

**ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD
4500 South 6th Street Road, Room 173, Springfield, IL 62703-6617**

**MINUTES OF THE MEETING OF
JOINT FINANCE, LEGISLATIVE & EXECUTIVE COMMITTEE
Decatur Conference Center, 4191 US Highway 36 West, Decatur, IL
September 20, 2017**

I. ROLL CALL – ESTABLISHMENT OF QUORUM

The September 20, 2017 meeting of the Joint Finance, Legislative & Executive Committee was held in Decatur, Illinois, and was called to order by Chairman Hartshorn at 3:01 p.m. Roll was called by Ellen Petty and a quorum of committee members was established.

Members in attendance:

Pat Hartshorn
Tim Gleason
Jan Noble
Valerie Salmons
John Schlaf
Richard Watson
Dorothy Brown
Cameron Eugenis for Lisa Madigan

Members absent:

None

Staff in attendance:

Brent Fischer
John Keigher
John Krein
Ellen Petty
Eric Pingolt
Pat Connolly
Kelly Griffith
Pat Hahn
Cora Beem
Dan Sluga
Denise Matthew
Laura Baker
Scott Schaefer
Kevin Baxter
Lennora Burnom
Jon Elder
Keith Wallace
Lya Ramos
Jan Allen

Anthony Raffety

Others in attendance:

Vicki Munson, MTU 4
David Cammack, Cook County Sheriff's Office
Marie Rangel, Cook County Sheriff's Office
Jeffrey Chapman, Chicago Police Department
Chuck Doan, MTU 15
Kim Cramer, MTU 15
Penny Abbott, MTU 9
Jill Ward, MTU 9
Robert Siron, MTU 8
Mike Oyer, MTU 7
Susan Nichols, ILETSB Executive Institute
John Bennett, MTU 13
Terri Newbill, MTU 13
Deb Alms, MTU 2
Bob Crouch, MTU 10
Kenton Manning, IROCC
Scott Williams, MTU 14
Van Muschler, SWIC Police Academy
David Hayes, MTU 14
Doug Fargher, MTU 1
Len Mendoza, MTU 4
Richard Fonck, MTU 16
Tom Reasoner, MTU 3
Ray Cordell, SLEA
Chris Campbell, IL State Police
Jodie Dewey, Concordia University
Mike Schlosser, PTI
Mark Edwards, MTU 12
Allyson Clark Henson, Chicago Police Department
Paul Williams, Bloomington Police Department

II. FINANCIAL MATTERS

A. Financial Items

1. Fiscal Information
(Through August 31, 2017)
 - a. Ratification of Previous June Actions
 - b. TACCSF Receipts
 - c. TACCSF Balance
 - d. Projected Academy Enrollments

John Krein gave a verbal report, explaining the charts included in the Board books. Chart #1 shows two items. The first is monthly revenue for the Traffic and Criminal Conviction Surcharge Fund for Fiscal Year 2014 through August 31st of FY18. The

second item is the monthly average for each fiscal year. Actual revenues were \$13.7 million for FY 2001, \$14.0 million for FY 2002, \$14.2 million for FY 2003, \$14.4 million for FY 2004, \$15.3 million for FY 2005, \$17.1 million for FY 2006, \$19.6 million for FY 2007, \$21.2 million for FY 2008, \$20.6 million for FY 2009, \$20.0 million for FY 2010, \$19.3 million for FY 2011, \$18.6 million for FY 2012, \$17.5 million for FY 2013, \$16.9 million for FY 2014 (does not include \$2 million transfer in of funds); \$16.8 million for FY 2015 (does not include \$2 million transfer in of funds); \$17.2 million for FY 2016; and \$17.7 million for FY 2017 (does not include \$2 million transfer in of funds).

Chart #2 shows two items. The first is the daily cash flow position of the Traffic and Criminal Conviction Surcharge Fund for FY13 through August 31st of FY18. The second item is the August 31st balance for each fiscal year spread across the entire fiscal year; this indicates the balance after all payments from the prior fiscal year have been made, and the change across several years. Please note that for FY17, the date will be September 30, 2017 due to the FY18 budget legislation.

The third chart contains projected academy based training enrollments and reimbursements for Fiscal Year 2017. These figures are based on actual course enrollments and projected claim costs. (As previously noted, ineligible trainees have been eliminated from these figures.) Please note the FY17/18 budget legislation extended the lapse period to September 30, 2017, and revised figures will be provided to the Board at the December Quarterly Meeting.

Motion was made by Watson, seconded by Salmons, and carried by all members present to approve the Fiscal Report.

