

INTRODUCTION

This engagement was commenced by written agreement of the undersigned consultants (the "Consultants") with the Village of River Forest (the "Village") dated April 28, 2008 (the "Agreement"). A copy of the Agreement is attached as Exhibit A. The Agreement enumerated eight areas of inquiry where the Consultants were to apply their skill and experience in making observations and, where appropriate, recommendations. The Consultants advised the Village that several of the areas inquiry would require considerably more resources for a comprehensive evaluation. While additional resources were allocated for the engagement the preponderance of time and effort was spent in evaluating the issues of RFPD morale.

METHODOLOGY

Consistent with the resources allocated, much of this report is based on review of survey data and examination of documents and materials provided by the Village. Informal interviews were conducted with the Chief of Police and Deputy Chiefs (the "Command Staff"), the Lieutenant and Sergeants of the RFPD (the "Supervisors") and the rank and file police Officers (the "P.O.s"). Extensive discussions were also held with the Village Administrator.

Documents provided by the Village included the following documents:

- General Orders 1.1 (Mission and Values), 11.1(Organization), 12.1(Direction), 24.1(Collective Bargaining), 24.2(Suggestions and Problem Resolution), 26.1(Discipline), 26.4(Standards of Conduct), 26.5 (Harassment), and 52.1(Complaints Against Department Members).
- Expectations and Management Philosophy Memorandum (provided to all incoming P.O.s).
- An undated memorandum prepared by Chief Weiss on Police Resource Allocation.
- The Collective Bargaining Agreement between the Village and the FOP lodge 46.
- The Villages Personnel Policy Manual.
- Summaries of employee harassment complaints (one of the Consultants was also present for an Executive Session report of the Village's retained expert regarding recent harassment complaints).
- Two internal investigations regarding conduct of RFPD personnel.

- The Village's Police Committee's Interim Report on the FOP vote of no confidence and memoranda and rebuttal documents prepared in response to that report.

In addition to document review, the Consultants examined command structures in villages of similar size to River Forest (jurisdictions identified as comparable for the Village's collective bargaining negotiations). Informal interviews were conducted with the command staff in two of those jurisdictions. The Consultants also reviewed and utilized ethics materials employed by other jurisdictions.

As noted above the bulk of the Consultant's time was spent in surveying the moral of the Department and attempting to discern potential strategies for improvement. This examination involved a twofold process. All sworn members of the Department (with the exception of the Chief and P.O.s serving on active military duty) were provided with a Command Climate Survey (the CCS). A copy of the CCS is attached as Exhibit B.

The CCS was based in large part on command climate surveys employed by the United States Army for examining the climate of command in military units. The CCS asked a series of questions related to PO and Supervisor perceptions of their working conditions, the Supervisors and the Command staff. The questions also covered perceptions of individual and department morale, job satisfaction and actual experiences discrimination and response to discrimination. The CCS was given to each Sworn Member of the RFPD (except the Chief) who was requested to fill it out and return it in a sealed envelope to the Consultants. The surveys contained no request for identifying information (except a question asking where the survey taker is a PO or Supervisor) and represented that the identity of the survey respondent would remain anonymous. There were 18 surveys returned by persons purporting to be P.O.s, 6 returned by persons purporting to be supervisors and 2 returned by Command Staff personnel (those 2 surveys were reviewed but not tallied).

Additionally, a series of structured interviews was conducted of all sworn personnel (with the exception of the Chief) by one or in some cases both of the Consultants. As with the case of the CCS individuals surveyed were promised by the consultants that their identity would remain anonymous. The interviews were originally scheduled to last only 20 to 30 minutes. In actuality most of the interviews lasted a substantially longer period of time

(some as long as 2 hours). On average the interviews lasted about an hour. The interviews were conducted in the station in a private room during all there watches.

TASKS, OBSERVATIONS AND CONCLUSIONS/RECOMMENDATIONS

1. COMMAND STRUCTURE

Task:

Assess the Department's current command structure compared with that utilized in other area municipalities. Note the advantages and disadvantages of those structures.

