

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

**MINUTES OF THE QUARTERLY MEETING OF THE ILLINOIS
LAW ENFORCEMENT TRAINING AND STANDARDS BOARD
Holiday Inn Joliet Southwest
1471 Rock Creek Boulevard, Joliet, Illinois
September 12, 2019**

I. CALL TO ORDER & PUBLIC MEETING ANNOUNCEMENT

The September 12, 2019 meeting of the Illinois Law Enforcement Training and Standards Board was called to order at 9:00 a.m. by Chairman Gleason. The public meeting announcement was read aloud by Ellen Petty.

II. ROLL CALL – ESTABLISHMENT OF QUORUM

Roll was called by Ellen Petty, and a quorum of voting members was established.

Members in attendance:

Tim Gleason
Timothy Becker
Mary Melchor for Dorothy Brown
David Clague
Rob Copley
Marie Rangel for Thomas Dart
Pat Hartshorn
Kevin Johnson for Eddie Johnson
Josh Ward for Brendan Kelly
J.W. Price
Cordelia Coppelson for Kwame Raoul
Valerie Salmons
Richard Watson
Paul Williams
Rob Jeffries

Members absent:

John Schlaf
Timothy Nugent

MTU 16 Coordinator Richard Fonck introduced City Mayor Bob O'Dekirk and Police Chief Alan Roechner. Mayor O'Dekirk and Chief Roechner addressed the Board briefly and welcomed everyone to Joliet.

Staff in attendance:

Brent Fischer
John Keigher
Ellen Petty
Jan Allen

Laura Baker
Kevin Baxter
Glen Bell
Keith Calloway
Pat Connolly
Kelly Griffith
Patrick Hahn
Fred Kientzle
Denise Matthew
Jan Noble
Eric Pingolt
Lee Ryker
Scott Schaefer
Brenda Swires
Keith Wallace
Jill Wieland
Jennifer Wooldridge

Others in attendance:

Richard Fonck, MTU 16
Jill Marr, MTU 16
Penny Abbott, MTU 9
Brad Oyer, MTU 13
Christina Stephen, MTU 13
Ron Skrip, Wicklander-Zulawski
Marcus T. Hargrett, Retired Sgt., Cook County Sheriff's Office
Becky Wayland, MTU 10
Bob Crouch, MTU 10
Scott Williams, MTU 14
David Hayes, MTU 14
Tad Williams, MCLETC
Len Mendoza, MTU 4
Cara Dasher, MTU 10
Bill Petentler, MTU 4
Amber Shaffer, MTU 4
Daniel L. Hassinger, Hassinger Law Office
Kenton Manning, IROCC
Ernie Ashby, IROCC
Beth Edwards, IROCC
Jennette Jones Nall, IROCC
Mark Edwards, MTU 12
Jeffrey Chapman, Chicago P.D.
Howard Keltner, Father of fallen Deputy Jacob Keltner
Alan Roechner, Joliet P.D.
Alan Swinford, Manteno P.D.
Robert Siron, MTU 8
Kevin Koontz, MTU 12
John Parona, MTU 16
Deborah Alms, MTU 2

Brian Fengel, MTU 7
Greg Elliott, MTU 5
Beth Pinter, MTU 5
Marty Schaefer, MTU 3
Tom Reasoner, MTU 3
Serina Rivera, MTU 3
Chuck Ghiloni, MTU 3
Susan Nichols, Executive Institute
Heather Hotz, Executive Institute
Van Muschler, SWIC
Shane Casey, Channahon P.D.
Tod Dowdy, MTU 9
Chad Skelton, Morris P.D.
Aaron Klima, Shorewood P.D.
Hilary Davis, New Lenox P.D.
Chuck Doan, MTU 15
Michael Moore, Deputy, Cook County Sheriff's Office
Dwight Anderson, Deputy, Cook County Sheriff's Office

III. PLEDGE OF ALLEGIANCE

Chairman Gleason led the Board in the Pledge of Allegiance.

IV. MOMENT OF SILENCE FOR FALLEN OFFICERS

Chairman Gleason called for a moment of silence for fallen officers.

