. The Supervisor will then assume responsibility for ensuring that the vehicle is repaired, serviced, or taken out of service, if necessary.

Officers who intentionally damage a Departmental vehicle or fail to follow policies/procedures on the use of vehicles are subject to Departmental discipline.

11.6 Accidents While Driving Departmental Vehicles

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Officers should have a complete understanding of the requirements of Illinois Revised Statutes Chapter 625, Sections 5/11-401, 5/11-402, 5/11-403, 5/11-404, 5/11-406, 5/11-407, 5/11-408, 5/11-409, 5/11-410, 5/11-411 and 5/11-412. Any violation of the above legal requirements will be considered "severe misconduct" and Departmental discipline may be imposed, to include termination of employment.

In case of an accident, employees shall immediately check for injuries and render aid, if needed. A police report must be completed immediately. Employees shall provide required information to police and others involved. NO ADMISSIONS of guilt should be made at the scene. After leaving the accident scene, the officer shall write notes as to what occurred. These notes should be complete enough from which to write a total account of the accident. DO NOT WRITE ON THE FORMS PROVIDED. If you wish to use the forms, make copies. The next work day, the officer and Supervisor will complete the forms and return them to the Supervisor of Administrative Services. The Supervisor of Administrative Services will then file the information with the appropriate County personnel.

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11.7 Use of Emergency Lights in Departmental Vehicles

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Red emergency lights in Departmental vehicles will be used only for the following reasons:

- As a warning to other vehicles on the roadway in case of a traffic accident
- As a request for the right of way when proceeding to a call for assistance by a police department

When using red emergency lights, ALL TRAFFIC LAWS MUST BE FOLLOWED; this includes traffic signals, stop signs, speed limits and any other traffic regulation signs posted.

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Red emergency lights WILL NOT be used for the purpose of conducting traffic stops.

11.8 Assisting Police Officers

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In the event a Probation Officer is requested to assist a police officer, the individual officer should comply, if possible. Probation Officers should carefully consider each situation, the officer's physical ability and Departmental regulations.

11.9 Unauthorized Persons in Departmental/County Vehicles

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Only employees of the Department/County (full- or part-time employees) are permitted to operate a Departmental vehicle. Employees may allow individuals in custody, interns, Court or police personnel, County employees or other individuals on official business to be passengers in the vehicles.

The Director of Court Services may permit other individuals to be present in a County-owned vehicle; however, this authorization must be obtained prior to an individual being present in the County-owned vehicle.

11.10 Hostage Situation

Any employee who learns of a hostage situation is to notify immediately the appropriate law enforcement agency of jurisdiction.

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11.11 Employee Death Threats

Any employee who receives a "death threat" is to notify immediately the appropriate law enforcement agency of jurisdiction. If practical, the employee's immediate Supervisor is to be contacted prior to the employee notifying law enforcement. If advance notice is not practical, the employee should contact their immediate Supervisor as soon thereafter as possible and apprise them of the situation.

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11.12 Employee as Witness to Incident

An employee that may be a witness to an incident involving injury requiring medical treatment or a witness to an incident where a death occurs shall assist in ensuring that appropriate medical/law enforcement personnel are notified and the employee shall check for injuries and render aid, if practical. Upon contact with the appropriate authorities, the employee shall cooperate with the investigation of the incident.

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11.13 Employee as Victim of an Offense

If an employee of the Department, while in the performance of their duties, is a victim of an offense (i.e., burglary, assault, aggravated battery, etc.), the employee should first seek appropriate medical attention, if necessary, and then contact the law enforcement agency of jurisdiction. The employee should contact their immediate Supervisor as soon as possible and apprise them of the situation. The Supervisor will assist the employee in completing the appropriate paperwork to satisfy all Departmental/County incident reporting requirements.

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11.14 Employee Confrontation with Probationer/Public

If an employee of the Department is involved in a confrontation with a client or a member of the public, the employee must be cognizant of all rules and regulations of the Department regarding conduct, professionalism, and ethics. The employee must also keep in mind his/her personal safety and approach/handle the situation to ensure that safety.

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11.15 Employee Contact While in Field

In all situations involving employees of the Department, safety of the employee is the governing factor. The Department provides equipment (cell phones, radios, etc.) to assist employees in maintaining contact with the Department in any type of duty assignment.

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Supervisors will determine appropriate schedules whereby employees will maintain contact with the Department on a regular basis throughout the employee's shift and employees are encouraged to use the available communication equipment to report their location. At minimum, employees participating in any type of field work will maintain contact with the Department every three (3) hours.

All reports of incidents regarding Departmental/County property damage or personal injury sustained during employment will be forwarded to the Director and maintained in a Departmental "incident reporting" file.

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Chapter 12 – Medical Files/Bloodborne Pathogens

12.1 Medical Files

Medical information on employees of the Champaign County Probation & Court Services Department shall be maintained in accordance with County and Department policy by the Supervisor of Administrative Services. The files shall be kept separate from the standard personnel files and shall contain the employee's psychological evaluation(s), if applicable; results of pre-employment physical examination and drug testing, if applicable; classification information on each individual and the procedure used in the classification process; verification of all vaccinations or refusals; verification of completed Bloodborne Pathogen training; and any information related to mental/emotional or substance abuse counseling, including results of drug testing.

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12.2 Protection Against Occupational Exposure to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV)

The Champaign County Probation & Court Services Department is committed to maintaining an environment for all workers free from exposure to blood-borne infection. To maintain such an environment, it is essential to implement effective measures of protection. Staff must be trained in proper procedures and the workplace must be monitored to ensure procedures are routinely followed.

It is essential for employees to be fully aware of the reasons for the preventative measures used. Staff may incorrectly interpret the work practices and protective equipment as signifying that a task is unsafe. Training and orientation materials will be designed to prevent these incorrect interpretations.

The Superintendent of Juvenile Detention shall act as the Exposure Control Officer (ECO) for the Department. The ECO is responsible for evaluating working conditions and specific tasks that workers are expected to encounter as a consequence of employment. The ECO will designate each task as falling into one of three (3) categories of potential exposure:

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12.2.1 Category I

All procedures or other job-related tasks that involve an inherent potential for mucous membrane or skin contact with blood, body fluids or tissues, or a potential for spills or splashes of them, are Category I tasks. Use of appropriate protective measures are required for every employee engaged in Category I tasks (e.g., High Risk Officers in the Adult and Juvenile Probation Divisions, the Specialized Drug Probation Officer, full-time Detention personnel, and Transportation Drivers).

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12.2.2 Category II

The normal work routine involves no exposure to blood, body fluids or tissues, but exposure may be required as a condition of employment. Appropriate protective measures are available to every employee engaged in Category II tasks (e.g., the Director, the Supervisors of Adult and Juvenile Probation Services, all Standard Adult and Juvenile Probation Officers, and the Public Service Work Coordinator).

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12.2.3 Category III

The normal work routine involves no exposure to blood, body fluids or tissues (although situations can be imagined or hypothesized under which anyone, anywhere might encounter potential exposure to blood, body fluids or tissues). Persons who perform these duties are not called upon as part of their employment to perform or assist in emergency medical care or first aid or to be potentially exposed in some other way. Tasks that involve handling of implements or utensils, use of public or shared restroom facilities or telephones, and personal contacts such as handshaking are Category III tasks (e.g., the Supervisor of Administrative Services and support staff, including part-time Master Control personnel at the Juvenile Detention Center).

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The ECO will review all job descriptions and assign each staff position to one of the above categories based on the tasks required by the particular position. The Director of Court Services will review the assignments and the rationale.

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The ECO will develop Standard Operating Procedures (SOPs) for each task, and will routinely monitor the workplace to ensure that procedures are followed. SOPs for each task will detail the proper use of protective equipment and the appropriate procedures to protect both staff and clients from potential exposure. SOPs will provide guidance on procedures to follow in the event of spills or personal exposure to body fluids or tissues.

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Universal Precautions will be observed at all times. All employees of the Champaign County Probation & Court Services Department, within ten (10) working days of employment, will receive training in Universal Precautions and SOPs for Performing Category I and Category II tasks. It shall be the responsibility of the employee's immediate Supervisor to ensure that all required training is provided and completed within the specified time limits.

The training will ensure that all staff:

- Understand the modes of transmission of HBV and HIV.
- Can recognize and differentiate between Category I and Category II tasks.
- Know the types of equipment and protective clothing generally appropriate for Category I and Category II tasks and understand the basis for selection of clothing and equipment.

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- Are familiar with appropriate actions to take and persons to contact if unplanned Category I tasks are encountered.
- Are familiar with and understand all the requirements for work practices and protective equipment specified in SOPs covering the tasks they perform.
- Know where protective clothing and equipment are kept, how to use them properly and how to remove, handle, decontaminate and dispose of contaminated clothing or equipment.
- Know and understand the limitations of protective clothing and equipment. For example, ordinary gloves offer no protection against needlestick injuries. Supervisors and employees should be on guard against a sense of security not warranted by the protective equipment being used.
- Know the corrective actions to take in the event of spills or personal exposure to blood, body fluids or tissues, the appropriate reporting procedures and the medical monitoring recommended in cases of suspected parenteral exposure.

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The Champaign County Probation & Court Services Department will provide, at no cost to employees, the following:

- Voluntary HBV immunization for all workers whose employment requires them to perform Category I tasks,
- Voluntary immunization for all other employees who request the same. Such request shall be made in writing to the employee's immediate Supervisor.
- At the request of the employee, monitoring for HBV and HIV antibodies following known or suspected parenteral exposure to blood, body fluids or tissues. The results of these tests will be confidential.
- Medical counseling for all workers found, as a result of the monitoring described above, to be seropositive for HBV or HIV.

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The employee's immediate Supervisor shall be responsible for ensuring that the immunization procedures are explained to the new employee and that the required records are provided to the Supervisor of Administrative Services for filing in the employee's medical file. Employees do have the opportunity to decline such immunization provided the appropriate declination forms are completed.

Deleted: Chief Administrative Probation Officer

The Champaign County Probation & Court Services Department will retain records of the procedures used to classify job tasks, copies of all SOPs for Category I and Category II tasks, training records and records of workplace monitoring.

The ECO, the Director of Court Services and the Supervisor responsible for the area in which an incident occurs will investigate and report on conditions associated with any incident of mucous membrane or parenteral exposure to blood, body fluids or tissue. The immediate Supervisor will ensure that all appropriate incident reporting forms are completed and forwarded to the Supervisor of Administrative Services for inclusion in the medical file and investigation, if applicable. The ECO will recommend to the Director corrective measures to prevent a recurrence or similar exposure; this recommendation will be by written report.

Chapter 13 – Training

13.1 Basic and Ongoing Training Requirements

New employees will be provided with a period of orientation and training so that they can acquire the knowledge and skills necessary in the performance of their job duties. In addition, all newly hired officers of the Champaign County Probation & Court Services Department shall complete the required basic training according to duty assignment (Juvenile Probation, Adult Probation, and Juvenile Detention). For each subsequent year, Probation Officers are to attend (and provide attendance documentation) a minimum of 20 hours of training. Training options may be presented to supervisory personnel by line-staff. Supervisors are to review training requests from line-staff and forward those requests to the Director. The Director will determine whether the training meets the needs of the employee and the Department. All attendance at training must be documented in the employee's training records, which are maintained in the Departmental training database or the Relias Learning System.

Detention Officers are to complete a minimum of 40 hours of documented training per year. In addition to the 40-hour Basic Training course required by the Administrative Office of the Illinois Courts, specialized training may also be required. Examples of specialized training include First Aid, CPR, etc.

13.2 Training Attendance and Presentations

Employees scheduled to attend any training session, workshop or conference shall arrive on time and remain in attendance throughout the session(s). When attending training, employees are reminded that they represent the Department. Upon returning from a training program, all officers shall supply copies of any handout materials to their immediate Supervisor. The Supervisor may require the employee to present a summary of the training information at a staff meeting. The Supervisor of each Division/Unit shall decide if additional dissemination of materials is necessary or desirable. Employees are encouraged to save all written materials from training sessions to assist them in presentations of training materials.

13.3 Maintenance of Training Records

Supervisors are responsible for maintaining and updating the training records of the employees under their supervision, utilizing the training records system employed by the Department. As employees complete training sessions, Supervisors will update the Department's training database or the Relias Learning System as appropriate. These training records are available for each employee to view and obtain printed copies. The Department does not maintain paper copies of certificates, training completion, etc. All training information will be maintained in the Department's training database or the Relias Learning System. Only the employee, Supervisors, and the Director are permitted access to an individual employee's training records.

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Chapter 14 – Use of Force, Weapons, Investigations

14.1 Definitions

The following definitions apply to this Chapter 14 – Use of Force, Weapons, Investigations. Officers should pay special attention to bolded and italicized terms, which are terms of art having specific meanings as defined here.

- A. **Officer:** Sworn officer belonging to the Champaign County Probation & Court Services Department, and any person whom the Officer has summoned or directed to assist such Officer.¹
- B. **Force:** An Officer's effort, in performance of official duties, to compel compliance from another individual by means of physical contact, either directly or through the use of equipment such as chemical agents and weapons.²
- C. **Deadly Force:** Any use of force that creates a substantial risk of causing death or *great bodily harm*. Deadly force includes, but is not limited to, the discharge of a firearm in the direction of a person, a chokehold, and restraint above the shoulders with risk of positional asphyxiation.³
 - i. **Chokehold:** Any application of direct pressure to the throat, windpipe, or airway of another. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air such as a headlock where the only pressure applied is to the head.⁴
 - ii. **Restraint above the shoulders with risk of positional asphyxiation:** A technique used to restrain a person above the shoulders, including the neck or

¹ See generally, 720 ILCS 5/7 (repeatedly mentioning officers deputizing citizens).

² There is no single, universally agreed-upon definition of use of force. The International Association of Chiefs of Police has described use of force as the "amount of effort required by police to compel compliance by an unwilling subject." National Institute of Justice, citing International Association of the Chiefs of Police, *Police Use of Force in America*, 2001, Alexandria, Virginia (<https://nij.ojp.gov/topics/articles/overview-police-use-force#note1>, last accessed 5/24/2021).

An officer's goal is to regain control as soon as possible while protecting the community. Use of force is an officer's last option — a necessary course of action to restore safety in a community when other practices are ineffective. National Institute of Justice (id.).

³ 720 ILCS 5/7-5(h)(1); 720 ILCS 5/7-5.5(a).

⁴ 720 ILCS 5/7-5.5(e).

head, in a position which interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person.⁵

iii. Discharge of a firearm: The firing of a firearm in the direction of a person or in the direction of a vehicle in which a person is riding, regardless of the Officer's intent.⁶

D. Great Bodily Harm: Bodily injury which causes a substantial risk of death, causes disfigurement, causes permanent disability, or causes protracted loss or impairment of the function of any part or organ of the body.⁷

E. Active Resistance: The subject is taking affirmative physical action to defeat the Officer's ability to effect the arrest or maintain custody of the subject.⁸

F. Imminent: The present ability, opportunity, and apparent intent to immediately take an action or cause harm. Whether a threat is "imminent" depends on the *totality of the circumstances* and what a reasonable officer in the same situation would believe. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be confronted and addressed.⁹

G. Totality of the Circumstances: All facts known to the Officer on the scene or that would be known to a reasonable officer in the same situation.¹⁰

Examples of relevant facts include: the conduct of the Officer and the subject leading up to the use of force, the need for force and the amount of force used, the Officer's efforts to temper or limit the amount of force needed or used,

⁵ 720 ILCS 5-7-5.3(d).

⁶ 720 ILCS 5-7-8.

⁷ "The term 'great bodily harm' is not susceptible to a precise legal definition. It turns squarely upon the extent of the harm inflicted. Great bodily harm requires harm greater or more serious than the bodily harm needed to satisfy an ordinary battery. In *People v. Mays*, 437 N.E.2d 633, 635-36 (Ill. 1982), our supreme court defined the bodily harm needed to satisfy an ordinary battery as 'some sort of physical pain or damage to the body, like lacerations, bruises or abrasions, whether temporary or permanent'. Because great bodily harm requires harm greater or more serious than the bodily harm needed to satisfy an ordinary battery, simple logic dictates that the [harm] must be more severe than that set out in the *Mays* definition. Ultimately, the issue of whether the harm inflicted upon a victim rises to the level of great bodily harm is a question for the trier of fact."

People v. Wilson, 2021 IL App (4th) 190843-U, *75, 2021 Ill. App. Unpub. LEXIS 245, *36-37.

⁸ See, e.g., New Orleans Police Department Operation Manual, Chapter 1.3

(<https://www.nola.gov/getattachment/NOPD/NOPD-Consent-Decree-Chapter-1-3-Use-of-Force.pdf>) (last accessed May 20, 2021); Albuquerque Police Department Procedural Orders, 2-55 Use of Force Appendix (<https://www.cabq.gov/police/documents/2-53-use-of-force-definitions-draft-packet.pdf>) (last accessed May 20, 2021).

⁹ 720 ILCS 5-7-5(h)(2).

¹⁰ 720 ILCS 5-7-5(h)(3).

whether the subject is resisting arrest or attempting to evade arrest by fleeing, and the threat to self or others that the Officer *reasonably believes* is present.¹¹

II. Reasonable Belief: The Officer's *objectively reasonable* perception, based on the *totality of the circumstances* known to or perceived by the Officer at the time of the decision, rather than with the benefit of hindsight. *The totality of the circumstances* shall account for occasions when Officers may be forced to make quick judgments about the use of force.¹²

I. Objectively Reasonable: Reasonable from the perspective of a reasonable officer facing the same totality of the circumstances on the scene that the Officer faced on the scene.¹³

14.2 Use of Force Guiding Principles

The authority to use force to accomplish lawful objectives is a serious responsibility that Officers shall exercise judiciously and with respect for human rights and dignity, and for the sanctity of every human life.¹⁴

Officers are justified in using only that force which is *objectively reasonable* necessary to accomplish lawful objectives. All use of force must conform to the statutes of the State of Illinois as outlined in Illinois Criminal Law and Procedures (720 ILCS 5/7 et seq.) and to federal constitutional and statutory laws.

Officers' authority to use force is limited in scope to their statutory authority as Probation Officers, and to their authority when deputized by peace officers. Officers may, anywhere within the State, arrest any probationer who is in violation of any of the conditions of his or her probation, conditional discharge, or supervision. It is the duty of the Officer making the arrest to take the probationer before the Court having jurisdiction over the probationer for further order.¹⁵

¹¹ See Graham v. Connor, 490 U.S. 386, 396 (1989); 7th Circuit Pattern Jury Instructions 7.10.

¹² See 720 ILCS 5-7-5(f).

¹³ See 720 ILCS 5-7-5(f); Graham v. Connor, 490 U.S. 386, 396-397 (1989); Thompson v. City of Chicago, 472 F.3d 444, 455 (7th Cir. 1996). "What constitutes "reasonableness" with regard to an officer's actions in apprehending a suspect under the Fourth Amendment is not capable of precise definition or mechanical application but requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. This calculus of reasonableness must allow for the fact that police officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving about the amount of force that is necessary in a particular situation."); see also 7th Circuit Pattern Jury Instructions 7.10 & 7.11(4).