2. FY18

- a. Ratification of 1st Qtr Payments Authorized by Executive Committee
- b. Full Year Funding for MTUs

As outlined in the handouts provided at the meeting, at the June Board meeting, Board staff proposed a one-time supplement of \$15,000 for infrastructure items for each of the MTUs, totaling \$210,000 of FY17 funds. Also proposed at this meeting was partial FY18 funding for the MTUs, Executive Institute, CIT, Chicago P.D. in-service training, Illinois Computer Crime Institute, and professional associations, totaling \$4,022,500. Both the Joint Committee and the full Board recommended approval, but due to a lack of quorum, final action could not be taken. On June 22nd, the Executive Committee, on behalf of the Board, approved this supplemental funding. Today, Board staff asks the Joint Committee to recommend that the full Board take final action and ratify the actions previously approved by the Executive Committee.

Today, Board staff is requesting approval for full year funding for the MTUs, in the amount of \$5,600,000. Additional funding decisions may be considered later in the fiscal year.

Motion was made by Schlaf, seconded by Noble, and carried by all members present to ratify approval of FY18 1st Quarter Payments and approve full year funding for MTUs.

c. Full Year Funding for Direct Contracts

Board staff is requesting approval for full year funding for the Direct Training Contracts, in the amount of \$1,169,900 for Executive Institute, \$825,000 for CIT Training, \$400,000 for Chicago P.D. In-Service, \$245,000 for the Computer Crime Institute, and \$100,000 for the Professional Associations, for a total of \$2,739,900.

Motion was made by Watson, seconded by Schlaf, and carried by all members present to approve FY18 full year funding for direct contracts.

d. Statutory Fund Sweeps

Krein went on to explain that the General Assembly swept \$1.5M out of the Camera Grant Fund for FY18, and \$ 638,000 out of the Surcharge Fund. The Camera Grant sweep was done in August, but the Surcharge Fund sweep has not yet taken place. We are currently in talks with the Governor's office to convince them to wait until the 2nd quarter payments go out to the MTUs and basic training reimbursements are processed. Fund sweeps were rare until the Blagojevich administration, but have since become an annual activity. We have not funded camera grants in 4 or 5 years due to a host of issues, including repeated fund sweeps. However, when the Camera Fund is swept, that helps to protect the Surcharge Fund, somewhat.

There was an extended discussion between Board members about the history and future of the In-Dash Video Camera and Body Camera grant program and frustration due the Board's continued inability to utilize the Camera Grant Fund for its intended purpose.

e. Illinois Officer of the Comptroller – Borrowing

Legislation enacting the FY18 budget contained a new feature – Borrowing. They have given the Comptroller's office, at their discretion, the ability to "borrow" for cash flow purposes from one fund, to pay expenditures from another fund. They then have up to two years to repay the "loan" to the original fund. The legislation specifies that if they take too much out of a fund, they must temporarily reverse the borrowing so that bills can be paid. Since this is new, we are awaiting guidance from the Governor's office on how to handle it.

The differences between the fund sweeps and Comptroller borrowing were discussed and clarified.

f. Governor's Office of Management and Budget (GOMB) – Proposed Expenditure Reductions

The Governor has made a statement that the budget is not balanced and has asked all agencies, including the Board for information on what would happen if reductions were made in various line items. Board staff has provided this information, but has not yet been advised of any final decisions on reductions.

3. Audit Update (July 1, 2014 – June 30, 2016)

The Board has received the draft audit from the Office of the Auditor General and the final audits will be released to the public at 10:00 a.m. on September 21st – the following morning. Until such time as the final audits are released, we have been advised not to discuss details in our open meeting.

Director Fischer advised the Board members that anyone wishing a copy of the full audit report to advise his office and a copy would be forwarded to them as soon as they are made available. There were seven findings, four of which were repeat findings. Fischer reported that he met with the auditors in January of 2016, immediately after becoming Director, while the audit was still being conducted, to discuss problem areas, and after that meeting, several problems were immediately corrected. After our draft report was received, we requested a closing conference with the auditors to address the findings and our responses. All findings have now been addressed and plans put in place so that they will not be repeated in our next audit.

4. Tuition Increase Requests
 - a. Illinois State Police – ESCO Course
 - b. Basic Law Enforcement Academies – 560 hr. Adjustments

John Keigher reported the ISP ESCO course was presented before the Board at the June meeting, at which we did not have a quorum. It is merely a request to charge a small tuition for this specialized course. At that time, the increase was recommended for approval, but official action could not be taken.

