

**Code of Ordinances, Clark County, Wisconsin**

**Chapter 24 – Law Enforcement**

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**Article I - General**

**Secs. 24-1 - 24-18 - Reserved**

**Article II – Reciprocal Law Enforcement**

**Sec. 24-19 – Assistance to law enforcement agencies or municipalities**

The county may provide assistance to other law enforcement agencies or municipalities pursuant to Wis. Stat. 59.26, 59.27, 59.28, 62.13, 66.0313, and 66.0513.

**Sec. 24-20 – 24-44 - Reserved**

**Article III – Civil Service System for Law Enforcement**

**Sec. 24-45 - Authority**

- (a) This article is adopted pursuant to the authority of Wis. Stat. 59.26(8) and 59.52(8).
- (b) The provisions of this ordinance shall take precedence over all ordinances, resolutions, or policies of the County which are in conflict with any provisions of this ordinance.

**Sec. 24-46 - Purpose**

The County is committed to bringing qualified individuals into County law enforcement through a system of competitive examinations to provide that applicable positions are filled with qualified applicants as determined by the County and the Clark County Sheriff's Office (Office).

**Sec. 24-47 - Scope**

- (a) This article governs the hiring of with specific positions set forth in this ordinance.
- (b) The following positions shall be considered classified positions:
  - (1) Chief deputy
  - (2) Captain – any Office division
  - (3) Sergeant – any Office division
  - (4) Administrative supervisor
- (c) The following positions shall be considered unclassified positions:
  - (1) Patrol deputy sheriffs as defined in Wis. Stat. 40.02(48)(b)(3)
  - (2) Jail deputies
  - (3) Dispatchers
  - (4) Program assistants
  - (5) Reserve patrol deputy sheriffs
  - (6) Reserve jail deputies
  - (7) Reserve dispatchers
- (d) If a specific Office position is not listed, the Law Enforcement and Emergency Management Committee (Committee) shall determine the classification of such position subject to applicable laws and any union agreements.

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**Sec. 24-48 - Administration**

The Committee may prepare and adopt rules of procedure and other administrative regulations so far as the same shall be consistent with Wis. Stat. 59.26(8) and 59.52(8) together with such other rules and regulations as shall, in the judgment of the Committee, be necessary to secure the best service for the office and shall tend to promote efficiency and expedite the elimination of all unnecessary formality in making appointments. Such rules and regulations shall be printed and distributed in such manner as will reasonably inform the public of the county as to their purpose, and shall take effect immediately after committee approval.

**Sec. 24-49 - Positions**

- (a) Pursuant to Wis. Stat. 59.26(8), the Board hereby designates the Committee to fix the number of patrol deputy sheriffs to be appointed and determine their respective salaries to be paid with the final approval of County Board of Supervisors.
- (b) The position of undersheriff in the County is hereby abolished. There is hereby created the position of Chief Deputy, which shall have all of the statutory powers, duties, functions and responsibilities performed by an undersheriff, except that the Chief Deputy shall serve an indefinite term of office and is subject to hiring procedures pursuant to this ordinance and Wis. Stat. 59.52(8)(b).
- (c) The Chief Deputy shall outrank all other positions in the Office except the Sheriff. In addition to being the highest ranking officer of the Office and performing duties of the Deputy Sheriff, it is the intent of this ordinance that he/she shall, subject to the Sheriff's lawful authority, be the head administrative officer and chief investigator under the Sheriff and assume such other duties and responsibilities as the Sheriff may direct. The Chief Deputy assumes the duties, responsibilities and authority of the Sheriff in the Sheriff's absence.

**Sec. 24-50 – Applications**

- (a) Notice for the open positions subject to this ordinance will be advertised in compliance with County policies and collective bargaining agreements (if applicable). The Office shall determine the requirements and qualifications for a given position.
- (b) Pay rates for new positions or any variations in established rates shall be approved pursuant to the applicable County policy.
- (c) Every candidate for the positions subject to this ordinance shall file a written application with the Personnel Department upon designated forms.
- (d) The Personnel Department and the Office shall certify those applicants that meet the minimum qualifications (qualified applicants).

**Sec. 24-51 – Selection Process**

- (a) The following process shall apply to hiring for a classified position:
  - (1) Each qualified applicant shall be evaluated using the following interviews or examinations:
    - i. The Office and any other individual(s) determined by the Office shall conduct an oral interview.
      1. The results from this interview shall carry a weight of thirty-four percent (34%) of the final grade.

