

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

500 S. 9th Street, Springfield, Illinois 62701

MINUTES OF THE QUARTERLY BOARD MEETING

Westin Chicago North Shore ~ 601 N Milwaukee Ave, Wheeling, IL 60090

June 8, 2023

9:00 a.m.

I. CALL TO ORDER & PUBLIC MEETING ANNOUNCEMENT

The June 8, 2023 Quarterly Board meeting was called to order at 9:02 a.m. by Vice Chairman John Idleburg and the Public Meeting Announcement was read.

II. ROLL CALL – ESTABLISHMENT OF QUORUM

Roll was called by Michelle Mlinar, and a quorum of voting members was established.

Members in Attendance:

John Idleburg

Members Absent:

Sean Smoot
Mitchell Davis
Ghida Neukirch
Timothy Nugent
J. W. Price
Richard Watson

Designees in Attendance:

Mark Duignan for Fred Waller
Marlon Parks for Thomas Dart
Steve Ryan for Latoya Hughes
Jason Lococo for Brendan Kelly
Anthony Escamilla for Iris Martinez
John Carroll for Kwame Raoul

Staff in Attendance:

Keith Calloway
Jeffrey Chapman
Pat Hahn
Scott Heston
Kelton Ingram
John Keigher

Michelle Mlinar
Jan Noble
Steven Pingolt
Kortenay Templeton
Jennifer Wooldridge

Others in Attendance:

Heather Hotz, ILETSB-EI
Cindi Bricker, ILETSB-EI
Barb Wood, ILETSB-EI
Brenda Swires, Contractor
Doug Coppotelli, MTU 1
Jay Koeh, MTU 1
Jeff Schelling, MTU 2
Joe Schweih, MTU 3

April Morris, MTU 3
John W. Reynolds, MTU 4
Brian Fengel, MTU 7
Robert Siron, MTU 8
Penny Abbott, MTU 9
JT Wooldridge, MTU 10
Kevin Koontz, MTU 12
Christina Stephen, MTU 13

Jason L. Root, MTU 13
Scott Williams, MTU 14
Van Muschler, MTU 14
Kevin Schmoll, MTU 14
David Rednour, MTU 15
Kim Cramer, MTU 15
Bradley Hertzmann, MTU 16
Joe Prosser, DuPage Co Sheriff/PTI
Brad Clark, MCLETC (Sangamon)
Joe Gallo, PTI
Jason LaMendola, Sauk Valley PA
Eric Danford, SWIC

Steven Strubberg, SWIC
Karl Pannier, St. Clair County CA
Michael Schassburger, Cook County SO
Noel Acosta, Cook County Sheriff PA
Thomas Burnett, CPD
David Oliver, Police Law Institute
Mike Schlosser, LEETAC, LLC
Kelly Pate, Wicklander-Zulawski
Marcus Hargrett, Retiree Cook Co SO
Donna Hargrett, Retiree Cook Co SO
Michael E. Moore, Inactive Cook Co SO

III. PLEDGE OF ALLEGIANCE

IV. MOMENT OF SILENCE FOR FALLEN OFFICERS

V. INTRODUCTION OF GUESTS & VISITORS

VI. DISTINGUISHED SERVICE AWARDS

Steven Pingolt introduced Retired PTI Academy Director Mike Schlosser. Pingolt spoke of his accomplishments, thanked him for his years of service to the Board, the service award was presented, and former Director Schlosser made a few comments.

VII. CHAIRMAN REMARKS

None

VIII. APPROVAL OF MINUTES

- A. Curriculum and School Standards Advisory Committee Meeting
March 1, 2023
- B. Joint Meeting of the Finance & Legislative Committee and Executive Committee Meeting
March 1, 2023 and April 3, 2023 ~ *Open Session Only*
- C. Quarterly Board Meeting
March 2, 2023

Motion was made by Escamilla, seconded by Lococo, and carried by all members present to approve the meeting minutes for the Curriculum and School Standards Advisory Committee Meeting from March 1, 2023, the Joint Meeting of the Finance & Legislative Committee and Executive Committee meeting minutes from March 1, 2023 and April 3, 2023 ~ Open Session Only, and the Quarterly Board Meeting from March 2, 2023.

