AN ORDINANCE AMENDING CHAPTER 30 OF THE MUNICIPAL CODE OF EVANSVILLE REGARDING THE POLICE MERIT SYSTEM

WHEREAS, the Chief of Police, the Police Merit Commission, and the Fraternal Order of Police, Local Lodge 73, have agreed and recommend that the City Council adopt the amendments contained herein;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Evansville, Indiana as follows:

SECTION 1. AMENDMENT OF SECTION 30.509.

Section 30.509 of the Municipal Code of the City of Evansville, Indiana is hereby amended to read as follows:

Section 30.509 Performance Ratings

(A) The Police Merit Commission shall issue rules and regulations to prescribe the manner of determining a rating for the past performance. These rules and regulations shall contain a provision requiring that performance ratings shall be made every twelve (12) months, (from January 1 through December 31) for each regular member of the Police Department.

(B) Probationary officers are rated by their Field Training Officers every six (6) weeks and by the Field Training Office every two (2) weeks. The Police Merit Commission interviews the Probationary Officers and reviews the ratings quarterly. The final evaluation is done at the completion of their training period.

SECTION 2. AMENDMENT OF SECTION 30.510.

There is hereby established a new Section 30.510 of the Municipal Code of the City of Evansville, Indiana, which shall read as follows:

Section 30.510 Rank Designations

The seven (7) ranks of the Evansville Police Department are as follows:

1. Police Officer
2. Corporal
3. Sergeant
4. Lieutenant
5. Captain
6. Major
7. Chief
SECTION 3. AMENDMENT OF SECTION 30.511.
Section 30.511 of the Municipal Code of the City of Evansville, Indiana, is hereby amended to read as follows:

Section 30.511 Promotions

(A) Promotion Process

(1) The commission shall issue regulations to govern promotions of members of the Police Department.

(2) There shall be written competitive examinations given for the purpose of filling any vacancies in the ranks. Only members of the Police Department who are qualified in rank and length of service, as provided in this subchapter, shall compete in the promotion process and be placed on the promotion eligibility list by the grade received.

(3) The Commission is authorized to purchase materials and equipment and allow other necessary expenditures for the purpose of instructing and testing members of the Police Department.

(B) Promotion Requirements

(1) General provisions. Any regular member of the department in good standing at the time of the examination, who has attended the required number of promotional training sessions, satisfied the professional development requirements, and met all other requirements listed in this Article, may take the promotional examination for which the member is qualified by time in service. The professional development requirements shall be waived for the 1994 promotional examinations.

(2) Time of service.

(a) To take the examination for Corporal, a member must hold the rank of Police Officer for at least four (4) years prior to the date of examination.

(b) To take the examination for Sergeant, a member must have at least six (6) years of service with the department prior to the date of examination.
(c) To take the examination for Lieutenant, a member must hold the rank of Sergeant for at least two (2) years, and have at least eight (8) years of service with the department prior to the date of examination.

(d) To take the examination for Captain, a member must hold the rank of Lieutenant for at least two (2) years, and have at least ten (10) years of service with the department prior to the date of examination.

(e) To take the examination for Major, a member must hold the rank of Captain for at least two (2) years, and have at least thirteen (13) years of service with the department prior to the date of examination.

(3) No member demoted for cause may take a promotional examination within two (2) years of the effective date of this demotion.

(4) A member under suspension pending a hearing, or in the process of appeal from the finding made at a hearing may take a promotional examination, and the member's right to a ranking on an eligibility list shall be protected in the event of a final finding in the member's favor.

(C) Promotion Examinations Factors

These regulations shall provide that the following factors shall be basic considerations of rating a member of the Police Department for the purpose of promotion:

(1) Rank of Corporal

(a) An annual performance evaluation with an acceptable score of three (3) or higher for the last two (2) evaluation periods immediately prior to the examination. This factor will be waived for the 1994 promotion tests.

(b) The passing grade received by a member on a written competitive examination.

(c) The rights acquired by the length of service or tenure.
Examination for Rank of Corporal

(a) The grade received on a written competitive examination shall be considered eighty percent (80%) of the rating. The seniority rights based on the number of years of service as a member of the Police Department, not to exceed twenty (20) years, at the rate of one percent (1.0%) for each full year of service as of the rate of the written examination shall be considered as twenty percent (20%) of the rating.

