ANNUAL REPORT
POLICE TRAINING ACT
OFFICER PROFESSIONAL CONDUCT DATABASE; TRANSPARENCY, CALENDAR YEAR 2022

This annual report is respectfully submitted to Governor JB Pritzker and to each member of the Illinois General Assembly. The report provides a summary of all complaints submitted to the Illinois Law Enforcement Training and Standards Board since the implementation of Public Act 102-694. This report serves to meet the requirements of Public Act 102-694, Section 9.2 - Officer Professional Conduct Database; Transparency - which directs that such report be submitted annually for review by the Governor and General Assembly.

Keith Calloway, Executive Director
Illinois Law Enforcement Training and Standards Board
March 1, 2023

Illinois Law Enforcement Training and Standards Board

JB Pritzker, Governor
Keith Calloway, Executive Director

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MEMORANDUM

TO: Governor JB Pritzker
Members of the Illinois General Assembly

FROM: Keith Calloway, Executive Director

DATE: March 1, 2023

RE: Annual Report – Police Training Act
Officer Professional Conduct Database; Transparency
Calendar year 2022

I am pleased to issue this Annual Report on the summary of complaints received by the Illinois Law Enforcement Training & Standards Board (ILETSB) since the implementation of Public Act 102-694 on July 1, 2022. The Annual Report provides summary data on all complaints received, investigations initiated, concluded, and pending, along with administrative hearings held and the number of officers decertified in 2022.

With the implementation of the officer professional conduct database; transparency portion of the SAFE-T Act on July 1, 2022 the Board started accepting citizen complaints. This portion of the legislation created a new Board authority to bring discretionary decertification in six specific instances that must be proven by a clear and convincing standard. The Board may initiate decertification action against an officer based on the following:

- Committed an act that would constitute a felony or misdemeanor which could serve as basis for automatic decertification, whether or not the law enforcement officer was criminally prosecuted, and whether or not the law enforcement officer's employment was terminated.

- Exercised excessive use of force.

- Failed to comply with the officer's duty to intervene, including through acts or omissions.

- Tampered with a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera or directed another to tamper with or turn off a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera for the purpose of concealing, destroying, or altering potential evidence.

- Engaged in the following conduct relating to the reporting, investigation, or prosecution of a crime: committed perjury, made a false statement, or knowingly tampered with or fabricated evidence.

- Engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public; such conduct or practice need not have resulted in actual injury to any person. As used in this paragraph, the term "unprofessional conduct" shall include any departure from, or failure to conform to, the minimal standards of acceptable and prevailing practice of an officer.

Prior to the implementation of this new authority, the Board's authority to decertify an officer was established in 1998. Prior to 1998 no other basis existed in statute for pursuing an officer for misconduct. Since decertification occurred as a matter of law, there was no need to address administrative procedures or appeals.

In addition to accepting citizen complaints, Public Act 102-694 requires governmental entities (police departments, citizen review boards, inspector generals, and legal counsel for a government agency), the Executive Director of ILETSB, and State's Attorney to notify the Board when they become aware of discretionary decertifiable conduct. This inaugural report will provide the collected data for 2022 and update the ongoing work to implement the SAFE-T Act legislation.

Illinois Law Enforcement Training and Standards Board

JB Pritzker, Governor
Keith Calloway, Executive Director

Phone: 217/782-4540

ANNUAL REPORT
POLICE TRAINING ACT
OFFICER PROFESSIONAL CONDUCT DATABASE
CALENDAR YEAR 2022

Complaint Data & Analysis for Calendar Year 2022

The Illinois Law Enforcement Training and Standards Board (ILETSB) started accepting citizen complaints on July 1, 2022 as required by Public Act 102-694. The Board also continued to receive misconduct complaints from agencies but under new reporting criteria as required by Public Act 102-694. Since the implementation of this legislation the Board received 175 total complaints in 2022. Illustration #1 provides a breakdown on the information received through these complaints. Out of the 175 total complaints received, the Board received 39 of these complaints from citizens and the remaining 136 complaints were filed by agencies as mandated by statue.