V. INTRODUCTIONS OF GUESTS AND VISITORS

Chairman Gleason asked the guests and visitors in the audience to rise and introduce themselves to the Board.

VI. ILETSB DISTINGUISHED SERVICE AWARD

Executive Director Fischer advised the Board that a Distinguished Service Award had been previously presented to Mike Oyer, retired Coordinator of MTU 7, who was unable to attend today's meeting.

VII. APPROVAL OF MINUTES

- A. Curriculum and School Standards Advisory Committee Meeting
June 5, 2019
- B. Finance and Legislative Committee Meeting

June 5, 2019

- C. Quarterly Board Meeting
June 6, 2019

Motion was made by Watson, seconded by Becker, and carried by all members present to approve all 3 sets of minutes from June 5 & 6, 2019.

VIII. REPORT OF STANDING AND ADVISORY COMMITTEES

- A. Curriculum and School Standards Advisory Committee

1. September 11, 2019

Williams went over the items of business from the previous day's meeting, to include approval of Chicago P.D.'s request for certification of three classes. In addition, there was a mental health awareness training update by Jennifer Wooldridge. Then a report was given on the status of the School Resource Officer curriculum project by John Keigher. Finally, there was a Narcotic Detection Canine Training program update by Pat Connolly, which will be presented to the full Board later in today's meeting.

The Committee voted to approve the certification of in-service training courses through August 2019.

Motion was made by Salmons, seconded by Watson, and carried by all members present to approve the certification of in-service courses submitted through the MTUs and Executive Institute from June through August 2019.

The Committee voted to approve the LHI continuing education courses through August 2019.

Motion was made by Watson, seconded by Becker, and carried by all members present to approve the Lead Homicide Investigators 32-hours continuing education courses submitted from June through August 2019.

The Committee voted to approve updates to the 560-hour BLE curriculum based upon recent changes in legislation.

Motion was made by Watson, seconded by Clague, and carried by all members present to revise BLE curriculum due to recent statutory changes, as proposed.

- B. Joint Finance/Legislative and Executive Committee

1. September 11, 2019

All of the business items from this meeting are on the agenda for later in today's meeting and will be discussed at that time, with the exception of one item of business discussed during closed session of the Executive Committee. The Committee discussed the performance of Executive Director Fischer, rating his performance as exemplary with a subsequent recommendation for a 3% pay raise.

Motion was made by Watson, seconded by Salmons, and carried by all members present to approve a 3% pay increase for Executive Director Fischer.

IX. EXECUTIVE MATTERS

A. Financial Items

1. Fiscal Information (through August 22, 2019)
 - a. TACCSF Receipts
 - b. TACCSF Balance
 - c. Projected Academy Enrollments

Denise Matthew addressed the Committee, going over the monthly TCCSSF and Camera Grant Surcharge Fund receipts and running balance figures for FY20.

Motion was made by Watson, seconded by Price, and carried by all members present to approve the account balance and receipts report.

Matthew went on to report on the FY20 projected academy enrollment figures for law enforcement, part-time law enforcement, and corrections. Figures are based upon actual claims for the previous year, as well as current academy enrollments. Revised figures will be shared as they are amended throughout the year.

Motion was made by Price, seconded by Watson, and carried by all members present to approve the projected academy enrollments.

2. FY20 Budget
 - a. Approval of Full FY2020 Budget for MTUs & Direct Contracts

Matthew continued with a request for approval of the FY20 full budget year figures for the Direct Training Contracts to include the Executive Institute, CIT, Chicago P.D. In-Service, Illinois Computer Crime Institute, and Professional Associations, for a total of \$2,840,542.

Motion was made by Becker, seconded by Clague, and carried by all members present to approve full year funding for the direct contracts.

Finally, Matthew requested approval for the FY20 full budget year figures for all of the MTUs, in the amount of \$5,959,705, indicating that a breakdown of the budget for each of the MTUs was included in the ASSIST program report section of the Board book.

Motion was made by Price, seconded by Copley, and carried by all members present to approve full year funding for the MTUs.