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- ii. The Committee chairperson; the Sheriff or designee; and an outside law enforcement officer of equal or higher rank for the position being hired shall conduct an oral interview.
    - 1. The results from this interview shall carry a weight of thirty-three percent (33%) of the final grade.
  - iii. The Office shall review the applicant's training, education, and experience.
    - 1. The results from this review shall carry a weight of thirty-three percent (33%) of the final grade.
  - iv. Before posting for an open position, the Office may determine any other examinations or testing deemed appropriate. The Office shall administer such examinations or testing.
    - 1. The results from any other examinations or testing shall be taken into account as part of the review of the applicant's education, training, and experience.
- (2) Interviews and examinations of qualified applicants shall follow the following general procedure:
- i. Notice of the date, time and place for conducting such interviews with details of the interview as well as the requirements of the position and all other necessary information shall be communicated per County policy.
  - ii. The purpose of the oral interviews and rating evaluation shall be to evaluate applicant's personal characteristics and qualifications including, without limitation, the ability of the applicant to communicate, the personality of the applicant, the alertness of the applicant, and the judgment of the applicant.
  - iii. The oral interview questions shall be developed by the individuals conducting the interview with the approval of the Personnel department.
  - iv. The rating system shall be determined before conducting any interviews.
  - v. Each response to a given question shall be rated by each individual conducting the interview. Each interviewed applicant shall receive a collective, overall rating based on the applicant's responses to the questions for each interview.
  - vi. Each applicant shall receive a collective, overall rating based on the review of the applicant's education, training, and experience.
- (3) Upon completion of all examinations or testing, the Office shall compile a ranking list of applicants based on overall final grade taking into account the weighted grades defined above.
- (b) The following process shall apply to hiring for an unclassified positions:
- (1) Each qualified applicant shall be evaluated using the following interviews or examinations:
- i. The Committee and any other individual(s) determined by the Committee (Examiners) shall conduct an oral interview.
    - 1. The results from this interview shall carry a weight of fifty (50%) of the final grade.
  - ii. The Examiners and an individual from the Office shall review the applicant's training, education, and experience.
    - 1. The results from this review shall carry a weight of fifty (50%) of the final grade.
  - iii. Before posting for an open position and unless provided otherwise below, the Office may determine any other examinations or testing deemed appropriate.

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The Office shall administer such examinations or testing. The Office shall report the results of such examinations or testing to the Examiners.

1. The results from any other examinations or testing shall be taken into account as part of the review of the applicant's education, training, and experience.
  2. The following examination/testing shall be administered for the stated positions:
    - a. Dispatchers and Reserve dispatchers – communication center observation
    - b. Administrative supervisor, Dispatchers, Program assistants, and Reserve dispatchers – computer skill/typing test
- (2) Interviews and examinations of qualified applicants shall follow the following general procedure:
- i. Notice of the date, time and place for conducting such interviews with details of the interview as well as the requirements of the position and all other necessary information shall be communicated per County policy.
  - ii. The purpose of the oral interview and rating evaluation shall be to evaluate applicant's personal characteristics and qualifications including, without limitation, the ability of the applicant to communicate, the personality of the applicant, the alertness of the applicant and the judgment of the applicant.
  - iii. The oral interview questions shall be developed by the individuals conducting the interview with the approval of the Personnel department.
  - iv. The rating system shall be determined before conducting any interviews.
  - v. Each response to a given question shall be rated by each individual conducting the interview. Each interviewed applicant shall receive a collective, overall rating based on the applicant's responses to the questions for each interview.
  - vi. Each applicant shall receive a collective, overall rating based on the review of the applicant's education, training, and experience.
- (3) Upon completion of all examinations or testing, the Office shall compile a ranking list of applicants based on overall final grade taking into account the weighted grade defined above.
- (c) A list of qualified applicants who have been interviewed and examined as set forth above may be retained for further examination and/or appointment.

**Sec. 24-52 – Appointments**

- (a) The Sheriff shall make appointments from the ranking list of applicants for each position.
- (b) Appointments shall be conditioned upon the successful completion of the pre-employment testing set forth in this ordinance. Results of the pre-employment testing shall be communicated to the Committee and to the Personnel Department.
- (c) County employees at the time of interview who are offered a position may not be subject to the pre-employment testing at the discretion of Committee.

**Sec. 24-53 - Promotions**

- (a) The examination and appointment for promotions shall be carried out in accordance with the hiring processes defined in this ordinance. The Committee may waive provisions of the hiring process for internal promotions if deemed in the county's best interests.

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- (b) The Office, along with the Personnel Department and the Committee, shall determine the promotion eligibility for a given position taking into account the desired level of experience, education, etc.

