



ILLINOIS STATE POLICE MERIT BOARD

531 Sangamon Avenue East
Springfield, Illinois 62702

October 15, 2015

Office # (217) 786-6240
Fax # (217) 786-0181

Master Sergeant Theodore Rhodes
16024 West Water Street
Teutopolis, Illinois 62467

CERTIFIED LETTER
No. 7014 0510 0000 3380 1524

Re: In the Matter of M/Sgt. Theodore Rhodes
Complaint by Director Leo Schmitz
Merit Board Docket No. 15-8

Dear M/Sergeant Rhodes:

An Order dated October 15, 2015 setting your pre-hearing conference call for October 28th, 2015, at 9:00 a.m. and setting your hearing for November 3rd, 2015 at a time and location to be determined at a later date, and appointing Ms. Jane Denes as the Hearing Officer is enclosed.

Sincerely,

ILLINOIS STATE POLICE
MERIT BOARD

By: Ronald P. Cooley
Executive Director

RPC:ef

Enclosures

c: Director Leo Schmitz	(w/encls)
Colonel Deborah Simental	(w/encls)
Colonel Tad Williams	(w/encls)
Colonel Kelly Walter	(w/encls)
Ms. Kathy Parmenter	(w/encls)
Ms. Dottie Atterberry	(w/encls)
Mr. Matthew Rentschler	(w/encls)
Ms. Annette McCarthy	(w/encls)
Attorney General Lisa Madigan	(w/encls)
Ms. Jane Denes	(w/encls)
Mr. A. George Pradel	(w/encls)
Mr. Earl Hernandez	(w/encls)
Mr. Jim Riley	(w/encls)
Mr. John Spring	(w/encls)
Mr. Reeve Waud	(w/encls)

**STATE OF ILLINOIS
ILLINOIS STATE POLICE MERIT BOARD**

IN THE MATTER OF)
)
MASTER SERGEANT THEODORE RHODES)
I. D. #4655)
16024 WEST WATER STREET)
TEUTOPOLIS, ILLINOIS 62467)

DOCKET NO. 15-8

ORDER

IT IS HEREBY ORDERED that the above-captioned matter be and the same is set for a pre-hearing telephonic conference on the 28th day of October, 2015, at 9:00 AM, with hearing scheduled for the 3rd day of November, 2015, at a time and location to be determined at a later date.

IT IS FURTHER ORDERED that pursuant to Section 150.620 of the Illinois State Police Merit Board Rules, Regulations and Procedures, Ms. Jane Denes, Attorney at Law, 3150 Rolland Avenue, Springfield, Illinois, 62703, Phone Number 217-522-6152, is hereby appointed Hearing Officer in this cause.

The Board recognizes that parties to a disciplinary matter may reach a settlement prior to a hearing and that the parties may have reasons for reaching a settlement and foregoing a full hearing and a Board decision. Those reasons may indeed be valid and acceptable reasons. However, the Board is also aware of its responsibility to decide guilt or innocence when a complaint is filed and to decide the appropriate discipline in such cases. Therefore, the parties must seek Board approval in any matters in which a settlement has occurred for which a complaint has been filed. In such instance, the Board may accept or reject the settlement.

The parties are advised that the Merit Board takes its responsibility seriously and will thoughtfully consider all motions brought to the Board. This may result in the Board declining to approve settlements in some cases. In other words, the parties bear the burden of adequately advising and satisfying the Board that any settlement is appropriate to warrant Board approval. The parties are reminded that all final decisions of the Board in which discipline is imposed are public records.

Unless there are good reasons to limit disclosure if settlement is reached, the parties are advised to clearly articulate facts in support of the agreed settlement including the following:

1. Facts which the parties agree are true;
2. Rules the parties agree the officer violated;
3. Mitigating factors, If any;
4. Aggravating factors; and
5. Any measures to be taken by ISP to monitor behavior so that repeated violations do not occur. For example, if an officer is charged with an alcohol violation and counseling requirements are imposed as part of the agreement, set forth the efforts ISP will take or require to be taken to assure compliance with the agreement.


A. George Pradel, Chairman

DATED: October 15, 2015

RECEIVED

OCT 09 2015

STATE OF ILLINOIS

ILLINOIS STATE POLICE MERIT BOARD

ILLINOIS STATE POLICE
MERIT BOARD

IN THE MATTER OF:

MASTER SERGEANT THEODORE RHODES

I.D. No. 4655

16024 West Water Street

Teutopolis, Illinois 62467

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) Illinois State Police
) Merit Board No. 15-8
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)
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COMPLAINT

NOW COMES Leo P. Schmitz, Director of the Illinois State Police, pursuant to 20 ILCS 2610/14 and 80 Ill. Admin. Code § 150.575, and states as follows:

COUNT I

FAILURE TO TRUTHFULLY ANSWER QUESTIONS

1. Theodore Rhodes (Respondent) is employed as a State Police Officer by the Illinois State Police (Department). Respondent holds the rank of Master Sergeant and at all times relevant to this Complaint was assigned to duties in District 12, Effingham. Respondent has been employed by the Department since November 29, 1995.
2. On or about March 22, 2015, Trooper Seth Williams, #6184, arrested James Newberry in Fayette County, Illinois, for the offenses of Driving Under the Influence of Alcohol (DUI), Disregarding a Traffic Control Device, and Operating an Uninsured Motor Vehicle. During his arrest, Newberry informed

Trooper Williams he lived across from ISP District 12 headquarters in Effingham, Illinois, and asked Trooper Williams if he knew Ted Rhodes.

3. Respondent has known James Newberry since 1992. Since that time, Newberry has been employed by a home building company called Custom Family Homes, a company with which Respondent contracted to build two homes. Sometime in February or March 2015 Respondent contracted with Newberry to perform construction / remodeling work with respect to commercial property owned by Respondent.
4. Sometime between March 22, 2015, and April 14, 2015, Newberry contacted Respondent regarding his arrest for Driving Under the Influence of Alcohol (DUI) in Fayette County, Illinois.
5. Following Respondent's conversation(s) with Newberry, Respondent, in an attempt to obtain leniency for Newberry, contacted Trooper Nathan Schnarre, #5884, whom he knew to work with the Fayette County State's Attorney's Office. Respondent was not Trooper Schnarre's supervisor. According to Trooper Schnarre, Respondent told him a friend of Respondent's (Newberry) had been arrested for DUI. Trooper Schnarre stated that Respondent told him that he did not know the State's Attorney in Fayette County. Respondent requested Trooper Schnarre to contact the Fayette County State's Attorney's Office in an effort to have them review Newberry's police reports and determine if any leniency for Newberry was possible.