IX. REPORT OF STANDING AND ADVISORY COMMITTEES

- A. Curriculum and School Standards Advisory Committee ~ Pat Hahn for Ghida Neukirch
Hahn reported that the Committee approved three courses from the Illinois Sheriffs' Winter Conference. They then approved the In-Service, Advanced, Specialized, and Lead Homicide Investigators 32-Hour continuing education courses, found under Tab 10 in the Board book, for certification/recertification.

In 1999, the Illinois Law Enforcement Training & Standards Board appointed a Use of Force Advisory committee and charged its members to develop guidelines and standards for Law Enforcement Use of Force in Illinois. Yesterday, The Curriculum Committee recommended that this Committee be reconvened and given the authority to appoint members as necessary for the review and approval of the firearms course development as related to Use of Force.

Hahn noted that John Keigher gave a report regarding the Chicago Police Department (CPD) request for a tuition increase for both CPD Academy and Metro classes. Based on Keigher's report, the Committee recommended approval of the tuition increase as presented. Keigher added, before the vote was concluded, that the tuition increase is only for the 16-week portion that the Board pays for, because CPD trains their recruits for more than 16 weeks.

Motion was made by Carroll, seconded by Escamilla, and carried by all members present to approve the Curriculum and School Standards Advisory Committee report.

- B. Finance & Legislative Committee ~ Pat Hahn for Sean Smoot
Hahn reported that the Finance & Legislative Committee met yesterday [June 7, 2023] and approved Steven Pingolt's fiscal report which included the FY23 expenditures, proposed FY24 half year spending amounts, and fifth payments to many of the Mobile Training Units (MTU's). The fifth payments are based upon proposals for training and infrastructure previously provided by the MTU's.

The Committee then heard the personnel report, the legislation report, the camera grant update, and then the Committee approved the attorney's memo for committee reactivation.

Motion was made by Duignan, seconded by Ryan, and carried by all members present to approve the Finance & Legislative Committee report and recommendation.

X. EXECUTIVE MATTERS

A. Financial Items ~ Steven Pingolt

Pingolt reported members will find the FY23 expenditures through April 30, 2023, and the cash flow analysis for ILETSB's funds under Tab 6 in the Board book.. Pingolt noted the Governor signed the Budget yesterday [June 7, 2023], and asked for a motion to approve the [FY23] fifth payment to the MTU's and to approve the expenditures for FY24. A question was asked about the Federal Project money, Pingolt stated we are not allocating those funds with this vote. Keigher noted those funds are mainly federal pass-through money.

Motion was made by Parks, seconded by Carroll, and carried by all members present to approve the Financial Report, the [FY23] Fifth Payment to the MTU's and the FY24 Expenditures.

B. Personnel Matters ~ Jennifer Wooldridge for Ellen Petty

Wooldridge reported we are nearing the end of the numerous hiring sequences posted in March and April of this year. Staff have been conducting interviews every week for the past month, and there are more interviews scheduled every week into July. Kent Bragg was hired as our new Sangamon County Field Investigator, and there are job offers pending for two Certification Specialists, a Manager of Specialized Programs, and a Jefferson County Field Investigator. It is anticipated those job offers will all be made within the next week. Additionally, Stormie DeJaynes has been promoted to Lead Accountant, and Andrew Oldfield has been promoted to Application Solution Architect. ILETSB Receptionist Mike Haley also retired at the end of May.

The Web Developer position and Receptionist position will be posted soon to backfill. There is also a new Procurement Officer position. Work has also begun on development of several Public Service Administrator positions which are expected to be posted prior to the September Board meeting. On a positive note, it is taking about half of the time to fill jobs as it was taking us two years ago, maybe even a little less. Partially, this is due to improvements made in the CMS hiring process using the new online portal, but also due to both CMS and ILETSB having hired additional staff to help do the work of processing the numerous steps involved in the recruiting and hiring sequences.