¹⁴ 720 ILCS 5-7-5(c); see also 720 ILCS 5-7-5(e).

¹⁵ 730 ILCS 110/15(12).

Officers will not use unnecessary force when making an arrest or when dealing with a probationer or any other person. The use of unnecessary or excessive force will result in discipline, up to and including termination and cooperation with civil authorities in the prosecution of criminal activity.

14.3 Use of Force Specific Policies

14.3.1 General

An Officer is justified in the use of force against another when and to the extent the Officer *reasonably believes* that the use of force is necessary to defend himself or another against such other's *imminent* use of unlawful force.¹⁶

Stated differently, an Officer's use of force must be proportional, *objectively reasonable*, and necessary.¹⁷

In determining the appropriate level of force, Officers should apply the levels of force under the Department's trained use of force continuum along with the following three-factor test:

1. How serious is the offense the Officer *reasonably believes* has occurred or *reasonably believes* is occurring at the time the particular force is used?
2. What is the physical threat to the Officer or others?
3. Is the subject *actively resisting* or attempting to evade arrest by flight or does the subject pose a threat of *imminently* inflicting *great bodily harm* to the Officer or to other persons?

14.3.2 Deadly Force

Deadly force is justified only when reasonably necessary in defense of human life.¹⁸ Thus an Officer is justified in the use of *deadly force* only if the Officer *reasonably believes* that *deadly force* is necessary to prevent *imminent* death or *great bodily harm* to himself or to another.¹⁹ Specific applications of this guiding principle to the situations of arrest and preventing escape are outlined below.

¹⁶ 720 ILCS 5/7-1(a).

¹⁷ Compare Chicago Police Department, *General Order G03-02, III* (<http://directives.chicagopolice.org/directives/data/a7a57be2-128ff3f0-ae912-8fff-44306f3da7b2%a19.pdf?hl=true>) (last accessed May 20, 2021).

¹⁸ 720 ILCS 5/7-5(d).

¹⁹ 720 ILCS 5/7-11(a). The statute allows for deadly force in response to the commission of a forcible felony; however, the new revisions to 720 ILCS 5/7 seem to intend that officers not use deadly force for any old forcible felony. Rather, deadly force may only be used when life is actually threatened.

Exhaustion of non-deadly options: Officers must evaluate each situation in light of its own particular circumstances and must use resources and techniques other than *deadly force* if such resources and techniques are available, reasonably safe, and feasible to a reasonable officer.²⁰

The use of *deadly force* is prohibited when there is no longer an *imminent* threat of *great bodily harm* to the Officer or to another.²¹

14.3.3 De-Escalation

Once it is *objectively reasonable* that the subject's *active resistance* has ceased and that the Officer has *gained control* of the subject, the Officer is no longer authorized to use force.²²

Where feasible, an Officer should take extra care to de-escalate or otherwise avoid using force when dealing with a person who the Officer *reasonably believes* to have physical, mental health, developmental, or intellectual disabilities, because such persons are more likely to have impaired ability to understand or comply with the Officer's commands.²³

14.3.4 Prohibited Uses of Force

- A. An Officer shall not use a *chokehold* or *restraint above the shoulders with risk of positional asphyxiation*, or any lesser contact with the throat or neck area of another, in order to prevent *the destruction of evidence by ingestion*.²⁴
- B. An Officer shall not use force as *punishment or retaliation*.²⁵
- C. An Officer shall not discharge kinetic impact projectiles or any other non- or less-lethal projectiles in a manner that targets the head, neck, groin, anterior pelvis, or back.²⁶

²⁰ 720 ILCS 5-7-5(d).

²¹ 720 ILCS 5-7-5(a).

²² *Johnson v. Scott*, 576 F.3d 658, 660 (7th Cir. 2009) (It is well established that a police officer may not continue to use force against a suspect who is subdued and complying with the officer's orders. But that principle depends critically on the fact that the suspect is indeed subdued. Here, Scott had no idea how Johnson was going to behave once he was cornered. No law that we know of required Scott to take Johnson's apparent surrender at face value, a split second after Johnson stopped running.); see also *Alicia v. Thomas*, 815 F.3d 283, 288-289 (7th Cir. 2016).

²³ 720 ILCS 5-7-5(g).

²⁴ 720 ILCS 5-7-5.5(b).

²⁵ 720 ILCS 5-7-5.5(e)(i).

²⁶ 720 ILCS 5-7-5.5(e)(ii).

- D. An Officer shall not discharge firearms or kinetic impact projectiles indiscriminately into a crowd.²⁷
- E. An Officer shall not use chemical agents or irritants, including pepper spray and tear gas, prior to issuing an order to disperse in a sufficient manner to ensure the order is heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order.²⁸
- F. Preventing Self-Harm: An Officer shall not use *deadly force* against a person based on the danger that the person poses to himself or herself, unless a reasonable officer would believe the person poses an *imminent* threat of death or *great bodily harm* to the Officer or another person.²⁹
- G. Property Offenses: An Officer shall not use *deadly force* against a person who is suspected of committing a property offense, unless that offense is terrorism or unless *deadly force* is otherwise authorized by law.³⁰

14.3.5 Effecting Arrest

- A. An Officer is justified in the use of any force, other than *deadly force*, which the Officer *reasonably believes*, based on the *totality of the circumstances*, to be necessary.³¹
 - i. To effect the arrest, OR
 - ii. To defend such Officer or another person from bodily harm while making the arrest.
- B. An Officer need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. However, the Officer should consider the options of tactical repositioning or other de-escalation tactics.³²
- C. When effecting arrest, an Officer is justified in using *deadly force* only when:³³

²⁷ 720 ILCS 5-7-5.5(e)(iii).

²⁸ 720 ILCS 5-7-5.5(e)(iv).

²⁹ 720 ILCS 5-7-5(a-10).

³⁰ 720 ILCS 5-7-5(a-15).

³¹ 720 ILCS 5-7-5(a).

³² 720 ILCS 5-7-5(a); see also 720 ILCS 5-7-7.

³³ 720 ILCS 5-7-5(a).

- i. Direct encounter: The Officer *reasonably believes*, based on the *totality of the circumstances*, that *deadly force* is necessary to prevent death or *great bodily harm* to the Officer or another person; OR
- ii. Fleeing subject: The Officer *reasonably believes*, based on the *totality of the circumstances*, that *deadly force* is necessary to prevent the arrest from being defeated by resistance or escape AND *reasonably believes*, based on the *totality of the circumstances*, the following:
 - a. the person to be arrested is likely to cause *great bodily harm* to another; AND
 - b. One of the following is true:
 - 1. The person to be arrested committed or attempted a forcible felony which involves the infliction or threatened infliction of *great bodily harm*; OR
 - 2. The person to be arrested is attempting to escape by use of a deadly weapon; OR
 - 3. The person to be arrested otherwise indicates that he will endanger human life or inflict *great bodily harm* unless arrested without delay.

D. Identification and Warning: Where feasible, before using any force an Officer shall make reasonable efforts to identify himself or herself as an Officer and to warn that *deadly force* may be used, unless the Officer *reasonably believes* that the person to be arrested is aware of those facts.³⁴

E. An Officer making an arrest pursuant to an invalid warrant is justified in the use of any force which s/he would be justified in using if the warrant were valid, unless the Officer knows that the warrant is invalid.³⁵

14.3.6 Preventing Escape³⁶

A. An Officer who has an arrested person in custody may use force – except *deadly force* – to prevent the arrested person’s escape from custody as the Officer would be justified in using if the Officer were arresting such person.

B. An Officer is justified in the use of force – except *deadly force* – which the Officer *reasonably believes* to be necessary to prevent the escape from a penal institution of a person whom the Officer *reasonably believes* to be lawfully detained in such

³⁴ 720 ILCS 5-7-5(a-5).

³⁵ 720 ILCS 5-7-5(b).

³⁶ 720 ILCS 5-7-9.

institution under sentence for an offense or awaiting trial or commitment for an offense.

- C. Deadly force shall not be used to prevent escape from custody or a penal institution unless, based on the totality of the circumstances, deadly force is necessary to prevent death or great bodily harm to the Officer or another person.

14.4 Officers' Duties In Use of Force Situations

14.4.1 Duty to Render Medical Aid

- A. All Officers must, as soon as reasonably practical, determine if a person is injured, whether as a result of a use of force or otherwise, and render medical aid and assistance consistent with training and request emergency medical assistance if necessary.³⁷
- B. "Render medical aid and assistance" includes, but is not limited to, (i) performing emergency life-saving procedures such as cardiopulmonary resuscitation or the administration of an automated external defibrillator; and (ii) the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical treatment if it is apparent that treatment is necessary, or if such carrying is requested by the injured person.³⁸
- C. The Officer's decisions regarding medical aid must be objectively reasonable.³⁹ An Officer does not violate this duty if the failure to render aid is due to circumstances such as lack of appropriate specialized training, lack of resources or equipment, or both, or if it is unsafe or impracticable to render aid.⁴⁰

14.4.2 Duty to Intervene

- A. An Officer has an affirmative duty, without regard for chain of command, to prevent or stop another peace officer in the Officer's presence from using any unauthorized force or force that exceeds the degree of force permitted, if any.⁴¹
- B. The duty to intervene applies when the Officer has a realistic opportunity to do something to intervene.⁴²

³⁷ 720 ILCS 5-7-15.

³⁸ 720 ILCS 5-7-15.

³⁹ 7th Circuit Pattern Jury Instruction 7.11(4).

⁴⁰ 20 ILCS 2610/12.7(a), 50 ILCS 705/6.3(a).

⁴¹ 720 ILCS 5-7-16.

⁴² 20 ILCS 2610/12.7(a), 50 ILCS 705/6.3(a); 7th Circuit Pattern Jury Instruction 7.22(3).

- C. The Officer's decisions regarding whether to intervene must be *objectively reasonable*, which requires the Officer to take reasonable steps, under the *totality of the circumstances*, to prevent harm from occurring.⁴³
- D. An Officer who intervenes shall report the intervention to the Director of Court Services. The report must include the date, time, and place of the occurrence, the identity, if known, and description of the participants, and a description of the intervention actions taken and whether they were successful. The report must be submitted within five (5) calendar days after the incident.⁴⁴
- E. No member of this Department shall discipline or retaliate in any way against an Officer for intervening as required by the law and this policy, or for reporting unconstitutional or unlawful conduct, or for failing to follow what the Officer reasonably believes is an unconstitutional or unlawful directive.⁴⁵

14.5 Weapons

14.5.1 Chemical Sprays

Officers may carry a non-flammable base Oleoresin Capsicum (OC) for humans only while in the performance of their duties. Said chemical agent is not to exceed 10% solution. Officers may elect to carry the stream, mist or foam spray. Officers shall be trained in the use of chemical agents before being authorized to carry or use these agents. All deployments must be consistent with Departmental use of force training and policy.

- A. Chemical spray may only be used if the subject is *actively resisting*. Chemical spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant.
- B. Chemical spray shall never be used as a punitive or retaliatory measure.
- C. Officers should never spray from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should never spray directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter) unless *deadly force* would be justified.
- D. Officers shall consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.

⁴³ 7th Circuit Pattern Jury Instruction 7.22(4).

⁴⁴ 720 ILCS 5.7-16(b).

⁴⁵ 720 ILCS 5.7-16(c).

- E. Officers shall consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated (temporarily) from the location.
- F. Once control is gained, Officers should immediately provide for the decontamination of the subject.
- G. If the person shows any signs of physical distress or does not recover in a reasonable amount of time, Officers should immediately direct an emergency medical response and render first-aid to the degree for which they are trained.

14.5.2 Control Instruments

Officers may elect to carry a "Kubaton" while in the performance of their duties. The Department authorizes a Kubaton made of plastic material, no more than six (6) inches in length. Officers shall be trained in the use of control instruments before being authorized to carry or use these instruments.

14.5.3 Impact Weapons

Officers may carry impact weapons while in the performance of their duties. The Department authorizes the use of a collapsible baton. The baton will be of an approved manufacture, either 16 or 21 inches in length. Officers must participate in and pass an authorized course before carrying or using an impact weapon.

- A. Impact weapons may be utilized in cases where the Officer *reasonably believes* the use of this weapon is necessary to bring the event under control.
- B. Examples would be where other options have been utilized and failed or where, based on the Officer's *reasonable belief*, the other options would not be successful in bringing the event to a successful conclusion.
- C. Officers shall not intentionally strike a person with an impact weapon where it would create a substantial likelihood of causing *great bodily harm* or death, unless the use of *deadly force* would be justified.

14.5.4 Unauthorized Weapons

Officers shall not carry or use any unauthorized weapons; only weapons specifically authorized in this policy may be carried or used. The following weapons are not authorized for possession/use by Court Services Officers:

- Flat saps or slappers.
- Pocket Billy-round with leather covering a spring or lead weight.
- Pouch or buck knives are prohibited from being carried on a belt.

➤ Weighted or sap gloves.

14.6 Emergency Situations

In an emergency situation, Officers are authorized to use any available weapon for self-defense or the defense of another person. The level of force used must be consistent with law and Departmental policy. This statement does not authorize the carrying of any firearm for duty that is not approved and listed in the Firearms Policy (Chapter 15).

14.7 Employee Assistance Program

Employees are advised that the Employee Assistance Program is available for consultation in the event that the employee is involved in a violent confrontation. The EAP can be contacted at 1-877-EAP-9002.

14.8 Use of Force Model

THE ‘USE OF FORCE MODEL’ ADOPTED BY THE DEPARTMENT IS ATTACHED TO THIS MANUAL AS APPENDIX C AND SHOULD BE REFERENCED AS OFFICERS READ THE FOLLOWING SECTIONS.

Considering an Officer’s available alternative control modes, line BC in the attached Use of Force Model represents means of establishing control, not in the order of frequency of occurrence or chronology, but in the order of intensity and severity within each category. As line BC progresses from point B to point C, the chance of establishing control of a subject increases, but so does the chance of bodily harm to the subject.

14.8.1 Social Control

1. Presence

Mere presence is a form of control. “Presence,” as we use it, primarily means the Officer as a personification of legal authority, and secondarily, the degree of intimidation caused by imposing physical stature. The component of “officer presence” may, at any place in the continuum, suddenly cause the subject to come to the realization that he should abandon his resistance or assault. However, the higher the intensity of the initial resistance or attack, the less likely this will occur.

2. Verbal Direction

The next category of control is verbal direction, which may range from “Please” to “Stop or I’ll shoot.” Verbal direction (advice, persuasion, and warning) may take hold of the subject’s intent at any place within the resistance/attack continuum. However, the more intense the subject’s resistance, the less probable that words alone will suffice, unless there is time to establish dialogue.

Presence and verbal direction can and should be used with higher level controls, when higher level controls are necessary. Verbal direction is an element of physical control procedures.

14.8.2 Weaponless Control

When words do not control, and lethal force is not appropriate, weaponless control is available to fill in the gap. In this model, weaponless control has been divided into three (3) categories from the least probability of control and least injurious to the greatest probability of control but with the greatest possibility of bodily harm to the subject.

3. Pressure/Pain Holds

These techniques consist of the application of non-impact pressure to pain receptors. This pressure causes control, establishing an overwhelming desire in the subject to find relief from the pain, either by cessation of all resistance (multi-directional holding) or by propelling him/herself in the direction of relief allowed by the Officer (single directional pressure). However, the outcome of the use of pressure pain/holds (i.e., wristlocks or pressure-sensitive areas of the body) is not always predictable. Characteristics of Pressure/Pain holds are:

- Good for passive resisters
- Low probability of harm to subject
- Easily elevated to higher intensity within category
- May be ineffective for active resisters or high level passive resisters
- Unpredictable effect on subject, untrustworthy
- Has most temporary effect of all categories of techniques

4. Stunning

Stunning is used to inhibit the subject from purposefully directing his attention to a coordinated resistance. Below-the-shoulders⁴⁰ inhibitions of respiration, muscular capability, or the ability to concentrate are forms of stunning. Examples are a palm heel strike to the lower rib cage or to the solar plexus. The use of stunning can give the Officer the opportunity to apply immobilization techniques, handcuffs or other restraining devices to the previously active resister. Characteristics of Stunning Techniques are:

⁴⁰ To be consistent with Section 14-1.C, reflecting the new Illinois statute's definitions of deadly force.

- Good for medium active resisters and low-level assailants
- Some probability of injury to the subject
- Easily elevated to higher intensity within category
- Can provide needed time to immobilize the subject
- May be considered excessive control of a passive resister
- Fleeting effectiveness

5. Direct Mechanical Techniques

Direct mechanical techniques deal directly with the skeletal or mechanical support structure of the subject's body and the use of mechanical impact pressure or leverage. This differs from pressure/pain holds and stunning in that the support structure of the subject's body is the target, not the subject's ability to pay attention or the use of particular muscles. Either impact pressure or opposing prohibitive pressures may be used. Any of these pressures can fracture bones or cause damage to connective tissue, muscles or organs. Mechanical techniques generally offer the best chance for establishing physical control of a subject, but also the greatest chance of injury. Characteristics of Direct Mechanical Techniques are:

- Best chance for weaponless control of the assailant
- Greatest probability of bodily harm to subject of weaponless control techniques
- May be considered excessive use of force for active resistance

6. Concentrated Impact Pressure

Concentrated impact pressure, such as penetrating strikes and kicks, may be used to stun as well as to stop. Concentrated impact pressure is intended to penetrate into tissue to a depth sufficient to affect specific nerve centers or muscles with enough force to stop an attacking subject.

7. Prohibitive Joint Locking and Breaking Techniques

These techniques, such as wrist and arm locks, are often applied as an intermediate method of assailant control. They differ from pain/pressure holds in that when massive force is applied after the joint lock is fully established, dislocations, sprains, bone, tendon or ligament damage may result. The body parts in question may then no longer retain the capability of continuing the attack.

14.8.3 Weapons Control

8. Impact Weapons

Use of Impact Weapon (batons) techniques starts at about the same point on the continuum as mechanical weaponless techniques. Batons or other impact weapons can be used with various degrees of intensity.

As the matching category on the vertical axis would indicate, if a subject were aggressively offensive to an officer or others, even without the use of a weapon, an officer should be able to apply a baton technique of the appropriate level of intensity. If a subject were likely to harm others, perhaps more intense baton techniques would be in order. When the subject immediately threatens life or great bodily harm, the baton may be useful.

9. Control Instruments

Control instruments are those which are designed to apply non-impact pressure to pain sensors, thereby establishing control over subjects who passively resist. The use of a control instrument, such as the Yawara (Kubaton) or other short stick instrument, when expertly applied, can increase the chances of establishing control by amplifying non-impact pressure. These instruments are designed to maximize pain, but when used strictly as control instruments, cause little tissue damage. The pain should cease when the subject ceases to resist. In the Use of Force Model, control instruments are classified synonymously with pressure/pain holds.

