

TO: Mayor Robinson and City Council

FROM: Jeffrey L. McCormick, Chief of Police

SUBJECT: Job Description Changes

DATE: December 31, 2013

BACKGROUND

I attended a training put on by the League of Minnesota Cities in October and one of the issues that was discussed dealt with an officer's ability to testify in Court, specifically as it related to Brady and Giglio. The presenter discussed the problems presented to police departments in dealing with officers who are unable to provide testimony that a court finds creditable. While the Brady decision by the Supreme Court was in 1963 (http://en.wikipedia.org/wiki/Brady_v._Maryland) and Giglio was in 1972 (http://en.wikipedia.org/wiki/Giglio_v._United_States) there has been more attention paid to the area of police officer creditability in the last few years. At issue is the honesty of police officers. Previously officers who lied in an official capacity would be terminated for lying; however recent arbitrator decisions have given officers their jobs back. This creates a problem for the police department and prosecutors because those officers just by their involvement in case can raise issues of doubt. And the standard for conviction is proof beyond a reasonable doubt. For our department we just are not able put an officer in an assignment that would keep them from having direct involvement in cases that would not be affected by their lack of credibility. It was recommended that the job description should include as part of the minimum required qualifications that they "must be able to render creditable testimony in a court of law."

As part of the revision process I reviewed the job descriptions and found changes that should be made to better reflect the position as a result of the departmental operational changes made during 2011 that had not be changed in the job descriptions. I also found a couple of typos. Changes are noted in red with additions underlines and deletions struck through. This seems like the appropriate time to update these documents.

These changes has been reviewed and approved by the City Attorney and City Administrator. Attached is the revised job description for Police Officer and Assistant Chief of Police. The Chief of Police description is currently under revision and will be brought to Council in the future.

STAFF RECOMMENDATION

I would seek formal approval by the City Council of the revision of the attached job descriptions for Police Officer and Assistant Chief of Police with the effective date as of Council Approval.

REQUESTED COUNCIL ACTION

Request a motion and approval of the job descriptions for Police Officer and Assistant Chief of Police with the effective date of the revision when approved by the City Council.

CITY OF CANNON FALLS POSITION DESCRIPTION

POSITION: Assistant Police Chief
DEPARTMENT: Police
REPORTS TO: Police Chief
FLSA STATUS: ~~Non~~-Exempt
JOB POINTS: 282
SALARY RANGE: Pay Grade 12

POSITION OBJECTIVE

Performs administrative and supervisory police work involving the protection and safety of the city through community policing, prevention and control of crime, preserving peace, and providing emergency service.

ESSENTIAL FUNCTIONS

- Operation of Police Department
 - Review calls for service and reports to keep abreast of departmental activities and provides supervision and mentoring and direction to police officers; and recommend changes in procedure and practices to the Chief of Police.
 - ~~Create and maintain schedule for patrol officers, including: shifts, trainings and overtime assignments.~~
 - Coordinates with other government agencies and to ensure proper communication, cooperation and effective provision of law enforcement services to the community.
 - Ability to apply laws to specific incidents appropriately and to manage liability.
 - Knowledge of the principles and practices of police department management including issues associated with both paid and volunteer staff.
 - Respond on or off duty to police calls or other emergencies as required and assume command when appropriate.
 - Ability to analyze situations and determine appropriate action.
- Oversee investigations and provide mentoring and guidance of investigations to police officers.
 - Reviews officer investigations to provide mentoring and direction to police officers on investigative procedures, interrogation, documentation, and the collection, preservation and admissibility of evidence.