6. According to Respondent, he contacted Trooper Schnarre during a training and asked Trooper Schnarre if Newberry needed to have his own attorney or if he would be able to simply meet with the State's Attorney's Office regarding his DUI arrest. Respondent also stated he asked Trooper Schnarre if court supervision was offered for such charges in Fayette County. Trooper Schnarre subsequently agreed to contact the State's Attorney's Office as Respondent requested.
7. Following his conversation with Respondent, Trooper Schnarre contacted Fayette County Assistant State's Attorney Amanda Harlow on at least two (2) separate occasions between April 8, 2015, and April 13, 2015, regarding James Newberry. According to Trooper Schnarre, Respondent contacted him on several occasions, via text message(s) and telephone call(s), regarding Trooper Schnarre's conversations with the State's Attorney's Office.
8. Assistant State's Attorney Amanda Harlow provided the Department's Division of Internal Investigations with copies of text messages Trooper Schnarre sent, which refer to Newberry's DUI arrest, as well as Respondent's contact with Trooper Schnarre and Harlow. Pertinent text messages between Schnarre and Harlow include the following:

On Monday, April 13, 2015:

1:48 p.m.: "K, sorry. Did you look into that DUI guy? I keep getting bugged to freaking death and this is my last time asking for him... Urgh, thx" [Schnarre]

1:51 p.m.: "What's his name again" [Harlow]

1:51 p.m.: "Jim or James newberry" [Schnarre]

1:53 p.m.: "Having the file pulled and put on my desk for when I am done with court." [Harlow]

2:58 p.m.: "I looked at the report. I don't have ISP video. I need that. Report suggests cockiness." [Harlow]

3:00 p.m.: "That's fine by me...I am sorry, but you make bad choices, bad shit happens...Thanks for looking" [Schnarre]

3:01 p.m.: "No prob. He failed field sobriety and refused all breath tests and apparently has gotten out a dui before." [Harlow]

3:03 p.m.: "Sounds good.. I am fine with going after him, I just got stuck in a shitty spot not asking... Thanks and don't worry, I won't bug you any more about it..." [Schnarre]

3:11 p.m.: "Okey dokey. Tell them to make an apt to speak with josh. Josh may cut him a deal" [Harlow]

3:16 p.m.: "Ted just called me too." [Harlow]

3:16 p.m.: "Yeah, urgh, never again will I [c]all for someone...He drove me nuts" [Schnarre]

9. On April 13, 2015, Respondent contacted Harlow at the Fayette County State's Attorney's office via telephone, identified himself as an ISP officer, and inquired about Newberry's DUI arrest. Harlow informed Respondent that she needed to discuss the matter with Fayette County State's Attorney Joshua Morrison who handled all DUI cases for the office.
10. On April 15, 2015, Respondent again contacted Harlow at the State's Attorney's Office via telephone regarding Newberry's pending DUI case. Harlow informed Respondent that Newberry would need to schedule an appointment with Morrison regarding Newberry's case.
11. Sometime between April 13, 2015, and April 15, 2015, Respondent contacted Victim Witness Coordinator Kiara Palmer at the Fayette County State's Attorney's office via telephone. Respondent spoke with Palmer, identified himself as an officer with ISP, and requested to speak with Morrison regarding James Newberry. Palmer provided Morrison with a written message regarding Respondent's request to speak with him.
12. On April 15, 2015, Respondent again contacted Palmer at the Fayette County State's Attorney's office via telephone in order to make an appointment for Newberry to meet with Fayette County State's Attorney Joshua Morrison. Respondent yet again identified himself as an ISP officer. On behalf of Newberry, Respondent scheduled an appointment to meet with Morrison on

April 15, 2015, at 2:30 p.m. and informed Palmer he would call her back should the appointment date and time needed to be changed by Newberry.

13. Also on April 15, 2015, Respondent again contacted the Fayette County State's Attorneys Office and spoke with a secretary named Sara Henna via telephone. Newberry's meeting with Morrison was then rescheduled for April 17, 2015, at 1:30 p.m.
14. On April 16, 2015, the Department received a notarized Complaint Against Department Member Form (CADMF) from District 12 Commander, Captain Kelly Hodge, #4500, containing allegations of Official Misconduct, Bringing the Department Into Disrepute, Misuse of Official Position, Interference with Investigations, and Failure to Supervise against Respondent. Specifically, Captain Hodge alleged on April 14, 2015, he was informed by Fayette County Assistant State's Attorney Amanda Harlow that the Fayette County State's Attorney was concerned that officers with the Department had contacted his office in an attempt to negotiate leniency for James Newberry who was charged with Driving Under the Influence of Alcohol (DUI). Captain Hodge was further informed that Trooper Nathan Schnarre, #5884, had been directed by the Respondent to contact the Fayette County State's Attorney's office regarding Newberry's case. In addition, Captain Hodge was informed that Respondent himself contacted the Fayette County State's Attorney's Office regarding Newberry's case. Captain Hodge was further informed by Assistant State's

Attorney Amanda Harlow that it seemed the Respondent was attempting to secure a deal or leniency for Newberry. The Department's Division of Internal Investigation (DII) opened an internal investigation into the allegations of the CADMF.

