

Election of Hammond Police Chief Qualifications:

A. The police department shall be a department of the city, subject to the budgetary authority of the city council by ordinance and allocation of line item funding by the city council. The mayor shall not have veto authority over the budget of the police department.

B. The head of the police department shall be the police chief who shall be elected according to the election laws of the state for a four (4) year term concurrent with that of the mayor and council and shall be eligible for re-election for a maximum of three (3) consecutive terms.

C. The office of police chief shall be a full-time position. The police chief shall not hold any other elected public office, city office or city employment during the term for which he or she is elected. The chief of police shall not engage in any outside activity that would interfere with or detract from the performance of duties as chief of police.

D. The police chief shall exercise general executive and administrative authority over the police department and its employees, including the appointment, removal, direction, supervision and discipline of officers and employees of the department; shall direct and be responsible for the preservation of public peace and order; prevention of crime; apprehension of criminals; assistance to the courts and other law enforcement officials; and the enforcement of the laws of the state and the ordinances of the council. Except as provided elsewhere in this charter, neither the mayor, the council nor any of its members shall involve themselves in any manner in the appointment, removal, direction, supervision or discipline of any officer or employee of the police department.

E. The police chief shall be a citizen of the United States, a qualified elector of the city and shall have been actually domiciled for at least the prior twenty-four (24) consecutive months in an area which, at the time of qualifying for office, is within the city limits. **(One year prior and may live with in 65 miles of the city of Hammond)**

F. The police chief candidate must meet one of the following qualifications:

(1) Bachelor's degree from an accredited institution of higher education in business administration, public administration, or related fields, and at least 20 years of experience in law-enforcement, with 15 years having administrative or supervisory responsibilities; or **(remove this option)**

(2) Bachelor's degree or associate's degree from an accredited institution of higher education in criminal justice, police administration, or related fields, and at least 15 years of experience in law-enforcement having administrative or supervisory responsibilities. **(Make this number one for qualifications)**

G. Vacancy or Suspension. The office of police chief shall become vacant upon the death, resignation, removal from office in any manner authorized by law, forfeiture of office by the officeholder, or failure to take office for any reason. The chief of police shall be removed and suspended from office for conviction, during his term of office, of a felony to the extent and in the manner provided under state law.

(1) The office of police chief shall be forfeited if the officeholder (1) lacks at any time during the term of office any qualification for the office prescribed by this charter, (2) violates any express prohibition of this charter, or (4) is disqualified by law from holding public office.

(2) If a vacancy in the office of police chief occurs, the assistant chief of police shall assume the duties of the police chief to the extent allowed by the state civil service laws until the vacancy is filled by the vote of the qualified electors voting in a special election called by the city council for that purpose, provided that said election shall be called to be held on the first candidate election day available according to state law after such vacancy occurs. If twelve (12) months or less of the unexpired term remains when the vacancy occurs or the scheduling of a special election to fill the vacant term cannot be held on a date more than twelve (12) months prior to the expiration of the term of office, the assistant chief of police shall assume the duties of police chief to the extent allowed by state civil service laws for the remainder of the term.

H. Absence and Disability. Whenever the police chief transmits to the mayor a written declaration that he is unable to discharge the powers and duties of the office, and until the chief of police transmits to the mayor a written declaration to the contrary, such powers and duties shall be discharged by the assistant police chief to the extent consistent with civil service laws.

Whenever a panel of three (3) qualified medical experts, designated by resolution passed by the favorable vote of at least two-thirds of the authorized membership of the council, transmits to the presiding officer of the council its written declaration that the police chief is unable to discharge the powers and duties of the office, the assistant chief of police shall immediately assume the powers and duties of the office of chief of police to the extent consistent with civil service laws. Thereafter, when the chief of police transmits to the presiding officer of the council a sworn declaration that no inability exists, the chief of police shall resume the powers and duties of the office unless the original panel of three (3) qualified medical experts designated by the council transmits within seven (7) days to the presiding officer of the council its written declaration that the chief of police is unable to discharge the powers and duties of the office. Thereupon the council shall decide the issue. If the council, within twenty-one (21) days after receipt of the latter written declaration, determines by resolution passed by the favorable vote of at least two thirds of the authorized membership of the council that the chief of police is unable to discharge the powers and duties of the office, there shall be a vacancy in the office of the police chief; otherwise, the chief of police shall resume the powers and duties of his office.

I. Compensation.

(1) The chief of police shall be paid a salary of one hundred five thousand dollars (\$105,000.00) per year until changed by ordinance. No ordinance changing the salary of the chief of police shall be adopted during the last year of a term of office, and no such ordinance shall become effective during the term of the council adopting the ordinance.

(2) The city council, by ordinance, may adopt other benefits of office for the chief of police and police department employees, including health insurance benefits.

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