10. Chemical Agents

Chemical agents are not lethal. They require some time to take effect, therefore, they are generally useful on subjects who resist, or who are actually assaulting within the range of the chemical agent. When treated properly after use, the subject on whom the chemical agent was used maintains a low probability of bodily harm.

11. Departmental Personnel Authorized for Firearms

Departmental policy limits the carrying of any firearm to Officers specifically authorized by the Director of Court Services and the Chief Judge of the Sixth Judicial Circuit.

14.9 Reporting Use of Force

It is the purpose of this policy to provide Court Services Officers and Supervisors with guidelines for reporting use of force. Members of this Department must accurately, completely and timely report any Use of Force. A Supervisor will conduct a prompt investigation and report the findings to the Director of Court Services.

14.9.1 Reportable Use of Force

The following uses of force in the exercise of the Officer's official duties must be reported, whether they occur on duty or off duty.

- A. **Soft Hand Control:** Use of grabs, holds and joint locks to restrain a person (escort holds, joint manipulation, immobilization, pressure-sensitive stimulation).
- B. **Chemical Spray:** Where subject exhibits some level of active resistance/active aggression, Officers may use chemical spray to temporarily incapacitate the subject.
- C. **Hard Hand Control:** Punches, takedowns and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating mental stunning and/or motor dysfunction.
- D. **Impact Weapons and Control Instruments:** Collapsible batons and Kubatons may be utilized in cases where the Officers believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where, based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
- E. **Pointing of Firearms:** Any time an Officer points a firearm at a person, notwithstanding the fact that the firearm ultimately was not discharged.
- F. **Firearms Discharge:** Any discharge of a firearm other than at the range or during qualification whether intentional, unintentional or accidental, for animal dispatch, whether a subject is hit or not, will be reported in a manner consistent with Section 15.12 of these policies.
- G. **Deadly Force:** Any use of force as defined in Section 14.1.C.

14.9.2 Procedures

- A. Officers who are involved in an incident that requires any reportable force option are required to immediately notify their Supervisor. The involved Officer will provide a detailed documentation of the use of force.
- B. A Use of Force report shall be prepared by a Supervisor whenever an Officer of this agency utilizes reportable force, other than soft hand control, in the performance of their duties.
- C. The Use of Force report will be completed in detail including a narrative account of the following:
 - i. The actions of the subject that necessitated that use of force as a response to overcome the resistance of the subject.

ii. The reasons why force was required and the type of force the Officer utilized in overcoming the resistant subject.

iii. Any injuries or complaint of injuries of either the subject or the Officer and any medical treatment received.

D. All uses of force at the Juvenile Detention Center will be reported and reviewed in accordance with the Center's Use of Force policy.

14.9.3 Supervisory Responsibilities

Once notified of an incident in which an Officer has used force, other than soft hand control, the Officer's immediate Supervisor, or another Supervisor if the Officer's immediate Supervisor is not available, will accomplish the following:

A. The Supervisor will ensure that a qualified health care provider handles any injuries or other medical condition being experienced by the involved person(s). If any involved person(s) has any type of injury, the Director of Court Services will be notified.

B. The Supervisor investigating the use of force will review and approve the Officer's reports of the incident, when practicable.

C. Should the Supervisor determine that unreasonable force was utilized, the Director of Court Services will be notified and will assume control of the use of force investigation.

Once notified of an incident in which an Officer has used force resulting in *great bodily harm* to any person, the Supervisor, to the extent that one is available, will immediately respond to the scene to investigate the incident. If the involved Officer's Supervisor is not available to respond, another Supervisor will be dispatched to complete the Use of Force report.

Chapter 15 – Firearms

The purpose of this policy is to establish standards for authorized personnel of the Probation & Court Services Department to qualify for, to be issued, and to carry a firearm. It establishes the authority, duties and responsibilities for the development, promulgation and coordination of all firearms training programs; and defines a program designed to improve the skills, knowledge and abilities of all personnel in order to successfully meet the Department's mission. It also establishes policies for conducting firearms training, medical/physical evaluation, psychological examination, and qualifications, completion of an approved firearms training course for authorized personnel of the Probation & Court Services Department and defines successful completion of that training.

Use of firearms shall be in accordance with the Department's Use of Force Policy and Procedures, Chapter 14, and in accordance with the Department's Firearms Policy and Procedures, this Chapter 15.

15.1 Definitions

The following definitions apply to this Chapter 15 – Firearms. Officers should pay special attention to bolded and italicized words, which are terms of art having specific meanings as defined here.

- A. **Officer:** Sworn Officer belonging to the Champaign County Probation & Court Services Department.
- B. **Authorized Personnel:** A Probation & Court Services Department employee who is a sworn Officer of the Court appointed by the Chief Judge, has successfully completed firearms training, and has passed all required qualifications may be granted permission in writing to carry a firearm by the Director of Court Services and the Chief Judge of the 6th Judicial Circuit.
- C. **Firearm:** Firearms are defined in Section 15.8 of this policy.
- D. **Concealed Firearm:** Means any firearm which is hidden from normal or common view.
- E. **Firearms Training Coordinator:** Schedules basic training and qualifications, maintains and issues firearms, equipment and supplies for firearms training program and qualifications. Maintains, compiles and reports firearms qualifications.
- F. **Range Master:** A firearms training/program manager who conducts firearms training and qualifications for Officers.

- G. Deadly Force: This term has the same definition as given in Chapter 14, Section 14.1. Connected to "deadly force." Officers should also review, great bodily harm, chokehold, restraint above the shoulders with risk of positional asphyxiation, and discharge of a firearm as defined in Chapter 14, Section 14.1.
- H. Imminent: This term has the same definition as given in Chapter 14, Section 14.1. Connected to "imminent." Officers should also review, totality of the circumstances, objectively reasonable, and reasonable belief as defined in Chapter 14, Section 14.1.

15.2 Firearms Qualifications

15.2.1 Screening

Prior to an Officer being authorized to carry a firearm by the Director of Court Services and the Chief Judge of the 6th Judicial Circuit, the following screening process must be completed.

- A. An updated NCIC background check is completed on the Officer.
- B. Candidates who pass the background check are scheduled for a medical examination, if one was not completed at the time of hire.
- C. Candidates who pass the medical examination are scheduled for an updated psychological evaluation, to include a recommendation as to whether they are found suitable to carry a firearm.
- D. Candidates who pass the psychological evaluation are scheduled to attend and successfully complete the Illinois Law Enforcement Training and Standards Board approved 40-Hour Mandatory Firearms Training Program.
- E. If the Officer fails to meet any of the qualifications listed above, the Officer will not be authorized to carry a firearm.

15.2.2 Administrative Review

- A. Upon successful completion of the 40-Hour Mandatory Firearms Training Program, a review of the Officer's training file will be conducted by the Firearms Training Coordinator and a final recommendation made to the Director of Court Services.
- B. The Director of Court Services will submit a recommendation to the Chief Judge to authorize Officers to carry firearms who have successfully completed this process. The Chief Judge will authorize those Officers who s/he approves, in writing, to carry a firearm.
- C. The Director of Court Services, Chief Judge or Presiding Judge may revoke the authorization to carry a firearm, and seize and secure a Departmental issued weapon, when there is reasonable cause to do so and shall submit a written incident report to the Chief Judge and/or Presiding Judge.

Reasonable cause includes but is not limited to observed erratic or unsafe use of a weapon and making inappropriate or threatening comments while using or while in possession of a firearm.

15.2.3 Medical Limitations

- A. All Officers authorized to carry a firearm shall receive a medical/physical evaluation, if one was not completed at the time of hire, and an updated psychological evaluation prior to being issued a weapon or being authorized to carry a weapon.
- B. Officers authorized to carry a firearm shall notify their immediate Supervisor of any physical or pharmacological conditions causing physical or emotional impairment as it may affect their ability to act or handle a firearm or other weapon safely and proficiently. Impairment shall be defined as a condition that can affect judgment, reaction time or motor skills.
- C. In those instances where an Officer or Supervisor believes and/or medical personnel indicate that medication used may affect judgment and/or reaction time while on duty, authorization to carry a firearm will automatically be suspended. Authorization shall be reinstated upon the cessation of the medication and its effects, or with a physician's ruling that the medication's potential contraindications would not be hazardous to handling a firearm safely and proficiently.

15.3 Firearms Training

It is the policy of the Probation & Court Services Department to maintain a firearms training program which shall direct efforts toward the development of new skills, improving and updating old skills, safety, care of the firearm, constraints on its use, re-certification of performance in high liability areas, the development of specialized skills, creating an awareness of new techniques and technologies for all Officers and to manage the Department's mandatory retraining program.

It is also the policy of this Department to ensure that every Officer authorized to carry a firearm be allowed to maintain training as prescribed by the Illinois Law Enforcement Training and Standards Board. The Range Master, with the Director's approval, reserves the right to determine, mandate and schedule the required training. The Range Master must have received specialized training for that position including completion of the Train the Trainers Course.

The firearms training program shall be specifically planned, coordinated, and supervised by a qualified employee at the supervisory level, and shall be reviewed annually and updated as needed.

Prior to assignment to a position involving possible use of a firearm, all Officers authorized to use firearms shall receive appropriate firearms training. This training shall cover the use, safety, care, and constraints involved in the use of firearms, and all authorized Officers shall demonstrate competency in the use of firearms, at least annually.

A Supervisor may revoke the authorization to carry a firearm and or less lethal weapon when reasonable cause exists. If the weapon belongs to the Department, it is seized and secured.

15.3.1. Basic Firearms Training Requirements

A. An Officer must complete the following pre-requisite training courses and or blocks of instruction to attend the 40-Hour Mandatory Firearms Training Program. If the Officer fails any portion of the pre-requisite training, s/he will be given one opportunity at the next available course to pass that portion of pre-requisite training. If the Officer fails any portion of the pre-requisite training a second time, s/he will not be authorized to possess or carry a firearm.

- i. Control Tactics
- ii. Oleoresin Capsicum
- iii. Control Instruments (Kubaton) Impact Weapons (Collapsible Baton)
- iv. Department Use of Force and Response to Resistance Policies
- v. Cardiopulmonary Resuscitation and First Aid
- vi. Ethical and moral considerations of the use of firearms and deadly physical force
- vii. Legal considerations for the carrying and use of firearms, including:
 1. Laws governing arrests and searches incident to arrests
 2. Laws of self-defense and the use of force by peace officers
 3. Civil liabilities of Probation Officers

The authorized Supervisor shall monitor all legislative and policy changes to the use of firearms by peace officers and shall provide necessary updated training in a timely manner.

B. The Officer must successfully complete the following training course to be qualified to carry a firearm:

- i. 40-Hour Mandatory Firearms Training Program. Officers must qualify with his/her authorized service firearm.

If the Officer fails any portion of the 40-Hour Mandatory Firearms Training Program, s/he will be given one opportunity at the next available course to pass the Mandatory Firearms Training Program. If the Officer fails any portion of the Mandatory Firearms Training Program a second time, s/he will not be authorized to possess or carry a firearm.

- C. Any Officer authorized to carry and use a firearm must be certified as currently qualified to do so by the Firearms Training Coordinator and/or Range Master.
- i. The minimum qualifying score for each type of firearm shall be established by the Range Master and approved by the Director of Court Services.
 - ii. Officers shall comply with the Range Master's policies and directions.
 - iii. The Range Master shall administer a firearms qualification program that ensures competency among all Officers authorized to carry firearms.
 - iv. Each Officer authorized to carry a firearm shall qualify no less than annually on the State-certified course.
 - v. Any Officer who fails to qualify shall have his/her authorization to carry a firearm suspended. The suspension will remain in effect until the individual receives additional training and qualifies. Continued failure to qualify will result in revocation of the Officer's authorization to carry a firearm.
 - vi. Officers must qualify using their approved on-duty firearm. Officers not qualified with that particular firearm are not authorized to carry that firearm on duty until they become qualified.
- D. Officers must also be able to provide a practical demonstration of at least the following:
- i. Firearms safety
 - ii. Shooting proficiency during scenario-based training
 - iii. Firearm retention
 - iv. All less-than-lethal self-defense options for which the Officer is certified
 - v. The care and cleaning of an authorized firearm.

15.3.2 Attendance and Records:

Officers authorized to carry firearms shall attend required training sessions and the instructor shall document attendance on a signed roster and forward the roster to the Range Master. The Range Master shall ensure that records of attendance are maintained and forwarded to the Firearms Training Coordinator. The Firearms Training Coordinator shall promptly notify the Director of Court Services when any Officer authorized to carry firearms is not in compliance with the Department's training requirements.

15.4 Official Use of Firearms

No Officer shall discharge a firearm in the performance of their duty except in circumstances in which *deadly force* is legally justified and permitted by this policy:

- A. Against other persons, as detailed in Chapter 14, Section 14.3.
- B. To kill a dangerous animal or an animal that is so severely injured that humanity requires its disposal to avoid further suffering.

In the performance of their duty, Officers may use only firearms approved by the Department and use them only when directed to or authorized by the Director of Court Services or Supervisor in charge or when authorized under Department policy.

In an emergency situation, Officers are authorized to use any available weapon for self-defense or the defense of another person. The level of force used must be consistent with law and Departmental policy. This statement does not authorize the carrying of any firearm for duty that is not approved and listed in this Firearms Policy, Chapter 15.

15.5 Prohibited Use/Discharge of Firearm

Discharge/use of a firearm is prohibited as follows:

- A. Warning shots are prohibited.
- B. Officers must not discharge their firearms when doing so would pose an objectively unreasonable risk under the totality of the circumstances to innocent third parties.
- C. When a moving vehicle is involved, use of *deadly force* by discharging a firearm is dangerous, can be ineffective, and should not occur when there is an unreasonable risk of safety of persons other than the subject. Purposely firing a firearm in the direction of another person or at a vehicle in which another person is believed to be constitutes *deadly force*. Whenever possible, Officers should avoid placing themselves in a position where use of *deadly force* is the only available option.
- D. Even when *deadly force* is justified, firearms shall not be discharged at a vehicle unless the Officer has considered the potential threat to innocent third parties and:
 - i. The Officer has a reasonable belief that an occupant of the vehicle poses an *imminent* threat of death or *great bodily harm* to the Officer or another person who is present, OR;
 - ii. The Officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an *imminent* threat of death or *great bodily harm*

to the Officer or another person who is present, and there is no avenue of escape.

E. Indiscriminately, not in the line of duty.

The aforementioned examples are not all inclusive of situations where a firearm may be used in violation of Departmental policy. Violation of any provision of this section will result in disciplinary action, up to and including termination of employment and cooperation with civil authorities in the prosecution of criminal activity. Any such violation will be considered a serious violation of policy and reported to the Director of Court Services immediately upon discovery.

15.6 Restrictions on Carrying Firearms

Only those Officers who have successfully completed firearms training and passed all required qualifications may be granted permission in writing to carry a firearm by the Director of Court Services and the Chief Judge of the 6th Judicial Circuit.

Department-Authorized Firearms will not be carried in the following circumstances:

- A. While off duty, unless otherwise legally authorized.
- B. In an establishment licensed to dispense liquor unless in the lawful discharge of their duties.
- C. While consuming alcohol or while under the influence of alcohol or having taken any drugs that would tend to adversely affect the Officer's senses or judgment.
- D. While injured or in a physical condition causing inability to utilize a firearm effectively or properly (i.e., broken arm, eye injury causing impaired vision, etc.)
- E. While on suspension, administrative leave, under investigation, or otherwise relieved of normal duties.
- F. While on Leave of Absence Without Pay, or other period of unpaid absence from the Department or while on Workers Compensation.
- G. When authorization to carry a firearm has been revoked.
- H. When the Officer has been directed by the Firearms Training Coordinator, the Range Master, a Supervisor or the Director of Court Services to cease carrying a firearm. A Supervisor may revoke the authorization to carry a firearm and/or less lethal weapon when reasonable cause exists. If the weapon belongs to the Department, it is seized and secured.
- I. Outside the State of Illinois, except while on official business or unless lawfully provided by the jurisdiction through which the Officer is traveling or visiting.

15.7 Carrying a Firearm

Each provision below is built on the foundation that Officers are authorized personnel who, when on duty, carry and use only firearms as authorized by the Director of Court Services or his/her designee:

- A. The firearm must be encased in a holster approved by the Firearms Training Coordinator or Range Master.
- B. The firearm will be fully loaded with a round chambered. No unauthorized alterations or modifications shall be made to any weapon intended for official use.
- C. All firearms will be properly maintained and kept available for inspection at all times.
- D. Whenever an armed Officer is in the field, the Officer shall carry the firearm in a retention holster (level II or level III holster) approved by the Firearms Training Coordinator or Range Master.
- E. Whenever carrying a firearm, the Officer shall also carry his/her identification card and a badge. While in the field, the badge shall be clearly displayed.
- F. Whenever carrying a firearm, the Officer shall wear Department authorized body armor at all times while on duty and engaged in out-of-office field activities, unless otherwise authorized by the Director of Court Services or his/her designee.
- G. Officers shall carry a minimum of one less-than-lethal force option (i.e., OC spray and/or a tactical baton) while on duty and engaged in out-of-office field activities.
- H. If an armed Officer is performing administrative duties, the Officer may carry the firearm in an approved holster; however, the firearm shall be concealed.

15.8 Firearms Specifications

15.8.1 Service Revolver

The standard service firearm for Officers is a .38 caliber or a .357 caliber revolver on a medium frame with a 4" barrel, either blue, stainless steel, nickel or chrome, and of quality manufacture (i.e., Colt, Smith & Wesson, or Ruger). The Director of Court Services may approve revolvers of the same caliber of not less than 2" or more than 4" barrel and of smaller frame.

15.8.2 Auto-loading Pistol

The standard service auto-loading pistol for Officers is a 9 mm, .40 caliber or .45 caliber, Browning, Colt, Glock, or Smith & Wesson. The firearm must reliably feed the issued duty ammunition. No single action firearms are permitted.

15.8.3 Loading

The service firearm shall be carried fully loaded with authorized factory ammunition provided by the Department.

Officers shall carry enough rounds on their person for a second loading.

15.8.4 Ammunition

Officers shall carry only Department-authorized ammunition. Officers may be issued fresh duty ammunition in the specified quantity for their Department approved firearm during the Officer's first scheduled qualification each year. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Firearms Training Coordinator or Range Master when needed in accordance with policy.