15. On June 18, 2015, agents from the Department's Division of Internal Investigation (DII) conducted an administrative interview of Respondent in the presence of his attorney after giving Respondent notice of the allegations under investigation and his administrative rights. During his administrative interview, among other statements, Respondent stated that:

- a. he has known James Newberry since 1992;
- b. he knows James Newberry through a company called Custom Family Homes, a company the Respondent contracted with to build two homes;
- c. James Newberry has been performing construction / remodeling work for the Respondent since February or March 2015 on Respondent's commercial property;
- d. Sometime after James Newberry was contracted to begin construction work on Respondent's property, Newberry contacted the Respondent seeking legal advice regarding Newberry's arrest for DUI;

- e. Newberry informed Respondent he had been arrested for DUI in Fayette County and was concerned he may lose his (driver's) license. Respondent stated Newberry asked if he needed his own attorney or if he could just speak with the Fayette County State's Attorney. According to Respondent, Newberry also inquired regarding court supervision; Respondent then informed Newberry each county is different, and he would check for him;
- f. Respondent was aware that Trooper Schnarre made many arrests in Fayette County and therefore had an ongoing business relationship with employees at the Fayette County State's Attorneys office. During a training with Trooper Schnarre, and following his conversation with Newberry, Respondent asked Trooper Schnarre if defendants needed to have their own attorneys, or if they could speak with the State's Attorney (regarding their cases), and whether or not court supervision was offered with respect to DUIs in Fayette County;
- g. Trooper Schnarre stated he did not know the answers to his questions, and would have to ask;
- h. Newberry called him approximately one week later and asked if he had found anything out; he informed Newberry he had not heard anything and would check with Trooper Schnarre;

- i. Respondent then spoke with Trooper Schnarre, who stated he had not had an opportunity to go by the State's Attorney's Office; he told Trooper Schnarre he would personally call him (the State's Attorney);
- j. He [Respondent] then called the Fayette County State's Attorney's office and spoke with Assistant State's Attorney Amanda Harlow; he believes he identified himself as a Master Sergeant with the Illinois State Police, and asked Harlow if Newberry needed to have his own attorney, or if Newberry could make an appointment to appear personally and speak with Harlow; Harlow informed him Newberry did not need an attorney and could make an appointment to discuss his case;
- k. That his phone call was then transferred by Amanda Harlow to a secretary at the State's Attorney's Office who then scheduled an appointment for Newberry to meet with Morrison;
- l. he informed Newberry of the appointment date and time, that he needed to go speak with the State's Attorney's Office, and also informed Newberry he did not need an attorney;
- m. he last spoke with and/or saw James Newberry on Monday, June 15, 2015;

16. All or a portion of the facts set forth herein constitute Respondent's violation of Department Directive ROC-002, Paragraphs III.A.41.c., which states:

"Officers are required to truthfully answer questions by, or render material and relevant statements to, competent authority in a Department personnel investigation when said officer: ...

- c. is the subject of the investigation and has been advised of his/her statutory administrative proceedings rights if the allegation indicates that a recommendation for demotion, suspension or more than 15 days or discharge from the Department is probable."

(First Offense – Level 7 Misconduct: Up to Termination).

Respondent violated this rule in that on June 18, 2015, Respondent failed to truthfully answer questions or render relevant statements to competent authority in a Department personnel investigation, when he was the subject of the investigation and was advised of his statutory administrative proceedings rights. Respondent was untruthful during his administrative interview when he made one or more of the following statements:

- a. That he contacted Trooper Nathan Schnarre, #5884 to see if James Newberry needed an attorney, or if the Fayette County State's Attorney's Office offered court supervision;
- b. That he contacted the Fayette County State's Attorney's Office to inquire only about whether or not James Newberry needed an

attorney and whether or not the Fayette County State's Attorney's Office offered court supervision.

COUNT II

MISUSE OF OFFICE

1.-13. Paragraphs 1. through 13., inclusive, of Count I of the Complaint are adopted and incorporated by reference as Paragraphs 1. through 13., inclusive, of Count II as if fully set out herein.

14. All or a portion of the facts set forth herein constitute Respondent's violation of Department Directive ROC-002, Paragraphs III.A.14.a., which states:

"Officers will not use their official position, official identification cards or stars for:

a) personal or financial gain for themselves or others."

(First Offense – Level 3 Misconduct: 15 to 30 Days).

Respondent violated this rule in that sometime between March 22, 2015, and April 15, 2015, Respondent used his official position for the personal or financial gain of James Newberry by attempting to obtain leniency for Newberry in that he:

a. requested Trooper Schnarre to contact the Fayette County State's Attorney's Office regarding Newberry's pending DUI case;

- b. identified himself as an officer with the Department when he contacted the Fayette County State's Attorney's Office regarding Newberry's pending DUI case.

COUNT III

INTERFERING WITH ANOTHER OFFICER'S CASE

1.-13. Paragraphs 1. through 13., inclusive, of Count I of the Complaint are adopted and incorporated by reference as Paragraphs 1. through 13., inclusive, of Count III as if fully set out herein.

14. All or a portion of the facts set forth herein constitute Respondent's violation of Department Directive ROC-002, Paragraphs III.A.29., which states:

"Officers will not interfere with cases being handled by other officers of the Department or by any other governmental agency unless:

- a) ordered to intervene by a superior officer.
- b) the intervening officer reasonably believes that a manifest injustice would result from failure to take immediate action.

When intervention occurs, a report of such intervention will be made to a superior officer as soon as possible."

(First Offense – Level 3 Misconduct: 15 to 30 Days).

Respondent violated this rule in that sometime between March 22, 2015, and April 15, 2015, Respondent interfered with a case being handled by Trooper

Seth Williams, #6184, an officer of the Department, when he:

- a. requested Trooper Schnarre contact the Fayette County State's Attorney's Office regarding Newberry's pending DUI case;
- b. contacted the Fayette County State's Attorney's Office regarding Newberry's pending DUI case.

Respondent was neither ordered to intervene by a superior officer nor did he intervene based on a reasonable belief that a manifest injustice would have resulted from his failure to take immediate action. Respondent did not report his intervention and continues to deny it.

COUNT IV

BRINGING THE DEPARTMENT INTO DISREPUTE

- 1.-13. Paragraphs 1. through 13., inclusive, of Count I of the Complaint are adopted and incorporated by reference as Paragraphs 1. through 13., inclusive, of Count IV as if fully set out herein.
14. All or a portion of the facts set forth herein constitute Respondent's violation of Department Directive ROC-002, Paragraphs III.A.8., which states:

"Officers will maintain a level of conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Officers will not participate in any conduct that

impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.”

(First Offense – Level 2 Misconduct: 4 to 10 Days).