The contract negotiation process is still ongoing through the last day of June. There has been much progress, but there is still a lot of work to be accomplished over the next few weeks. We are hopeful that a new contract will be ratified by July 1st.

On a much more somber note, we are sad to report that former Administrative Assistant Laura Baker passed away in mid-May, less than a year after she fully retired from ILETSB.

Her visitation was attended by most of the office staff, she will be greatly missed by all of us.

C. Legislative and Litigation Update ~ John Keigher

Keigher stated there are two cases pending. The first case is regarding an officer who was automatically decertified about a year ago and he is challenging the decertification. The Attorney General's office is assisting with this case, briefs have been filed and we are awaiting a decision, as the decision will help the Board to figure out how the SAFE-T Act will play out with decertification moving forward. The second is a case involving a former employee who is seeking lost wages due to being discharged. Keigher noted the union arbitration has just concluded, and we are awaiting the decision as the outcome will likely have a bearing on the corresponding civil case that has been filed.

Keigher stated there are two additional cases we are following; the first is a human rights case, which has been filed for the third time regarding an officer with a denied waiver, the second is a criminal case regarding an officer impersonation.

The General Assembly has just finished their Spring session in Springfield. Chairman Smoot asked Keigher to extend thanks to everyone involved with the legislative reception he hosted in early May. Some of the Board staff was involved, about 25 legislators attended, and there were Virtual Reality and Taser demonstrations from Axon.

Keigher also mentioned that we have hired Liz Brown-Reeves to be a contract lobbyist to serve the Board for the next year. She came late in the session, but she is currently watching bills and keeping us informed.

SB 250, now PA 103.006: The most important bill being watched is the budget bill signed by the Governor yesterday [June 7, 2023]. This bill maintains our FY23 funding, and the grants are all extended for another year. It needs to be noted we are slowly moving away from the General Revenue Fund (GRF) and more towards the new Law Enforcement Training Fund.

HB 3817: This is the Budget Implementation bill. This bill allows the Board to use the Law Enforcement Training Fund for Board operations. This bill also gives the Board grant making authority for the NIBIN grants, and we are currently still able to issue FY23 grants for the NIBIN program.

SB 1754: This bill addresses the out of state reciprocity process and aligns with how the Board handles reciprocity. The sponsors of the bill listened to some of our concerns and added a component for certification. This means that no longer will an out of state officer exist on a waiver, they will be certified. This bill also aligns with components of the SAFE-T Act. This does require the Board to set some emergency rules and will require more public guidelines. All new information will be available on our website. This bill has passed both houses but has not yet been signed by the Governor.

SB 1543: This bill creates the statewide Mental Health Coordinator as a special position within the Board. This person will be appointed by the Governor and must be an active officer with both patrol and detective experiences in rural and urban communities. This person would be

responsible for assisting in the establishment of mental health trainings, they will cooperate with academies to introduce recruits to mental health issues they may face, select medical professionals to be contacted for officer referrals, cooperate with private training providers to ensure that teachings are sound, establish peer support groups, set continuing education standards, and utilize state universities to research training effectiveness. This person will report to the Board on new training programs and advise the Board on training needs. This bill has been presented several times over the past few years and we have been successful before with drafting an amendment that would shift these duties to a special advisory panel comprised of officers, clinicians, and trainers. This year the bill passed as written, staff had raised concerns with the sponsors and drafters in the Governor's office, but they did not adopt our amendment. This position is not one usually appointed by the Governor because they would be a Board employee. Keigher shared concerns from Chairman Smoot, as he could not be here today:

I feel like this is duplicative of the position currently occupied by Jennifer Wooldridge. If this is correct and the Board agrees - we should request that the Governor veto the bill.

I understand that it would be unprecedented for the Governor (any Governor) to directly appoint an independent state agency employee. I also believe this could interfere with a current employee's collective bargaining and employment security rights.