3. FY17-FY18 Audit Update

Matthew reported briefly that the FY17-18 audit process is still ongoing with the Auditor General's office, and that the preliminary and field work portions have been completed, with the focus now being on responses to follow up questions and clarification requests. We won't have a list of the final audit findings until all of the responses have been submitted and reviewed.

In addition, the FY19 lapse period has been extended to October 31st, which requires all of our submissions to be completed by October 23rd. At this point, there are only a few straggling training reimbursement requests remaining to be paid prior to that deadline.

B. Personnel Updates

Director Fischer introduced Glen Bell, who has been hired to replace former Chief Information Officer Dan Sluga. Bell has had nearly 30 years of experience with the State of Illinois. Fred Kientzle has also been hired as the Board's 5th Field Representative to aid with compliance and response to local agencies. Fred has previously been working with the Board on a contractual basis with the new canine process and background investigations, and will continue to assist with those duties, as well. The addition of a Grant Administrator position is also in the works to hire someone to handle all of the day to day duties and handle outside inquiries for the Camera Grant and IDOT Grants, and this will help free up a lot of Denise's time to deal with her other duties.

Fischer also recognized and congratulated former Board member Brian Fengel, who is now the new Coordinator at MTU 7.

C. Law Enforcement/Corrections/Court Security Waiver Disposition Quarterly Report

Motion was made by Watson, seconded by Salmons, and carried by all members present to approve the law enforcement/corrections/court security waiver disposition report.

D. Legislative and Litigation Update

John Keigher reported that all of the laws mentioned at the June meeting have now been signed by the Governor and will go into effect at the beginning of next year, if they have not done so already. Those laws include:

HB 2767, now PA 101-215, which added "officer wellness" to the list of tri-annual mandates; HB 2766, now PA 101-375, which requires the BLE provision on officer wellness to address peer support options; SB 1778, now PA 101-564, which added "child abuse mandatory reporting" to the BLE and tri-annual mandates; HB 51, now PA 101-224, which added "trauma informed care of a child when executing an arrest" to the BLE; SB 1890, now PA 101-018, which added "human trafficking" to the BLE and

requires the Board to create an in-service course; HB 2987, now PA 101-391, which added the Board to a task force on responding to those in custody with disabilities; SB 2148, now PA 101-577, which allows for Correctional Interns and a veteran's preference; HB 2591, now PA 101-187, which requires a 1 year prohibition for rehiring an untrained officer, clarifies Board investigator authorities and allows for decertification if there is a plea of guilt resulting in no actual conviction; HB 1438, now PA 101-027, which reformed the cannabis laws and allows police agencies to choose which drugs their canines are trained to detect; and finally SB 262, now PA 101-007, which included ILETSB's budget of \$24.6 million for FY20.

The veto session is set to begin in the last week of October and so far, we are not aware of any bills or initiatives that will directly affect the Board. Nevertheless, we continue to monitor for trailer bills affecting the cannabis laws, the court fee structure, and other possible mandates. If anything arises, it will be brought to the Board's attention at the December meeting.

There is no litigation directly involving the Board but we are seeing an increase in discovery requests in civil cases involving police officers and agencies. In these cases, we go to great lengths to protect sensitive material used to train and test new officers and ask that others do the same. If anyone receives a subpoena or FOIA request for training materials prepared or distributed by the Board, we ask that they bring this to our attention and we will happily work with the AG or local attorneys to make the appropriate arrangements.

E. Tuition Increase Request

Keigher reported that upon its initial opening, the BLE tuition for the Macon County Law Enforcement Training Center was set. Since that time, the facility has been expanded to include several more scenario training rooms, and the firearm range required an extensive post-construction ventilation cleaning. Additionally, the food preparation station was moved to a larger area of the new building and certain single occupancy dorm rooms were converted to house more recruits. Within the new building, there are enhanced physical skills training areas and more realistic correctional, commercial, and public settings that will provide more opportunities and resources for those in attendance. All of these changes have resulted in an increase in operational costs. Therefore, the administration at MCLETC requests that the basic tuitions be increased by 5%, effective back to June 1, 2019. While tuition adjustments are typically made in December of each year, the Board can approve a special modification.

