

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

**MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE
ILETSB Office, 4500 S. 6th Street Road, Springfield, Illinois
January 30, 2020**

I. CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM

The January 30, 2020 meeting of the Executive Committee was called to order at 3:30 p.m. by Chairman Gleason. Roll was called by Ellen Petty, and a quorum of voting members was established, all via conference call.

Members in attendance via conference call:

Tim Gleason
John Schlaf
Valerie Salmons
Richard Watson
Pat Hartshorn

Members absent:

None

Staff in attendance in person:

Brent Fischer
Eric Pingolt
John Keigher
Jennifer Wooldridge
Pat Hahn
Kelly Griffith
Denise Matthew
Ellen Petty

Others in attendance in person:

Susan Nichols, Executive Institute
Dan Ryan, MTU #10
Richard Fonck, MTU #16
Tom Reasoner, MTU #3
Camera person from WCIA (briefly)

II. APPROVAL OF MINUTES

September 11, 2019

Motion was made by Watson, seconded by Salmons, and carried by all members present to approve the minutes from the September 11, 2019 meeting.

III. UNFINISHED BUSINESS

A. FY 20 Revenues

Director Fischer outlined some documents sent to all members prior to the meeting via email, outlining detriment to various Board functions due to lack of funding. These functions included MTU in-service training, CIT training, and Executive Institute training. In addition, a bar graph comparing FY19 and FY20 TACCSF deposits was emailed to the committee members, as well.

The first 5 months of FY20 saw a 16% decrease in collections, with December seeing a 35% decrease and January showing a 56% decrease, doubling the deficit for the year during the month of January.

In addition to a great number of courses having already been canceled by the MTUs with many more on the chopping block, and CIT training being put on hold, the Executive Institute has canceled some courses and have also permanently pushed the New Chiefs' training back to September.

Chairman Gleason asked what efforts the Board has made to connect with anyone at the state level to address the funding shortfall. Fischer advised that we have reached out to our legislative contact, Senator Andy Manar, the Chair of the Budget Approp Committee for the Senate, and he has given us a commitment to help us, and suggested that we draft some legislation which he would file for us to help with a supplemental payment from the GRF to get us out of the hole until a long-term solution can be put in place.

We have had a lot of support from the Chiefs and Sheriffs through the associations and other connections. The MTUs have done a great job getting the word out to their member agencies which in turn generates a great deal of support. The agencies have been contacting their legislative contacts, which have led to a few calls to our office from some legislators who are interested in the matter and possible resolutions.

Salmons asked for a reminder as to where the money went, creating this crisis. Fischer explained that we were aware that the fee bill that passed in 2017, to last 18 months, starting in July 2019, had the potential to negatively affect our fund balance. We have been watching the balances closely since July. It appeared that we were doing okay for the first few months of the fiscal year, but deposits started slowing down a bit in September, getting less and less each month, and in October, it became obvious that the downward trend would continue. Phone calls have been made to the clerks around the state have enlightened us to the fact that collections were still coming in at the old fee structure for the first few months of the year, but once those collections started dropping off, fees collected under the new structure were seemingly drastically less. We have been trying to figure out, but no one seems to be able to tell us, if the new formula is the reason for the drop, or if there are other factors involved. The clerks are going to be required to file a report in February, and we are hoping that the report may help us to find the answers. With this being an all new collection formula, we are at the will of the information that the clerks can give us. We have reached out through our GOMB contacts and through the treasurer's office, but no one seems to be able to tell us what's going on, with any certainty.