15.9 Safety Procedures

The intent of this policy is to promote firearms safety on duty. Officers shall maintain the highest level of safety when handling firearms and shall consider the following:

- A. Every firearm shall be treated as a loaded firearm.
- B. Officers shall not unnecessarily display or handle any firearm.
- C. Officers shall regularly inspect their firearm for dirt and corrosion and will keep it in good working condition at all times.
- D. The cleaning of a firearm in an office setting, vehicle or in the field is prohibited except when the firearm has been fouled by a foreign substance that might render the firearm inoperable. In those circumstances, all safety precautions must be taken when cleaning the firearm.
- E. Any unholstered firearm that is brought into the Probation Office shall be unloaded.
- F. All firearms equipped with safety devices shall be placed in a safe condition except when use is imminent.
- G. Any firearm authorized by the Department that is found by the Officer to be malfunctioning or needing service shall not be carried and shall be promptly reported to the Firearms Training Coordinator or Range Master for inspection. Any firearm determined to be in need of service or repair during any inspection by the Firearms Training Coordinator or Range Master will be immediately removed from service.

H. In training or range work, the unattended service firearm shall be:

- i. Revolvers – Cylinder empty and out, right side of firearm down and pointed down range.
- ii. Auto-loading Pistol – Empty, slide locked back, magazine removed, right side pointed down.
- iii. At all other times, normal safety precautions shall be observed.
- iv. Officers shall not leave any firearm unsecured in a vehicle or in open view in any building.
- v. Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders of the Firearms Training Coordinator and/or the Range Master.
- vi. Officers shall not dry fire or practice draws except under the supervision of a Firearms Instructor and/or the Range Master.
- vii. No Officer will load or unload any firearm in any range building before or after training. Loading a firearm on the range when between another officer and the berm is prohibited.

15.10 Storage of Firearms

15.10.1 Storage of Firearms While On Duty

Firearm security is the responsibility of the Officer to whom the firearm is assigned. Officers authorized to carry firearms are charged with the responsibility to observe and practice the following storage regulations:

- A. When not being carried during duty hours, the firearm and ammunition shall be stored in a safe and secure place that is not readily accessible to unauthorized persons.
- B. The firearm shall be stored in a place that is not visible to anyone.
- C. If possible, the firearm should remain in the holster when being stored.
- D. Firearms shall not be kept in the Probation Office overnight.
- E. Firearms are not to be stored overnight in a County vehicle or private vehicle.
- F. If an on-duty Officer does not wish to carry his/her firearm into a residence or public building, s/he shall take the following precautions:

i. The firearm may be stored temporarily either in a locked vehicle trunk or vehicle glove compartment/console. If the firearm is stored in a vehicle, the vehicle must be locked.

ii. The Officer shall exercise caution to ensure that no member of the public observes placement of the firearm into storage in the vehicle.

G. Under no circumstances may a firearm, ammunition and/or any other item which threatens the security of a correctional facility, including the Champaign County Juvenile Detention Center, be brought into such facility or be left in any unattended, unlocked vehicle on institutional grounds. Officers are to follow the procedures of the correctional facility as to safe storage of these items.

H. Prior to any contact with clients in the Probation Office, the Officer shall store his/her firearm in a safe and secure place that is not accessible to unauthorized persons.

15.10.2 Storage at Home

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, a vehicle, or any other area under their control, and in a manner that will keep firearms and ammunition inaccessible to children and others who should not have access.

Officers shall not permit their firearms to be handled by anyone who is not authorized by the Department.

Officers should be aware that negligent storage of a firearm could result in civil and/or criminal liability.

15.10.3 Storage in a Vehicle

When leaving a firearm in an unattended vehicle, Officers shall ensure that the firearm is locked in a trunk or in a locked container which is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view.

15.11 Lost or Stolen Firearms

A. A Probation Officer shall file a report with the appropriate law enforcement agency immediately upon discovery that his/her on-duty firearm, Department issued ammunition or equipment is missing.

B. The Officer shall also immediately report a lost or stolen firearm, Department issued ammunition or equipment to their Supervisor, who will notify the Director of Court Services via the chain of command.

- C. The Officer will file a written report regarding the matter with their Supervisor prior to the end of their assigned shift. The written report shall be submitted to the Director of Court Services through the chain of command.
- D. The Officer may be required to reimburse the Department in the event that Department owned ammunition and related equipment is lost or stolen through the negligence of the Officer. This requirement may be in addition to any disciplinary action imposed by the Department due to the Officer's negligence.

15.12 Investigation of Shooting

In any case where a firearm is discharged, other than at the range or during qualification, whether intentional, unintentional or accidental, for animal dispatch, or whether a subject is hit or not, the Director of Court Services shall require an internal investigation into the incident. The Director shall have the sole responsibility to name the individuals/agency to conduct this internal investigation.

Results of all investigations and copies of all reports shall be forwarded by the Director of Court Services to the Presiding Judge and the State's Attorney, when applicable.

15.13 Misuse of a Weapon

Any incident or situation that results in any misuse of a firearm, baton, or any other weapon approved for Departmental use, shall be cause for disciplinary action. Any such violation will be considered a serious violation of policy and will be brought to the attention of the Director of Court Services for investigation in a manner determined by the Director.

Chapter 16 – Arrest and Search Policies

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16.1 Arrest Policy

If practical, Court Services Officers are to detain offenders who have outstanding warrants and who enter the Probation Office. The responding law enforcement officer(s), including Court Security Officers, will then make the actual arrest of the individual. In cases when an individual is observed outside the Probation Office and has an outstanding warrant, the Probation Officer should contact the police department having jurisdiction. The appropriate law enforcement agency will then arrest the individual. Although discouraged, it is foreseeable that a deviation from this policy may occur. Deviations require prior Supervisory approval or immediate notification when an arrest is made during an exigent circumstance. The temporary detainment while awaiting police or Court Security, or taking of an individual into custody at a Court hearing and transporting by order of the Court does not constitute an arrest and is permitted by this policy.

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16.2 Search and Seizure

Probation Officers may conduct searches in cases where the Court permits warrantless searches of a probationer's property. When searches are conducted, the Probation Officer should have reasonable suspicion that contraband or weapons may be present. Searches for harassment or without reason are not permitted. A minimum of two officers is required when conducting a search of an individual's property; one searching and one standing by for security purposes. When contraband or weapons that constitute a new offense are located, the officers should contact the appropriate law enforcement agency within that area and request an arrest be made for the new offense. In cases when the items located do not constitute a new offense but items are seized by the Probation Officers, the officer will document, in writing, the seizure of the items and, when appropriate, file a violation report with the Office of the State's Attorney. The evidence must be secured and the chain of custody must be maintained in accordance with the procedure described in the following Section.

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16.3 Evidence Collection and Chain of Custody

The collection, preservation and chain of custody of evidence by a Probation Officer may be a crucial factor in determining the outcome of a case.

- A. In the event that contraband is located relating to a new offense (e.g., illegal weapon, stolen property or drugs), the Probation Officer shall make every effort not to disturb the item and to contact local law enforcement for assistance.
- B. Upon collecting evidence relating to a violation of probation, the Probation Officer shall immediately complete a Receipt for Property and provide a copy to the client or person(s) residing in the home. If no responsible party is present at the time of the seizure, a copy shall be left in a conspicuous place inside the residence.
- C. Only property related to a violation of probation may be seized. Probation Officers shall not seize property to hold a violation of probation in abeyance.

Evidence Collection and Storage

The Probation Officer shall place the evidence in an Evidence Property bag and relinquish it as soon as possible to the designated Probation Department Evidence Custodian (i.e., the Supervisor of Specialized Services). Evidence Property bags can be found in the cabinets located in the Specialized Services Unit (above the bookshelf). If the Evidence Custodian is not immediately available to receive seized property, the Probation Officer shall place the property in a secured location and notify the Evidence Custodian of the location of the property, along with a description of the seized property. The Evidence Custodian or his/her designee shall retrieve the seized property prior to the end of the next business day and indicate on the Chain of Custody form that s/he received the evidence and placed it in a designated long-term evidence locker(s) maintained by the Probation Office.

The original Chain of Custody form shall be placed and maintained in the evidence locker folder. Copies of the Chain of Custody form shall be distributed as follows:

- A. A copy attached to the Evidence Property bag.
- B. A copy to the probation case file.

The original Chain of Custody form shall be completed and updated by all parties upon relinquishing and accepting the evidence.

Disposition of Evidence

The Evidence Custodian shall keep a log of all collected evidence stored in the long-term evidence locker under his/her control as well as the outcome of each case. The evidence shall be destroyed or otherwise disposed of pursuant to Court order or upon expiration of the statutorily required retention period. The Director of Court Services may authorize the retention of evidence for training purposes; however, any seized contraband shall not otherwise be possessed or displayed.

16.4 Arrests of Clients Defrauding Drug Tests

Dilution, adulteration or substitution of a urine sample is a Class 4 Felony. A notice is posted in the drug testing lab advising clients that those suspected of diluting, adulterating or substituting a urine sample will be arrested and charged. If you observe a client attempting to dilute, adulterate or substitute a urine sample, s/he is to be arrested. The procedure for making the arrest is as follows:

- A. Contact Court Security and request that a Court Security Officer be dispatched to the Probation Office to make an arrest. Advise Court Security that you have a client who has attempted to defraud a drug test. If necessary, request the assistance of another Probation Officer in contacting Court Security. In the interim, move the client from the drug testing lab to your office or to a conference

room (not the waiting area). The client is not to be left alone. Advise the client that they are not to leave the office; however, do not physically restrain the client.

- o NOTE: If the client is a juvenile, notify the Supervisor of Juvenile Services. In his/her absence, notify the Director of Court Services. The minor is to be handcuffed by Court Services officers and transported to the Juvenile Detention Center for processing.

B. Seize and secure any relevant evidence. Evidence/Property bags can be found in the cabinets located in the Specialized Services Unit (above the bookshelf). Complete the following information on the Evidence/Property bag:

- o Agency [Probation]
- o Case No. [Client's Case No.]
- o Offense [Defrauding a Drug Test]
- o Suspect
- o Date and Time of Recovery
- o Recovered By
- o Sealed By
- o Date
- o Description [briefly describe evidence seized]

Place all seized items in the bag and seal the bag. Write the client's case number on the receipt tag. Remove the receipt tag and retain it in the client's case file.

If the seized items include urine/liquid, place the sealed bag in the refrigerator. If not, complete the information required under "Chain of Custody" (i.e., From, To, Date) and turn over the Evidence/Property bag to the Supervisor of Specialized Services or, in his/her absence, the Director of Court Services.

If evidence is subsequently turned over to law enforcement, the Probation Officer turning over the evidence is to complete the information required under "Chain of Custody" (i.e., From, To, Date).

C. Prepare and file a Probation Violation Report detailing all relevant information. If the Probation Officer observing the violation is not the client's assigned officer, the assigned officer is to prepare and file the PVR with the assistance of the officer who observed the violation.

D. Prepare an Incident Report and file a copy with the State's Attorney's Office. Again, if the Probation Officer observing the violation is not the client's assigned officer, the assigned officer is to prepare and file the Incident Report with the assistance of the officer who observed the violation.

E. If contacted by law enforcement personnel, provide all relevant information.

Chapter 17 – DNA Collection

The following procedure is to be followed in ALL cases (Adult and Juvenile) in which an order has been entered for the submission of specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with 730 ILCS 5/5-4-3:

- A. The client's DNA will be collected at the time s/he initially reports to the Probation Office following sentencing/disposition.
- B. Duty Officers are responsible for collection of DNA using the Illinois State Police DNA Indexing Database Buccal Swab Collection Kit. Front Desk personnel will notify a Duty Officer to initiate the collection process. This will be done on a rotating basis between the Duty Officers in the Adult and Juvenile Divisions.
- C. The Collecting Officer will follow the Illinois State Police instructions for completing the Buccal Swab Collection Kit and will immediately mail the completed Collection Kit to the Illinois State Police in the postage paid return envelope with the barcode label affixed.
- D. The Collecting Officer will enter the following information in the Department's DNA Logbook:
 - o Date of Collection
 - o Client's Name
 - o Client's Case Number
 - o Collecting Officer's Name or Initials
- E. The Collecting Officer will then check "Yes" under DNA Testing and enter the date in the client's JANO Profile to confirm that the Collection Kit has been completed and mailed to the Illinois State Police.
- F. The staff member initiating the intake (typically Front Desk personal) will ask the client if s/he has previously submitted a DNA sample in a criminal case in Illinois. If the client states that they have previously submitted the required sample for genetic marker testing, the Supervisor of Specialized Services or the Senior Records Clerk will confirm that statement through LEADS. The Supervisor of Specialized Services or the Senior Records Clerk will print out written confirmation of previous testing and give it to the Collecting Officer. The Collecting Officer will check "Yes" under DNA Testing in the client's JANO Profile and enter the date of the previous testing. The Collecting Officer will also make a casenote using the code CN DNA to document the previous submission of DNA. The written confirmation provided by the Supervisor of Specialized Services or the Senior Records Clerk will be placed in the client's file by the Collecting Officer. In a Conditional Discharge case, the written confirmation of previous DNA testing will be attached to the Sentencing Order and given to the Public Service Work Coordinator.

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G. No client will be exempt from submitting the required sample unless a previous submission has been confirmed by the Supervisor of Specialized Services or the Senior Records Clerk. If the Supervisor of Specialized Services and the Senior Records Clerk are temporarily unavailable (e.g., lunch hour), the client will be instructed to wait until the authorized personnel are available to confirm previous DNA testing. If the Supervisor of Specialized Services and the Senior Records Clerk are both out of the office for the day and confirmation of previous testing is not available, the Collecting Officer will collect a DNA sample from the client and submit the sample to the Illinois State Police following the guidelines above.

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H. Clients are not to leave the office until:
i. They have complied with the procedure for the collection of genetic marker samples. OR
ii. The Supervisor of Specialized Services or the Senior Records Clerk has confirmed that the client has previously submitted the required sample.

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I. The Duty Officer will IMMEDIATELY file a Probation Violation Report on any client who leaves the office without fulfilling the requirements for submission of genetic marker samples. Clients who fail to comply will not be subjected to the Administrative Sanctions Program.

Approximately bi-monthly, the Supervisor of Specialized Services will compare the information entered in the DNA Logbook with the list of genetic marker samples entered in LEADS. The Supervisor of Specialized Services will print out confirmation of completion and provide that to the client's Probation Officer. The assigned Probation Officer will enter that information in the client's casenotes using the code CN DNA and will submit a copy of the confirmation to the Senior Records Clerk for scanning. In addition, the Probation Officer will submit a copy of the confirmation to the Circuit Clerk's Office for filing in the court file. Any discrepancies between information in the DNA Logbook and LEADS will be brought to the attention of the Collecting Officer.

PLEASE NOTE: Felony Conditional Discharge cases with an order for DNA testing will be handled in much the same manner as Probation cases with an order for DNA testing. Front Desk staff will pull through Felony Conditional Discharge cases with a DNA order so that those cases are available in JANO for the Collecting Officer.

Chapter 18 – Dress Code

Employees shall maintain their personal hygiene and appearance to project a professional image appropriate for the Department and for their assignment.

Employee Attire: Employees are required to adhere to the Department's dress code policy. Employees are responsible for maintaining professional but business casual attire. Any time an employee does not follow the below guidelines, any member of Management may initiate progressive and corrective disciplinary action. The following is a list of appropriate dress attire for employees conducting business in Court, in the Office, during Field Contacts/ Home Visits and for Special Projects.

18.1 Court Attire

- Male officers appearing in Court must wear a suit, dress shirt and tie, socks and dress shoes. Officers may substitute a sport coat and dress slacks in lieu of a suit. Shirts must have a collar, be tucked into the pants or slacks, and the buttons closed.
- Female officers appearing in Court must wear a suit, dress, or skirt and blouse with appropriate footwear. Ankle length dress slacks with a blouse and jacket are permitted.
- Sleeveless attire must be covered at all times by a jacket, blazer or sweater.
- Male or female officers may wear a button-down shirt or polo shirt with the Departmental logo on the left breast side. Officers appearing in Court wearing shirts with the Departmental logo are not required to wear a jacket or tie.
- All clothing worn must be clean, pressed as appropriate and in good repair.

18.2 Office Attire

- Male officers may wear slacks similar to "Dockers", dress shirts (with a collar suitable for wearing a tie) and dress shoes. Shirts must have a collar, be tucked into the pants or slacks, and the buttons closed.
- Wearing a tie and jacket while conducting office business is not required.
- Office attire for female employees may consist of the same attire worn in Court.
- Female officers may wear ankle length slacks with a blouse or a sweater and appropriate footwear.
- Sleeveless attire must be covered at all times by a jacket, blazer or sweater.
- Officers may wear a polo shirt in the office; however, it must have the Departmental logo on the left breast side.
- All clothing worn must be clean, pressed as appropriate and in good repair.

Whatever attire officers elect to wear for the day, each officer must be prepared to appear in Court in proper Court attire, should the need arise. Appearing in Court in other than approved Court attire will be considered a violation of the Departmental dress code policy and may subject the officer to disciplinary action.

~~Deleted: Chapter 17 – Reporting of Foreign-Born Adult Offenders to U.S. Immigration and Naturalization Service~~

~~¶ Pursuant to 730 ILCS 110/12(4), and in compliance with Circuit Administrative Order 95-7 entered November 8, 1995 and effective November 15, 1995, in all cases involving foreign-born adult offenders, the Champaign County Probation & Court Services Department shall transmit a report to the U.S. Immigration and Naturalization Service, Criminal Investigation Unit, in substantially the same form as provided in Appendix F.~~

~~¶ The report shall be transmitted within seven (7) days after an order by the Court directing a presentence investigation concerning a misdemeanor or felony offense, or, upon a plea agreement where no presentence investigation is conducted, within seven (7) days after defendant is sentenced to probation or conditional discharge.~~

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Officers working at the Juvenile Detention Center must comply with the standards for attire set forth in the Memorandum of Understanding entered into between the Chief Judge and the Fraternal Order of Police Labor Council on August 19, 2021. . .

18.3 Field Contacts/Home Visits Attire

- Officers may wear Court or office attire when conducting field contacts/home visits.
- Officers may elect to wear polo/golf shirts with collars. The shirt may or may not have a Department approved logo. If an officer is planning on working in the office for any part of the day, the shirt must contain the Department approved logo.
- Officers may wear casual slacks and shoes (shoes must be neat and clean).

18.4 Special Projects

When working on Public Service Work projects or related community projects, officers may wear clothes consistent with those types of duty assignments. For these situations, it is important that officers be comfortable and wear clothes that do not present a safety hazard. Even while dressing down, however, officers must remember that a professional image must be presented and good judgment should prevail.

Officers are prohibited from wearing the following clothing while on duty:

- Denim pants (jeans) unless specified for a "Jean Day" or when working on PSW projects. Jeans must be clean and in good condition (no holes, tears, rips, frayed edges, etc.).
- Pants on which the pockets and pocket stitching are clearly visible on the outside.
- Cargo pants (solid color tactical pants are permitted)
- Carpenter's pants
- Pants tied at the ankle
- T-shirts, including pocketed T-shirts
- Shorts, skorts, mini skirts
- Leggings
- Jeggings
- Tank tops
- No shirts with writing may be worn with the exception of shirts with the Department approved logo
- Shirts where bra straps are visible
- Jogging pants or athletic wear
- Hiking boots (tire tread on sole)
- "Uggs" type boots or rubber boots
- Rubber shoes or slides
- Crocs (garden type shoes)
- Flip flops (flat or wedge) defined as shoes that have a strap between the toe and no strap around the ankle or heel

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~~Deleted:~~ Detention staff may wear athletic shoes during their shift. Additionally, Detention staff working weekend shifts may wear denim.