Motion was made by Watson, seconded by Clague, and carried by all members present to approve a 5% special tuition increase for MCLETC, retroactive to June 1, 2019.

X. PROGRAM PROGRESS REPORTS AND CONCEPTS

- A. Illinois Law Enforcement Executive Institute
(Susie Nichols)
 - 1. Executive Institute

2. Federal Homeland Security Grant/Illinois Terrorism Task Force

Susie Nichols reported that her team is doing a study and preparing a substantial report on the impact of the cannabis act, which will be submitted to Director Fischer by the end of September to publish by the end of the calendar year.

- B. A Statewide System of In-Service Training (ASSIST) Program and Specialized Training Programs (Pat Hahn)
 - 1. ASSIST Status Report
 - 2. IDOT Grants Update
 - 3. Traffic Crash Reconstruction

- C. CIT Training Update (Jennifer Wooldridge)
 - 1. Progress Report

- D. Part-Time Basic Training Program (Pat Connolly)
 - 1. Progress Report

Pat Connolly reported that the 5 part-time academies are doing well and they are constantly working at updating and improving. For the past two years, they have had meetings with the participating MTUs, Executive Institute, and any other MTUs who might be interested in hosting a part-time academy in the future, to discuss what works and what doesn't, as well as to refine rules and policies and address any issues.

- E. Narcotic Detection Canine Certification Program (Pat Connolly)
 - 1. Progress Report

Connolly went on to report that staff is moving forward with phases I & II of the narcotic detection canine compliance program. More specific information related to initial training of narcotic detection canines will be provided further along in the meeting's agenda. As of August 13, 318, or 77 % of the state's canine teams had participated in the annual requalification testing and are now registered in the system. A majority of the remaining teams, out of the total of 403, are already registered to attend their annual testing before the end of the year. The 2020 testing calendar is currently being developed by MTU 10 staff with the assistance of Fred Kientzle, so that teams will soon be able to register for their 2020 tests. Overall, the testing is right where it was expected to be by this stage, 84.74% of those teams tested passed the test on the first attempt. After a 2 week re-training period, 16 teams have re-tested at the Macon County testing facility, and the remaining teams are scheduled to do so in the near future. So far, 9 out of 38 new canine teams have tested without including cannabis, which is now an optional drug odor. Due to the changes in the cannabis law, it is anticipated that this number will fluctuate a great deal over the next year or two. Originally, when the annual testing was revamped, there were 8 statewide test sites identified and selected. Effective January 1, 2020, both Chicago P.D. and Illinois State Police will be added to these test sites to give us a total of 10 sites across the state. Board staff is very close to launching

the new canine training tab under the main ILETSB website. This will consolidate all of the canine information on the website under one tab, to make all of the most up to date information more readily available and easier to access. Phase II is expected to go live on January 1st, with beta testing to begin in October.

Motion was made by Price, seconded by Clague, and carried by all members present to approve all of the program progress reports.

XI. UNFINISHED BUSINESS

A. Camera Grant Update

Keigher reported that the FY19 Camera Grant application period came to a close at the end of June and there were ultimately 106 agencies submitting applications, approximately a 50/50 split between body cameras and in-dash cameras. Because agencies must be compliant with all in-service training mandates to be eligible for these funds, Board staff worked closely with several training coordinators to make sure they had opportunities on-line or through an MTU to bring every officer into good standing. In the end, 81 agencies were given an award and they have until October 11th to submit the proper receipts and documents to secure their reimbursement. Of the approved applications 30 are fully complete with vouchers being already issued, and 51 are still waiting to submit the applicable forms. As of now \$937,596.24 has been spent from the FY19 funds and we expect this to rise to \$2,770,161.06 in the next few weeks.

Keigher requested approval for an initial \$1 million for the third round of camera grants. Board staff already has several agencies that want to jump at the opportunity because they missed the chance in the Spring and we expect that revenues will continue to sustain this initial amount. As usual, if more is available, we will ask for this amount to be raised at a subsequent meeting.

Motion was made by Watson, seconded by Becker, and carried by all members present to approve the expenditure of \$1M in camera grant funds for FY20.