BLE Academy tuition increases are normally addressed at the December meeting, but this year, with the additional costs incurred by the Academies due to the implementation of the 560 BLE in June, it needed to be addressed, at least temporarily, prior to that meeting. The Executive Committee met on June 22, 2017 and voted to increase all current academy tuition rates by 20% to accommodate the increased cost, with the understanding that costs would be reviewed and the academies would come forth in December with a full year proposal for 2018.

Motion was made by Salmons, seconded by Noble, and carried by all members present to approve the tuition increases as recommended.

B. Staff & Personnel Updates

Director Fischer advised he had nothing to report at this time.

C. Legislative and Litigation Update

Regarding legislation, John Keigher reported that the General Assembly was in session much more than usual since our June meeting and most notably, passed PA 100-21 (SB 6) which approved a full FY 18 budget for the Board and provides that no other entity will be allowed to take monies from the Traffic and Criminal Conviction Surcharge Fund.

Several bills that we have been monitoring since the spring were finally approved by the Governor and became public acts. These are:

PA 100-247 (HB 375) which adds mental health awareness and response training to the growing list of in-service mandates and requires these to be incorporated into the BLE.

PA 100-319 (SB 1843) reinstates the Commission on Police Professionalism to review issues of licensing, police authority, and training. We intend to meet with the sponsors on this one and get a clear idea of their expectations and our role as administrator of this body.

PA 100-121 (HB 1895) requires the Board to incorporate information on officer stress and PTSD experienced by police into the BLE, and

PA 100-151 (SB 3106), which brings Supreme Court Marshals fully under the Board's certification process.

Finally, we are still awaiting action by the Governor on SB 2185, which requires the Board to create a model policy on how to detain intoxicated individuals and ensure that they do not operate vehicles while still under the influence of drugs or alcohol.

As far as litigation, we still have *Henrichs v. The Board*. This case involves Cook County Correctional Officers seeking approval for IROCC. The case was reassigned from Judge Zagel earlier this year and has experienced some administrative delays as it was reassigned. There is a hearing set for next week that should establish the timeframe for hearings on our motion to dismiss.

Finally, there is now *Dobby v. The Board*. This is a FOIA-related case brought by an inmate seeking records for an individual we do not have in our database. Again, the Attorney General's office has filed a motion to dismiss and the hearing is expected next month.

III. UNFINISHED BUSINESS

A. PTI Update

John Schlaf reported that the Committee met earlier in the day and that the Board members would have an opportunity to visit the new training site immediately following the current meeting. Also discussed during the earlier meeting were the agreement with Richland for operation of the academy and the agreement with U of I to continue operation of PTI in Champaign over the next three years. With the new academy opening up and PTI remaining open, this will help alleviate concerns of law enforcement agencies around the state about their ability to get their officers scheduled to attend basic training in a timely manner.

B. Howard Buffett Foundation Update

Director Fischer provided details to Committee members on where and when to meet after the meeting to tour the new facility. He went on to explain that Richland

Community College will be running the academy at the new facility, and they recently appointed Tad Williams as the Academy Commander. A Basic Correctional Officer Academy class, originally scheduled to be held at St. Clair County Correctional Academy, is scheduled to begin at the new facility on October 2nd.

C. Direct Tuition Reimbursement

Keigher reported that since the last meeting, we have been able to get details worked out with the Comptroller's office and the Procurement Officer and a Direct Tuition Agreement draft has been sent out to three academies now, and we are awaiting feedback. We hope to get those finalized as soon as FY18 funding is officially approved at tomorrow's meeting.

D. Body Camera Guidelines

Fischer advised that we have assembled an advisory group on this subject, which has met, and Intern Lya Ramos is doing a survey to obtain feedback from agencies around the state, in conjunction with our IT department. As soon as the responses are received, she will compile the results to be reviewed.

E. Electronic Control Device (ECD) Report for 2015

Keigher advised the Board that the bill that passed in 2014 required the Board to do a survey & report on the use of Tasers and other electronic control devices for the General Assembly. At that time, the report was submitted to the Governor's office, and reported on at our Board meeting, but no official Board approval had ever been given. The Governor's office recently requested proof of this approval, which is when we discovered it had never been given. Therefore, official approval of this report is being requested today. The report has been included in the Board book for the Board's review.

Motion was made by Watson, seconded by Schlaf, and carried by all members present to approve the 2015 Electronic Control Device Report.

IV. NEW BUSINESS

There was no new business to discuss.

V. ADJOURNMENT

Motion was made by Schlaf, seconded by Salmons, and carried by all members present to adjourn the meeting at 3:41 p.m.