Keigher went on to state Chairman Smoot would like to know how others feel about this and what next steps they think should be taken. Some discussion followed and centered around the fact that this is a very specific job description, and the Governor must have someone specific in mind. Keigher stated CMS is at a loss with how this will work because it is so out of the ordinary, as most Governor's appointments are for specific purposes outside of the system.

In closing, Keigher mentioned a prior bill that required the Board to work with Community Colleges to establish coursework that could be transferred to the academy. He stated he is working with Community Colleges with Criminal Justice programs to find a common ground to make this possible. He hopes to highlight the Intern Program, and he will let the Board know how this moves forward.

D. Department of Professional Standards ~ Pat Hahn for Anthony Cobb

1. Professional Conduct Database Quarterly Report

Hahn reported the Board has received 68 citizen complaints as of May 31, 2023, 37 more complaints since the March 2023. Staff has also received 126 Professional Conduct Reports as of May 31, 2023, which is 60 additional reports since the March report. Law enforcement agencies' requests for information from the professional conduct database continues to increase with a 62% increase in the first five months of 2023 over the first five months of 2022. Finally, the division processed a total of 421 waiver requests this quarter, with 370 being approved while 51 were denied. Hahn noted that under the SAFE-T Act, there is a provision that waiver denials can be

reviewed by the Board. He noted this may come up in September, and any additional information needed will be provided prior to the September meeting.

2. *Law Enforcement/Corrections/Court Security Waiver Disposition Quarterly Report*

Motion was made by Carroll, seconded by Lococo, and carried by all members present to approve the Law Enforcement/Corrections/Court Security Waiver Disposition Quarterly Report.

XI. PROGRAM PROGRESS REPORTS AND CONCEPTS

A. *Illinois Law Enforcement Executive Institute ~ Heather Hotz*

Director Hotz noted the Executive Institute continues to offer executive level trainings, multiple executive summits, live webinars, and other trainings. This fall they will again offer the New Chiefs of Police Orientation in September, in East Peoria. There are already 45 Chiefs on the wait list for this orientation. The Women in Criminal Justice Conference took place April 5-6 in East Peoria with 266 people in attendance, and the conference received very good reviews from participants. The conference consisted of two keynotes, 21 breakout sessions, and three awards were presented. Hotz noted the CIT Conference will be held next week, June 14-15, and they will be celebrating 20 years of CIT. The conference will consist of keynote speakers, breakout sessions and a roundtable.

B. *A Statewide System of In-Service Training (ASSIST) Program ~ Pat Hahn for Paul Petty*

Hahn noted Paul Petty's report can be found under Tab 10 in the Board book. Hahn spoke to the collaboration with the Department of Justice and their COPS program. The COPS online courses are being reviewed and will soon be available for officers to receive credit for courses taken through this program.

C. *Specialty Training Update ~ Jennifer Wooldridge*

Wooldridge stated staff is geared up and ready for the CIT Conference next week which will celebrate the 20-year anniversary. Most of the conference will be centered around officer wellness and mental health. There will be roundtables, social events, and even an actor. Board members are welcome to sign up and attend.

D. *Information Technology Update ~ Kelly Ingram*

Ingram stated the primary focus for IT has been the new building in Springfield and working on the buildout at the Chicago office. Regarding the online testing, the systems have been acquired and the Springfield office will be the first test site for in person testing, followed by remote testing [at other facilities]. The PTB and LEDI integrations will pick up now that Andrew's paternity leave is coming to an end.

E. *IROCC ~ John Keigher for Kenton Manning*

Keigher stated Manning has prepared a report which can be found under Tab 13 in the Board book and noted Manning has provided numbers for this year.

Motion was made by Escamilla, seconded by Carroll, and carried by all members present to approve the Program Progress Reports.

