

## Personnel Records

<b>Effective Date:</b>	2/19/2025
<b>Revised Date:</b>	12/18/2025
<b>Issuing Authority:</b>	

### 1022.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

### 1022.2 POLICY

It is the policy of this Alsip Police Department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Illinois (5 ILCS 140/7).

### 1022.3 PERSONNEL FILE

The personnel file shall be maintained as a record of a person's employment/appointment with this Alsip Police Department. The personnel file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
  1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
  2. Any member response shall be attached to and retained with the original adverse comment (820 ILCS 40/6).
  3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.

# Alsip Police Department

## Policy Manual

### *Personnel Records*

---

- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

#### **1022.4 DIVISION FILE**

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

#### **1022.5 INTERNAL AFFAIRS FILE**

Internal affairs files shall be maintained under the exclusive control of the Deputy Chief of Police in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Deputy Chief of Police supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's personnel file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

#### **1022.5 TRAINING FILE**

An individual training file shall be maintained by the Services Supervisor for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Services Supervisor or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Services Supervisor or supervisor shall ensure that copies of such training records are placed in the member's training file.

#### **1022.6 MEDICAL FILE**

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).

# Alsip Police Department

## Policy Manual

### *Personnel Records*

---

- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

#### **1022.7 SECURITY**

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Finance Director, States Attorney or other attorneys or representatives of the Village in connection with official business.

##### **1022.7.1 REQUESTS FOR DISCLOSURE**

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records, FOIA Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

##### **1022.7.2 RELEASE OF PERSONNEL INFORMATION**

The Alsip Police Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

# Alsip Police Department

## Policy Manual

### *Personnel Records*

---

#### 1022.7.3 RELEASE OF INFORMATION TO LAW ENFORCEMENT AGENCIES

The Chief of Police or the authorized designee should develop and implement [departmentoffice] procedures to comply with 50 ILCS 705/6.5, 820 ILCS 40/8, and 820 ILCS 40/8.5.

Upon receipt of a properly executed and signed written release from a current or former member applying for a law enforcement officer position at a law enforcement agency, the Chief of Police or the authorized designee shall ensure that (50 ILCS 705/6.5; 820 ILCS 40/8; 820 ILCS 40/8.5):

- (a) All requested and required records, verification, and certification are produced within the time and in the manner required by law to the requesting law enforcement agency.
- (b) The requesting law enforcement agency is advised in writing of any records that have been sealed or otherwise protected by a court order.

#### 1022.8 MEMBER ACCESS TO OWN PERSONNEL RECORDS

Any member may make a written request to access and inspect, copy, and receive their own personnel records during the normal business hours of those responsible for maintaining such files twice in a calendar year or as otherwise provided in a collective bargaining agreement. Within seven working days of the receipt of the request, the Alsip Police Department shall provide access to or mail or email a copy of any responsive records. If the member does not have access to a requested record, the Alsip Police Department will instruct the member how to access it (820 ILCS 40/2).

Any member seeking the removal or correction of any item from their personnel records shall file a written request to the Chief of Police through the chain of command. The Alsip Police Department may remove or correct any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Alsip Police Department shall be retained with the contested item in the member's corresponding personnel record as long as the contested item is a part of the file (820 ILCS 40/6).

A member who is involved in a current grievance against the Alsip Police Department may designate in writing a representative of the member's union or collective bargaining unit or other representative to inspect the member's personnel record which may have a bearing on the resolution of the grievance (820 ILCS 40/5).

Members may be restricted from accessing files containing any of the following information (820 ILCS 40/10):

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline
- (b) Confidential portions of internal affairs files that have not been sustained against the member
- (c) Criminal investigations involving the member
- (d) Letters of reference regarding the member

# Alsip Police Department

## Policy Manual

### *Personnel Records*

---

- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document
- (f) Materials used by the Alsip Police Department for staff planning, including matters relating to officer development, expansion, or operational goals, where the materials relate to more than one member
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy
- (h) Records relevant to any other pending claim between the Alsip Police Department and the member that may be discovered in a judicial proceeding

#### **1022.9 RETENTION AND PURGING**

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) Records related to complaints, investigations, and adjudications of police misconduct shall be permanently retained and may not be destroyed (50 ILCS 205/25).

#### **1022.9.1 SPECIFIC RETENTION REQUIREMENTS**

Unless provided otherwise in this policy, the following records shall be maintained (820 ILCS 112/20; 56 Ill. Adm. Code 320.140):

- (a) Member payroll records, including name, address, occupation, wages, records of wages and other forms of compensation, pay scale and benefits, the job posting for each position, dates of hire, promotion, and dates of pay increases shall be maintained for a minimum of five years.
- (b) Personnel records, including qualifications for hire, records of promotion, transfer, discipline, certifications, evaluations, written job offers, and any available explanations of member compensation shall be maintained for a minimum of five years.