Respondent violated this rule in that sometime between March 22, 2015, and April 15, 2015, Respondent participated in conduct that caused the Department to be brought into disrepute when he:

- a. requested Trooper Schnarre to contact the Fayette County State’s Attorney’s Office regarding Newberry’s pending DUI case;
- b. identified himself as an officer with the Department when he contacted the Fayette County State’s Attorney’s Office regarding Newberry’s pending DUI case;
- c. scheduled a meeting for James Newberry with the Fayette County State’s Attorney’s Office.

COUNT V

FAILURE TO PERFORM DUTIES

- 1.-13. Paragraphs 1. through 13., inclusive, of Count I of the Complaint are adopted and incorporated by reference as Paragraphs 1. through 13., inclusive, of Count V as if fully set out herein.
14. All or a portion of the facts set forth herein constitute Respondent’s violation of Department Directive ROC-002, Paragraphs III.A.12., which states:

“Officers will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers will perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer’s rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention; the failure to successfully complete mandatory annual training requirements; or absence without leave. An isolated incident can be evidence of incompetency and/or unsatisfactory performance. In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the Department.”

(Second Offense – Level 1 Misconduct, 1 – 10 days.)

Respondent violated this rule in that on April 15, 2015, Respondent failed to perform his duties in a manner that maintains the highest standards of efficiency in carrying out the functions and objectives of the Department in that

he contacted the Fayette County State's Attorney's Office regarding James Newberry's pending DUI case.

COUNT VI

FAILURE TO SUPERVISE

- 1.-13. Paragraphs 1. through 13., inclusive, of Count I of the Complaint are adopted and incorporated by reference as Paragraphs 1. through 13., inclusive, of Count VI as if fully set out herein.
14. All or a portion of the facts set forth herein constitute Respondent's violation of Department Directive ROC-002, Paragraphs III.B.1., which states:

“Rules and regulations for supervisory personnel.

- 1) Supervisory personnel are responsible for subordinates' adherence to Department rules, regulations, policy, orders, directives, and procedures and will take reasonable action to ensure compliance.”

(Second Offense)

Respondent violated this rule in that sometime between March 22, 2015, and April 15, 2015, Respondent failed to take reasonable action to ensure compliance for a subordinate's adherence to Department rules, regulations, policy, orders, directives, and procedures, as well as failed to provide leadership, supervision, and example to ensure the efficiency of Department operations, when he

requested Trooper Schnarre, a subordinate, to contact the Fayette County State's Attorney's Office regarding James Newberry's pending DUI case.

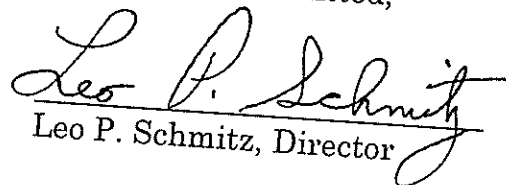
CERTIFICATION

A copy of Illinois State Police Department Directive ROC-002, Rules of Conduct, is provided in the incorporated attachment and is certified by the Director as accurate, complete, and in full force and effect at the time the aforementioned acts were committed.

CONCLUSION

WHEREFORE, by reason of these facts and charges, I request the Illinois State Police Merit Board conduct a hearing in this matter and suspend Respondent from employment with the Illinois State Police in excess of 30 days and demote to the rank of Trooper.

Respectfully submitted,


Leo P. Schmitz, Director

Illinois State Police
801 South Seventh Street, Suite 1100-S
Springfield, Illinois 62703-2487

ILLINOIS STATE POLICE DIRECTIVE ROC-002, RULES OF CONDUCT

RESCINDS: ROC-002, 2005-020, revised 03-02-2005.	REVISED: 03-30-2007 2007-023
RELATED DOCUMENTS: PER-009, PER-032, PER-033	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy
RELATED CALEA STANDARDS: 1.2.3, 1.3.1, 11.3.2., 12.1.2., 12.1.3., 26.1.1, 26.1.3, 26.1.5, 52.1.1, 61.1.8	

I. POLICY

The Illinois State Police (ISP) will establish rules of conduct by which officers of the Department will conduct themselves both on and off duty.

II. AUTHORITY

Pursuant to the authority granted to the Director of the ISP in 20 ILCS 2605/55a et seq., the following rules of conduct are promulgated for officers. Failure to comply may result in discipline as provided in the Rules and Regulations of the ISP Merit Board or the Collective Bargaining Agreement.

III. RULES AND REGULATIONS

NOTE: See Addendum 1, for the Discipline Schedule identifying the range of possible discipline for each level of misconduct.

III.A. Rules and regulations for all officers.

- III.A.1. Officers will uphold the Constitutions of the United States and the state of Illinois, obey all federal, state and local laws in which jurisdiction the officer is present, and comply with court decisions and orders of courts having jurisdiction.

On-duty petty or traffic offense - A violation of this rule is Level 1 Misconduct.

Misdemeanor Offense - A violation of this rule is Level 4 Misconduct.

Felony Offense - A violation of this rule is Level 7 Misconduct.

- III.A.2. If an officer enters a plea of guilty, nolo contendere, stipulates to the facts or is found guilty of a violation of any law, or if there is any other judicial determination that will support any punitive measure taken against the officer, such action by the officer or judicial entity will be prima facie evidence of a violation of this directive.

On-duty petty or traffic offense - A violation of this rule is Level 1 Misconduct.

Misdemeanor Offense - A violation of this rule is Level 6 Misconduct.

Felony Offense - A violation of this rule is Level 7 Misconduct.

- III.A.3. Officers are prohibited from posting bonds for any person as established in 725 ILCS 5/110-13.

A violation of this rule is Level 2 Misconduct.

- III.A.4. Officers will obey any lawful order of a superior. This will include orders relayed from a superior, by a person of the same or lesser rank, or by a telecommunicator via radio or electronic medium.

A violation of this rule is Level 3 Misconduct.

A violation of this rule for refusal to submit to an administrative breath test following a lawful order by a superior is Level 7 Misconduct.

A violation of this rule for failure to terminate involvement in a vehicular pursuit following a lawful order by a superior is Level 2 Misconduct.

- III.A.5. Officers who are given an otherwise proper order that is in conflict with a previous order, rule, regulation, or directive will respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the order will stand. Under these circumstances, the responsibility for the conflict will be upon the superior officer. Officers will obey the conflicting order and will not be held responsible for disobedience of the order, rule, regulation or directive previously issued.