It is not uncommon for a citizen complaint to have more than one allegation of misconduct or for the citizen to identify more than one officer within the single complaint. In four citizen complaints the complainant identified the entire agency, and in two citizen complaints no agency or officer was identified. In total there were 55 allegations of misconduct on 48 officers[1] through citizen complaints. Of the 39 complaints submitted by citizens; 33 complaints were submitted anonymously, or the complaint failed to advise if they would allow their identity to be shared publicly. Six complainants affirmatively checked the box granting permission for their identity be share. Of the 39 complaints, 16 complaints were on incidents that occurred prior to July 1, 2022, before the Board's statutory authority to investigate began so these complaints were noted but not investigated. Of the 23 remaining complaints, seven were found to be unfounded, one complaint was sustained, and 15 investigations were pending at the years end. Illustration #2 and #3 provides the breakdown of information on all 39 complaints submitted by citizens.

As for complaints submitted by government agencies, it also is not uncommon for the agency to have more than one allegation of misconduct, however; agencies identify the individual officer and report each officers' misconduct separately if multiple officers are involved in the same incident. Of the 136 mandated reports submitted by agencies, all were entered into the officers' professional conduct database. Of the 136 misconduct reports submitted there were 151 allegations of misconduct. Illustration #2 and #3 provides the breakdown of information on all 136 complaints submitted by agencies.

Decertification Hearings & Officers Decertified in 2022

There were no discretionary decertification hearings held during the calendar year 2022. The discretionary decertification process is still in the development process and the review panel members are being selected. As of December 31, 2022, 6 review panel members have been appointed. We anticipate review panel member training and hearings will begin soon.

[1] In six cases the agency or a system failure was identified, but no specific officer was named therefore these cases were not included in this officer headcount.

There was a total of 33 police officers decertified in 2022 (Illustration #4). Seven officer decertification's occurred prior to the implementation of Public Act 102-694. Twenty-six decertification's have occurred since the Public Act 102-694 has gone into effect; however, all decertification's were automatic as a matter of law (50ILCS705/6.1) and not because of the implementation of Public Act 102-694.

Summary

Through the efforts of Governor JB Pritzker, Attorney General Kwame Raoul, the Illinois General Assembly and the Illinois Law Enforcement Training and Standards Board's implementation of the *Officer Professional Conduct Database; Transparency* continues to improve. In 2022 ILETSB received 175 combined citizen and agency complaints. These 175 complaints consisted of 206 allegations of police officer misconduct that potentially could be grounds for discretionary decertification consideration. No discretionary decertification hearings were held in 2022 but 33 police officers were automatically decertified (See Illustration #4).

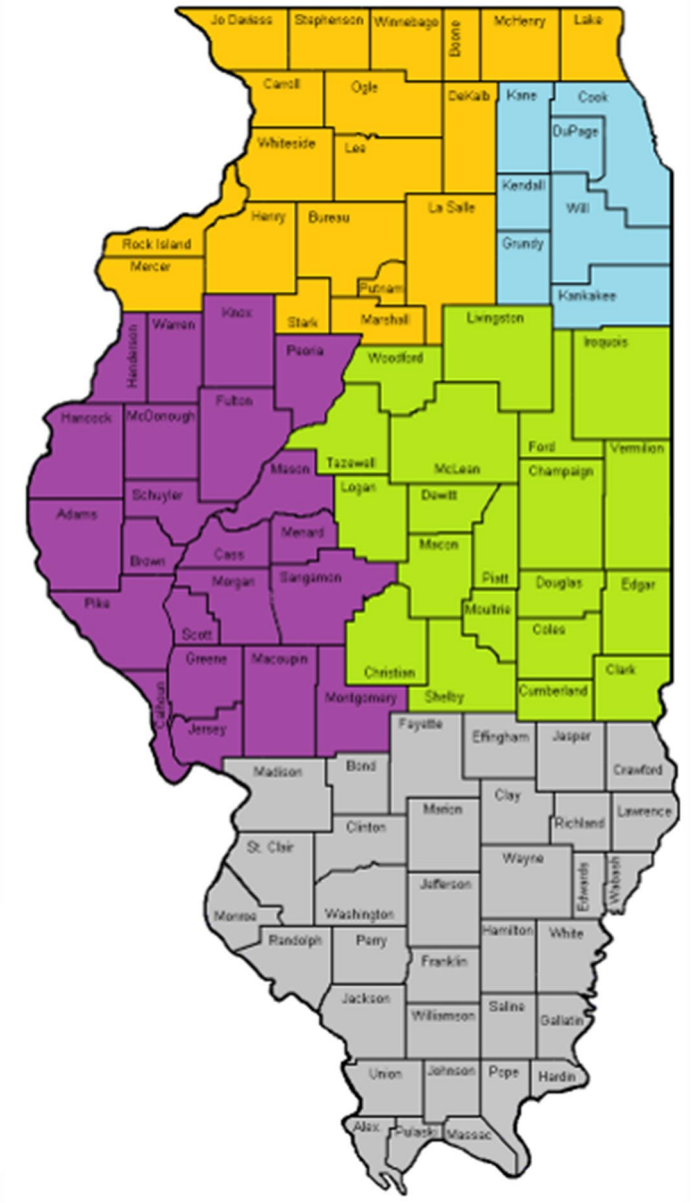
ILETSB has seen a 63% increase in the number of agencies requesting informational reports for officer professional conduct database material in the second half of 2022 as opposed to the first 6 months of the year. This is a 119% increase in requests in 2022 as opposed to calendar year 2021.