**Sec. 24-54 - Pre-employment testing**

- (a) Any offer of employment shall be conditioned on the successful completion of the pre-employment test as determined by the Office and as outlined below.
- (b) The Office, along with the Personnel Department as requested by the Office, shall conduct pre-employment testing. All testing shall be conducted in accordance with the Americans with Disabilities Act (ADA) and any other applicable laws.
- (c) Pre-employment testing may include, but is not limited to, the review and completion of the following:
  - (1) Accuracy of application or resume;
  - (2) Previous employers and work record;
  - (3) All schools attended;
  - (4) Present and past neighbors and landlords;
  - (5) Character references;
  - (6) Credit records;
  - (7) Disposition; ethical character, honesty and trustworthiness;
  - (8) Local, state and federal police records and background check;
  - (9) Driving history records;
  - (10) Military records;
  - (11) Any other source of information which previous contacts show to be important;
  - (12) Any other source of information determined from time to time by the Sheriff, Committee, the Personnel department, or recommended by standards established by the Wisconsin Law Enforcement Standards Board;
  - (13) Drug testing;
  - (14) Psychological examination in a form approved for use by the Office and/or psychological testing with a licensed psychologist or psychiatrist;
  - (15) Physical examination conducted by a licensed physician; and/or
  - (16) Any other examination deemed appropriate by the Office.
- (d) As part of pre-employment testing, all applicants shall execute and file with the Office a consent and release of information form authorizing the Office to obtain access to needed information for completion of pre-employment testing. Failure to promptly file same shall make the individual ineligible from further consideration or appointment.
- (e) The candidate's former employer shall be interviewed regarding all aspects of the candidate's past performance history.

**Sec. 24-55 - Miscellaneous**

- (a) No position subject to this ordinance shall be employed in any other capacity unless such employment has been previously approved by the Office.
- (b) Any dispute with respect to the interpretation of any of the sections, provisions, or language of this ordinance, including which positions are covered by this ordinance, shall be submitted to the Committee for consideration and final resolution.
- (c) All employees subject to this ordinance are also subject to the provisions and procedures within the Clark County Employee Handbook that are not in conflict with this ordinance.

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- (d) The provisions and sections of this ordinance shall be deemed independent and separate from every other section and provision and the invalidity of any section or provision of this ordinance shall not invalidate the remainder of this ordinance.
- (e) All positions subject to this ordinance that are presently employed by the Office shall be considered to have fully complied with the provisions of this ordinance and meet the eligibility requirements as hereinafter set forth and shall be subject to the provisions of this ordinance from the day this ordinance is approved.
- (f) If a position subject to this ordinance is covered under a collective bargaining agreement, the provisions of the collective bargaining agreement shall take precedence over the provisions of this ordinance for conflicting provisions.

**Secs. 24-56 – 24-76 - Reserved**

**Article IV – Disposal of Property in Sheriff’s Office**

**Sec. 24-77 – Authority**

The Clark County Sheriff’s Office Evidence/Property Room Manager(s) are manager(s) of the property subject to this ordinance.

**Sec. 24-78 – Disposal of personal property**

Pursuant to Wis. Stat. 66.0139, personal property, other than cash, which has been abandoned or which remains unclaimed for thirty (30) days and is not needed for evidence or if all proceedings in which the property might be required as evidence have been completed or expired, shall be disposed of by any means determined to be in the best interests of the county, including, but not limited to: sale at public auction; acceptance of an offer to purchase in response to a request for competitive bids or proposals; private sale; or donation.

**Sec. 24-79 – Disposal of cash**

Pursuant to Wis. Stat. 66.0139, personal property consisting of cash that is abandoned or remains unclaimed for thirty (30) days after the county takes possession of the property shall be turned over to the county treasury.

**Sec. 24-80 – Disposal of abandoned, unclaimed, or seized dangerous weapons or ammunition**

Abandoned, unclaimed, or seized weapons or ammunition may be disposed of only under Wis. Stat. 968.20.

**Sec. 24-81 – Disposal of deceased person’s and inmate property**

Property of the deceased and inmate’s property shall be disposed of by the Sheriff’s office pursuant to Wis. Stat. 59.66.

**Sec. 24-82 – Disposal of abandoned vehicles**

Abandoned vehicles shall be disposed of pursuant to Wis. Stat. 342.40(3).

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**Sec. 24-83 – Disposal of abandoned flammable, explosive, or incendiary substances, materials, or devices**

Pursuant to Wis. Stat. 66.0139, the County, through designee by the Public Property Committee, may safely dispose or abandoned of unclaimed flammable, explosive or incendiary stances, materials, or devices posing danger to life or property in their storage, transportation, or use immediately after taking possession of such property without a public auction.

**Sec. 24-84 – Return; Fees**

- (a) The County shall attempt to return to the rightful owner such items of property which have substantial value if the owner can be reasonably determined and the property does not pose an immediate threat to life or property.
- (b) If the owner of the property is known, the thirty (30) day period shall commence on the date of mailing a notice by registered mail to the owner's last known address.
- (c) If ownership is unknown, the thirty (30) days shall commence on the date the property is taken into possession by the county.
- (d) Any property remaining unclaimed beyond the thirty (30) days may be subject to a per day fee as determined by the Sheriff's Office commencing with the expiration of the thirty (30) day period and continuing until the property is reclaimed or disposed of.
- (e) The County reserves the rights to take appropriate legal action to acquire unpaid fees.