A violation of this rule is Level 1 Misconduct.

- III.A.6. Officers will not obey any order that they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, officers will request the issuing officer to clarify the order or to confer with higher authority.

A violation of this rule is Level 1 Misconduct.

- III.A.7. Officers will conduct themselves on and off duty in such a manner as to reflect favorably on the Department. Officers will not engage in conduct that discredits the integrity of the Department or its employees, or that impairs the operations of the Department. Such actions will constitute conduct unbecoming an officer.

A violation of this rule is Level 1 Misconduct.

- III.A.8. Officers will maintain a level of conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Officers will not participate in any conduct that impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

A violation of this rule is Level 2 Misconduct.

- III.A.9. Officers will report for duty at the time and place required or report their inability to do so by notifying their supervisor or the appropriate headquarters office at least one hour prior to the beginning of their tour of duty. Officers will not leave their assigned duty posts during a tour of duty except when authorized by proper authority. Officers will report for duty physically and mentally fit to perform their duties or will immediately report to their supervisor any physical and/or mental condition(s) that would prevent them from performing their duties. They will be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas will constitute an order to report for duty under III.A.9.

A violation of this rule is Level 1 Misconduct.

- III.A.10. Officers will not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of this Department or any other governmental agency or individual authorized to conduct such an inquiry as to the condition of their health.

A violation of this rule is Level 2 Misconduct.

- III.A.11. Officers will remain awake while on duty. If unable to do so, they will notify their superior officer, who will determine the proper course of action.

A violation of this rule is Level 1 Misconduct.

- III.A.12. Officers will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers will perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention; the failure to successfully complete mandatory annual training requirements; or absence without leave. An isolated incident can be evidence of incompetency and/or unsatisfactory performance. In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the Department.

A violation of this rule is Level 1 Misconduct.

- III.A.13. Officers will not solicit or accept from any person, business or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the officer or the Department, if it may reasonably be inferred that the person, business or organization:

- III.A.13.a. seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty.

A violation of this rule is Level 2 Misconduct.

- III.A.13.b. has an interest that may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

A violation of this rule is Level 2 Misconduct.

- III.A.14. Officers will not use their official position, official identification cards or stars for:

- III.A.14.a. personal or financial gain for themselves or others.

A violation of this rule is Level 3 Misconduct.

- III.A.14.b. obtaining privileges not otherwise available to them except in the performance of duty.

A violation of this rule is Level 2 Misconduct.

- III.A.14.c. avoiding consequences of illegal acts.

A violation of this rule is Level 2 Misconduct.

- III.A.15. Officers will not lend to another person their identification cards or stars or permit them to be photographed or reproduced without the approval of the Director.

A violation of this rule is Level 3 Misconduct.

- III.A.16. Officers will not authorize the use of their names, photographs or official titles that identify them as officers, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Director.

A violation of this rule is Level 1 Misconduct.

- III.A.17. Officers will not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, ambulance or towing service, bondsman, mortician, etc.). In the case of ambulance or towing service when such service is necessary and the person needing the service is unable or unwilling to procure it or request assistance, officers will proceed in accordance with established Department procedures. This will not include any recommendation made in the performance of official duties that is in the best interest of the Department and does not provide benefit to the officer, or the officer's family and/or personal or business associates.

A violation of this rule is Level 1 Misconduct.

- III.A.18. Officers will be courteous to the public. Officers will be tactful and professional in the performance of their duties, will control their tempers, and exercise the utmost patience and discretion and will not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers will not use coarse, violent, profane or insolent language or gestures, and will not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.

A violation of this rule is Level 1 Misconduct.

- III.A.18.a. Officers will not engage in any conduct that constitutes harassment or discrimination as herein defined.

The term discrimination within the context of enforcement action, includes any action that constitutes the provision of unequal protection under the law based on race, color, national origin, disability, sex, sexual orientation, age, religion, creed, marital or military (veteran) status.

The term harassment within the context of enforcement action, includes any physical conduct or verbal or nonverbal communication that may reasonably be interpreted as related to race, color, national origin, disability, sex, sexual orientation, age, religion, creed, marital or military (veteran) status that is unwelcome, uninvited, unreciprocated and usually, but not always repeated and such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's right to equal protection under the law.

The term sexual harassment within the context of enforcement action includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct by an individual is used as the basis for enforcement decisions affecting such individual.

A violation of this rule is Level 6 Misconduct.

- III.A.19. Officers will carry their identification cards (and star when carrying a weapon) on their person at all times, except when impractical or dangerous to their safety or to an investigation. They will furnish their name and identification number to any person requesting that information, when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority. Officers will make every effort to ensure the security and safekeeping of the identification and star at all times.

A violation of this rule is Level 1 Misconduct.

- III.A.20. When any person needs assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established Department procedures.

A violation of this rule is Level 1 Misconduct.

- III.A.21. Except as necessary to the performance of official duties, or where unavoidable because of other family relationships of the officer, officers will avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present or past involvement in felonious or criminal behavior, or who have a felony conviction.

A violation of this rule is Level 4 Misconduct.

- III.A.22. Except in the performance of duty or while acting under proper and specific orders from a superior officer, officers will not knowingly run, enter, visit or frequent a house of prostitution, gambling house or establishment wherein the laws of the United States, the state, or the local jurisdiction are violated, solicit a prostitute or pimp, or patronize a prostitute or pimp.

A violation of this rule is Level 7 Misconduct.

- III.A.23. Officers will not engage or participate in any illegal sexual act or activity, including but not limited to prostitution and/or pimping.

A violation of this rule is Level 7 Misconduct.

- III.A.24. Officers will not publicly criticize or ridicule the Department, its policies or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline or is made with reckless disregard for truth.

A violation of this rule is Level 2 Misconduct.

- III.A.25. Officers will not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge information, or any other matters of the Department while holding themselves out as representing the Department in such matters without the authority of the district commander or the functional equivalent, or their designee.

A violation of this rule is Level 2 Misconduct.

- III.A.26. Officers will not accept compensation, honorariums, or permit their expenses to be paid by sources other than the state of Illinois for speaking or writing assignments performed as part of their official duties unless specifically authorized by the Director or his/her designee.