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~~Deleted:~~ Officers are prohibited from wearing the following clothing while on duty: denim pants (jeans) or pants whereby the pockets and pocket stitching are clearly visible on the outside; T-shirts, pocketed T-shirts, shorts, halter tops, sweat shirts, tank tops or tennis shoes (within the office/Courthouse).

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- ~~Moccasins~~
- ~~Tennis shoes (high or low top)~~
- ~~Slip on canvas/rubber shoes~~
- ~~Sandals without a back strap~~Hats may only be worn by employees conducting Departmental work in the outdoors (e.g., Field Contacts, Home Visits, Transports, Public Service Work Projects, etc.). Hats are to be removed upon entering the Courthouse and the Juvenile Detention Center.

~~Exceptions to the Dress Code Policy can only be authorized by a Supervisor or the Director of Court Services.~~

18.5 Hair, Tattoos and Piercings

~~Hairstyles for all employees shall be neat in appearance. Hair must not interfere with an employee's vision and may not hang down over and into the eyes. Employees shall not dye their hair to an unnatural or eccentric color (e.g., purple, green, blue).~~

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~~At no time while on duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos or body art would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related or obscene images or language. Tattoos or body art on the face or above the collar bone are prohibited or must be covered while on duty.~~

~~Body piercing or alteration to any area of the body visible while on duty that is a deviation from normal anatomical features and which is not medically required is prohibited except with the prior authorization of the Director of Court Services. Body adulteration includes, but is not limited to:~~

- ~~Face piercings, except those noted below, are prohibited.~~
- ~~Tongue splitting or bifurcation.~~
- ~~The complete or transdermal implantation of any material other than hair replacement.~~
- ~~Abnormal shaping of the ears, eyes, nose or teeth.~~
- ~~Branding or scarification.~~

~~Piercings of the ears, nose and tongue are permitted. Due to safety considerations, employees assigned to the Detention Division are only permitted to wear studs while on duty.~~

Chapter 19 – Rules and Regulations

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Any violation of the Rules and Regulations set forth in this Chapter may result in disciplinary action against the employee. The disciplinary action taken will depend on the severity of the infraction. Prohibited acts are as follows:

19.1 Arrest/Indictment/Conviction/Violation

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Arrest, indictment or conviction of any Federal, State, County or Municipal law or ordinance, including traffic offenses. Employees shall report any violations to their Supervisor no later than the next business day.

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19.2 Disobedience of Orders

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Failure to obey and fully execute any lawful order, written or oral, given by a Supervisory officer which include, but are not limited to, these general rules and regulations, special orders, or policies and procedures.

19.3 Use of Alcohol and Legal Cannabis

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No employee of this Department shall consume alcoholic beverages and/or legal cannabis eight (8) hours prior to the assumption of duty. Consumption of alcoholic beverages and/or legal cannabis while on duty is prohibited at all times.

19.4 Public Criticism of Department

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Employees are to clearly distinguish between those public statements or correspondence that are personal views and those that are statements and positions on behalf of the Department. Only those employees authorized to do so shall make public statements on behalf of the Department and the Court. Public criticism of the Court or the Court Services Department is prohibited.

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19.5 Divulgence of Departmental Information

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Officers are to maintain the integrity of private information, use reasonable efforts to seek only that personal data needed to perform their responsibilities and not reveal case information to unauthorized persons.

19.6 Political Activity

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Employees of this Department shall not engage in party politics while performing their job duties or conducting Department business. This includes wearing or displaying of campaign materials. An employee of this Department may, of his or her own choice, participate in party politics, its functions and processes, so long as those activities do not occur during the

employee's working hours and provided that the employee's participation in party politics does not interfere with the employee's duties and responsibilities to the Department and the Court.

No employee shall use or threaten to use the influence of his or her position to coerce or to persuade any person to follow any course of political action or contribute or lend anything of value to a political organization or candidate for political office.

19.7 Recommendation of Attorneys

Recommendation to any probationer of the retention of a specific attorney or law firm is prohibited. This prohibition does not apply to referrals made to the Public Defender's Office, the Legal Aid Society, or Lawyer Referral Services.

19.8 Departmental Property, Loss or Damage

Employees are to report to their immediate Supervisor as soon as possible all damage to Departmental vehicles or damage/loss of Departmental equipment. Additionally, employees shall return all equipment owned by the Department when they retire, resign or otherwise leave the Department, including any apparel purchased by the Department on behalf of the employee.

19.9 Departmental Resources

Champaign County Probation & Court Services Department resources are for official use only. Resources include, but are not limited to, buildings, vehicles, office equipment, telephones, office supplies and police/detention equipment. Any use of County/Departmental resources for personal use gain is strictly prohibited. County or Department equipment may not be used or stored at an employee's home without authorization of the Director of Court Services.

19.10 Courtroom Demeanor

Officers shall be punctual, properly dressed and prepared for Court hearings. Employees of this Department shall maintain a respectful attitude towards the Court and counsel. When served with a summons or subpoena directing them to appear at a hearing, officers shall appear as ordered. Failure to respond to a lawful order by the Court to appear at a hearing may result in the initiation of contempt proceedings against an officer and may also subject the employee to Departmental discipline.

19.11 Truthfulness/Cooperation

Testifying, submitting reports or conducting business in less than a truthful and cooperative manner are not permitted. Submission of reports to the Court shall be within the statutory limits established by the Court. Only Management personnel may make requests to the Court for the waiver of filing dates. Said requests will only be initiated in exigent circumstances.

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19.12 Termination of Duty Assignment

Officers may not terminate their duty/assignments unless properly relieved or dismissed by a constituted authority.

19.13 Operation of County-Owned Vehicles

Officers are not to operate County-owned vehicles unless in the performance of their duties. Officers may not leave Champaign County in a County-owned vehicle without first notifying a Supervisor or the Director of Court Services.

19.14 Display of Badges/Identification/Representation of Office

All officers of this Department are issued identification cards to provide proof of office to individuals unknown to you while conducting official business. Misuse of the identification cards or representing your official office for personal use/gain is strictly prohibited. Officers shall return identification cards to the Department upon termination of their employment.

This Department does not issue badges. Although officers may purchase their own badges, the use of a badge is considered the same as producing identification or representation of the office. Use of a Court Services Department badge after employment is terminated is prohibited by law. Upon termination of employment, ownership should be limited to a keepsake.

19.15 Chain of Command

In order to maintain an effective and efficient operation, a chain of command must be followed. Officers encountering difficulties or having workplace questions should speak with their immediate Supervisor first. If the question cannot be answered, the Supervisor will refer the employee to the Director, who will resolve the matter. The chain of command will operate in reverse on management or operational issues, beginning with the Director and descending to the Supervisors and then to the officers.

19.16 Departmental Relationships

Departmental relationships include both internal and external contacts. Employees who encounter a problem with an individual should speak with that person directly and attempt to resolve the issue(s). If a resolution cannot be found, employees may approach the Supervisor(s) or the Director of Court Services. However, the chain of command described above should be observed.

Each employee is responsible for following Departmental rules of conduct, policies and practices. Should an employee disagree with a County/Departmental policy or practice, the employee is invited to express his/her disagreement following the appropriate levels as outlined by the Departmental chain of command. However, an employee is expected to

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comply with the disputed policy or practice until the disagreement is resolved or the policy or practice is changed.

Employees must remain professional, polite and courteous to fellow employees at all times.

Employees must attempt to develop a rapport and relationship with each of our clients; however, the relationship must remain on a professional basis. If, for any reason, an officer cannot maintain a complete and totally professional relationship with a client, the officer should notify his/her Supervisor and request that the case be transferred to the supervision of another officer.

19.17 Part-Time Employment Outside the Department

While part-time employment outside the Department is permitted, Court Services, Officers must understand that they are officers of the Court, both on and off duty. Employment that would be in direct conflict with the officer's position with the Department, or employment that would bring discredit upon the Department or the Court, is prohibited. Officers are required to obtain approval from the Director before accepting part-time employment outside the Department. Part-time employment in another department within Champaign County government is not permitted.

The aforementioned examples are not all inclusive of situations where an employee may violate Departmental policy.

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Chapter 20 – Operational Policies and Procedures

20.1 Departmental Staff Meetings

Departmental staff meetings may be scheduled at the discretion of the Director of Court Services. Attendance at Departmental staff meetings is mandatory and the appropriate Supervisor or the Director must approve any absence.

20.2 Divisional Staff Meetings

Supervisors will conduct Divisional staff meetings as needed. Attendance at Divisional staff meetings is mandatory and the appropriate Supervisor must approve any absence.

20.3 Fiscal Management

The Director of Court Services shall be responsible for planning, preparing and managing the Department's budget and expenditures. All Champaign County Board policies on expenditure of County funds shall be observed. No expenditure of funds shall be made in the name of the Department without prior approval from the Director of Court Services.

20.4 Surety Bond

Champaign County carries a Surety Bond insurance policy for all County employees. Additionally, Department employees shall be indemnified in accordance with applicable statutes.

20.5 Reimbursement of Expenses

Probation Officers shall be reimbursed for reasonable and necessary expenditures incurred in the performance of their official duties (705 ILCS 405/6-5 and 730 ILCS 110/14). Per diem rates and travel policies established by Champaign County shall be observed for all employees and all policies regarding reimbursement for expenses as outlined by Champaign County policies shall be followed. Officers shall present receipts for expenditures to their immediate Supervisor for review within five (5) working days after completion of training/purchase, etc. The immediate Supervisor shall review these expenses for accuracy and inclusion of all necessary paperwork (i.e., proper hotel receipts, accurate mileage sheets, appropriate listing of expenses, etc.) and provide the same to the Supervisor of Administrative Services within three (3) working days. Officers who incur official expenses and provide receipts/documentation as specified can expect reimbursement within 30 days of the expenditure. Failure to follow the timelines outlined in this policy may result in delayed reimbursement and may also result in the Department being cited for failure to comply with County purchasing policies.

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20.6 Mandatory Reporting of Child Abuse/Neglect

Court Services Officers are mandated reporters of child abuse and neglect per the Abused and Neglected Child Reporting Act (ANCRA). Accordingly, officers must report injuries to any child that they believe are the result of child abuse. Officers are further mandated to report incidents or conditions that they reasonably believe will or have resulted in a minor being abused or neglected. All reports are to be immediately phoned in to the Illinois Department of Children and Family Services Child Abuse Hotline 800-25-ABUSE (800-252-2873). When practicable, prior to making any call to the Hotline, the immediate Supervisor of the officer is to be advised of the circumstances/justification for initiating the call. If prior notice to the Supervisor is not practicable, as soon as practicable following the Hotline call, the immediate Supervisor is to be advised of the circumstance/situation warranting the Hotline call. NOTE: Notifying a Supervisor does not absolve the officer of his/her statutory obligation to contact the Hotline.

Within the first 30 days of employment, officers are to sign an Acknowledgement of Mandated Reporter Status provided by their Supervisor. As required by state law (325 ILCS 5/4(j)), all officers will also complete an initial mandated reporter training within three (3) months of their date of employment, and at least every three (3) years thereafter. Online Mandated Reporter training can be accessed at:

<https://mr.defstraining.org/UserAuth/Login!loginPage.action.jsessionid=78E9951A1B26B279DCFC67987194E97B>

Upon completion of this training, officers are to print the Certificate of Completion and provide it to their Supervisor for entry in the officer's training records.

The Illinois Department of Children and Family Services Manual for Mandated Reporters can be found online at <https://mr.defstraining.org/public/pdf/en/Mandated-Reporter-Manual.pdf>.

Officers who have questions concerning the specifics associated with ANCRA may refer to that manual and consult with their Supervisors. Information concerning this Act will be provided to officers during orientation.

20.7 Employee Assistance Program

The Department offers an assistance program for employees and individuals experiencing personal or professional problems. The service is strictly confidential and may be used by the employee and immediate family members. There is no cost to the employee for most basic services. However, to determine the cost, if any, of services requested, employees may check with the Supervisor of Administrative Services or employees may contact the service provider directly. The service provider may be accessed by calling the offices of Campion, Barrow & Associates at 1-877-EAP-9002.

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20.8 Probationer/Client Urine Testing

Collection of urine samples shall be completed by officers of the same sex as the client. Samples are to be secured within the Probation Office/Detention Center using approved practices as required by the Department. Collection of samples within the client's home, or at other locations (other than in the Probation Office or Detention Center) is strictly prohibited.

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20.9 Interagency Cooperation

It shall be the policy of this Department to aggressively pursue a goal of cooperation, coordination, and support of the community, to include special interest groups and private citizens. Members of the Department are required to serve as liaisons between the Court and community resources. Establishment of working groups for special projects, advisory boards, membership on community boards, sharing resources and on-going informational sharing are examples of our expectations.

Deleted: 18.10 Photographing Individuals on Probation/Supervision ¶

All juvenile offenders (informal supervision and delinquents) as well as adult probation clients are to be photographed by the assigned Probation Officer. The digital camera provided by the Department is to be utilized. Supervising officers shall place the photo in the client's file (location specified by Unit/Divisional Supervisors). For offenders transferred to other jurisdictions, a photograph of the offender is to accompany the other information sent to the receiving jurisdiction. ¶

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20.10 Relationship to the Court

The Director of Court Services is directly accountable to three distinct administrative responsibilities: the Court, the County Board and the Administrative Office of the Illinois Courts. The first accountability is required to meet the statutory directives from the Court concerning detention of minors at the Juvenile Detention Center, intake of individuals sentenced to supervision, investigation and report writing, and supervision of probationers. The Director is responsible to the Chief and Presiding Judges. Supervisors are responsible to the Director, and Court Services Officers/support staff are responsible to the Supervisors.

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The second accountability is necessary to meet administrative accountabilities set forth by ordinances, resolutions and motions pertaining to the orderly processes required for budgeting, maintenance, equipment, purchasing and personnel matters as may be applicable (see 730 ILCS 110/13).

The third and final accountability to the AOIC is to ensure that the Department meets lawful State requirements (see 730 ILCS 110/15), operates effectively and efficiently, and receives maximum reimbursement from the State of Illinois (see 730 ILCS 110/14).

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20.11 Data Management

The collection and maintenance of meaningful statistical information is necessary to assist the Department in defining our strengths and weaknesses, planning, utilizing Departmental resources, identifying problem areas, and revising goals or objectives. Complete statistical information on clients served by this Department, including, but not limited to: sex, race, employment status, educational status, offense committed, age, family status and criminal history shall be maintained. Caseload size, supervision levels, referrals, special conditions and success rates should be recorded monthly. Additional information concerning specialized caseloads or grant funded programs may also be required. It shall be the responsibility of each Supervisor to maintain Divisional/Unit statistical data and to submit reports to the

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Director of Court Services on a monthly basis for dissemination as needed/required. The Supervisor of Administrative Services shall be responsible for maintaining Departmental records or reports as required by AOIC and County policies.

20.12 Volunteer/Internship Programs

The Champaign County Probation & Court Services Department welcomes student interns from colleges and universities. It shall be the policy of this Department that interns wishing to enter into an internship program with this Department make application to the Director of Court Services and complete an interview with appropriate Supervisors. While individual college/university programs differ, students are generally expected to work a minimum of 20 hours per week. It is the goal of this Department that all students find the internship meaningful, educational and rewarding. Officers working within Divisions or Units where interns are assigned should assist the students in any way possible. Interns will be directly monitored by and report to a Supervisor within the Department. Unless authorized in writing by the Director of Court Services, internships are unpaid.

20.13 Differential Case Management

It shall be the responsibility of Unit or Divisional Supervisors and the Director of Court Services to establish and define each of the following: case eligibility, referral processes, and program/caseload operations. Case Management shall be approved by the Director of Court Services before implementation of programs or offering of services.

20.14 Maintenance of Driver's License

All employees are required to maintain a driver's license in good standing throughout the term of their employment.

20.15 Use of Personal Vehicle/Performance of Duties

Should the need arise, officers may be required to use their personal vehicles in the performance of their duties. Supervisory approval must be obtained prior to travel and any expenses incurred will be reimbursed according to Departmental/County policy.

20.16 Personal Telephone Required

All employees are required to maintain an operational telephone, either at their place of residence and/or a cell phone. Each employee will furnish his or her current telephone number(s) to the Department.

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The Champaign County Probation & Court Services Department shall maintain a community resource manual and make the manual readily available to all officers within the Department. Supervisors will assign college interns who shall review the manual annually and make any required changes or up-dates.

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Chapter 21 – Confidentiality of Records and Requests for Information

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21.1 Confidentiality of Case Records

All employees of the Champaign County Probation & Court Services Department shall maintain the confidentiality of the Department's case records, which include written as well as electronic records. Information from Department records will be released only after proper authorization is secured by Court order and the client, if applicable.

A Court Order or Subpoena *signed by a Judge* is required to divulge the contents of the case records of the Champaign County Probation & Court Services Department. All employees must strictly comply with the following paragraph of the Probation and Probation Officers Act:

... (4) To preserve complete and accurate records... which records shall be open to inspection by any judge or by any probation officer pursuant to order of court, but shall not be a public record, and its contents shall not be divulged otherwise than as above provided, except upon order of court. 730 ILCS 110/12(4).

Exceptions to the Probation and Probation Officers Act:

The Probation Department and Probation Officers are authorized to divulge the contents of the Department's case records in the following circumstances, without further court order:

1. Compliance with Terms of Probation, Conditional Discharge, Court Supervision or other Orders of the Court: The Department is authorized to divulge the contents of its records regarding an individual's compliance with or alleged violation of a court order to the Office of the State's Attorney.
2. Fulfilment of Specific Conditions of Court Orders: The Department may divulge the contents of its records to anyone authorized by the Department to be involved in the fulfillment of the conditions of a court order (e.g., Cognition Works, P.A.T.S., Rosecrance, etc.). If applicable, the officer must obtain a consent for release of information signed by the client prior to divulging case information.
3. Duty to Warn: The Department is required to divulge the contents of its records when there is a "duty to warn." The duty is established when an individual makes a "specific" threat to harm or kill a "specific" identifiable victim.
4. Mandated Reporter Requirements: The Department must share the contents of its records with the Illinois Department of Children and Family Services Hotline when there is ... "reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child." See 325 ILCS 5/4(a)(7).

5. *Sharing Information with Other Probation Departments:* The Department may share the contents of its records with any probation department providing courtesy supervision of Champaign County clients, with any probation department for whom Champaign County is providing courtesy supervision, and with any probation department preparing court-related reports for their jurisdiction. See 730 ILCS 110/12(7).