Salmons asked if the new formula was intended to reduce funding when it was put in place, or is that just an unfortunate accident? Fischer answered that the concept of the new formula was to create a more fair and consistent method of collections to streamline the fee collection across all

102 counties in the state. In some cases, they capped the threshold of how much could be charged on particular offenses, some were increased. The caps were intended to limit how much was collected, but not necessarily just for our agency – but overall. The bill sponsors thought, through their own research, that we would be okay as far as the amount being collected for the TACCSF, but our research and projections showed that we would fall well short of what was needed to cover our annual appropriation. In addition, the bill sponsors were under the mistaken impression that we could use the camera grant fund toward our operational costs, and this is not true. In addition to this legislation, around the same time there was a bond bill passed which drastically changed how much bond is being paid and applied to the fees because if they're not requiring bond or the bond is not posted, there's nothing being paid toward the fines. It also allowed judges to give full or partial waivers of any fees and fines, and based on what we're hearing from the clerks, this has been a major factor in the deficit, as well. The bill sponsors advised us at that time, when we expressed our strong concerns in opposition to the bill, that they would closely monitor our collections and make us whole if we did not see the deposits into the fund that we required. Those individuals are no longer in office, and there are no General Assembly members who are now responsible for watching and monitoring the effects of this bill. In addition, once the sunset date has passed at the end of December 2020, the funding does not revert back to the original formulas, but goes away entirely.

Schlaf stated that he remembers that we called attention to the fact that there had been some miscalculations before the bill was ever passed, and that is when those promises were made. They acknowledged that there had been some errors made in the calculations, blending our funds and not properly reflected our actual needs, but promised to take care of us if we experienced any problems. Fischer agreed that this was how it happened. Senator Mulroe is now a judge in Chicago, and Representatives Neckritz and Andersen have left to become private lobbyists.

Fischer continued, saying we hope to get meetings scheduled within the coming weeks with legislators to reconcile the situation and find a sustainable plan for future funding. The problem we are concerned with are that the fees and fines are going to continue to be a problem with regard to future funding. The Governor, in his State of the State speech mentioned that one of the priorities on his Criminal Justice Reform initiative was to eliminate cash bond altogether, and eliminate minimum mandatory sentencing. We are probably going to need to look at other more sustainable methods through which to fund the ILETSB operations. It would also be very helpful to develop a method which is more consistent with regard to times and amounts of deposits, as the current method is very haphazard, making monthly deposit projections impossible. Salmons agree

Watson commented that when you give judges the latitude to waive fees, they're going to waive them. He feels that there needs to be a minimum fee that is mandatorily required.

Fischer went on to say that with this administration, the Lt. Governor's office advises us that the Governor's office has put ILETSB under their "portfolio" along with ICJIA, Juvenile Justice, Prisoner Review Board, and a Clemency group. Therefore, any reaching out that we've been doing, the Lt. Governor's office, through her Chief of Staff, have advised us that we are to contact them or communicate through them with our various legislative contacts. He has been in communication with the Chief of Staff and is hopeful that there will be a meeting soon. He has stayed in contact with the Chiefs Association and the Sheriffs Association, so he's been doing his best to communicate with other local law enforcement and labor contacts. Gleason stated that statutorily, we are an entity that operates independently from the Governor, but have historically been able to go directly to the Governor or one of his senior staff if we needed any

assistance. Fischer agreed that this has been the case in previous administrations. Gleason asked if this “portfolio” has been handed off by the Governor to the Lt. Governor, how many conversations have been had directly, by person or by phone or by email, with the Lt. Governor, herself? Fischer stated that he reached out to her very early in her term, around February, right after they were sworn in, and briefly introduced ourselves and our agency to her and her Chief of Staff. He spoke with her on the phone briefly, and then in September or October, he went up to Chicago per her request, and met with her in person. That would be a total of three times. Other than that, all contact and communication has been through the Chief of Staff. Gleason indicated that he doesn’t know who the Chief of Staff is or what his history in state government is or how familiar he is with the Board and what it does for the law enforcement and corrections in the state. He wonders who do we talk to in order to have a meaningful discussion about the funding issues that we are experiencing over the last 3-4 months that are having such a negative impact on the in-service, basic, and ongoing training for law enforcement across the state.