- Oversee investigations to determine when additional assistance or resources are necessary and needed to ensure a timely conclusion of investigations.
- Authority to take over investigations of significant importance or complexity and becomes responsible to ensure that all reports and interviews are completed in a timely manner.
- Interact with victims, suspects and witnesses of situations courteously, with regard for their rights, while meeting the needs and requirements of a police investigation.
- Conduct internal affair investigations and police officer background investigations.
 - Ensures department professionalism and discipline by investigating personally, or through appropriate channels, all allegations of misconduct by department members and recommending disciplinary action when necessary to the Chief of Police.
 - Conduct background investigations of potential candidates for police officer positions with the police department.
- Assist the Chief of Police with budget, community relations, and department operations.
 - Assist in maintaining positive community relations by speaking before community organizations in the areas of crime prevention, drug education and enforcement and on other issues of vital community concern.
 - Review and analyze information on department operations, law enforcement trends and evolving legal issues for the purpose of developing recommendations for long-term departmental objectives.
 - Prepares or directs the writing of periodic or special reports on department activities as required by the Chief of Police or as outlined in the department policy.
 - Develop recommendations on improvements in department operations based on research, personal observations and community feedback.
 - Represents the Chief of Police and department as a liaison to professional community groups.
 - Assist the Chief of Police in preparing an annual operating budget and capital improvement plan establishing goals and objectives.
 - Perform the functions and duties of a police officer when needed.
- ~~Assigned projects, activities and special events~~
 - ~~Plan and direct Special Enforcement Team (SET) operations. Determines SET priorities and implement activities and actions.~~
 - Attend planning meetings for community events and create operational plans for department responsibilities for the event.
 - ~~May be assigned to "Supplemental Assignment" positions.~~
 - Other duties as assigned by the Chief of Police

MINIMUM QUALIFICATION REQUIREMENTS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Must have the ability to actively listen to others for understanding of their needs and situations; ability to speak and write English clearly. Must have the ability to record names, facts, numbers, and information accurately. Must be able to assertively control conversations in order to quickly and accurately gather pertinent information and to be able to communicate this information professionally and precisely to the proper recipient. Must be able to read and understand correspondence, memoranda, instructions and directives. Must have the ability to write clear and concise reports, policies and documentations. Must be able to effectively represent the organization, department, and its operation to management and the public. Must be skilled in making both oral and demonstrative presentations. Must have the ability to understand and execute instructions both in terms of content and intent.
- Must act in a decisive manner, using good judgment. Must be able to assess problems and situations, able to anticipate needs and evaluate alternatives. Must be able to deal with emergency and stress situations, to avoid failure to act or over reaction, to maintain flexibility in adjusting to situations and procedures while maintaining composure and self-control, to support and carry out directives. Must have knowledge of the utilization of appropriate resources and the willingness to initiate use of available resources. Have the ability to understand and carry out complex directions. Have the ability to perform the job responsibilities with a minimum of supervision.
- Must be consistent in dealing with people. Must be sensitive to others' problems without direct involvement. Must exclude personal biases from work performance. Must have the ability to accept criticism and/or discipline. Must have the ability to deliver criticism and discipline to subordinates in an appropriate manner. Must mentor subordinates to develop and improve their skill levels. Must strive to promote a cooperative atmosphere in the department. Must have tact and diplomacy. Must be willing to assist others and share information as needed when appropriate. The ability to deal tactfully and cooperatively with both individuals and groups
- Must have commitment to the department, and the community the department serves; willingness to take initiative; dependability, maturity in relationships with others; and self confidence. Must represent the organization to other agencies and citizens with a courteous, helpful, accurate and business-like attitude in all personal, radio, telephone, e-mail and other types of contact. Must exhibit a willingness to be trained in functions of the job.
- Must have the ability to learn and apply specific laws, regulations, City ordinances and labor agreements. Must have the ability and skill to safely operate a motor vehicle and maintain a valid drivers license. Must maintain certification as a "First Responder" or higher level of certification.

Must meet departmental standards for qualification in firearms and use of force.

- Must be able to produce quality, accurate work. Must be able to detect and correct errors. Must be able to utilize work time properly and productively. Must be able to adjust time use and structure to accommodate changing workloads or deadlines. Must have the ability to provide internal and customers with accurate and timely information.
- **Must be able to render creditable testimony in a court of law.**
- Knowledge of local, state, and Federal Laws.
- Knowledge of local geography.
- Experience or knowledge of criminal justice system and approved principles, practices and procedures of police work.
- Formal training in traffic and pedestrian control.
- Experience/training in leadership.
- Experience/training in communicating, teaching, demonstrating or directing others.
- Work experience with the use of Windows based applications.
- Experience working extensively with people from various ethnic communities, occupations and levels of authority.
- The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. See the attached Assistant Chief of Police Physical Factors Job Supplement.
- The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. See the attached Assistant Chief of Police Physical Factors Job Supplement.