A violation of this rule is Level 1 Misconduct.

- III.A.27. Officers will not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the absence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment. No officer will refuse to cross any picket line while on duty by whomever established.

A violation of this rule is Level 7 Misconduct.

- III.A.28. Officers will have personally-owned telephones (either a standard land-line telephone or a cellular telephone) in their residences and will immediately report any changes of telephone numbers or street addresses to their supervisor and to such other persons as may be appropriate.

A violation of this rule is Level 1 Misconduct.

- III.A.29. Officers will not interfere with cases being handled by other officers of the Department or by any other governmental agency unless:

- III.A.29.a. ordered to intervene by a superior officer.

- III.A.29.b. the intervening officer reasonably believes that a manifest injustice would result from failure to take immediate action. When intervention occurs, a report of such intervention will be made to a superior officer as soon as possible.

A violation of this rule is Level 3 Misconduct.

- III.A.30. Officers will not undertake any investigation or other official action not part of their regularly assigned duties without obtaining permission from a supervisor unless the exigencies of the situation require immediate police action.

A violation of this rule is Level 1 Misconduct.

- III.A.31. Officers will treat the official business, evidence, documents, information, e-mail, and photographs of the Department as confidential.

- III.A.31.a. Information regarding official business will be disseminated in accordance with established Departmental procedures. Officers may remove or copy official records or reports from a police installation only in accordance with established Departmental procedures.

A violation of this rule is Level 3 Misconduct.

- III.A.31.b. Officers will not access or divulge any confidential information, existing in any form, or the identity of any persons giving confidential information or release items of evidence, documents, photographs, etc., to members of the news media or others outside the criminal justice system without the express permission of the Director of the ISP, or his designee.

A violation of this rule is Level 7 Misconduct.

- III.A.31.c. Officers assigned to specialty units within the ISP or the criminal justice system may be required to attain federal security clearance or sign confidentiality agreements. Any breach of a security clearance or disclosure of information in violation of a confidentiality agreement is prima facie evidence of a violation of this directive.

A violation of this rule is Level 7 Misconduct.

- III.A.32. Officers will not:

- III.A.32.a. engage in political activities, campaign while off duty, or express political beliefs while:

- III.A.32.a.1) wearing a uniform or any part thereof that would identify the individual as an ISP officer or using property of the Department.

A violation of this rule is Level 1 Misconduct.

- III.A.32.a.2) displaying or otherwise leading others to believe he/she is carrying a firearm or a star.

A violation of this rule is Level 1 Misconduct.

- III.A.32.a.3) promoting him/herself as an ISP officer representing the interest of the Department.

A violation of this rule is Level 1 Misconduct.

- III.A.32.b. solicit political contributions from employees or non-employees during regular working hours.

A violation of this rule is Level 6 Misconduct.

- III.A.32.c. solicit or receive political contributions anytime on state property unless that property is rented or leased by private individuals or corporations.

A violation of this rule is Level 6 Misconduct.

- III.A.33. Officers will submit all necessary reports on time in accordance with established Department procedures.

A violation of this rule is Level 1 Misconduct.

Reports submitted by officers will be truthful and complete, and no officer will knowingly make false statements, charges or allegations in connection with any Department citations, warnings, assistance rendered, accident reports, field reports, investigative reports, computer entries or by any other means that creates an official record of the Department.

A violation of this rule is Level 5 Misconduct.

- III.A.34. Property or evidence that has been discovered, gathered or received in connection with Department responsibilities will be processed in accordance with established Department procedures.

A violation of this rule is Level 2 Misconduct.

- III.A.35. Officers will not convert to their own use, manufacture, conceal, falsify, destroy, remove, disguise, or alter any property or evidence in connection with an investigation or other police action, except in accordance with established Departmental procedures.

A violation of this rule is Level 4 Misconduct.

- III.A.36. Officers will not knowingly purchase or otherwise obtain control over property of any kind that has at any time previously been held, owned, purchased, seized, or in any way controlled by the Department or any Metropolitan Enforcement Group, task force, or other entity of which the Department or employees of the Department are participants, unless authorized by the Director to do so. This prohibition also applies to purchases made by family members or others that result in the officer obtaining full or partial control or use of the property.

A violation of this rule is Level 4 Misconduct.

- III.A.37. Officers will not make false accusations of a felony, misdemeanor, traffic, petty offense or an administrative charge. Officers will not withhold information or testimony, if to do so would mislead judicial or administrative proceedings. Officers will testify truthfully when under oath. However, officers will not be required to waive any applicable constitutional rights.

A violation of this rule is Level 7 Misconduct.

- III.A.38. Officers will utilize Department equipment only for its intended purpose, in accordance with established Department procedures and will not abuse or damage Department equipment. Officers will use reasonable care to avoid loss of Department equipment. All Department equipment issued to officers will be maintained in proper order.

A violation of this rule is Level 1 Misconduct.

- III.A.39. Officers will operate official vehicles in a careful and prudent manner, and will obey all laws and all Department directives pertaining to such operation.

- III.A.39.a. Loss or suspension of any driving license will be reported to the Department immediately.

A violation of this rule is Level 4 Misconduct.

- III.A.39.b. Officers will maintain a valid Illinois Drivers License at all times.

- III.A.39.b.1) Officers will not allow their Illinois Drivers License to expire.

A violation of this rule is Level 1 Misconduct if the Illinois Drivers License was expired for 30 days or less.

A violation of this rule is Level 2 Misconduct if the Illinois Drivers License was expired for more than 30 days.

- III.A.39.b.2) Officers will not allow their Illinois Drivers License to be suspended or revoked.

A violation of this rule is Level 3 Misconduct if the suspension or revocation for 60 days or less.

A violation of this rule is Level 6 Misconduct if the suspension or revocation was for more than 60 days.

- III.A.40. Upon the order of the Director, Colonel, or a superior officer, officers will truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them.

A violation of this rule is Level 4 Misconduct.

- III.A.41. Officers are required to truthfully answer questions by, or render material and relevant statements to, competent authority in a Department personnel investigation when said officer:

III.A.41.a. is not the subject of the investigation; or

III.A.41.b. is the subject of the investigation, but the allegation does not indicate that a recommendation for demotion, suspension of more than 15 days or discharge from the Department is probable; and/or

III.A.41.c. is the subject of the investigation and has been advised of his/her statutory administrative proceedings rights if the allegation indicates that a recommendation for demotion, suspension of more than 15 days or discharge from the Department is probable.