Finally, ILETSB is working closely with the Executive Institute at Western Illinois University to develop and eventually train the certification review panel members. As of February 28, 2023; eight of the 13 review panel members have been appointed (See Illustration #5).

Please kindly accept the 2022 ILETSB *Officer Professional Conduct Database; Transparency Report* on behalf of Director Keith Calloway.

Illustration #1

Complaints by Region



REGION 1

Citizen Complaints: 6

Agency Complaints: 25

REGION 2

Citizen Complaints: 10

Agency Complaints: 40

REGION 3

Citizen Complaints: 6

Agency Complaints: 55

REGION 4

Citizen Complaints: 7

Agency Complaints: 11

Unknown Citizen Complaint Location: 3

REGION 5

Citizen Complaints: 7

Agency Complaints: 5

Illustration #2

Discretionary Decertification		
50 ILCS 705/6.3(b)	**Citizen**	**Agency**
(1) committed an act that would constitute a felony or misdemeanor which could serve as basis for automatic decertification, whether or not the law enforcement officer was criminally prosecuted, and whether or not the law enforcement officer's employment was terminated	12	22
(2) exercised excessive use of force	3	2
(3) failed to comply with the officer's duty to intervene, including through acts or omissions	0	0
(4) tampered with a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera or directed another to tamper with or turn off a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera for the purpose of concealing, destroying or altering potential evidence	1	0
(5) engaging in the following conduct relating to the reporting, investigation, or prosecution of a crime: committed perjury, made a false statement, or knowingly tampered with or fabricated evidence	11	10
(6) engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public; such conduct or practice need not have resulted in actual injury to any person. As used in this paragraph, the term "unprofessional conduct" shall include any departure from, or failure to conform to, the minimal standards of acceptable and prevailing practice of an officer	26	30
Not Applicable	0	87

Illustration #3

Ethnicity and Gender								
	White		**African American**		**Hispanic**		**Asian**	
	M	**F**	**M**	**F**	**M**	**F**	**M**	**F**
Citizen	34	2	5	0	2	1	0	0
Agency	99	4	17	2	10	2	2	0

Illustration #4

Officer	Agency	Last Updated	Crime
Adams, Sean D	Smithton Police Dept	09/26/2022	Decertifiable Misdemeanor
Besimi, Ray Ramadon	Wyoming Police Dept	09/01/2022	Felony
Bunge, Kevin J	Chicago Police Dept	09/16/2022	Felony
Burge, Ronald L	Dixmoor Police Dept	07/06/2022	Felony
Feiza, Aaron J	Kane County Sheriff's Office	09/07/2022	Felony
Fenton, William Wayne	Ava Police Dept	10/24/2022	Felony
Gordon, Kelly Derek	Chenoa Police Dept	04/18/2022	Felony
Grover, Joshua S	Rockford Police Dept	08/18/2022	Felony
Hargrave, Bryan J	Shawneetown Police Dept	08/29/2022	Decertifiable Misdemeanor
Hawkins, Matthew C	Peoria County Sheriff's Office	02/01/2022	Felony
Hovious, Vernon James	North Utica Police Dept	02/10/2022	Felony
Iwaniw, David N	Charleston Police Dept	12/01/2022	Felony
Johnson, Bryan	Winnebago County Sheriff's Office	06/21/2022	Decertifiable Misdemeanor
Matichak, Todd Christian	Elwood Police Dept	09/09/2022	Felony
McDermott, Thomas B	Chicago Ridge Police Dept	10/14/2022	Decertifiable Misdemeanor
Molina, Otoniel None	Cherry Valley Police Dept	05/05/2022	Felony
Molohon, Bradley D	Taylorville Police Dept	09/09/2022	Decertifiable Misdemeanor
Morgan, Nichole Janeria	Maroa Police Dept	09/08/2022	Felony
Owens, Timothy G	Marissa Police Dept	04/18/2022	Felony
Pavoni, Dino A	Crestwood Police Dept	09/08/2022	Felony
Peterson, Grant D	Riverton Police Dept	09/08/2022	Felony
Richardson, Darrell D	Dolton Police Dept	07/15/2022	Felony
Robelet, Victor Patrick	Crystal Lake Police Dept	07/06/2022	Decertifiable Misdemeanor
Roever, Ashley Loren	Alton Police Dept	10/24/2022	Felony
Ryan, Daniel M	Clarendon Hills Police Dept	09/16/2022	Felony
Sample, Brian Dean	Byron Police Dept	09/09/2022	Felony
Sandage, Jerald E	University of Illinois Police Dept	08/04/2022	Felony
Serrato, Frederick	Chicago Heights Police Dept	07/13/2022	Felony
Trevarthen, John Gorden	Bellwood Police Dept	01/18/2022	Felony
Wehmhoff, John Charles	Chatham Police Dept	12/07/2022	Felony
Woodson, Ronald N	Steger Police Dept	09/07/2022	Decertifiable Misdemeanor
Yuhas, Kevin L	LaSalle County Sheriff's Office	09/16/2022	Felony
Zimmerman, Patrick R	Vernon Hills Police Dept	09/09/2022	Felony