Fischer said that when he spoke to the Lt. Governor on the phone last, he brought the funding crisis to her attention and asked if she would be willing to meet. She said that she would, and he has attempted a few times since then to meet with her, but it hasn’t worked out for whatever reason. He has, however, been in communication with the Chief of Staff, Charles Watkins, and he asked him this last Tuesday if they could have a meeting with her to continue the discussion because when she was at a conference last week with Keith Calloway, she asked Keith to have Brent give Charles Watkins a call to make him aware of our funding situation, which he did. Watkins agreed to setup a meeting with the Lt. Governor, but we have not yet received any calls or emails to schedule that meeting with her. Sean Smoot at PBPA suggested that he would be willing to attend this meeting as well. We are still trying to get that meeting scheduled with her. Gleason said the Board doesn’t typically accompany staff to such meetings, but when that one comes together, he believes an Executive Board member or two should accompany the Executive Director. He believes that the Executive Board should be a part of that meeting. Fischer agreed.

Schlaf concurred and said that he would make every effort to attend to assist in any way possible. He also asked if our using general revenue funds for a short-term fix for our shortfall at this time would potentially affect the Board due to its historically separate funding and statutory independence. What would be the ramifications of accepting GRF funding, even for the short term. Fischer advises that Denise has stayed in contact with our GOMB liaison, and one of the questions that was proposed to them was if we could use the camera grant fund as a quick fix, and we were told that we could not do that without a legislative change. However, just last Friday, the Comptroller came in and “borrowed” a million from the camera grant fund to use for other GRF funded expenses. That was an interesting scenario. When we reached out to ask for legislative assistance, it was not our idea to ask for a supplemental payment from the GRF, it was Senator Manar who made that recommendation, and asked that we put language together to that end, for a transfer to get us through the end of the budget year. While it’s not ideal, when we are in the bind we are in, we weren’t going to be too selective and were appreciative of Manar’s commitment to helping us. Schlaf understands, and also finds it interesting that we were told we could not use the camera grant funds for such a purpose, but then the money was swept for other purposes, which doesn’t exactly seem fair. In the meantime, will we continue to research other avenues for new funding streams since it appears that the fines and fees seem to be something that is going to wither and dwindle in the future.

Fischer said that we have, in fact, been trying to come up with under funding sources, but with all of the recent increases in taxes and fees in the last year across the state, we want to be respectful to any legislator who is willing to help us. In addition, the Lt. Governor’s Chief of Staff has expressed concerns about our conversations with Senator Manar that we should check

with him prior to contacting or meeting with any legislators or members of the General Assembly. We've already established contact with Senator Manar, but we are receiving additional phone calls from other Senators and Representatives who are asking to sit down and meet with us about our funding issues, so he is trying to tread through being responsive to the legislators as well as trying to deal with the Lt. Governor's Chief of Staff's request.

Gleason stated that he didn't believe that was necessary. That request came from the Lt. Governor's Chief of Staff, and the Board has standing relationships with various state Senators and Representatives on this current topic that were set in motion, so he doesn't see any reason to stop communicating with the members of the General Assembly. He wonders if we shouldn't make Senator Manar aware of the Chief of Staff's request, and ask that he reach out to the Lt. Governor. Fischer advises that we have had a conversation with Senator Manar in the last couple of days and it was nice to know that he is still committed to what he originally offered to do, so we will follow through with preparing that language for him to file. If he files it, that may open up an avenue to have a discussion with the Lt. Governor's office and maybe potentially others, at that time to have that meeting and hopefully keep things on a positive level.

Salmons asked what time frame we are looking at with regard to having language submitted to Manar to be filed. Keigher advised that there are various deadlines throughout the Spring session, the first is February 14th, which is the deadline by which bills must be introduced, so if anyone is going to file a bill, it should be before that date. After that, there are committee deadlines and house passage deadlines that keep things moving forward. There are always opportunities to do shell bills but we are looking at that mid-February timeframe to see what direction they want to go.