B. Update on HGB Foundation Projects

Fischer reported that the lease for the 30,000 square foot Bolek Training Center was signed on June 1st of this year. The academy class that started on August 18th will be the first class to get to utilize the new facility for their scenario-based training. The culinary department at Richland was previously preparing the academy meals on campus and transporting them to the academy, but with the new professional kitchen in the Bolek Center, the meals will be prepared fresh, on site. A five-story fire tower is currently being constructed, with a two-story attached shoot house. The building was intended mainly for law enforcement, but can be made available for fire service training, as well. A 1.5 acre pond has been constructed on the north side of the Bolek Center building for training exercises. The pond will be 18 feet deep with a concrete pad on the bottom with sunken vehicles included for dive rescue training.

C. Administrative Rules Changes

Keigher reported that the proposed administrative rule changes had been handed out to the Committee members, and as we talked about at the June Board meeting, the administrative rules for the committee membership numbers, quorum declarations, compliance with the Open Meetings Act, and certifications under the Police Training Act were developed in the 80's and haven't been changed since then. In order to make sure we are operating in compliance with JCAR and current legislation, he has been working closely with the JCAR group to get the language updated. The next step is to have the Board approve the proposed changes, then get them on file with the Secretary of State so that they can go into effect. This is expected to occur on or before October 1, 2019.

Chairman Gleason reminded the Board members that he tried to expand the size of the committees, and found that the administrative rules prevented him from doing so. These rules changes will allow him to move forward with his original plan, so he will be contacting members in short order to gauge interest in serving on various committees.

Motion was made by Watson, seconded by Copley, and carried by all members present to submit JCAR changes and updates to become effective October 1, 2019.

D. Narcotic Detection Canine Program Update

Pat Connolly reported that a draft of the initial narcotic detection canine program updates had been handed out to the Board members for their review. The packet includes proposed changes to the JCAR rules that steer the Board's administration of this program. As has been reported previously during the past couple of years, the 160 hours of initial training has been settled upon as the minimum standard.

John Keigher continued the report, commenting that Pat Connolly had discussed the proposed changes with many stakeholders over the course of the past couple of years, addressing a number of issues which have arisen over the last five years. This newly established initial training program establishes some benchmarks but is not so strict that teams that require more training in a specific area would be prohibited from getting it because they have to move on to the next area, providing a great deal of flexibility. This allows agencies to work with training providers outside of Illinois. The Board doesn't have the ability to review and approve these out of state training providers, so this system allows for a way to deal with that.

New canine teams would be required to register with the online canine testing program, attend the initial training course, then the handler would attend the online legal course, and finally, the team would attend the initial certification program.

Motion was made by Salmons, seconded by Becker, and carried by all members present to approve the proposed changes to the canine program and allow staff to move forward with finalizing and filing the administrative rules.

E. IROCC Committee Update

Chairman Gleason advised that, due to Director Fischer's request, the Board developed a special subcommittee at the June meeting to look into any changes to the IROCC program. Chief Tim Becker offered to serve at that subcommittee's Chairman. The group has met a few times since June and again just yesterday afternoon.

Subcommittee Chair Becker gave an overview of the history of HR218, the Law Enforcement Officer's Safety Act (LEOSA), originally passed in 2004. One of the stated intents of the legislation was to use the population of retired qualified law enforcement personnel to carry concealed firearms nationwide, using their skill and training to supplement law enforcement. When the law was passed, Becker was with the ISP and was tasked with developing their retired law enforcement qualification program, which they are still using today. He also worked closely with their partners in law enforcement to move their programs forward. Looking at the IROCC program today, the subcommittee has recognized the interest to revamp the IROCC program developed in 2006 and recognizes that this is authorized by federal statute which includes definitions of who is deemed to be a qualified retired law enforcement officer. Special IROCC Attorney, Dan Hassinger, worked with the subcommittee to develop changes to the language in the administrative code to implement these changes and to answer any questions the Board may have. Becker thanked Chairman Gleason and Director Fischer for allowing the subcommittee to work on this project, and Dan Hassinger and Kenton Manning and the IROCC staff for all of their efforts in moving it forward.