Illustration #5

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

LAW ENFORCEMENT CERTIFICATION REVIEW PANEL

APPOINTED MEMBERS

(50 ILCS 705/3.1)

Brenda Palms
Term Begins: 01/31/2023
Term Expires: 01/31/2026
Appointed by: Governor

Joslyn R. Sandifer
Term Begins: 01/13/2023
Term Expires: 01/13/2026
Appointed by: Governor

Troy Venning
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Governor

***Member* (*Vacant*)**
Not yet appointed by the Governor

Thomas Henderson
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Attorney General

Katie Hill
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Attorney General

Andy Hires
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Attorney General

Christopher Pettis
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Attorney General

Kenny Winslow
Term Begins: 11/18/2022
Term Expires: 11/18/2025
Appointed by: Attorney General

Member (Vacant)
Not yet appointed by the Attorney General

Member (Vacant)
Not yet appointed by the Attorney General

Member (Vacant)
Not yet appointed by the Attorney General

Member (Vacant)
Not yet appointed by the Attorney General

APPENDIX A

LOCAL GOVERNMENT
(50 ILCS 720/9.2 Police Training Act; Officer Professional Conduct Database)

(a) All law enforcement agencies and the Illinois State Police shall notify the Board of any final determination of a willful violation of department, agency, or the Illinois State Police policy, official misconduct, or violation of law within 10 days when:

(1) the determination leads to a suspension of at least 10 days;

(2) any infraction that would trigger an official or formal investigation under a law enforcement agency or the Illinois State Police policy;

(3) there is an allegation of misconduct or regarding truthfulness as to a material fact, bias, or integrity; or

(4) the officer resigns or retires during the course of an investigation and the officer has been served notice that the officer is under investigation.

Agencies and the Illinois State Police may report to the Board any conduct they deem appropriate to disseminate to another law enforcement agency regarding a law enforcement officer.

The agency or the Illinois State Police shall report to the Board within 10 days of a final determination and final exhaustion of any administrative appeal, or the law enforcement officer's resignation or retirement, and shall provide information regarding the nature of the violation. This notification shall not necessarily trigger certification review.

A law enforcement agency and the Illinois State Police shall be immune from liability for a disclosure made as described in this subsection, unless the disclosure would constitute intentional misrepresentation or gross negligence.

(b) Within 14 days after receiving notification from a law enforcement agency or the Illinois State Police, the Board must notify the law enforcement officer of the report and the officer's right to provide a statement regarding the reported violation. The law enforcement officer shall have 14 days from receiving notice to provide a written objection contesting information included in the agency's report. The objection must be filed with the Board on a form prescribed by the Board and a copy must be served on the law enforcement agency. The objection shall remain in the database with the reported violation.

