

Title V - Chapter 2

Police

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2.01 **Personnel.** The Police Department of the Village of Poynette shall consist of the Chief of Police and such other police officers as the Village Board shall from time to time prescribe.

2.02 **Appointment.**

- (1) Subordinate police officers shall be selected by the Public Safety Committee subject to approval of the Village Board.
- (2) The Village Board shall appoint the Chief of Police.
- (3) Every police officer, including the Chief, shall serve a probationary period of twelve months from the date he or she commences to perform his or her duties.

2.03 **General Powers and Duties of Police Officers.** The Chief of Police and all officers of the Village shall possess the powers, and be subject to the liabilities conferred and imposed by the law on Village marshals. Every member of the Police Department shall:

- (1) Obey all lawful orders of the Village Board.
- (2) Arrest with or without process every person found in the Village violating any law of the state or Ordinance of the Village.
- (3) Serve within the county any writ, process, order or notice, and execute any order, warrant or execution lawfully directed to or required by any court or officer to be executed.
- (4) Attend any session of the circuit court when required by any county prosecutor or Village Attorney.
- (5) Become familiar with and have working knowledge of all provisions of the Municipal Code.
- (6) Protect the health, safety, public peace and order of the Village and its inhabitants.

2.04 **Policy: Poynette Police Department.**

- (1) The Public Safety Committee shall tender to the Village Board for its adoption a policy manual for the Poynette Police Department and shall recommend such changes in policy as are deemed necessary.
- (2) No policy shall conflict with any provision of this Chapter or any applicable collective bargaining agreement. Any such policy shall be void and of no effect.

2.05 **Disciplinary Actions Against Subordinates. (AM 03-335 10/13/03)**

- (1) Except as provided in sub. (8), the provisions of this section apply to all regular full-time and regular part-time subordinate employees of the Village Police Department.
- (2) A subordinate may be suspended for just cause by the Chief as a penalty. The Chief shall file a report of such suspension with the Police Disciplinary Committee immediately upon issuing the suspension. No hearing on such suspension shall be held unless requested by the suspended subordinate. If a hearing is requested, the Chief shall file written charges with the chairperson of the Police Disciplinary Committee and furnish a copy thereof to the subordinate.
- (3) Charges may be filed against a subordinate by the Chief, by a member of the Police Disciplinary Committee, by the Committee as a body, or by any aggrieved person. Such charges shall be in writing and shall be filed with the chairperson of the Police Disciplinary Committee. Following the filing of charges a copy thereof shall be furnished to the person charged. Pending disposition of such charges, the Committee may suspend the subordinate.
- (4) If a hearing is requested under sub. (2), or charges are filed under sub. (3), the Police Disciplinary Committee shall conduct a hearing not less than 10 days nor more than 30 days following the furnishing of a copy of the written charges to the subordinate. The hearing on the charges shall be public and shall be recorded or transcribed.
- (5) If the Police Disciplinary Committee determines that the charges are not sustained, the subordinate, if suspended, shall be immediately reinstated and all lost pay restored. If the Committee determines that the charges are sustained, the subordinate, by order of the Committee, may be terminated, suspended and/or reduced in rank. Findings, determinations, and orders of the Committee shall be in writing and filed with the Village Clerk.
- (6) No subordinate shall be deprived of compensation while suspended pending disposition of charges.
- (7) Notwithstanding any of the provisions of this section, disciplinary actions regarding probationary police officers shall be made by the Police Chief and Village Administrator.

2.06 **Disciplinary Actions Against Chief of Police. (AM 03-335 10/13/03)**

- (1) The purpose of this section is to establish a fair review procedure in accordance with the requirements of § 61.65(1)(am), Wis. Stats. The provisions of this section shall be incorporated by reference in the contract of employment between the Village and the Chief of Police.
- (2) The Chief may be suspended for just cause by the Police Disciplinary Committee as a penalty. No hearing on such suspension shall be held unless requested by the Chief. If a hearing is requested, the Police Disciplinary Committee shall file written charges with the chairperson and furnish a copy thereof to the Chief.
- (3) Charges may be filed against the Chief by a member of the Police Disciplinary Committee, by the Committee as a body, or by any aggrieved person. Such charges shall be in writing and shall be filed with the chairperson of the Police Disciplinary Committee. Following the filing of charges, a copy thereof shall be furnished to the Chief.
- (4) If a hearing is requested under sub. (2) or charges are filed under sub. (3), the provisions of § 2.06(4), (5), (6) and (7) shall apply to disciplinary actions against the Chief.
- (5) Notwithstanding any of the provisions of this section, a Chief on probation may be discharged at the will of the Village Board and without a hearing.