EDUCATION and/or EXPERIENCE

Eligible for licensure under the MN P.O.S.T. selection standards prior to appointment. Associates Degree in Law Enforcement or Criminal Justice or related field. Eight (8) years experience as a licensed peace officer ~~with a minimum of 3 years in a supervisory capacity~~. Possess a valid and unrestricted driver's license at the time of application and have the ability to drive; and pass a background investigation; and pass a job related physical examination; and, pass a psychological examination; and willing to work outdoors in all weather conditions; and must have the ability to work varying shifts or times within a 24-hour per day period and be available for emergency or call-in work; and, be First Responder certified or higher level of current certification. A ~~Bachelors-Degree~~ four year degree in criminal justice/law enforcement or related field desired.

SUPERVISORY RESPONSIBILITIES

Assists in supervising all Police Department functions. Assist in directing and supervising officers.

Carries out supervisory responsibilities in accordance with the City's policies and applicable laws. Responsibilities include conducting or overseeing internal investigations of any complaints against department staff; maintain discipline and ethics to a high standard, interviewing; training employees; planning, assigning, and directing work; evaluating performance; rewarding and disciplining employees; transferring employees; addressing complaints and resolving problems; and, the ability to effectively recommend hiring, promotion, suspension, demotion, and discharge of employees.

EXTENT OF SUPERVISION OR GUIDANCE PROVIDED

Works independently under the general guidance and supervision of the Chief of Police.

CITY OF CANNON FALLS POSITION DESCRIPTION

POSITION:	Police Officer
DEPARTMENT:	Police
REPORTS TO:	Assistant Chief of Police
FLSA STATUS:	Non-Exempt
JOB POINTS:	227
SALARY RANGE:	Pay Grade 10

POSITION OBJECTIVE

To provide a high level of public safety work as a licensed, sworn, member of the Police Department, with full power of arrest, who is directly responsible to the Assistant Chief of Police and performs activities that promote the general safety and good order of the community and provides for the protection of life and property.

ESSENTIAL FUNCTIONS

- **Patrols**
 - Patrols assigned areas by a variety of means including, but not limited to motor vehicle, bicycle or foot and makes checks of public facilities, business buildings and private dwellings.
- **Traffic Law Enforcement**
 - Observes/monitors motor vehicles/pedestrian/bicycle traffic, both visually and with specialized detection equipment such as radar and LIDAR for compliance with state and local laws.
 - Stops offenders of traffic laws, whether in a motor vehicle, on foot, or on bicycle and takes appropriate enforcement action.
 - Requests checks on vehicle/bicycle registrations, drivers license status and/or outstanding warrants.
 - Issues traffic violations citations or makes arrests for violations.
 - Investigates traffic crashes and prepares required reports.
 - Interviews witnesses.
 - Determines if drivers, pedestrians, or bicyclists are under the influence of alcohol or drugs and are impaired.
 - Drives a variety of Police Department vehicles under routine, emergency or pursuit circumstances, in all traffic and weather conditions in compliance with all state statutes and department policy.
- **Investigates Criminal Offenses**
 - Conducts preliminary/initial investigations.

- Handles all follow-up investigation in all areas, including juvenile cases.
- Prepares evidence/statements to substantiate the issuance of criminal complaints.
- Interviews/interrogates victims, witnesses and suspects; takes sworn statements, formal confessions or dispositions.
- Gathers, processes, and/or safeguards physical evidence. Including visual, digital and photographic evidence
- Presents cases for issuance of Criminal Complaints by prosecutors.
- Locates and searches area for victims, suspects or witnesses.
- Makes all types of physical arrests including probable causes and warrant arrests, both by warrants and/or as crime has occurred.
- Works plain clothes and possibly in covert, undercover operations.
- **Responds To Emergency Situations**
 - Renders necessary first aid or life saving measures to conscious/unconscious sick and injured people both in safe and hazardous situations.
 - Responds to fires, accidents, hazardous material or natural disaster incidents and takes appropriate actions.
 - Takes necessary and appropriate safeguards to prevent exposure to infectious or other hazardous materials.
- **Handles Arrest Situations and Procedures Involving Use of Force**
 - Faces situations and is prepared to use deadly force when justified by state statute and police department policy.
 - Encounters situations and is prepared to use appropriate force where resistance to arrest is displayed and takes appropriate action in compliance with state statute and department policy.
 - Encounters situations and is prepared to take defensive actions in response to threats or actual infliction of bodily harm or death and takes appropriate action in compliance with state statute and department policy.
- **Parking/Code**
 - Enforces parking ordinance, City code enforcement, and off-street parking.
 - Enforces recreation vehicle parking and abandoned junk vehicles and/or litter on residential property.
- **Bicycle Safety**
 - During summer months conducts bicycle safety programs.
 - Enforces bicycle safety laws.
 - Performs public speaking and education on bicycle laws.
- **Animal Control**
 - Handles animal related problems.
 - Responds to resident complaints of barking dogs and other nuisances created by pets and wild animals.
 - Enforces of animal control ordinances.
 - Impounds loose, abandoned, vicious, or rabid animals.
 - Disposes of dead animal carcasses.