Observations:

The Village has chosen to use the command structure permitted under 65 ILCS 5/-2.1-4. This statute permits a village that employs over 25 sworn officers to appoint up to 2 Deputy Chiefs. Those Deputy Chiefs are exempt appointments. They are named by the Chief and are not bargaining unit positions. The statute permits the appointment of deputy chief from a person of any rank within the Department so long as the individual has 5 years of experience within the Department. If an individual is removed from the position of Deputy Chief, he or she reverts to the highest previously held rank.

The Deputy Chief positions are currently held by two individuals with the rank of Sergeant of Police. One of the Deputies was promoted to the rank of Sergeant after becoming a Deputy Chief (a practice permitted under the statute).

Prior to moving to the current structure the Department operated under a structure where the senior rank in the Department below the rank of Chief was that of Lieutenant. The Lieutenant position was and is a position covered by collective bargaining. In the Department, the Lieutenant position, as well as the Sergeant positions, is in the same collective bargaining unit as the Patrol Officers.

The movement from the Chief/Lieutenant structure to the current Chief/Deputy Chief structure, permitted the creation of two non-bargaining

unit positions to assist the Chief in the supervision of the Department. This allowed the command structure to execute management, disciplinary, and collective bargaining functions apart from bargaining unit presence in the command staff.

There is no statutory requirement that the Department operate its Command Staff with 1 or 2 Deputy Chiefs, or without Lieutenants. A review of the command structures of some of the municipalities used by the Village as comparatives for collective bargaining purposes evidences a number of different approaches. Villages with sworn strength below 25 personnel generally does really work well as comparatives because the statute only permits the appointment of one Deputy Chief in those circumstances. Larger departments like Palos Heights and Willowbrook have a two Deputy Chief structure. Municipalities like Westchester and LaGrange are operating with a Chief and 3 Lieutenants. However, in LaGrange the Lieutenants are in a different bargaining unit from the one representing patrol officers. In Westchester the Lieutenant positions are not covered by a collective bargaining agreement.

Conclusions/Recommendations:

There is no "optimal" structure for the Department, except for the one that the Village President and Trustees agree upon consistent with statutory constraints. The prior Chief/Lieutenant structure is one that is commonly utilized. So is the current Chief/Deputy Chief structure. While the Department is not substantially over the statutory minimum for appointing two Deputy Chiefs, only one of the Village's collective bargaining comparatives is smaller and has two Deputy Chiefs.

If the Village considers modifying this structure to eliminate one or both of the Deputy Chief positions, it must realize that any displaced incumbent would need to be returned to the supervisory ranks and that the number of non-bargaining members in the command staff would also be reduced.

2. STAFFING

Task: Assist Village personnel in conducting a staffing study to determine the optimal deployment of police resources.

Observations:

A comprehensive staffing study would require the commitment of substantially more resources than have been allocated for this engagement.

The Chief has compiled a thoughtful analysis of the staffing issues confronting the RFPD. By all accounts the crime rates in the Village are relatively low. The predominant crime and disorder problems uniformly recognized by all sworn members were residential (mostly garage) burglaries and retail theft. Most all RFPD personnel indicated in the CCS that they believe officers are doing a good job and that the citizens of River Forest are satisfied with their police service. While there is no Village satisfaction survey to validate the later observation, the former conclusions seem to be consistent with the Village's relatively low crime rate.

Staffing and staff allocation was raised as a significant concern by several of the police officers and supervisors in the course of both the structured interviews and the CCS. Much of that concern centers on the operation of the RFPD at levels below the authorized strength. The length of time to hire P.O.s was a notable source of frustration raised in the structured interviews. The hiring issues are exacerbated by the fact that the RFPD has two P.O.s currently serving on active duty in support of the global war on terror. Under the provisions of both state and federal law those employees have reemployment rights. Accordingly, maintaining authorized strength is even more problematic. In this regard, the RFPD is dealing with a nationwide problem experienced by small and mid-sized departments whose members also serve in the Reserves and National Guard.