6. *Sharing information with Law Enforcement:* Unless prohibited by law, the Department may share the contents of its records with any law enforcement agency:

- a. when there is reliable information of criminal conduct;
- b. pursuant to legal process;
- c. when the information is already a public record;
when the information is based on the Probation Officer's visual public observation (for example, identifying marks such as tattoos).

7. *Sharing Information with Police Departments:* The Department can share demographic information about juvenile offenders and court results with: 1) the arresting department; 2) the department where the minor lives, and if applicable; 3) the school police liaison officer or the police department where the offender attends school.

Upon request, officers can provide courtesy copies of documents already contained in the court file, provided that the court file has not been expunged or sealed.

Since confidentiality is such a broad area, it is impossible to cover all situations that may occur. Additional or exceptional situations should be brought to the attention of Supervisors.

In addition to the above, officers can verbally communicate information regarding the client's progress to the following:

- 1. State's Attorney's Office(s)
- 2. Defense Counsel of Record (Private or Public Defender)
- 3. Law enforcement
- 4. Other probation departments
- 5. Parole
- 6. DCFS, if there is an ongoing child abuse or neglect investigation of the client. See 325 ILCS 5/4(g).

Officers can verbally communicate information regarding the client's progress to the following upon presentation of an authorization for release of information signed by the client:

- 1. DCFS
- 2. Social Service and Treatment Agencies
- 3. Healthcare Providers

Except as provided herein or as authorized by law, officers will not provide anyone with documents from the client's case file except with a Court Order or a Subpoena signed by a Judge.

Except as provided above or as authorized by law, officers will not provide copies of documents from the client's case file to the client unless the document was provided by the client (e.g., paycheck stubs, AA attendance verification sheets, PSW verification, address verification, etc.). Without prior authorization by a Supervisor, officers will not provide copies of any other documents to the client, including, but not limited to:

1. Social History
2. Presentence Reports (NOTE: Pro se clients are to be provided with a copy of their Presentence Report at the time of filing)
3. Written Reports
4. Results of Drug Testing including Admission of Use forms
5. Case Notes
6. Evaluations and Treatment Summaries/Notes (Mental Health, Substance Abuse, Sex Offender, etc.)

Illinois AIDS Confidentiality Act, 410 ILCS 305 and 77 IL Admin. Code 697: The Department cannot release information about clients who have been diagnosed as having AIDS or an AIDS-related condition (ARC).

If an officer is aware that a client has AIDS/ARC, all records concerning that condition are to be kept in a sealed envelope.

Disclosure of information regarding a client with AIDS/ARC is to be made only on a "need to know basis" and only to be made by the officer's immediate Supervisor.

- the officer may inform his/her Supervisor of the client's name
- no one else is to be informed by the officer of information related to a client having AIDS/ARC.

21.2 Presentence Reports and Records of Juvenile Offenders

Presentence reports shall be filed of record with the court in a sealed envelope and shall only be open for inspection as provided in 730 ILCS 5/5-3-4.

The Court file with respect to proceedings under Article V of the Juvenile Court Act shall be disclosed only to specified parties when necessary for discharge of their official duties. See 705 ILCS 405/5-901.

The social investigation, psychological and medical records of juvenile offenders are privileged and shall not be disclosed except in accordance with the provisions of 705 ILCS 405/5-910.

Officers shall familiarize themselves with these statutory requirements.

21.3 **Contacts with News Media**

Inquiries from any news medium seeking a response to questions about clients or any aspect of Department operations or functions shall be referred to the Director. If the Director is not available, no employee shall respond to any media request without specific permission of the Director. The Director shall also process contacts with the media or press releases issued to publicize Department programs or functions.

21.4 **LEADS Information/Policy**

As part of employment with the Court Services Department, officers have the ability to view and/or access Criminal History Record Information (CHRI) through LEADS, Viewing, requesting, securing or dissemination of information obtained from a criminal history for an individual is only appropriate when this Department has some type of legal relationship with that person. While there may be the potential for the Department to develop a legal relationship with a person, requests for information not needed for pre/post-sentencing matters or other matters as may be approved by the Director is not allowable.

All LEADS requests must be completed by submitting the required paperwork to a person authorized by the Department to access LEADS records.

Any member of this Department attempting to access, or securing access to records not directly related to court matters, or securing/divulging information gathered in such an attempt, will be subject to disciplinary measures. A violation of this policy will be considered a major infraction of policy and subject to the Departmental disciplinary process. A violation of this policy may also warrant notification to the Office of the State's Attorney for review and possible filing of criminal charges.

21.5 **Identity Protection**

It is the policy of this Department to protect social security numbers from unauthorized disclosure in accordance with the Illinois Identity Protection Act, 5 ILCS 179/1 et seq. All employees of the Department are required to comply with the Identity Protection Policy set forth in the Champaign County Technology Policy adopted November 2019. The Policy can be found on the County's intranet system at:

<http://www.co.champaign.il.us/Policies/InformationTechnologyPolicy.pdf>

For the purposes of this policy, "employee" shall be defined as any person performing work on behalf of the Department including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers and interns.

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Since confidentiality is such a broad area, it is impossible to cover all situations that may occur. Listed below are some of the major areas related to confidentiality. Additional or exceptional situations should be brought to the attention of Supervisors. *
Information, which is kept in Departmental files and also contained in Court files, may be released in the following circumstances.*

In response to a request from a law enforcement agency, provide that the officer has verified that the request is from a legitimate agency.*

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Chapter 22 – Technology Policy

22.1 Computer, Internet, E-Mail and Network Usage

The Department has e-mail and internet access systems in place for Department business. Champaign County also has software and systems in place that can monitor and record all internet usage. The e-mail and internet access systems in place are the sole property of Champaign County. The technology is in place for business related to the Department. Employees may use the technology for limited personal purposes as long as that use does not interfere with the employee's work, or jeopardize the integrity of the Champaign County computer system, email system or internet access. The technology may not be used for any purpose which would violate Department or Champaign County policies or state or federal law. If an employee is found to be abusing the technology, his or her access may be limited or eliminated altogether. An employee is also subject to discipline, up to and including termination. Nothing on the internet system or any property of the Department or Champaign County, including telephones and voice mail, is or can become the private property of any employee. For the purposes of this policy, "employee" shall be defined as any person performing work on behalf of the Department including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers and interns.

THERE CAN BE NO EXPECTATION OF PRIVACY OR ASSURANCE OF CONFIDENTIALITY FOR ANY MESSAGES OR FOR ANY USE OR PATTERN OF USAGE OF THE CHAMPAIGN COUNTY INTERNET, TELEPHONES OR ANY OTHER PROPERTY.

All employees should be aware that our security systems are capable of recording for each and every user, each World Wide Web site visit, each chat, and each newsgroup or e-mail message accessed on each computer station within Champaign County. The system is capable of recording each file transfer into and out of our internal networks. We reserve at all times the right to monitor such activity. No employee should have any expectation of privacy as to any internet usage or telephone system. The management of the Department and Champaign County may review internet activity, e-mail messages, voice mail messages, and analyze usage patterns in an effort to maintain the highest levels of productivity. We reserve the right to inspect any and all files stored in private areas of our network in order to assure compliance with this policy.

The system must never be used in violation of Champaign County/Department policies against discrimination and harassment. The display of any kind of sexually explicit image or document on the Champaign County system is a violation of both this Technology policy and the Department's and Champaign County's nondiscrimination and harassment policies. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using our network or computing resources. Champaign County may use independently-supplied software and data to identify inappropriate or sexually-explicit internet sites. We may block access from within our networks to all such sites. If you find yourself inadvertently connected to a site that contains sexually explicit or offensive material, you

Deleted: Chapter 20 – Computer System¶

¶ Employees are reminded that all information contained on the Departmental computer system is the property of the Department and/or the County. Any and all documents, data or systems developed for use by any member of the Department remains Departmental/County property. Any tampering of any nature by any member of the Department with any type of computer documents, data or system and/or threats regarding the same will be viewed as a serious infraction of Departmental policy. ¶

¶ The following policies are established to ensure that:¶

¶ the Department's computer system is used only for legitimate purposes¶

¶ all laws are followed¶

¶ equipment is cared for properly¶

¶ all related software and manuals are available for Department use¶

¶ All information obtained through the computer system is confidential and is to be shared only with court-related personnel who have a legitimate interest in the case. All licensing agreements and copyright laws applicable to software shall be fully honored. No personal software is to be installed on Department computers. No alterations are to be made to Department software or hardware without the express permission of the Director of Court Services. ¶

¶ When accessing any Department computer systems, employees are to:¶

¶ obtain information only for client-supervision purposes¶

¶ protect access to their security codes as well as specific ¶

¶ Access to personal computers is permissible only in th ¶

¶ circumstances:¶

¶ the individual to whom a personal computer is assigned may access that computer at any time for Department related business only¶

¶ that individual must grant specific permission for any other person to access that computer, except for Supervisory personnel who may access it at any time¶

¶ Department purchased reference books, software instruction manuals and other instructional materials shall be assigned and remain at the appropriate computer workstation.¶

¶ The Supervisor of Administrative Services Chief Administrative Probation Officer will contact the Administrative Services Department prior to moving any personal computer. Employees are prohibited from moving personal computers without permission of the Supervisor of Administrative Services Chief Administrative Probation Officer and/or their immediate Supervisor.¶

¶ At the end of the workday and during extended periods when not being used, computers and printers shall be turned off. Personnel will log off their computers at the end of each work day but will not shut down their computers. Not completely shutting down allows the IT Department to push through updates overnight. ¶

must immediately disconnect from that site, regardless of whether that site has been previously deemed acceptable by any monitoring, screening or rating program.

Champaign County's internet facilities and computer resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, Champaign County, province or any local jurisdiction in any material way. Use of any Champaign County resources for illegal activity is grounds for immediate dismissal, and we will cooperate with any legitimate law enforcement agency in the investigation of such activity.

Any software or files downloaded via the internet into the Champaign County network become the property of Champaign County. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.

No employee may use Champaign County facilities knowingly to download or distribute pirated software or data. No employee may use Champaign County's internet facilities to deliberately propagate any virus, worm, "Trojan horse," or trapdoor program code. No employee may use Champaign County's internet facilities knowingly to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

Each employee using the internet facilities of Champaign County shall identify himself or herself honestly, accurately and completely, including Champaign County/Department affiliation and function, when participating in Champaign County/Department related chat groups, newsgroups, message boards, or discussion lists, or when setting up accounts on outside computer systems on behalf of Champaign County or the Department. Employees may not represent their statements as official Champaign County/Department policy or practice without proper authorization. Participating in non-Champaign County/Department-related chat groups, newsgroups, message boards or discussion lists by use of Champaign County hardware is prohibited.

Any material posted to any forum, newsgroup, chat group, or internet site in the course of an employee's duties, remains the property of Champaign County. Employees are reminded that chat groups and newsgroups are public forums where it is inappropriate to reveal confidential Champaign County/Department information. Employees releasing confidential information via any internet facility, whether intentional or inadvertent, may be subject to disciplinary actions, including termination.

Use of Champaign County internet facilities to commit infractions such as misuse of Champaign County/Department assets or resources, sexual harassment, unauthorized public speaking and misappropriation or theft of intellectual property are also prohibited, and will be subject to discipline, including termination.

It is a violation of policy to store, view, print or redistribute any document or graphic file that is not directly related to the user's job or Champaign County/Department business activities and which would constitute a violation of Champaign County/Department policies against discrimination and harassment.

Employees may from time to time use Champaign County internet facilities for non-business research outside of work hours provided they request permission from their Supervisor before engaging in such use, and provided all other usage policies are observed.

Champaign County and the Department will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries and archives on any individual employee's internet activities.

Employees must take care to understand federal and state copyright, trademark, libel, slander and public speech control law so that our use of the internet does not violate any laws which might be enforced against us.

Employees with internet access may download only software with direct business use, and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of its license.

Employees may not use Champaign County internet facilities to download entertainment software or games, or to play games over the internet, including games against opponents, or to access gambling sites.

Employees with internet access may not use Champaign County internet facilities to download images or videos unless there is an explicit business-related use for the material.

Employees with internet access may not download any software licensed to Champaign County or the Department or data owned or licensed by Champaign County or the Department without explicit authorization from the Director of Court Services.

HIPPA, CJIS, and LEADS require that computers be locked or logged off when not actively being used by the employee.

Whenever possible, computer passwords should be a minimum of 8 characters long and should consist of at least one upper case letter, one lower case letter, and two numbers. Employees are not to provide their password to others nor are they to allow others to use their password to access the internet. Personnel will log off their computers at the end of each work day but will not shut down their computers unless specifically requested by the IT Department. Not completely shutting down allows the IT Department to push through updates overnight.

At or before termination, employees are required to surrender all passwords in their possession to the Director of Court Services; employees shall not change any passwords after surrendering them prior to termination.

The Supervisor of Administrative Services will contact the County's Administrative Services Department prior to moving any personal computer. Employees are prohibited from moving personal computers without permission of the Supervisor of Administrative Services and/or their immediate Supervisor.

E-Mail

The e-mail system is Department/Champaign County property. The system is not to be used for employee personal gain or to support or advocate non-Department/Champaign County-related business or purposes. All use of the e-mail system is subject to Management access pursuant to the following policy:

- Incidental and occasional personal use of e-mail is permitted, but such messages will be treated no differently than other messages. The Department/Champaign County can retrieve any personal message even though it has been deleted from an individual's mailbox. Assume that any e-mail message you are drafting will be made public and draft accordingly.
- No computer system is completely secure. The e-mail system is not intended to transmit sensitive materials such as personnel decisions, legal opinions or confidential material that may be more appropriately communicated by written memorandum or personal conversation.
- Employees may not intentionally intercept, eavesdrop, record, read, alter or receive another person's e-mail message without proper authorization in accordance with this policy.
- Employees' e-mail communications should be routinely and regularly deleted from their individual mailboxes.
- Under no circumstances shall any employee use the e-mail system for messages that could reasonably be considered as injurious or offensive to others. Inappropriate e-mail messages can give rise to claims of discrimination, harassment, defamation, emotional distress and copyright infringement.
- Solicitation of funds, political messages and harassing e-mail are prohibited.
- Use of the Department/County e-mail system to promote non-County businesses, whether profit or non-profit, is prohibited.

Security

Champaign County has installed a variety of firewalls, proxies, address screening programs and other security systems to assure the safety and security of Champaign County's networks. Any employee who attempts to disable, defeat or circumvent any Champaign County security facility will be subject to discipline, including immediate termination.

Computers that use their own modems to create independent data connections sidestep Champaign County's security mechanisms. Any individual computer's private connection to

any outside computer can be used by an attacker to compromise any Champaign County network to which that computer is attached. That is why any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from Champaign County's internal networks. Only those internet services and functions with documented business purposes for Champaign County or the Department will be enabled at the internet firewall.

EMPLOYEES WHO MISUSE THE CHAMPAIGN COUNTY INTERNET/EMAIL SYSTEM MAY BE SUBJECT TO DISCIPLINE UP TO AND INCLUDING TERMINATION. REMEMBER THAT YOU HAVE NO EXPECTATION OF PRIVACY IN ANY CHAMPAIGN COUNTY/DEPARTMENT EQUIPMENT OR PROPERTY, INCLUDING BUT NOT LIMITED TO DESKS, COMPUTERS, INTERNET ACCESS, VOICE MAIL OR E-MAIL.

22.2 Security of Portable Storage Devices

The Department requires that employees who have been issued Department laptop or tablet computers, cell phones, and other information storage devices take certain precautions to prevent theft or data breach.

With all portable storage devices such as laptop or tablet computers, cell phones or other information storage devices, the Department requires that:

- Strong passwords are used to secure information on the device.
- No unauthorized persons are allowed to access the information storage device.
- User names or passwords are not shared with any person, with the exception of authorized employees.
- Only authorized hardware, software or information security programs are installed on the device with authorization and approval from Management.
- Care is taken to ensure the device is properly locked and secured when it is not in the immediate possession of the employee.
- In the event that a device is lost or stolen, or in the event that information security has been breached, employees are to advise the Director of Court Services and the Information Technology Helpdesk immediately.

22.3 Use of Departmental Telephones

Although occasional use of Department telephones, including cell phones, for personal business is permitted, no toll or long distance charges may be incurred by any use of Departmental telephones unless specifically to conduct County business. If there are questions as to whether the phone call is covered under "county business," those questions can be answered by a Supervisor. Employees are not to use Department telephones for personal calls whereby toll long distance charges would result. Therefore, if there is ever a question, check with your Supervisor before making the call or use your personal cell phone to make the call. Violations of this policy may result in disciplinary action.

There is a cost to the Department when a telephone (whether a land line or a cell phone) is used to call Information Directory Assistance. Please call Information Directory Assistance only if it is an emergency/necessary situation to do so.

Each officer in the Adult and Juvenile Probation Divisions has a direct number assigned to their telephone. Officers are not to give out their individual direct numbers to clients, agencies, school representatives, or others. Those calls should be routed through front desk personnel. An officer may provide their direct number to family members and friends. This will allow those individuals to contact you directly without going through the front desk. Please keep in mind that direct numbers are assigned to specific telephones. Therefore, if an officer no longer works for the Department or has changed offices and s/he has provided the direct number to others, the officer assigned to that office/telephone will be receiving misdirected calls.

22.4 Use of Cell Phones

Employees are prohibited from using cell phones when engaged in the following activities:

- While driving or operating a moving vehicle unless a hands free device is used
- While driving in a school zone, even if a hands free device is used
- While operating machinery.
- While in close proximity to moving equipment or machinery.
- At any time when the use of a cell phone might place you or others at risk.

Employees are discouraged from conducting personal business on portable electronic devices during work hours. Employees are expected to mute or lower the ring tone volume on their personal cell phones during work hours so as not to disturb others. If cell phone use during work hours becomes necessary, employees are expected to exercise courtesy towards others in the workplace and to avoid being loud or disruptive.

Chapter 23 – Social Media Policy

Social Media Policy and Guidelines

This is the official policy for social media use by employees of the Probation & Court Services Department and provides guidance for employees on their professional and personal use of social media.

All employees are responsible for knowing and understanding the policy.

23.1 Professional Use of Social Media

Before engaging in social media as a representative of the Probation & Court Services Department, you must be authorized to comment by the Director. You may not comment as a representative of the Department unless you are authorized to do so.

Once authorized to comment, you must:

- Disclose you are an employee of the Department and the County and use only your own identity.
- Disclose and comment only on non-confidential information. Confidential information is separately defined in this policy.
- Ensure that all content published is accurate and not misleading and complies with all Department and County policies.
- Comment only on your area(s) of expertise and authority.
- Ensure comments are respectful and refrain from posting or responding to material that is offensive, obscene, defamatory, threatening, harassing, bullying, and discriminatory, infringes copyright, breaches a Court order, or is otherwise unlawful.
- Refrain from making comments or posting material that might otherwise cause damage to the Department's, the Court's and/or the County's reputation(s) or bring it into disrepute.