- Investigates animal bite cases and prepares animal bite reports and properly quarantines all impounded animals.
- Handles dogs and other wild animals safely.
- **Crime Prevention/Neighborhood and Community Policing**
 - Assists the Community Relations Coordinator in conducting home security surveys, operation I.D., crime free multi-housing, safety camps, and all crime prevention programming.
 - Educates through public speaking on crime prevention program and techniques.
 - Works with residents on problem solving and conflict resolution.
- **General**
 - Prepares for and gives testimony in both criminal and civil courts.
 - Prepares and submits all required oral and written reports and records victim/witness statements
 - Serves criminal/civil process, including warrants and subpoenas.
 - Responds to all types of related complaints or assignments such as prowlers, trespass, fights, domestics, alarms, disturbances, public demonstrations and protests, etc. and takes appropriate actions including arrest, mediation, written or oral reports or referral to other public agencies.
 - Renders aid and assistance to the general public.
 - Assists residents with vehicle and home lockouts.
 - Assists with stalled or disabled vehicles in traffic.
 - Directs traffic at crash scenes or at intersections where traffic control device problems exist.
 - Assists public including answering questions, giving direction, law interpretations, project status and making referrals to other agencies.
 - In the absence of the Police Supervisor, may be assigned as the "Officer In Charge".
 - May be assigned to a staff services or administrative position.
 - May be assigned as a "Field Training Officer" conducting on the job training of employees.
 - May be assigned as a "Background Investigator" conducting background investigations for potential city employees.
 - Performs all job functions in the safest possible manner and in compliance with City Safety Policies.
 - Maintains skills proficiency through the successful completion of assigned training.
 - Handles and performs all other duties as assigned.

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- Must be consistent in dealing with people. Must be sensitive to others' problems without direct involvement. Must exclude personal biases from work performance. Must have the ability to accept criticism and/or discipline. Must strive to promote a cooperative atmosphere in the department. Must have tact and diplomacy. Must be willing to assist others and share information as needed when appropriate. The ability to deal tactfully and cooperatively with both individuals and groups
- Must have commitment to the department, and the community the department serves; willingness to take initiative; dependability, maturity in relationships with others; and self confidence. Must represent the organization to other agencies and citizens with a courteous, helpful, accurate and business-like attitude in all personal, radio, telephone, and other types of contact. Must exhibit a willingness to be trained in functions of the job.
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- **Must be able to render creditable testimony in a court of law.**

- Knowledge of local, state, and Federal Laws.
- Knowledge of local geography.
- Experience or knowledge of criminal justice system and approved principles, practices and procedures of police work.
- Formal training in traffic and pedestrian control.
- Experience/training in leadership.
- Experience/training in communicating, teaching, demonstrating or directing others.
- Work experience with the use of Windows based applications.
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EDUCATION and/or EXPERIENCE

Eligible for licensure under the MN P.O.S.T. selection standards prior to appointment; and, Associates Degree in Law Enforcement or Criminal Justice or related field; and, possess a valid and unrestricted driver's license at the time of application and have the ability to drive; and pass a background investigation; and, pass a job related physical examination; and, pass a psychological examination; and willing to work outdoors in all weather conditions; and must have the ability to work varying shifts or times within a 24-hour per day period and be available for emergency or call-in work; and, be First Responder certified or have an equivalent or higher level of current certification. A four year degree in criminal justice/law enforcement or related field is desired.

SUPERVISORY RESPONSIBILITIES

May be assigned to supervise others.

EXTENT OF SUPERVISION OR GUIDANCE PROVIDED

Works independently on projects and assignments with general guidance and supervision from the Assistant Chief of Police. Is under the general supervision and direction of the Chief of Police or Chief's designee.