This rule shall not supersede said officer's constitutional rights concerning self-incrimination if the investigation indicates that criminal prosecution is likely against that officer.

A violation of this rule is Level 7 Misconduct.

- III.A.42. Officers will not mistreat persons who are in custody or are otherwise being detained. Officers will handle such persons in accordance with law and Department procedures.

A violation of this rule is Level 4 Misconduct.

- III.A.43. Officers will not use more force in any situation than is reasonably necessary under the circumstances. Officers will use force in accordance with law and Department procedures.

A violation of this rule is Level 4 Misconduct.

- III.A.44. Officers will not make any arrest, search or seizure that they know or should know is not in accordance with law and Department procedures.

A violation of this rule is Level 3 Misconduct.

- III.A.45. Officers on duty will maintain a neat, well-groomed appearance according to Department guidelines, except as otherwise allowed by policy.

A violation of this rule is Level 1 Misconduct.

- III.A.46. Officers, when in uniform, may use tobacco as long as:

III.A.46.a. they are not in a formation.

III.A.46.b. they do not have to leave their assignment or post for the sole purpose of doing so.

III.A.46.c. they are not engaged in traffic direction and control.

A violation of this rule is Level 1 Misconduct.

- III.A.47. Officers will not:

III.A.47.a. possess or use cannabis or any controlled substances, except when it is lawful to do so. When controlled substances are prescribed or other medication is being used, officers will notify their superior officer if the use will affect their job performance. A verified positive drug test obtained pursuant to Department directives will constitute prima facie evidence of a violation of this rule.

A violation of this rule is Level 7 Misconduct.

III.A.47.b. while on or off-duty, drive or be in physical control of a vehicle while under the influence of alcohol, any other drugs, intoxicating compounds, or any combination thereof.

A violation of this rule is Level 7 Misconduct.

III.A.47.c. operate a Department vehicle after consuming alcoholic beverages while on duty or in uniform unless such consumption is necessitated by the nature of a duty assignment. In any case, officers will not operate a Department vehicle after consuming alcoholic beverages to the point of impairment.

A violation of this rule is Level 7 Misconduct.

III.A.47.d. store or bring into any police facility or state vehicle alcoholic beverages, controlled substances, or cannabis derivatives, except those that are held as evidence, used for training or other official capacity.

A violation of this rule is Level 7 Misconduct.

- III.A.47.e. consume alcoholic beverages while on duty except in the performance of duty, and in those instances, never to the extent that the officer's ability to perform an official assignment or function is impaired.

A violation of this rule is Level 7 Misconduct.

- III.A.47.f. report for duty while under the influence of alcohol, any other drugs, intoxicating compounds, or any combination thereof to any degree whatsoever or with an odor of alcohol on their breath.

A violation of this rule is Level 7 Misconduct.

- III.A.47.g. consume alcoholic beverages, while off-duty, to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior that discredits them or the Department, or renders the officers unfit to report for their next regular tour of duty.

A violation of this rule is Level 3 Misconduct.

- III.A.47.h. enter any establishment or place where the principal business is the sale of alcoholic beverages while on duty and/or in uniform, except in the performance of duty.

A violation of this rule is Level 2 Misconduct.

- III.A.48. Officers will reside within the state of Illinois and locate in a manner determined acceptable by their Colonel or his/her designee.

A violation of this rule is Level 3 Misconduct.

- III.A.49. Personal activities or associations of an officer that knowingly create an apparent or real conflict of interest with the conduct of official duties are prohibited. A "conflict of interest" arises when an officer's private interest, whether of a financial nature or otherwise, conflicts with the officer's impartial conduct of official duties and responsibilities.

A violation of this rule is Level 3 Misconduct.

- III.A.50. Officers will notify supervisory officers when they are exposed to information or receive an assignment involving a person or group with whom the officers have had social, business or other relationships of a nature that might give the appearance of impairing the officers' impartiality or independence in the conduct of an assignment or might impair Department operations.

A violation of this rule is Level 1 Misconduct.

- III.A.51. Any officer who has failed to report to work or receive approval for an absence for a period of five consecutive days and has not notified his/her immediate supervisor, immediate non-bargaining unit supervisor or the next available supervisor in the chain of command (whichever is appropriate) during that time period of the reason for the absence, or fails to return to work from an approved leave of absence according to the terms thereof without the prior approval of the Director, absent exigent circumstances, is deemed to have abandoned his/her job and forfeits their employment with the ISP.

A violation of this rule is Level 7 Misconduct.

- III.A.52. Officers will, upon being subpoenaed, attend court or quasi-judicial hearings. When appearing in court on Department matters or investigations, either the official uniform or clothing conforming to standards imposed on officers working in plain clothes will be worn. Weapons will not be displayed, unless wearing the uniform. Members will present a neat and clean appearance, avoiding any mannerism that might imply disrespect to the court.

A violation of this rule is Level 1 Misconduct.

- III.A.53. Any officer subpoenaed to testify for the defense in any trial or hearing, or against the Department in any proceeding, will notify his/her commander upon receipt of the subpoena, notice or request to do so.

A violation of this rule is Level 1 Misconduct.

- III.A.54. Any officer who has knowledge of actual or suspected criminal activities or is about to conduct a criminal investigation will notify a supervisory officer orally or in writing prior to enforcement action being taken or as soon as practical.

A violation of this rule is Level 1 Misconduct.

- III.A.55. Officers will not obstruct any investigation by destroying, altering, concealing or disguising real evidence, or by planting false evidence or furnishing false information to lawful authority.

A violation of this rule is Level 7 Misconduct.

- III.A.56. Officers will not induce a witness or any other person who has knowledge regarding any issue under investigation by the Department, or any other law enforcement agency, to make false statements, withhold information, conceal information, absent themselves or otherwise fail to cooperate with lawful investigating authorities.

A violation of this rule is Level 7 Misconduct.

