



ORDINANCE NO. 2056-21

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SIDE LETTER OF AGREEMENT – METROPOLITAN ALLIANCE OF POLICE

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Illinois, that the Mayor and Village Clerk be, and the same are, are hereby authorized to execute a certain Side Letter of Agreement with the Metropolitan Alliance of Police, in substantially the form attached hereto as Exhibit "A", and, by this reference, made a part hereof.

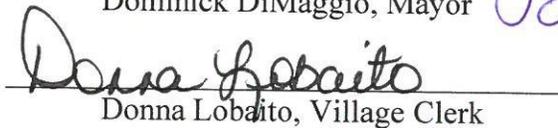
The foregoing Ordinance was adopted by a roll call vote as follows:

AYES: Kaiser, Kasik, Riess, David, McCarthy, Rycelik

NAYS: \_\_\_\_\_

ABSENT AND NOT VOTING: \_\_\_\_\_

APPROVED:   
Dominick DiMaggio, Mayor

ATTEST:   
Donna Lobaito, Village Clerk

ADOPTED: January 25, 2021

APPROVED: January 25, 2021

**SIDE LETTER OF AGREEMENT**  
**DRUG TESTING FOLLOWING OFFICER INVOLVED SHOOTINGS**

The Village of Hawthorn Woods ("Village"), the Metropolitan Alliance of Police Hawthorn Woods Police Chapter #483, referred to herein as the ("Union") hereby agree to the following policy to be implemented in accordance with 50 ILCS727/1-25:

1. The Union agrees that its members shall be required to abide by the Village's Policy regarding "Officer Involved Shooting and Death" including the section that requires each officer who is involved in an officer involved shooting to submit to drug and alcohol testing, so long as such testing is required by 50 ILCS727/1-25 or any similar state law.
2. For the purpose of clarity, the parties agree that a person "involved in" an officer involved shooting is defined to mean any officer who discharged a firearm thereby causing injury or death to a person or persons. If multiple officers discharged their firearm and it is unclear whose bullet struck the person or persons, then all officers who discharged their firearm in the direction of the subject shall be required to submit to drug and alcohol testing.
3. The parties agree that the term "involved in" an officer-involved shooting does not include officers who did not discharge their weapon, even if they were providing other forms of support and assistance during the call. Nor does the term "involved in" include officers who discharged their weapons when it is undeniably clear their projectiles did not actually strike any person or persons.
4. The parties agree that the provisions of the collective bargaining agreement regarding drug testing and standards for discipline shall regulate the drug testing procedures and the consequences for any positive drug test results.
5. The parties agree that any drug or alcohol test required pursuant to this Agreement shall be considered a compelled, non-voluntary drug or alcohol test under threat of disciplinary

action. Such testing shall only be done by urinalysis or breathalyzer. Blood tests shall only be administered with a warrant, unless the officer otherwise consents. This does not limit the Village's right to obtain test results via other available legal process.

**Metropolitan Alliance of Police Hawthorn  
Woods Chapter #483**

**Village of Hawthorn Woods, Illinois**

By: K. L. S.

By: [Signature]

Date: 12/21/2020

Date: 1/25/21