Attorney Dan Hassinger addressed the Board, advising that he was a police officer for 15 years before he became an attorney, 8 years with the Decatur Police Department and 7 years with the Secretary of State. He has also served as outside general counsel for the Illinois FOP, so he is aware of their position on IROCC, as well as the National FOP's position on LEOSA. Directing the Board's attention to a brief PowerPoint presentation, Hassinger explained his interpretation that the intention of the initial federal legislation was that federal law would infringe upon the state's rights when it comes to persons qualified as retired law enforcement officers to carry firearms.

According to Hassinger, the current problem, which needs to be fixed, is that we need to understand and accept that federal law pre-empts state law when it comes to these issues. The congress, when they passed LEOSA that gives these rights to these qualified retired law enforcement officers, there was a lot of discussion, which you can clearly see in the legislative history. When they passed this, they knew that traditionally, states rights were deferred to regarding who could and could not carry concealed firearms. In Hassinger's opinion, that was fleshed out in all of their debates, resulting in the creation of a federal statute that says what the definition of a qualified retired law enforcement officer is, and one court has said that this is an individual right for these individual people who meet this criteria, and it is their right to carry a concealed firearm, notwithstanding whatever laws you have in your state. In Hassinger's opinion, that was the intention of the law. It was left up to the individual states to figure out how to administer this law, and it is no one's fault that Illinois interpreted it the way they did, and it probably made sense at the time because it was all new. The bottom line, however, is that in a recent DC Court of Appeals, DuBerry v. District of Columbia decision, Prince George County was reaching out to DC to determine whether or not

federal prison guards retired were qualified retired law enforcement officers under LEOSA.

The legal reasoning and logic lined up perfectly with the Duberry decision. We look at that as what could potentially happen with the way the IROCC program is currently being administered. As it stands, IROCC and the Board could be standing before the Court of Appeals being asked why they're infringing upon an individual's rights under LEOSA. Currently, IROCC is making a determination as to who is a qualified retired law enforcement officer, and that is improper. It is on the individual to certify under oath that they meet the requirements under LEOSA, and there are prescribed forms for their previous employers to then say whether or not the individual had statutory authority for arrest and meets all of the other criteria. IROCC receives these forms from the individual and the former employer, then they qualify the individual as being qualified in firearms, and then the qualification card that is issued will not say "permit". That helps relieve the Board and IROCC of any liability. The only real liability that exists is what happens on that range when they're out there qualifying.

Hassinger advised that we need to work on drafting changes to the current administrative code for the administration of the IROCC program, which is pretty much complete at this point, with maybe some tweaks based upon feedback by the Board. We just need to present those proposed changes to JCAR to get them approved. Once that is done, the documentation forms will just need to be updated accordingly. All that we would be doing is simply following what the federal law says to do.

Motion was made by Watson, seconded by Price, and carried by all members present to move forward with submitting the proposed administrative rule changes to JCAR.

XII. NEW BUSINESS

There was no new business.

XIII. PUBLIC INPUT (Chairman Gleason)

We will now open up the floor for public comment. The Board asks that these comments remain under three minutes each, be relevant to the meeting, and remain respectful to all.

Marcus Hargrett, a retired Sgt. of the Cook County Sheriff's Office came forward and briefly addressed the Board in support of the proposed changes to the IROCC program rules, having been requesting, along with other Cook County retirees, that such changes be made since 2008. He feels that the changes are long overdue, but has concerns about them happening in a timely manner. Hargrett indicated that wanted it on the record that this needs to be changed or they would be bringing further legal action

XIV. ANNOUNCEMENTS

- A. **Curriculum and School Standards Advisory Committee Meeting**
December 11, 2019, Normal, IL
- B. **Joint Finance/Legislative and Executive Committee Meeting**
December 11, 2019, Normal, IL
- C. **Quarterly Board Meeting**
December 12, 2019, Normal, IL

XV. ADJOURNMENT

Motion was made by Watson, seconded by Becker, and carried by all members present to adjourn the meeting at 10:07 a.m.