Gleason said that he doesn't want to duplicate any efforts or get in the way of what the Executive Director has already put in motion, but if there is anything he can do as the Chairman or anything any of the other Executive Committee members can do, he'd like to know what those are. Otherwise, they will continue with a rather hands-off approach and let the Director do what he's always done. Salmons believes if anyone is going to attend the meetings with Brent, it needs to be someone in law enforcement who can express the pain that the lack of funding will bring, so that they can clearly lay out the critical importance of the police training that the Board provides and what effects these funding issues are going to cause. Fischer stated that he just wanted to make the Executive Committee aware of the current situation and status on things. He's also hoping to get some direction, because the Lt. Governor's involvement and being asked to funnel all contacts through them is a new development and he would just like the Board's direction on how to move forward. If the Executive Committee wants us to forge ahead with contacting legislators as we have always done in the past, then that's what we will do, but he wants the Board to be aware of us being under the Lt. Governor's thumb at this point and the struggles that it's causing trying to balance working with her office and working with the General Assembly, which are the main people who are going to help us move any legislation. We can keep the Executive Committee updated on our progress and ask for assistance with any specific legislation when it gets to that point.

Schlaf commented that he believed it was worthwhile spending a little bit more time talking about the fact that he can see the need to maintain a good working relationship and new line of communication with the Lt. Governor's office, and can certainly understand that they may wish to be kept informed of Brent's movement with regard to the funding crisis, but he believes that it is important for everyone to understand that Director Fischer takes his direction from this independent Board. He does not take his direction from the Lt. Governor's office, with all due respect. This puts him in a bit of a tough spot, but it's important that the independence of the

Training Board be respected and understood on all levels. The Board expects Director Fischer to keep doing what he's been doing as far as his outreach to the individuals who can get this revenue issue corrected. Director Fischer thanked him for the clarification and direction. Chairman Gleason stated that he felt that Schlaf's statement was perfect. He asked if Brent had had any contact directly with Governor Pritzker himself. Director Fischer said that he had not. There has been no outreach to ILETSB from the Governor or anyone from his staff outside of some departmental communication with legal staff on various matters, but no communication or attempts to meet with the Director. Salmons stated that it seems Director Fischer is having a hard-enough time meeting with the Lt. Governor because her Chief of Staff wants to handle all of these issues himself, and asked if her interpretation was correct. Fischer said that it was. Salmons said that we need to do something about that. He said that he will be following up again with the Lt. Governor's scheduling assistant to try and get a meeting with her on the books after the direction he receives from today's meeting.

Hartshorn asked if the Lt. Governor would accept calls from Senator Manar to intervene on our behalf regarding the Chief of Staff's not wanting Director Fischer talking to members of the General Assembly, and express the importance of an open line of communication between the Board and himself, as well as other lawmakers to get the bill introduced, and secure other funding? Fischer stated that he believed Manar would be willing to initiate such a discussion with the Lt. Governor's office, and that he is somewhat aware of our struggles and he believes that it is "fixable".

The Executive Committee all agreed that they are in consensus that the Director should continue contacting and meeting with legislators to explore new short term and long term funding options.

B. Exploring Future Funding Options

Director Fischer reported that he's been mulling around a lot of ideas with staff regarding the fee situation, but since Susie is in attendance, he will advise that she and her staff were already ahead of the game and when he asked if she could research what other states were doing for their funding resources, she put a rush on it to get a document for today's meeting. While not yet complete, information is available for most states at this point. Most are fine and fee oriented, some get a percentage of drug forfeiture money, a couple of states get a percentage of insurance, some get a percentage of business licenses or auto registration. Car rental is another one that comes up. Some are also partially GRF funded. Some that have passed cannabis legislation put a portion of that money toward law enforcement training. Thanks to Susie and her team for that work, and he will send a copy of the document to the Executive Committee after the meeting. Susie handed out the document to those present. Watson commented that he thought it was a great idea to check into what other states are doing and he thinks that information will be very helpful.

IV. NEW BUSINESS

Personnel Matters

Motion was made by Salmons, seconded by Schlaf, and carried by a unanimous roll call vote to enter closed session at 4:23 p.m. to discuss personnel matters pursuant to Section 2. (c) (1) of the Open Meetings Act (5 ILCS 120/2).

The meeting was closed and all guests were asked to step out of the room.

Motion was made by Salmons, seconded by Watson, and carried by a unanimous vote to go back into open session at 4:35 p.m.

V. ADJOURNMENT

Motion was made by Watson, seconded by Schlaf, and carried by all members present to adjourn the meeting at 4:35 p.m.