23.2 Personal Use of Social Media

The Department recognizes that you may wish to use social media in your personal life. This policy does not intend to discourage or unduly limit your personal expression or online activities.

However, you should recognize the potential for damage caused (either directly or indirectly) to the Department, the Court and/or Champaign County in certain circumstances via your personal use of social media when you can be identified as an employee of the Department and the County. Accordingly, you should comply with this policy to ensure that risk of such damage is minimized. You are personally responsible for the content you publish in a personal capacity on any form of social media platform. Remember that all posts are public and often permanent. When in doubt, you should seek guidance from your Supervisor on how

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Chapter 21 – E-Mail Policy

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The e-mail system is Departmental/County property. The system is not to be used for employee personal gain or to support or advocate non-Departmental/County-related business or purposes. All use of the e-mail system is subject to Management access pursuant to the following policy: ¶

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Incidental and occasional personal use of e-mail is permitted, but such messages will be treated no differently from other messages. The Department/County can retrieve any personal message even though it has been deleted from an individual's mailbox. Assume that any e-mail message you are drafting will be made public, and draft accordingly. ¶

¶

No computer system is completely secure. The e-mail system is not intended to transmit sensitive materials such as personnel decisions, legal opinions or confidential material that may be more appropriately communicated by written memorandum or personal conversation. ¶

¶

Employees may not intentionally intercept, eavesdrop, record, read, alter or receive another person's e-mail message without proper authorization in accordance with this policy. ¶

¶

This policy applies to all employees, interns, volunteers or other individuals provided with access to the Department/County e-mail system as necessary for business with the Department/County. ¶

¶

Employees' e-mail communications should be routinely and regularly deleted from their individual mailboxes. ¶

¶

Under no circumstances shall any employee use the e-mail system for messages that could reasonably be considered as injurious, offensive to others. Inappropriate e-mail messages can give rise to claims of discrimination, harassment, defamation, emotional distress and copyright infringement. ¶

¶

Solicitation of funds, political messages and harassing e-mail are prohibited. ¶

¶

Use of the Department/County e-mail system to promote non-County businesses, whether profit or nonprofit, is prohibited. ¶

¶

The Department/County may access e-mail messages within the e-mail system of all individuals covered by this policy for any purpose not specifically prohibited by law. ¶

¶

Employees are informed that their Department heads or the County Board may disclose to parties within or outside the County the contents of e-mail sent to and between individuals covered by this policy without the permission of the individuals if it serves the interests of the Department, the County or the public. ¶

¶

Violation of this policy may subject the employee to Departmental discipline.

Section Break (Next Page)

to comply with this policy. The Department reserves the right to read what you write or say publicly and make a determination if it meets this policy.

- Represent yourself accurately. Unless the Department has designated you to speak officially for the Department, you should not state that you write or speak on behalf of the Department or that your viewpoints are the same as the Department, and you should make this clear to those reading or listening to your points of view.
- Do not disclose private or confidential information about the Department, employees, or clients that you obtained through your employment with the Department. Confidential information is information that is exempt from disclosure under Sections 7 or 7.5 of the Illinois Freedom of Information Act (5 ILCS 140/7, 7.5), or which is prohibited from being disclosed under state or federal law.
- Employees are prohibited from displaying or wearing any attire or accessories reflective of the Department, such as badges, uniforms, or shirts with logos, etc. on personal social media platforms.
- Even when using social media on a personal basis, employees may be disciplined for posting material that is, or might be construed as, vulgar, obscene, threatening, intimidating, harassing, or a violation of the County's and/or the Department's policies against discrimination, harassment on account of race, religion, sex, sexual orientation, ethnicity, nationality, disability, or other protected class, status, or characteristic.
- If you choose to identify your work affiliation on a social network, you should regard all communication on that network as you would on a professional network. Ensure your profile, photographs and related content are consistent with how you wish to present yourself with colleagues and clients.
- Employees who access social media during work hours or on Champaign County owned equipment shall still comply with Champaign County and Department computer usage policies. There is no right to privacy on Champaign County owned equipment.
- The Department may discipline employees for making a comment or posting any material that might otherwise cause damage to the Department's, the Court's and/or the County's reputation(s) or bring it into disrepute. When the employee's comment is made as a citizen and not as an employee and is made on a matter of public concern, the Department may discipline the employee in situations where the interests of the Department, the Court and/or Champaign County in promoting efficient operations outweighs the interests of the employee in commenting on such matters of public concern.

Protect your personal information. You should be mindful of the personal information about yourself or your family that you share on social media. The information you share on social media can provide individuals on supervision with information about your family members and friends, your neighborhood, schools your children attend, if you are away on vacation and where you are, political or religious views, people you associate with, places you go (e.g., grocery stores, shopping malls, sporting events, parks), restaurants you frequent, etc. Your family should also be mindful of what they post on social media as well, as their social media accounts are just as susceptible to being monitored as yours.

Protect your reputation. You should avoid posting to social media anything that may reflect badly on you personally or professionally (e.g., pictures showing you heavily intoxicated, or socializing with individuals on supervision). From a safety standpoint, a person on supervision can use these types of posts to try to coerce you.

Adjust your security settings. While not foolproof, you can help protect access to your social media accounts by setting your security setting to private and being mindful of who you give permission to view your profiles.

Nothing in this policy shall be interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the Illinois Public Relations Act. Likewise, nothing in this policy shall be interpreted in a manner that unlawfully restricts an employee's rights under the federal or state Constitution.

A violation of this policy may subject an employee to discipline, up to and including termination.

Chapter 24 – Departmental Discipline

THE DISCIPLINARY PROCEDURE SET FORTH BELOW DOES NOT APPLY TO EMPLOYEES COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT. THOSE EMPLOYEES SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR POLICIES REGARDING DISCIPLINE.

24.1 Authority to Discipline

The Director and Supervisors are to support, lead, train, supervise and evaluate staff members. Additionally, these managers have the authority to discipline employees. The scope of their authority is defined as follows:

The Director has the authority to issue oral reprimands, written reprimands, final written reprimands, suspend and terminate employees.

Supervisors have the authority to issue oral reprimands, written reprimands and suspend employees up to ten (10) days (75 hours).

24.2 Permitted Actions

24.2.1 Oral Reprimand

For what may be considered a minor infraction of the rules, Supervisors may counsel an employee and make every effort to determine and resolve the issue(s) which led to the oral reprimand. An oral reprimand may be issued for minor infractions (i.e., being late for work, substandard job performance, etc.). The oral reprimand will not normally be placed in the employee's personnel file. Instead, the Supervisor will create an "Employee Action Log" (maintained by the Director and Supervisors) wherein the Supervisor is to note the issuance of the oral reprimand. The original oral reprimand is to be attached to the Employee Action Log. Although not normally part of the personnel file, reference to (or copies of) previously issued oral reprimands, if less than 12 months old, may be noted in written reprimands, suspension notices or final written reprimands which are subject to filing in the personnel file. Oral reprimands are not subject to grievance procedures.

24.2.2 Written Reprimand

An employee may be issued a formal written reprimand for a violation of a Departmental or County policy or the Sixth Judicial Circuit Code of Professional Conduct for Probation/Court Services Employees. In the judgment of the Supervisory personnel issuing the reprimand, the violation may be moderate in nature (i.e., failure to respond to a previously issued oral reprimand, arguing with another member of the Department in view of the public, etc.).

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~~Upon the employee's written request to the Director, any documented oral warning or reprimand will be removed from the employee's file after one (1) year if there has been no recurrence of the type or kind of conduct giving rise to the oral warning or reprimand. Upon the employee's written request to the Director, any documented written reprimand will be removed from the employee's file after three (3) years, if there has been no recurrence of the type or kind of conduct giving rise to the warning, but may be retained by the Department as evidence to show efforts at appropriate corrective actions should the employee be subject to future disciplinary actions.~~

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~~2.4.2.3~~ Suspension

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An employee may be suspended for a violation of Departmental or County policy or the Sixth Judicial Circuit Code of Professional Conduct for Probation/Court Services Employees. In the judgment of the Supervisory personnel issuing the suspension, the violation may be moderate to serious in nature (e.g., failure to respond to previously issued written reprimands, unsatisfactory work performance, etc.). Depending upon the seriousness of the violation, the employee may be suspended without pay for up to ten (10) days ~~(75 hours)~~.

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~~2.4.2.4~~ Final Written Reprimand

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A final written reprimand may only be issued by the Director. A final written reprimand may be issued for a single incident of misconduct or failure to respond to previously issued oral or written reprimand(s). In conjunction with the final written reprimand, the employee may be suspended without pay for up to 30 days ~~(225 hours)~~.

Following the suspension, the employee will be subject to a 90-day evaluation process. During the evaluation process, the employee is to be advised that ~~s/he~~ could be terminated for even a single further infraction of the rules and regulations of the Department or County policy or violation of the Sixth Judicial Circuit Code of Professional Conduct for Probation/Court Services Employees. During the 90-day assessment period, the employee will meet with his/her immediate Supervisor on a ~~weekly~~ basis, and the progress of the employee is to be assessed and documented. The additional attention afforded the employee is necessary in an attempt to assist the employee in improving and sustaining job performance. If the employee does not improve and sustain performance, his/her employment with the Department ~~may~~ be terminated at the expiration of the 90-day evaluation period.

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~~2.4.2.5~~ Discharge of an Employee

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An employee can be discharged at any time, without regard to the aforementioned steps. Immediate discharge may occur if an employee is involved in an act, or fails to act, and, in the Director's judgment, the employee's presence would be contrary to the best interests of the Department or any of its employees. In addition, the Director or Supervisors do not necessarily have to follow the progressive discipline process in the order as presented.

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2.2.6 Just Cause

Disciplinary action may be imposed upon an employee only for just cause. When an employee violates a Departmental or County ~~policy~~ or violates the Sixth Judicial Circuit Code of Professional Conduct for Probation/Court Services Employees, or otherwise performs or attends to the obligations of the job in an unacceptable fashion, the employee will be subject to discipline. Discipline shall be imposed as soon as practicable after the Department is aware of the event or action giving rise to the discipline and has ~~had~~ a reasonable period of time to investigate the matter. The Department shall have the right to discipline or discharge any post-probationary employee with just cause. If the Department has reason to discipline an employee, it shall be done with due professionalism appropriate for the circumstances, and not before other employees or the public.

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Chapter 25 – Grievance Process

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THE GRIEVANCE PROCESS SET FORTH BELOW DOES NOT APPLY TO EMPLOYEES COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT. THOSE EMPLOYEES SHOULD REFER TO THE APPROPRIATE AGREEMENT FOR POLICIES REGARDING GRIEVANCES.

25.1 Dispute Resolution and Grievance Procedure

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25.1.1 Definition of a Grievance

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A grievance is defined as any unresolved difference of opinion between the Department and any employee.

25.1.2 Dispute Resolution

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In the interest of resolving disputes at the earliest possible time, it is agreed that an attempt to resolve a dispute shall be made between the employee and the employee's immediate Supervisor. The employee shall make his or her complaint to their immediate Supervisor within ten (10) working days of the date on which the employee knew or reasonably should have known of the event giving rise to the complaint. The Supervisor will notify the employee of the decision within ten (10) working days following the day when the complaint was made. Settlements or withdrawals at this step shall not constitute a precedent in the handling of other grievances. In the event of a complaint, employees shall first complete their assigned work tasks, and make a complaint later, unless it is reasonably believed that the assignment will endanger their safety.

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25.2 Grievance Procedure

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25.2.1 Subject Matter/Settlement

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Only one subject matter shall be covered in any one grievance. Oral reprimands shall not be subject to the grievance procedure. A grievance shall contain a statement of the grievant's position, the date of the alleged violation, the relief sought, the signature of the grieving employee(s) and the date. When the grievance is settled, the settlement shall be reduced to writing and signed by the Director or his/her designee and the grievant.

25.2.2 Grievance Processing

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No employee shall leave their work assignment to investigate, file or process grievances without first making mutual arrangements with the employee's immediate Supervisor. In the event of a grievance, the employee shall always perform his or her

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assigned work tasks and submit the grievance later, unless the employee reasonably believes that the assignment endangers his or her safety.

2.5.3 Steps in Procedure

Disputes shall be resolved as follows:

If no agreement is reached between the employee and the ~~employee's immediate Supervisor~~, as provided for in the Dispute Resolution process outlined above, the grievant shall prepare a written grievance on a form mutually agreed to and present it to the Director no later than ten (10) working days after the employee was notified, ~~or should have been notified~~, of the decision of the ~~Supervisor~~. Within ten (10) working days after the grievance has been submitted, the Director shall meet with the grievant to discuss the grievance and make a good faith attempt to resolve the grievance. The decision of the Director is final.

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~~Deleted: In no case shall the grievance be submitted in writing later than ten (10) working days from the date on which the employee knew or reasonably should have known of the occurrence giving rise to the grievance.~~

Chapter 26 – Affirmative Action and Harassment Policies

26.1 Affirmative Action Policy

The Champaign County Probation & Court Services Department complies with the provisions of the Champaign County Affirmative Action Program. The U.S. Department of Labor's regulations prohibit discrimination in employment practices such as recruitment, rates of pay, upgrading, layoff, promotion, and selection for training. Employers may not make distinctions based on race, color, religion, sex, or national origin in recruitment or advertising efforts, employment opportunities, wages, hours, job classifications, seniority, recruitment ages, or job fringe benefits such as employer contributions to company pension or insurance plans. The Affirmative Action Program shall be implemented in all cases, including, but not limited to employment, promotion, demotion, discipline, grievances, transfers, testing, advertising, lay off, termination, rates of pay or other forms of compensation, and selection for training.

The Champaign County Affirmative Action Program is administered by the County Executive, under the direction of the Policy, Personnel & Appointments Committee. The Supervisor of Administrative Services is responsible for Departmental administrative procedures and is assigned additional duties as the Departmental Affirmative Action Grievance Officer. Employees should report suspected violations of the Champaign County Affirmative Action Program to the Department's Affirmative Action Grievance Officer who will outline the specific complaint process.

26.2 Harassment Statement of Policy

The Department will not tolerate or condone discrimination or harassment on the basis of race, color, religion, creed, sex, gender-identity, gender-expression, sexual orientation, pregnancy, childbirth, medical or common conditions relating to pregnancy and childbirth, genetic information, national origin, age, physical or mental disability, ancestry, marital status, military status, arrest record, unfavorable discharge from military service, order of protection status, citizenship status or any other classification protected under federal or state law. Sexual misconduct is also prohibited. The Department will neither tolerate nor condone discrimination, harassment or sexual misconduct by employees.

For the purposes of this policy, "employee" shall be defined as any person performing work on behalf of the Department including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers and interns.

The Director has appointed the Department's Supervisor of Administrative Services as the person responsible for receiving and overseeing investigations of complaints made pursuant to this policy.

Retaliation against an employee who complains about or reports any act of discrimination, harassment or misconduct in violation of this policy is prohibited. Retaliation against any

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Deleted: Employees of the Department are expected to maintain professional personal relationships. Harassment of another on the basis of race, sex, religion or other personal matters is unprofessional and detracts from job performance. Harassment of this type is dehumanizing and has no ethical place within the Department. ¶

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employee who participates in an investigation pursuant to this policy is likewise prohibited. The Department is committed to ensuring a work place free of discrimination, harassment, sexual misconduct and retaliation. The Department will take disciplinary action, up to and including termination, against any employee who violates this policy.

26.3 Sexual Harassment Policy

The Department adheres to the Sexual Harassment Policy and Procedures for County-Paid Employees of the Judicial Branch adopted by the Sixth Judicial Circuit in Circuit Administrative Order 04-1, and will comply with all provisions of that Policy. Each employee is provided a copy of this Policy at time of orientation and is required to sign an acknowledgment of receipt of this Policy. The original copy of the Acknowledgment is maintained in the employee's personnel file.

I. Statement of Policy on Sexual Harassment

It is the policy of the Department to provide all employees of the Department a work environment free of sexual harassment of and by its employees. Sexual harassment is inappropriate, offensive and illegal and will not be tolerated by the Department.

Sexual harassment is defined as any unwelcome sexual advances, or requests for sexual favors, or any conduct of a sexual nature when:

- a) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment; or
- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) such conduct has the purpose or effect of substantially interfering with an individual's work performance; or
- d) such conduct creates an intimidating, hostile or offensive working environment as measured from the point of view of a reasonable person of the aggrieved party's gender.

The Sixth Judicial Circuit directs all county-paid judicial and non-judicial supervisory personnel to ensure their workplaces are free of sexual harassment. Supervisory personnel shall be responsible for supporting training on sexual harassment prevention along with this sexual harassment policy, and shall post and distribute this policy, encourage Department employees to report sexual harassment incidents, and assure employees they do not have to endure a sexually harassing work environment. Supervisors are to ensure each county-paid employee has been provided with a copy of this policy and has signed an acknowledgment in a form substantially as set forth in Circuit Administrative Order 04-1. The acknowledgment shall be placed in the employee's personnel file.

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Deleted: Although harassment in any manner regarding personal issues is not to be tolerated, the most specific issue to be addressed via this addition to the rules is that of sexual harassment.

A. Sexual Harassment Behavior – Examples

Sexual harassment, as defined above, most frequently involves a man harassing a woman. However, sexual harassment also can involve a woman harassing a man or harassment between members of the same gender. Sexual harassing behavior can include, but is not limited to, the following:

Verbal Behavior: Negative or offensive comments, jokes or suggestions about another employee's gender or sexuality; threats related to sexual conduct; repeated unwelcome requests for dates; statements about other employees of a sexual nature; obscene or lewd sexual comments; using slang names or labels that can be considered derogatory or too familiar, such as "honey", "sweetie", "dear", "darling", "boy", "girl", or other terms people may find offensive; or talking about or calling attention to an employee's body or characteristics in a sexually negative or embarrassing way.

Nonverbal Behavior: Sexually suggestive looks, sexually suggestive or insulting sounds (whistling, catcalls, smacking or kissing noises), or obscene or sexually suggestive bodily gestures.

Physical Behavior: Unwelcome pats, squeezes, hugs, kissing, pinching, repeatedly brushing against someone's body or actual sexual assault or abuse.

Visual Behavior: Displaying pictures, cartoons, posters, pinups, calendars, signs, etc. of a nude or sexual nature.

Other behavior that can constitute sexual harassment includes laughing at, ignoring or not taking seriously an employee who experiences sexual harassment; blaming the victim of sexual harassment for causing the problems; continuing the offensive behavior after a co-worker has expressed objection to the behavior; retaliating against an employee who rejects sexual advances or denying promotions or other job related benefits; or, gossiping about or ridiculing a victim or alleged harasser with respect to the alleged harassment.