Conclusions/Recommendations:

Based on the suggestions in the structured interview and the Consultants' experience, the following are some suggested alterations to the existing staffing structure that the Village might want to further examine:

- a. Assigning a Sergeant to supervise the Detectives, business liaison, Crime Prevention and specialized units working on the second floor.
- b. Instituting a power shift that would begin work at 1800hrs. and finish at 0200hrs. This shift would consist of One Sergeant and 2 Officers.
- c. Re-instituting the tactical units and give them directed missions and assignments. When it is extremely busy they would also be available to answer calls and assist the members of the watch.
- d. Eliminating the practice of 2 Sergeants and 2 Patrolmen on possibly all watches but at least the midnight watch. This is

a poor utilization of supervisory manpower. By re-assigning the Sergeants the Village would be able to effectively provide them with varied duties more suitable to Supervisors. The midnight shift would then work with 1 Sergeant and 2 Patrol Officers being supplemented by the Power Shift until 0200hrs. (These hours can be modified depending on need.) The 3 pm to 11 pm shift could then work with a Sergeant and 3 to 4 Police officers again being supplemented by the Power shift starting at 1800hrs and working until 0200hrs.

- e. Investigating the possibility of hiring at least one more Police Officer to help reduce the amount of overtime being worked currently. This would be based on the information of one officer not returning from military for possibly 3 more years. Accounting for natural attrition over this time period the department should be able to handle this hiring.
- f. Investigating the possibility of hiring a second civilian Community Officer to write parking tickets in the shopping district and possibly change the Day off structure for them, one being off on Friday and Saturday and one being off on Sunday and Monday. That way one of them would be working and on duty all seven days. If there are no parking restrictions on Sunday the Days off could be modified to Sat. Sun and the other would have Sun. Mon.

While some of these recommended staffing changes may not prove feasible at the current staffing levels they may serve as goals for the RFPD to work towards.

3. NON-BARGAINING GREIVANCES

Task: Review the system for processing non-collective bargaining grievances and advise the Village on best practices.

Observations:

The village has an anti-harassment policy that allows employees to file complaints alleging discriminatory employment actions or unwelcome conduct based on a person's protected status. Personnel Policy Manual, Section 1.7. The Personnel Policy Manual further provides that complaints filed will be investigated "reasonably promptly."

Complaints under this provision provided for examination by the Consultants have taken from several months to, in some cases, over a year for response. While there has been no definitive showing of injury or prejudice by virtue of this delay, it does not seem to meet the requirement of reasonable promptness.

Conclusion/Recommendation:

While no time limit for conduct of investigations is required, the development of some internal guidelines might be advisable. The Village would be well advised to work with its counsel to develop some internal guidelines for processing complaints. While the delay does not necessarily prejudice any individual, undue delay may expose the Village to both potential damage claims, if in fact the complaint has validity, and a continued unproductive work environment. So long as the Village is willing to accept the harassment complaints it should work more diligently to resolve them in a more prompt and efficient manner. If circumstances like lack of information or pending litigation preclude a prompt investigation the complainant should be notified.

4. INTERNAL AFFAIRS INVESTIGATIONS

Task: Evaluate our internal affairs policies and procedures including how they were implemented and applied in the two incidents discussed in the Interim Police Committee Report, and with respect to the enforcement of rules with respect to the dissemination of confidential information.

Observations:

The RFPD seems to have a well crafted General Order covering the investigation of complaints against department members. General Order 52.1 lays out adequate procedural safeguards and a comprehensive procedure for investigation and resolution of misconduct complaints. Similarly unambiguous is the RFPD policy with respect to the unauthorized dissemination of official RFPD information. Section 7.4 of General Order 26.4, clearly prohibits unauthorized dissemination of official RFPD information.

With respect to the two investigations provided for review, it appears greater adherence to RFPD General Order on discipline would have strengthened confidence in the results. Admittedly these "investigations" which had some disciplinary aspects, devolved principally into fitness for duty inquiries, making them somewhat complex and more difficult to conduct. Separating

