



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Text

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### PROPOSED RESOLUTION

#### **CALLING MEMBERS OF THE COOK COUNTY SHERIFF'S MERIT BOARD TO SUPPLY MONTHLY DATA AND APPEAR BEFORE THE BOARD OF COMMISSIONERS**

**WHEREAS**, pursuant 55 ILCS 5/3-7002 of the Counties Code, the Cook County Sheriff's Merit Board (the "Merit Board") is created by the State of Illinois as an independent statutory body charged with performing specific functions, independent of the Cook County Sheriff ("Sheriff"), related to the Sheriff's hiring, promotion, discipline, and termination of certain Sheriff's employees; and

**WHEREAS**, members of the Merit Board are appointed with the advice and consent of the Cook County Board; and

**WHEREAS**, the Cook County Board appropriates the funding of the Merit Board in the annual appropriation ordinance; and

**WHEREAS**, the Sheriff is tasked by the legislature to operate the County Jail, security in the Court system and public safety in general for all unincorporated areas and the County's 5.5 million residents; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7006, pursuant to recognized merit principles of public employment, the Merit Board, acting independently pursuant to its statutory obligations, shall formulate, adopt, and put into effect rules, regulations and procedures for its operation and the transaction of its business; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7006, the Merit Board, pursuant to recognized merit principles of public employment, must establish a classification of ranks of the deputy sheriffs in the County Police department, full-time deputy sheriffs not employed as county police officers or county corrections, and employees in the County Department of Corrections, and shall set standards and qualifications for each such rank and employee; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7008, before the Sheriff may appoint any person to the following positions, the Merit Board first must certify such person as qualified for the position: deputy sheriffs in the County police department, full-time deputy sheriffs not employed as county police officers or county corrections, and employees in the County Department of Corrections; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7009, before the Sheriff may promote any person to the following positions, the Merit Board first must certify such person as qualified for the promotion: deputy sheriffs in the County Police Department, full-time deputy sheriffs not employed as county police officers or county corrections officers, and employees in the County Department of Corrections; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7010, the Merit Board is charged with making appointment and promotion decisions pursuant to its statutory obligations and applying its own criteria which it considers and establishes; and

**WHEREAS**, pursuant to 55 ILCS 5/3-7012, the Sheriff may not remove, demote or suspend any county corrections officer, deputy sheriff in the County Police Department, or full-time deputy sheriff not employed as a county police officer or county corrections officer except for cause, upon written charges filed with the Board by the Sheriff, and until the Board conducts a hearing and renders a decision on the matter, except where applicable collective bargaining agreement language provides that such discipline matters with respect to covered bargaining unit members may be

subject to arbitration; and

**WHEREAS**, promoting public safety, as well as accountability and confidence in Cook County law enforcement requires adequate staffing levels and the provision of adequate services in the Cook County Department of Corrections, the Cook County Sheriff's Police Department, and the Cook County Court system; and

**WHEREAS**, the Sheriff must receive from the Merit Board, on a regular basis, an adequate number of qualified certified applicants for both hire and certified candidates for promotion, to meet the Sheriff's minimum staffing needs; and

**WHEREAS**, the lack of adequate staffing levels within any of the Sheriff's Departments may cause unnecessary financial burden on the County in several forms, including the payment of overtime, and other employee benefits which may result from mandated overtime; and

**WHEREAS**, promoting public safety, as well as accountability and confidence in Cook County law enforcement requires the prompt and efficient adjudication of disciplinary proceeding pending before the Merit Board; and

**WHEREAS**, unnecessarily delayed and prolonged disciplinary proceedings before the Merit Board may cause financial burdens on the County in several forms, including unnecessary backpay caused by delay; and

**WHEREAS**, since the Merit Board is a separate statutory entity from the Sheriff's Office that promulgates its own rules and regulations and does not report to any other County agency or office, it is in the best interest of the citizens of Cook County that the County Board require the Merit Board provide the following information on a monthly basis, and provide explanatory and clarifying information, as required by the County Board:

- The number of new hire applications received by the Merit Board, per month;
- The number of new hire applicants currently under consideration for certification by the Merit Board, per month;
- The number of new hire applicants certified as qualified for hire, per month;
- The average length of time it takes to make a certification decision concerning new hire applicants;
- The number of promotional candidates certified as eligible for promotion, per month;
- The number of disciplinary hearings conducted, per month;
- The number of disciplinary decisions issued, per month;
- The number of budgeted vacancies to be filled by the Merit Board within the Sheriff's Office per month.

**NOW, THEREFORE, BE IT RESOLVED**, by the Cook County Board of Commissioners that the Chair and the Executive Director of the Merit Board shall provide the information outlined above to the Secretary to the County Board by the 15th day of every month for the preceding month for distribution to the County Board, and shall appear to answer questions concerning that information in a hearing before the Criminal Justice Committee of the County Board as requested; and

**BE IT FURTHER RESOLVED**, by the Cook County Board of Commissioners that, recognizing the Merit Board reports will address employment issues impacting personal and private information of a sensitive nature, and legal matters, including related to pending and/or anticipated litigation, such reports and hearings shall include both open public hearings and closed Executive Sessions.