(c) The Board shall maintain a database readily available to any chief administrative officer, or the officer's designee, of a law enforcement agency and the Illinois State Police that shall show for each law enforcement officer: (i) dates of certification, decertification, and inactive status; (ii) each sustained instance of departmental misconduct that lead to a suspension at least 10 days or any infraction that would trigger an official or formal investigation under the law enforcement agency policy, any allegation of misconduct regarding truthfulness as to a material fact, bias, or integrity, or any other reported violation, the nature of the violation, the reason for the final decision of discharge or dismissal, and any statement provided by the officer; (iii) date of separation from employment from any local or state law enforcement agency; (iv) the reason for separation from employment, including, but not limited to: whether the separation was based on misconduct or occurred while the law enforcement agency was conducting an investigation of the certified individual for a violation of an employing agency's rules, policy or procedure or other misconduct or improper action.

(1) This database shall also be accessible to the State's Attorney of any county in this State and the Attorney General for the purpose of complying with obligations under Brady v. Maryland (373 U.S. 83) or Giglio v. United States (405 U.S. 150). This database shall also be accessible to the chief administrative officer of any law enforcement agency for the purposes of hiring law enforcement officers. This database shall not be accessible to anyone not listed in this subsection.

(2) Before a law enforcement agency may appoint a law enforcement officer or a person seeking a certification as a law enforcement officer in this State, the chief administrative officer or designee must check the Officer Professional Conduct Database, contact each person's previous law enforcement employers, and document the contact. This documentation must be available for review by the Board for a minimum of five years after the law enforcement officer's termination, retirement, resignation or separation with that agency.

(3) The database, documents, materials, or other information in the possession or control of the Board that are obtained by or disclosed to the Board under this subsection shall be confidential by law and privileged, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action when sought from the Board. However, the Board is authorized to use such documents, materials, or other information in furtherance of any regulatory or legal action brought as part of the Board's official duties. The Board shall not disclose the database or make such documents, materials, or other information it has obtained or that has been disclosed to it to the public. Neither the Board nor any person who received documents, materials or other information shared under this subsection shall be required to testify in any private civil action concerning the database or any confidential documents, materials, or information subject to this subsection.

(d) The Board shall maintain a searchable database of law enforcement officers accessible to the public that shall include: (i) the law enforcement officer's employing agency; (ii) the date of the officer's initial certification and the officer's current certification status; and (iii) any sustained complaint of misconduct that resulted in decertification and the date thereof; provided, however, that information shall not be included in the database that would allow the public to ascertain the home address of an officer or another person; provided further, that information regarding an officer's or another person's family member shall not be included in the database. The Board shall make the database publicly available on its website.

(e) The Board shall maintain a searchable database of all completed investigations against law enforcement officers related to decertification. The database shall identify each law enforcement officer by a confidential and anonymous number and include: (i) the law enforcement officer's employing agency; (ii) the date of the incident referenced in the complaint; (iii) the location of the incident; (iv) the race and ethnicity of each officer involved in the incident; (v) the age, gender, race and ethnicity of each person involved in the incident, if known; (vi) whether a person in the complaint, including a law enforcement officer, was injured, received emergency medical care, was hospitalized or died as a result of the incident; (vii) the law enforcement agency or other entity assigned to conduct an investigation of the incident; (viii) when the investigation was completed; (ix) whether the complaint was sustained; and (x) the type of misconduct investigated; provided, however, that the Board shall redact or withhold such information as necessary to prevent the disclosure of the identity of an officer. The Board shall make the database publicly available on its website.

(e-1) An investigation is complete when the investigation has either been terminated or the decertification action, including the administrative review process, has been completed, whichever is later.

(e-2) At any time, a law enforcement officer shall have access to the law enforcement officer's own records on file with the Board, as it pertains to the databases in this Section.

(f) Annual report. The Board shall submit an annual report to the Governor, Attorney General, President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives on or before March 1, 2023, and every year thereafter indicating:

(1) the number of complaints received in the preceding calendar year, including but not limited to the race, gender, and type of discretionary decertification complaints received;

(2) the number of investigations initiated in the preceding calendar year since the date of the last report;

(3) the number of investigations concluded in the preceding calendar year;

(4) the number of investigations pending as of the last date of the preceding calendar year;

(5) the number of hearings held in the preceding calendar year; and

(6) the number of officers decertified in the preceding calendar year.

The annual report shall be publicly available on the website of the Board.

(g) Nothing in this Section shall exempt a law enforcement agency from which the Board has obtained data, documents, materials, or other information or that has disclosed data, documents, materials, or other information to the Board from disclosing public records in accordance with the Freedom of Information Act.

(h) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

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