XII. UNFINISHED BUSINESS

A. SAFE-T Act Update ~ John Keigher & Pat Hahn

Keigher noted most of the SAFE-T Act training components and academy changes are already in place. Staff is still working through some things with the Certification Review Panel, and one more member needs to be appointed before we can move forward. Back in September, some emergency rules were completed and are finally in effect. Staff is working on a permanent process to enhance certification. The Chairman is moving forward with the working groups mentioned in previous meetings. He has received several recommendations for appointments and hopes to have the groups ready and meetings started over the summer.

One issue we are dealing with involves reactivation. Previously, officers making a lateral transfer came to the Board under a training waiver, and we simply reviewed past trainings to determine if they were sufficient, or if there were more trainings required before approving a waiver. About 10 years ago, staff started doing background checks as well, but the only option was to require trainings to address any discovered concerns. Now, under the SAFE-T Act, an officer's certification must be reactivated each time they join a new agency. In this process, both the Board and the new employer has a duty to complete certain background checks. They may deny the reactivation and then proceed before the Certification Review Panel based on certain grounds. The revisions of the full and part-time certification sections of the SAFE-T Act allow the Board to establish criteria for this reactivation. Pat Hahn has been researching this issue and presents the items in Section A-1 of the Certification Policy Updates Memo that was distributed to the members. At this time, Keigher invited Pat Hahn to speak to this section of the memo.

Hahn stated there is now a reactivation component that happens for lateral hires, or when an officer leaves and then comes back into law enforcement. Hahn then read the statute as a refresher:

[50 ILCS 705/8.1] An employing agency may not grant a person status as a law enforcement officer unless the person has been granted an active law enforcement officer certification by the Board.

(b) Inactive status. A person who has an inactive law enforcement officer certification has no law enforcement authority.

(1) A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the officer's employing governmental agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's governmental agency that shows the law enforcement officer: (i) has accepted a full-time [or part-time] law enforcement position with that governmental agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board.

The recommendation is for the Board to adopt the following criteria for reactivation; 1) they must be of good character [50 ILCS 705/6e], 2) not convicted of a felony as defined by statute [50 ILCS 705/6.1 (a-1)], 3) not convicted of any disqualifying misdemeanor as defined by statute [50 ILCS 705/6.1 (a)], and 4) not have been involved in any crime of moral turpitude as defined by the Illinois Administrative Code [20 Ill. Adm. Code 1720.35]. Hahn stated we are seeking Board approval to adopt these four points of criteria for reactivation of an officer with more than two years of experience.

Keigher noted these changes will require staff to modify the standard Form E and waiver forms currently in use. Staff is making the updates to the forms and we hope to go live with them July 1st. In this process, chiefs and sheriffs must verify that they have done a proper background check, consulted with previous employers, verified the officer is in good standing, and that they are following the statute and the criteria that we are seeking Board approval for. While this proposal is expected to cover 90-95% of all lateral transfer and waiver requests staff receives, there are a handful of scenarios we believe warrant special consideration.

Special consideration areas for officers who have no certification include:

- *Out of State Reciprocity* – these officers have never technically been certified, even though they have passed the equivalency exam. Under the change in the Administrative Rules, we can reach back and clarify to make sure these active officers are certified and then they will be assigned a certification number that responds with the time they took the test.
- *Part-Time Officers from the Transition Period* – these officers also took the equivalency exam, but do not have a certificate number. We will verify prior exam passage and issue a certificate number.
- *Legacy Officers* – these officers were hired prior to 1976 and are grandfathered into the certification process, but do not have certificate numbers. There are about a dozen of these officers still active in law enforcement. Legacy Officers also include about 100 officers hired between 1976 and 1984 – when no exam was required, but they have an academy certificate that stands as proof of their certification. These officers will be analyzed and examined under the above-mentioned criteria before certificates are issued.
- *Officers Without Clear Explanation for no Certification* – we will need to investigate old records to determine why there is no exam or certificate. We will develop a process for offering pathways to certification for these officers.