(b) In the event that ties occur in final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

1. Written examination score;
2. Seniority score;
3. Rank on original hiring list.

(2) Ranks of Sergeant and Higher

(a) An Annual Performance evaluation with an acceptable score of three (3) or higher for the last two (2) evaluation periods immediately prior to the examination. This factor will be waived for the 1994 promotion tests.

(b) The passing grade received by a member on a written competitive examination.

(c) The grade received from an oral interview board.

(d) The grade received from assessment exercises.

(e) The rights acquired by the length of service or tenure.

(3) Examinations for Rank of Sergeant and Higher

(a) The grade received on a written competitive examination shall be considered fifty percent (50%) of the rating. The grade received from the oral interview board shall be considered at twenty percent (20%) of the rating and the grade received from assessment exercises shall be considered at thirty percent (30%) of the rating. The seniority rights based on the number of years of service
as a member of the Police Department shall be based on one-tenth (.1) points per each full year of service as of the date of the written examination, not to exceed two (2.0) points for twenty (20) years. Seniority points will be calculated and added to the total score produced by the other promotional factors.

(b) In the event that ties occur in final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

1. Assessment score;
2. Interview score;
3. Written examination score;
4. Seniority score;
5. Rank on original hiring list.

(D) Additional Promotion Factors

(1) The name or any means of identification of any member taking the competitive or qualifying examination under the provisions of this subchapter shall be withheld and made unavailable to the person or persons who grade the examinations and all written competitive examinations shall be treated and filed as confidential.

(2) The grade received by the individual officer on the written examination shall be made a part of the permanent file of the individual officer taking the examination.

(3) Each member shall be notified in writing by the commission of the grade which the member received on the examination.

(4) The rules and regulations shall further provide that if any member is aggrieved with the grade received on the written competitive examination, the member shall have the right to appeal in writing to the commission for a review of the grade within ten (10) days after the notice of the grade has been sent to the member, and the commission, after reviewing the grade and examination papers, shall have authority to affirm the grade or to correct the grade according to the findings of the review.
(5) At the expirations of sixty (60) days from the
date that the officer receives written notice of
the grade which the member received on the
examination, if the member has not initiated an
appeal, all the examination papers shall be
destroyed.

(6) The promotion eligibility list shall be
maintained for a period of two (2) years. A
competitive examination procedure conducted by the
Police Merit Commission for the purpose of
establishing a new promotion eligibility list shall
be held prior to the expiration of the previous
list.

SECTION 4. AMENDMENT OF SECTION 30.513.
Section 30.513 of the Municipal Code of the City of
Evansville, Indiana, is hereby amended to read as follows:

Section 30.513 Probationary Period

All ranks will have a one (1) year probationary period.
Failure to perform at an acceptable level during the
probation period may cause information to be forwarded to
the commission with a recommendation of demotion to the
officer's previous rank.

SECTION 5. EFFECTIVE DATE.
This Ordinance shall be in full force and effect from and
after its passage by the Common Council and signing by the Mayor.
PASSED BY THE COMMON COUNCIL of the City of Evansville, Indiana on the 18th day of APRIL, 1994, and on said day signed by the President of the Common Council and attested by the City Clerk.

ATTEST:

President, Common Council

Marsha Abell
City Clerk

PRESENTED by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said City, this 19th day of APRIL, 1994, at 11:00 o'clock A.M., for his consideration and action thereon.

City Clerk of the City of Evansville, Indiana

HAVING EXAMINED the foregoing Ordinance, I do now, as Mayor of the said City of Evansville, Indiana, approve said Resolution and return same to the City Clerk, this 20th day of APRIL, 1994, at __ o'clock A.M.

Mayor of the City of Evansville, Indiana

APPROVED AS TO FORM:

BY: Toby D Shaw
Corporation Counsel
COMMITTEE REPORT

Mr. President:

Your committee on _A.S.D._ to whom was referred ORDINANCE/RESOLUTION _C-947_ wishes to recommend the following action by Council:

DO PASS________

(DO NOT PASS________)

(Amendments as follows)

Motion by Bagby DoPan

2nd sig: Terman Pond 9-0

Date 4-18-94

Signed Michael Feld

Chairman

Mary H. Temann

Signed

Gail Becker

Stu Miller

James H. Sanders

Angela Keeler Walden