B. Notification

Employees are encouraged to report incidents of sexual harassment and/or ask questions about conduct that may be considered sexual harassment in confidence and without fear of retaliation. Employees should immediately report incidents of sexual harassment in the manner set forth below. This includes employees who think they have witnessed another employee being sexually harassed. Any employee bringing a good faith sexual harassment complaint or assisting in the investigation of a complaint will not be adversely affected in terms of and conditions of employment, nor discriminated against or discharged because of the complaint or assistance.

C. Confidentiality

The disclosure of allegations of sexual harassment shall be restricted to those individuals who have a "need to know." The complaints shall not be discussed with anyone other than those
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Revised 2022

Deleted: The following will be policy for the Department matters regarding sexual harassment. It is imperative that members of this Department be permitted to work in an atmosphere free from unwanted sexual harassment.

Deleted: In this Department, sexual harassment is defined as follows:

¶ Unwelcome or unwanted deliberate sexual advances, to including patting, pinching, brushing up against or other physical contacts considered unacceptable or threatening by another person.

¶ Verbal abuse or sex-oriented conversations, comments, threats or innuendoes, to include "jokes", etc., which are considered tactless by others. This includes creating a work environment that is intimidating, hostile or otherwise offensive because of unwelcome or unwanted sex-oriented conversation, suggestions, requests, demands, physical contacts or attention

¶ **Complaint Procedure:**

directly involved in the incident or the investigation process in order to protect the confidentiality rights of the alleged harasser as well as the complainant.

D. Harassment by Non-Employee

With respect to incidents of sexual harassment where the offending individual is not a Department employee, the Director of Court Services shall communicate the alleged conduct to the offender person and/or his/her employer. They shall be informed that the offensive conduct will not be tolerated and that steps must be taken to assure such actions do not reoccur.

E. Discipline

Complaints and cases of sexual harassment will be dealt with promptly. Department employees who sexually harass others and/or Supervisors who knowingly allow such activities to continue, subject themselves to the full range of disciplinary procedure, including reprimand, suspension or discharge, depending on the seriousness and/or frequency of the violations. In the most severe cases, employees are subject to immediate discharge.

F. False and Frivolous Complaints

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous charge is a severe offense that can itself result in disciplinary action.

G. Application of Policy

This policy and the procedures set forth herein shall be applicable to all employees of the Department, whether full-time, part-time, temporary or contractual and shall include interns and volunteers.

H. Further Information

Any employee who has questions about this policy should contact the Office of the Chief Judge, Sixth Judicial Circuit, or the Department's Affirmative Action Grievance Officer. All inquiries shall be handled in the strictest confidence.

II. Procedures

THE FOLLOWING PROCEDURES ARE TO BE FOLLOWED IN CASES WHERE THE ALLEGED HARASSER IS AN EMPLOYEE OF THE CHAMPAIGN COUNTY PROBATION & COURT SERVICES DEPARTMENT. IN CASES INVOLVING ALLEGED HARASSERS WHO ARE NOT EMPLOYEES OF THE DEPARTMENT, EMPLOYEES SHOULD FOLLOW THE PROCEDURES OUTLINED IN CIRCUIT ADMINISTRATIVE ORDER 04-1.

Champaign County Probation & Court Services

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Policies and Procedures Manual

Revised 2022

A. Initial Step

Any employee who believes she or he is being sexually harassed may first communicate offensive behavior to the offending party as directly and firmly as possible and request that it cease forthwith. Employees are particularly urged to take this step if they believe that the offensive conduct may be unintentional. However, if the employee does not feel comfortable confronting the offending party, or feels threatened or intimidated by the situation, or if the behavior does not cease after a confrontation with the offending party, the matter should be reported as set forth below.

B. Reporting

An employee's complaint of sexual harassment may be reported to his or her immediate supervisor or a higher supervisory authority (e.g., the Department's Affirmative Action Grievance Officer or the Director of Court Services); however, if the alleged harasser is the employee's supervisor or other higher administrative authority, the complaint shall be made directly to the Chief Judge, Sixth Judicial Circuit. If a complaint is filed with the Chief Judge, he or she shall initiate an investigation of the complaint or forward the complaint to a proper party for investigation.

The complaint shall be in writing, describing the alleged incident(s) of sexual harassment, the date(s) and time(s) of the incident(s) and any witnesses to the incident(s).

Any complaints of alleged sexual harassment received by the Department shall be reported in writing to the Chief Judge within seven (7) days, unless the alleged harasser is the Chief Judge, in which event, the complaint shall be reported to the Acting Chief Judge.

C. Investigation

When an appropriate authority has received a complaint alleging sexual harassment, the investigating authority shall promptly initiate an investigation of the complaint. The investigation may be conducted by the supervisory authority receiving the complaint or an individual designated by the Director of Court Services to conduct the investigation.

The investigation shall include the following steps:

1. The investigating party shall conduct an interview with the employee registering the complaint. The intent of the interview is to determine a true and complete account of the complaint. The following information should be sought in the interview: severity of conduct, the number and frequency of acts of alleged harassment; the apparent intent of the alleged harasser; the relationship of the parties; the response of the complainant at the time of the incident(s); and the relevant work environment.
2. To the extent practicable, the investigating party shall interview all other individuals who witnessed or may have witnessed the incident or who may have knowledge of the incident.

3. The investigating party shall interview the alleged harasser and inform the individual that a complaint has been made against him or her. The individual shall be informed that the incident is not to be discussed with co-workers and that retaliatory action against the complainant will not be tolerated.
4. To the extent practicable, the investigating party shall review any other relevant information or evidence and/or interview any other relevant witnesses.
5. The investigating party shall make a written record of the interviews and any other aspects of the investigation.
6. The investigating party shall prepare a written summary of the findings of the investigation and, in appropriate cases, any recommendations for discipline.
7. The findings of the investigation shall be reported to the Director of Court Services.

D. Disciplinary Action

The Director of Court Services shall review the report and make a determination as to whether the individual charged has committed sexual harassment, and, if so, determine and impose appropriate discipline. When required by a collective bargaining agreement, and when not inconsistent with the supervisory and administrative authority of the Chief Judge, the discipline will be imposed pursuant to the relevant provisions of the collective bargaining agreement.

The discipline imposed shall reflect the severity of the improper conduct, taking into consideration the nature of the conduct, the frequency of the conduct, the relationship of the parties involved, the intent of the offending party, and any other relevant matters.

Available discipline for sexual harassment includes, but is not limited to, verbal reprimand, written reprimand, transfer, reassignment of duties, demotion, suspension or discharge. In the most severe and blatant cases of sexual harassment, the offending employee may be immediately discharged.

In all cases, the complainant shall be notified of the results of the investigation and the discipline imposed, if any.

E. Appeals

1. Any party seeking review of a sexual harassment investigation and/or discipline imposed pursuant to this policy shall transmit a written Notice of Review to the Director of Court Services within seven (7) days of the ruling, with a copy of the Notice to all interested parties. The Notice shall state, with specificity, the part or parts of the ruling to be reviewed.

2. The Director of Court Services shall, within ten (10) days of receiving the Notice, transmit a copy of the Notice to the Presiding Judge of Champaign County, with copies to all interested parties, and shall include:

- a. The written record of interviews, if any, and any other aspects of the investigation;

- b. The written summary and recommendations of the investigating party;
 - c. The findings of the Director of Court Services together with the disciplinary action imposed, if any, and the reasons therefor.
3. Within seven (7) days of the date of the Director's transmittal letter, all interested parties may submit written comments, together with case law, if appropriate, to the Presiding Judge of Champaign County, with copies to all interested parties, and the Director's ruling on the complaint.
 4. The findings of fact and conclusions of the Director shall be held to be *prima facie* true and correct.
 5. Within thirty-nine (39) days of receiving the Director's transmittal letter, the Presiding Judge shall, after review of all reports, summaries, comments and findings enter a written order:
 - a. Affirming or reversing the Director's ruling on the complaint in whole or in part,
or
 - b. Remanding the matter back to the Director for further investigation and/or hearing;
or
 - c. Affirming the findings of fact and conclusions, but increasing or decreasing the discipline imposed, if any.
 6. The Presiding Judge shall transmit the written order to all interested parties and to the Chief Judge, Sixth Judicial Circuit.
 7. Any party seeking review of the Presiding Judge's ruling may seek review of such ruling by filing a written Notice of Review to the Chief Judge, Sixth Judicial Circuit, within ten (10) days of receipt of the Presiding Judge's ruling. The Notice shall be sent to all interested parties including the Presiding Judge ruling on the complaint. The party seeking review shall transmit to the Chief Judge all documents noted in Section E (2) above, together with the Presiding Judge's ruling.
 8. Within seven (7) days of the date of the Notice of Review, all interested parties may submit written comments, together with case law to the Chief Judge, Sixth Judicial Circuit. Within thirty-nine (39) days thereafter, the Chief Judge shall make his or her written findings of fact and enter a written order pursuant to Section 5 of Circuit Administrative Order 04-1.

Deleted: Any employee who believes they are being sexually harassed by a Supervisor, co-worker or client should promptly:
 *
 Tell the person that you feel harassed and uncomfortable because of their act or conversation. Hopefully this will alleviate the problem. If not, you should contact the Department's Affirmative Action Grievance Officer who will outline the specific complaint. ss. Contact with the Affirmative Action Grievance Officer is a request for unofficial or official action.*
Unofficial Action:

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 *
 A verbal complaint which makes the Affirmative Action Grievance Officer aware that you feel harassed, who is harassing you and that you wish assistance with your problem on an informal basis. You will receive assistance on an informal basis, without being further embarrassed.*
 *
Official Action: ¶
 *
 Your complaint should be in writing; who, what, when, etc., and should contain a request for official action. The Affirmative Action Grievance Officer will refer all official complaints to the Director of Probation &

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Deleted: Court Services, who will commence a formal investigation within three (3) working days and file investigation results with the Court within seven (7) working days. Disciplinary action may be taken in accordance with Chapter 22 of this manual, entitled Departmental Discipline. ¶
 Sexual harassment has no place within this Department. Problems of that nature, should they arise, will be dealt with in a responsive manner. This will ensure that our work atmosphere is free from unwanted sexual harassment, issues concerning racial, ethnic, religion or other matters regarding personal issues, but which have direct bearing upon each of us as individuals making up this Department.*

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Chapter 27 – Annual Plan

Pursuant to 730 ILCS 110/15(6) and 725 ILCS 185/33, an Annual Plan shall be completed by the Director of Court Services and submitted to the Chief Judge of the Sixth Judicial Circuit, the Champaign County Board and the Administrative Office of the Illinois Courts. The Annual Plan shall contain all information required by the Administrative Office of the Illinois Courts and shall be filed in a timely fashion.

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¶ There shall be an annual report completed by the Director of Court Services and provided to the Chief Judge of the Sixth Judicial Circuit and the Champaign County Board summarizing the activities of the Department for the past year. The report shall be filed with the Administrative Office of the Illinois Courts, Probation Division and shall be made available to the public. This report shall be filed in a timely fashion, in accordance with the policies established by the Chief Judge and AOIC. ¶

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Chapter 28 – Records Retention

It is the policy of the Department to retain all necessary records in accordance with the requirements of applicable State and Federal statutes, County guidelines, guidelines of the Administrative Office of the Illinois Courts, rules of the Court, and the requirements of the Local Records Unit of the Illinois State Archives, certifying agencies, and grantor agencies,

Information Contained in Current Full-Time Employee Files – Current full-time employee files are maintained in locked file cabinets in the office of the Supervisor of Administrative Services. Employee training information is maintained in the Departmental training database or in the Relias Learning System. Due to space limitations in personnel files, only three (3) years of performance evaluations will be maintained in the employee's personnel file. Performance evaluations for prior years will be archived in a separate file and will be available for review in the same manner as other information contained in an employee's personnel file. Employee Leave Requests (Benefit Slips) are maintained in a separate administrative filing system for two (2) years, at which time they are destroyed,

No information is deleted, archived, or destroyed in current employee medical files.

Information Contained in Former Full-Time Employee Files – Former full-time employee files are maintained in locked file cabinets in the administrative filing area. Former employee files are archived and the information is maintained as with a current employee file for five (5) years after the employee's date of termination. Five (5) years following the departure of the employee, the following is retained:

- All County personnel paperwork (pay sheets, salary sheets, etc).
- All Probation/Court Services Personnel Change Forms submitted to the Administrative Office of the Illinois Courts,
- Letter of resignation and termination paperwork.

Upon termination of an employee, the employee's medical file and personnel file will be combined and maintained as noted above for a period of five (5) years. Once the five-year period has passed, various information will be deleted from the personnel file (see above). No information will be deleted from the medical file until eight (8) years after the employee's termination date. At the eight-year mark, all information contained in the medical file, which DOES NOT pertain to bloodborne pathogen training/incidents, will be deleted from the file. The Supervisor of Administrative Services will retain the date of initial employment and the date of termination and file that information with all bloodborne pathogen information. The Supervisor of Administrative Services will clearly outline in each file the timeframes that need to be observed regarding bloodborne pathogen material, (i.e., an employee who has completed the bloodborne pathogen series of three shots needs to have that material retained for 30 years from termination of employment).

Adult and Juvenile Probation Division Case Files – Documents in Adult and Juvenile Probation Division case files are scanned and converted to digital format on an ongoing basis

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Deleted: and in accordance with applicable rules of the Court and the requirements of the Local Records Unit of the Illinois State Archives, certifying agencies, and grantor agencies. agency grant requirements. This section of the manual is currently under review and does not yet contain all information relevant to an established policy regarding departmental record retention.
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in accordance with Divisional guidelines. Following case closure, Adult and Juvenile Probation Division case files are destroyed in accordance with permission granted via a Records Disposal Certificate issued by the Local Records Unit of the Illinois State Archives. Digitized documents are retained, at minimum, for the time period specified in our Application for Authority to Dispose of Local Records, which requires retention for five (5) years after case closure.

Juvenile Detention Center Case Files – Juvenile Detention Center case files will be retained for one (1) year after the subject reaches age 18, at which time they are destroyed in accordance with permission granted via a Records Disposal Certificate issued by the Local Records Unit of the Illinois State Archives.

Other Records – All other types of records maintained by the Department are maintained in accordance with the requirements of applicable State and Federal statutes, County guidelines, guidelines of the Administrative Office of the Illinois Courts, rules of the Court, and the requirements of the Local Records Unit of the Illinois State Archives, certifying agencies, and grantor agencies. At minimum, records will be retained in the manner and for the time periods specified in our Application for Authority to Dispose of Local Records (Application No. 07.041) approved by the Local Records Unit of the Illinois State Archives.

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Deleted: Juvenile Probation Case Files – D- The juvenile case files will be maintained for a period of eight years and then submitted to Administrative Services for microfilming of files. Should Administrative Services not be able to maintain the eight-year microfilming schedule, every attempt will be made to store departmental files until such microfilming schedule can be resumed. After microfilming the files, the original of the microfilm will be maintained at a location specified by the Director and the viewing copy of the microfilm will be available for employee viewing documents in juvenile probation case files are scanned and converted to digital format on an ongoing basis. Following case closure, juvenile probation case files will be destroyed in accordance with permission granted via a Records Disposal Certificate issued by the Local Records Unit of the Illinois State Archives. Digitized documents will be retained, at minimum, for the time period specified in our Application for Authority to Dispose of Local Records, which requires retention for five (5) years after case closure.

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Chapter 29 – Memoranda/Directives Issued by the Director of Court Services

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Section Number **Date Issued** **Subject**

Deleted: Memo Section		08/18/00	Long Distance Cal
Memo Section	09/15/00		Computer Games [§]
Memo Section	09/29/00		Policy Manual on P Drive [§]
Memo Section	05/31/01		Telephone Calls [§]
Memo Section	06/29/01		Training memo [§]
Memo Section	08/16/01		Dept. Expenditures [§]
Memo Section	08/02/01		Departmental Phones [§]
Memo Section	08/01/01		Vehicle Use Policy [§]
Memo Section	07/08/02		Dept. Dress Code [§]
Memo Section	03/20/06		Departmental Phones [§]
Memo Section	07/17/06		Unpaid Time [§]
Memo Section	06/02/06		DNA Records [§]
Memo Section	05/01/06		Use of Internet [§]
Memo Section	08/17/06		When you Move [§]
Memo Section	05/22/07		Inappropriate e-mails [§]
Memo Section	08/23/07		Recording comp time [§]
Memo Section	10/03/07		Leave of Absences [§]
Memo Section	10/19/07		General Information [§]
Memo Section	01/17/08		New phone system [§]
Memo Section	05/24/16		Revised Dress Code [§]

**Appendix A,
Policies Governing Hiring, Promotions and Training of Illinois
Probation/Court Services Personnel**

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Appendix B **Position Descriptions**

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Position Descriptions can be found on the Probation & Court Services page on the County website at <http://www.co.champaign.il.us/probation/courtservicespositiondescriptions.php>.

Links to current Position Descriptions:

Bargaining Unit Positions

Court Services Officer –

<http://www.co.champaign.il.us/descript/ertsv/bu/CourtServicesOfficer.pdf>

Court Services Officer-Drug Specialist –

<http://www.co.champaign.il.us/descript/ertsv/bu/CourtServicesOfficer-DrugSpecialist.pdf>

Senior Court Services Officer –

<http://www.co.champaign.il.us/descript/ertsv/bu/SeniorCourtServicesOfficer.pdf>

Senior Court Services Officer-Intensive Juvenile Services –

<http://www.co.champaign.il.us/descript/ertsv/bu/SeniorCourtServicesOfficer-IntensiveJuvenileServices.pdf>

Senior Records Clerk –

<http://www.co.champaign.il.us/descript/ertsv/bu/SeniorRecordsClerk.pdf>

Records Clerk –

<http://www.co.champaign.il.us/descript/ertsv/bu/RecordsClerk.pdf>

Field Code Changed

Non-Bargaining Unit Positions

Director of Probation & Court Services –

<http://www.co.champaign.il.us/descript/ertsv/nbu/DirectorofProbationandCourtServices.pdf>

Superintendent of Juvenile Detention –

<http://www.co.champaign.il.us/descript/ertsv/nbu/SuperintendentofJuvenileDetention.pdf>

Supervisor of Administrative Services –

<http://www.co.champaign.il.us/descript/ertsv/nbu/SupervisorofAdministrativeServices.pdf>

Supervisor of Adult Services –

<http://www.co.champaign.il.us/descript/crtsv/nbu/SupervisorofAdultServices.pdf>

Supervisor of Juvenile Services –

<http://www.co.champaign.il.us/descript/crtsv/nbu/SupervisorofJuvenileServices.pdf>

Supervisor of Specialized Services –

<http://www.co.champaign.il.us/descript/crtsv/nbu/SupervisorofSpecializedServices.pdf>

Assistant Superintendent of Juvenile Detention –

<http://www.co.champaign.il.us/descript/crtsv/nbu/AssistantSuperintendentofJuvenileDetention.pdf>

**Appendix C
Use of Force Model**

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Appendix D,
Sixth Circuit Professional Code of Conduct

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**Deleted: Appendix F – Foreign National Status
Inquiry/Disposition¶**