- III.A.57. An officer will not volunteer to testify in civil actions and will not testify unless lawfully and properly subpoenaed or when directed to do so by the officer's commanding officer upon the advice of the Department legal section. If a subpoena arises out of Department employment or if the officer is informed they are a party to a civil action arising out of Department employment, the officer will immediately notify their commanding officer of the service or notification and of the testimony he/she is prepared to give. Whenever an officer is subpoenaed to testify in a civil or criminal proceeding other than Department related, the officer will appear and testify on his/her own time and will provide his/her own transportation. The appearance and testimony will be made in appropriate civilian attire. Members and employees will not enter into any financial understanding for appearances as witnesses prior to any trial except in accordance with current directives.

A violation of this rule is Level 2 Misconduct.

- III.A.57.a. Officers will notify their supervisor before giving a deposition or affidavit in a civil matter.

A violation of this rule is Level 1 Misconduct.

- III.A.58. Officers will not serve civil process or assist in civil cases unless the specific consent of the Director or Colonel is obtained.

A violation of this rule is Level 1 Misconduct.

- III.A.59. When an officer becomes aware they are the subject of an investigation by, or a criminal complaint to, a government agency other than the ISP, the officer will immediately notify his/her commanding officer/work unit supervisor, in writing, and inform him/her of the circumstances surrounding the incident being investigated, the agency conducting said investigation and what actions have been taken to resolve the matter. Officers must submit written notification to their supervisor immediately following any non-petty arrest, indictment or conviction (except minor traffic offenses).

A violation of this rule is Level 2 Misconduct.

- III.A.60. Whenever an officer is subpoenaed to testify in a civil or criminal proceeding other than Department related, the officer will appear and testify on his/her own time and will provide his/her own transportation. The appearance and testimony will be made in appropriate civilian attire.

A violation of this rule is Level 2 Misconduct.

- III.A.61. Officers will not engage in any conduct that constitutes sexual harassment as herein defined. The term sexual harassment, within the context of Department employment includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- III.A.61.a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or

A violation of this rule is Level 6 Misconduct.

- III.A.61.b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

A violation of this rule is Level 6 Misconduct.

- III.A.61.c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

A violation of this rule is Level 4 Misconduct.

- III.A.62. Officers will not engage in any conduct that constitutes hostile work environment harassment as herein defined. The term hostile work environment harassment within the context of Department employment, includes any physical conduct or verbal or non-verbal communication that may reasonably be interpreted as related to race, color, national origin, disability, sex, sexual orientation, age, religion, creed, marital or military (veteran) status that is unwelcome, uninvited, unreciprocated and usually, but not always, repeated and such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

A violation of this rule is Level 4 Misconduct.

- III.A.63. Officers will not engage in any conduct that constitutes discrimination as herein defined. The term discrimination within the context of Department employment, includes:

- III.A.63.a. Denial of promotion(s), advancement, training or other employment opportunities based on race, color, national origin, disability, sex, sexual orientation, age, religion, creed, marital, or military (veteran) status.

A violation of this rule is Level 6 Misconduct.

III.A.63.b. Lowered performance rating(s) or evaluations, demotion, suspension, discharge, or other disciplinary or personnel actions based on race, color, national origin, disability, sex, sexual orientation, age, religion, creed, marital, or military (veteran) status.

A violation of this rule is Level 6 Misconduct.

III.A.64. Officers will not engage in conduct that is in violation of the policies and procedures established in directives PER-009, "Equal Employment Opportunity," PER-032, "Discrimination and Harassment," or PER-033, "Sexual Harassment."

A violation of this rule is Level 4 Misconduct.

III.A.65. Officers will use video/audio recording equipment in accordance with established Department procedures.

A violation of this rule is Level 2 Misconduct.

III.A.66. Officers will use Mobile Data Computer (MDC) systems in accordance with established Department procedures.

A violation of this rule is Level 2 Misconduct.

III.B. Rules and regulations for supervisory personnel.

III.B.1. Supervisory personnel are responsible for subordinates' adherence to Department rules, regulations, policy, orders, directives, and procedures and will take reasonable action to ensure compliance.

III.B.2. Supervisors are responsible and accountable for the maintenance of discipline and will provide leadership, supervision and example to ensure the efficiency of Department operations.

III.B.3. Supervisors are responsible for the job performance of all subordinates placed under them.

III.B.4. Authority and functions may be delegated to subordinates, but responsibility remains with the supervisor who made the assignment.

III.B.5. Supervisory personnel are responsible for all job related failures on the part of their subordinates when the supervisor was aware or reasonably should have been aware of the failure or the potential for failure and did not take the appropriate action to correct the deficiency.

| Indicates new or revised items.

-End of Directive-

ILLINOIS STATE POLICE DIRECTIVE ROC-002, RULES OF CONDUCT ADDENDUM 1, DISCIPLINE SCHEDULE

RESCINDS: ROC-002, Addendum 1, 2005-020, revised 03-02-2006.	REVISED: 03-30-2007	2007-023
RELATED DOCUMENTS: PER-009, PER-032, PER-033	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy	
RELATED CALEA STANDARDS: 1.2.3, 1.3.1, 11.3.2, 12.1.2., 12.1.3., 26.1.1, 26.1.3, 26.1.5, 52.1.1, 61.1.8		

Any discipline over 30 days, and up to and including termination, is determined by the ISP Merit Board.

The discipline at each Level and Offense reflects the range of discipline that may be imposed.

The word "days" refers to "days of suspension." The word "Termination" means "up to and including termination."

	First Offense	Second Offense	Third Offense	Fourth Offense	Fifth Offense	Sixth Offense	Seventh Offense
Level 1	Reprimand - 3 days	1-10 days	5-30 days	15-30 days	31-90 days	60-180 days	90 days - Up to Termination
Level 2	4-10 days	15-30 days	31-45 days	31-45 days	90-180 days	Up to Termination	
Level 3	15-30 days	31-45 days	60-90 days	60-90 days	Up to Termination		
Level 4	31-45 days	60-90 days	90-180 days	90-180 days	Up to Termination		
Level 5	60-90 days	90-180 days	Up to Termination	Up to Termination			
Level 6	90-180 days	Up to Termination					
Level 7	Up to Termination						

Shaded boxes indicate discipline that may be imposed by the ISP Merit Board.

Indicates new or revised items.

-End of Addendum-