

PA 101-652  
*(HB 3653)*

The Illinois Law Enforcement Training &  
Standards Board – Summary Review

March 4, 2021



Illinois Law Enforcement  
Training and Standards Board

# *ILETSB: Relevant Sections:*

- Mental Health Screenings (p.68)
- Basic Law Enforcement Training (p. 70 – 72)
- In-Service Training (p. 75–78)
- Certification Review Panel (p. 676 – 680)
- Certification Exam (p. 683)
- Automatic Decertification (p. 684 – 697)
- Grounds for Discretionary Decertification (p. 697 – 701)
- Notice of Violations (p. 701 – 709)
- Discretionary Decertification Hearings (p. 709–716)
- Full-Time LEO Initial Certification (p. 724 – 729)
- Part-Time LEO Initial Certification (p. 729 – 734)
- Emergency Suspension (p. 734 – 736)
- Compliance Verification (p. 736 – 741)
- Professional Conduct Database (p. 744–748)
- Public Officer Database (p. 748–749)
- Public Investigation Log (p. 749–750)
- Investigation Report (p. 750)

# *A. Certification Process:*

- ▶ Status:
  - Active
  - Inactive
  - Decertified
  
- ▶ Reactivation:
  - If separated, status goes inactive
  - Officer must reactivate before exercising LEO authorities
  - Board may require update courses
  
- ▶ Verification:
  - Every 3 years officers must verify to the Board
  - Must be compliant with all training mandates
  - No new arrests or decertifiable offenses
  - Officer could face decertification for falsifications

## *B. Professional Conduct Database:*

Agency must notify the Board when:

- Willful violation for policy
- Official Misconduct, or
- Violation of law

*And:*

- Suspension of at least 10 days
- The infraction would trigger an official investigation
- There is an allegation of misconduct or untruthfulness
- The officer resigns during the course of an investigation

Chief / Sheriff – Duty to Check Database:

- Must check the conduct database for all lateral hires
- Must contact previous employers if misconduct is noted
- Must document the contact of previous employers

Note: The Board may not share these conduct records with the public or by subpoena.

## *C. Complaint Process:*

- ▶ Officially: Notice of Violation
- ▶ Comes from a police department or governmental entity
- ▶ Comes from a State's Attorney's office
- ▶ May come from a member of the public – may be anonymous
- ▶ Board to conduct first review and determine if sufficient
- ▶ Board must create an on-line form for sending complaints and information for our website

## *D. Investigations:*

- ▶ If a Complaint is valid, Board must send for investigation:
  - Back to employing agency
  - To a third party, like COPA
  - May do our own investigation
- ▶ Investigating body to complete a summary report
  - Address all allegations of misconduct that could be grounds for discretionary decertification
  - Identify all evidence and witnesses
  - If sufficient, it becomes an official complaint for Discretionary Decertification and is sent to the Certification Review Panel for processing



## *E. Automatic Decertification:*

- ▶ Adds new misdemeanors:
  - Solicitation
  - Domestic Battery
  - All Obstruction Crimes
- ▶ Clarifies that guilty pleas and probationary sentences are equal to a conviction
- ▶ Removes perjury procedure – reclassified under Discretionary Decertification

## *F. Discretionary Decertification:*

Board can bring a complaint for discretionary decertification when an officer's conduct falls into any of these six categories:

1. Committed an act that would be an automatic decertification under section 6.1 if it was prosecuted
2. Exercised excessive use of force
3. Failed to intervene when another exercised excessive force
4. Tampered with evidence or camera footage
5. Untruthfulness in the course of creating reports or testimony
6. Unprofessional conduct



# *G. Certification Review Panel:*

New: 11 member Certification Review Panel

- Appointed by the Governor:
  - 1 Active member of a statewide association of State's Attorneys
  - 2 State residents (not LEO) from high LE interaction communities
  
- Appointed by the Attorney General:
  - 2 Active members of statewide organizations with over 20,000 law enforcement officers
  - 1 Active member of statewide organization over 75 sheriffs
  - 1 From a chiefs association (over 200 chiefs)
  - 2 From a minority law enforcement associations
  - 1 Representative of victims advocacy community
  - 1 Resident of IL (not an AG employee)

## *H. Administrative Hearings:*

- ▶ ALJ report is sent to Certification Review Panel
- ▶ CRP reviews and discusses ALJ findings – but cannot review any new evidence
- ▶ CRP makes recommendations to the Board
- ▶ Board approves/rejects CRP determination at the next Board meeting
- ▶ Sets a process for seeking reconsideration within 30 days

# *I. Public Web Portal:*

- ▶ Board shall maintain database of officers
  - On the Board website
  - Available to the public
  - Must be searchable
  
- ▶ Must contain:
  - Officer name
  - Current or last employer
  - Date of initial certification
  - Certification status
  - If decertified:
    - Was there a sustained complaint of misconduct
    - Date of misconduct

## *J. Investigation Log:*

The Board must maintain a public, searchable, database of all completed investigations against officers related to decertification:

- Officer identities to be confidential and anonymous
- List the employing agency
- Date and location of incident
- Race and Ethnicity of officer involved
- Age, gender, race and ethnicity of others involved
- Any injuries, medical care, hospitalization, or death
- The agency that conducted the investigation
- When the investigation was completed
- Whether the complaint was sustained
- Type of misconduct investigated

## *K. New BLE Mandates:*

- ▶ Requires “crisis intervention” in the BLE
- ▶ 12 Hours of hands-on, scenario-based, role playing
- ▶ 6 Hours in Use of force, including De-escalation
- ▶ Officer safety: Cover, Concealment, Time
- ▶ 6 Hours of high-risk traffic stops

## *L. New In-Service Mandates:*

- ▶ Additions to the 3 year mandates:
  - Implicit Bias
  - Racial and Ethnic Sensitivity
  - Special Use of Force Course (30 hours):
    - 12 hours of hands on, scenario based role playing
    - 6 hours of use of force techniques and de-escalation
    - Fourth Amendment stops and searches
    - Officer safety techniques
    - 6 hours on high risk traffic stops
  
- ▶ Additions to the 1 year mandates:
  - Emergency medical response
  - Crisis intervention
  - Officer wellness and mental health
  
- ▶ Removes “use of force” from the 1 year mandates



# *Miscellaneous:*

- ▶ Annual Report to General Assembly
  - Complaints and Investigations
  - Hearings
  - Decertifications
  
- ▶ Mental Health Screenings
  - Board to establish statewide standards
  - Must ensure confidentiality
  
- ▶ *Ex Officio* Board Members may appoint designees who count toward quorum and can cast votes
  
- ▶ Body Camera Requirements
  - All agencies must utilize body cameras
  - Annual ramp-up based on population

# *Concerns for a Trailer Bill:*

- ▶ Effective Dates / Timing should be consistent at 1-1-2022
- ▶ CIT language: Clarify that 40-hour course is not required each year in the annual mandates
- ▶ Duty to intervene language should be consistent with earlier sections
- ▶ Make references to the discretionary decertification crimes and conduct consistent throughout
- ▶ In-service training requirements should be consolidated
- ▶ Section 8 of the Police Training Act: Training requirements should be separated from certification mandates

# *Board Needs:*

- Staff Needs:
  - Current Headcount: 18
  - Approved for FY22: 40
  - Anticipated Needs: 70
  
- Equipment Needs:
  - Database Programs
  - IT Servers, hardware, and software
  - Vehicles
  - General office supplies for a larger headcount
  
- Space Needs:
  - Springfield Office has space for 20
  - Need to Expand to 40, preferably more
  - Hope to secure a Chicago base for investigators