

COLES COUNTY SHERIFF'S DEPARTMENT

DISCIPLINARY ACTION

NAME: Steve Spear

POSITION: Patrol Sergeant

PAGE: 1

DATE OF INFRACTION:
07/15/2017

OFFICIAL CHARGE:
Policy #136 Neglect of Duties

TYPE OF ACTION TAKEN/REQUESTED:

WRITTEN REPRIMAND

OTHER X: Verbal reprimand

PERSON INITIATING ACTION:
James Rankin

POSITION:
Sheriff

DATE:
July 25th 2017

REQUEST:

APPROVED
DENIED

AUTHORIZED SIGNATURE:

TITLE:

DATE:

7-25-2017

COMMENTS :

INFRACTION NARRATIVE:

On July 15th 2017 I (Sheriff James Rankin) was traveling past the residence of John Clough and observed an unoccupied county squad car sitting running with the window down and computer up. I then observed Sgt. Spear exit the North door with what appeared to be campaign signs in his hand. John was following Sgt. Spear. It should be noted that John is the counties republican chairman. Sgt. Spear saw me in my wife's personal vehicle and appeared to be startled and immediately got next to John and handed off the material he was carrying. I backed up and pulled in front of the squad car. Sgt. Spear walked to my vehicle and said "what's up?" Sgt. Spear was shaking and seemed very nervous. I advised Sgt. Spear that he is not to be campaigning on duty and he advised he was not. When I asked what he was carrying he walked me over to the back of John Clough's vehicle where John had earlier placed the material. John then removed a blanket and exposed his political stickers from his last campaign for sheriff that both he and Steve had been carrying. John stated "I was going to get rid of them anyway." I then advised Sgt. Spear again that there would be no campaigning on duty and he advised he would not campaign while on duty.

On the same date at 7:40pm I contacted CECOM and requested to speak to the shift supervisor Desi. I asked if Sgt. Spear had called out of his squad car earlier. She advised he had called out at the jail at 7:00pm. **However, Sgt. Spear did not call out later at John Clough's residence. I had previously ordered all patrol that no matter when or where they were they are all to call out to CECOM advising of their location if they are getting out of their cars. This order was given to increase officer safety. Hopefully this verbal reprimand will remind Sgt. Spear.**



Coles County Sheriff's Office

701 7th Street • Charleston, IL 61920-2102 • (217) 348-7332 • Fax (217) 348-7345

James Rankin, Sheriff

Tad Freezeland, Chief Deputy

On 07/15/2017 I Sheriff Rankin was traveling past John Clough's residence when I observed Sgt. Spear exit the north door with what appeared to be campaign stickers in his hand. John Clough also exited behind Sgt. Spear. Sgt. Spear observed me in my wife's personal vehicle and appeared to be startled and immediately got next to John Clough where he handed off the items. I backed up and pulled in front of Sgt. Spears marked squad. Sgt. Spear came over to my vehicle and asked what's up. He was shaking and was very nervous. I advised Sgt. Spear he is not to be campaigning on duty and he advised he was not. Sgt. Spear then escorted me to the back of John Clough's vehicle where he asked John to show me the items. John uncovered political stickers stating I'm going to get rid of them anyway. The items were "clough for sheriff" bumper stickers. I advised Sgt. Spear for the second time that there would be no campaigning on duty and he advised that he would not campaign on duty.

Nothing Follows

07/15/2017 7:40pm I Sheriff Rankin contacted Ce Com and requested to speak to the Shift Supervisor. I asked if Sgt. Spear had called out of his squad and Desi advised Sgt. Spear had called out of his vehicle from the jail at 7:00pm. Sgt. Spear did not call out of his squad while at John Clough's residence. I had advised all patrolmen that no matter when or where they were they are all to call out to Ce Com advising of their location of where they are getting out of there squads.

Coles County Sheriff's Office
701 7th Street
Charleston, IL 61920
Sheriff James Rankin



GRIEVANCE

(use additional sheets where necessary)

Date Filed: July 28, 2017

Department: Coles County

Grievant's Name: Spear Stephen C
Last First M.I.

STEP ONE

Date of Incident or Date Knew of Facts Giving Rise to Grievance: 07/26/17

Article(s)/Sections(s) violated: 13.1 Employer must have just cause

Briefly state the facts: On July 26th 2017 I was given a verbal reprimand, in written form from Chief Freezeland that was initiated and signed by the Sheriff for an incident that reportedly happened 11 days earlier on July 15th 2017. I believe the official charge listed as Policy # 136 neglect of duties to be invalid as policy # 136 in our S.O.P. clearly states it is the Respirator Protection Program. Regardless of the policy # I never neglected any duties, and I did not miss any call or radio traffic. The Email from Lt. Huston that is being used as the policy that I allegedly violated is not S.O.P. and should not be used as such.

Remedy Sought: Immediate removal of this reprimand from my file and no further harassment by Sheriff Rankin.

Given To: Jon Jean F.O.P. President

Date: 07/28/17

[Signature]
Grievant's Signature

[Signature]
FOP Representative Signature

EMPLOYER'S RESPONSE

THE EMPLOYER WILL CONCEDE THAT THE POLICY LISTED AS # 136 IS INCORRECT AND A TYPO. THE POLICY SHOULD READ # 138. AS TO THE REMAINING GRIEVANCE THE EMPLOYER DECIDED THE DISCIPLINE WAS ISSUED FOR CAUSE. THE GRIEVANCE IS DENIED.

[Signature]
Employer Representative Signature
Sgt. Steve Spear
Person to Whom Response Given

CHIEF DEPUTY
Position
8/16/16
Date

STEP TWO

Reasons for Advancing Grievance: _____

Given To: _____

Date: _____

Grievant's Signature

FOP Representative Signature

EMPLOYER'S RESPONSE

Employer Representative Signature

Position

Person to Whom Response Given

Date

Lodge/Unit No. / Year / Grievance No.



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James Rankin, Sheriff

Tad Freezeland, Chief Deputy

To: Sgt. Steve Spear

From: Sheriff James Rankin

Date: 8/31/2017

Re: Step 2 grievance response

After considering the Union's and the Grievant's arguments in this matter, and after reviewing the facts of the underlying disciplinary case, I find that the verbal reprimand was issued for just cause pursuant to Article 13, Section 13.1 of the parties' collective bargaining agreement. The aforementioned grievance is denied