Keigher noted one additional issue to mention, is officers asking for recertification with less than two years' experience. The issue of towns taking new officers shortly after they finish the basic academy has become a serious concern. We have received complaints from chiefs who have lost officers to neighboring towns offering more pay, and this is now even happening while officers are still in the academy. We've been informed that the Municipal Code addresses this by affording preferences to officers on an eligibility list only if they have

at least two years of experience with their original employer. We've been asked to effectuate this provision of the statute and deny waivers to those agencies seeking to hire new officers with the expectation that the Board will grant a waiver. We are hopeful with this provision that towns seeking to take advantage of another agency's investment will be disincentivized from doing so. We believe officers will stay with their original agency long enough to complete the academy, as well as their field training, and probationary period where they can build supportive relationships to help them grow in their career.

Director Calloway interjected that this has become a drastic problem, and that we should move forward with enforcing the rule for officers to stay put for two years. Discussion followed with members wanting to make sure officers are not being penalized for trying to better themselves. How do we balance the applicant and the departments, and still bring in good officers? Keigher stated we are asking the Board's authority to move forward with creating the Administrative Rules, and it was noted that the Rules will be presented to and must be approved by the Board, prior to presenting to JCAR for review.

Motion was made by Duignan, seconded by Parks, and carried by all members present to approve the recommendations presented in the report.

Motion was made by Ryan, seconded by Duignan, and carried by all members present to approve the SAFE-T Act update report.

B. Camera Grant Update ~ John Keigher

Keigher reported for the first time in the Board's history, we have five open grants. Keigher noted the Camera Grant is the model for which the other four grants were created. As we move toward the end of the fiscal year, the numbers are as follows; the Camera Grant has 249 applications started, with 81 completed, and the Data Storage Component of the Camera Grant has 26 applications started, with two completed. The new NIBIN Grant is open and available for reimbursement if any agency has purchased equipment. This grant will also be extended into FY24. The Recruitment & Retention Grant funding is fully available under the online application process.

XIII. NEW BUSINESS

None

XIV. F.Y.I

Vice Chair Idleburg noted members could find information about the Sauk Valley Police Academy's first graduation under Tab 14.

XV. PUBLIC INPUT

Marcus Hargrett, retired Sergeant Cook County Sheriff's Department of Corrections. Hargrett spoke to the Board regarding his continued denial to carry an IROCC card. Hargrett then addressed the Board with concerns regarding the Board Chairman having been issued an IROCC card and asked for several resignations and repercussions due to this concern. Hargrett also noted that the Illinois State Police Director and the Attorney General sit on this Board and asked why there is not an investigation into the matter.

Michael Moore, inactive retired Cook County Sheriff's Department. Moore spoke to the issue of officers being retained by agencies once they leave the academy, and stated it was entirely the issue of the person in charge to retain those employees leaving. Moore then sided with Hargrett regarding the Board Chairman IROCC issue. He then referred to the Open Meetings Act and spoke to a meeting and stated people weren't allowed to have public input. Moore then went on to tell the Board that these meetings should shift to other geographical areas. He stated Board meetings should not be held in remote areas, and that the Board deliberately holds meetings in remote areas.

XVI. ANNOUNCEMENTS

Vice Chairman Idleburg announced the next Curriculum and School Standards Advisory Committee meeting, and the next Joint Finance & Legislative and Executive Committee meeting will be held on September 6, 2023, and the Quarterly Board meeting will be held September 7, 2023 in Springfield, Illinois.

XVII. ADJOURNMENT

Motion was made by Carroll, seconded by Escamilla, and carried by all members present to adjourn the meeting at 10:09 a.m.



**ILLINOIS LAW ENFORCEMENT
TRAINING & STANDARDS BOARD**

**QUARTERLY BOARD
MEETING ATTACHMENTS**

MEMO

To: All Board Members
From: Deputy Director Cherylynn Williams
Date: June 6, 2023
Re: CPD Tuition Update

Several months ago, the Chicago Police Academy reached out with a request for a tuition adjustment as they have not received an increase in several years – forgoing periodic adjustments granted to other academies. After several unforeseen complications, they have now completed their analysis and supporting forms with a requested increase from \$2,508 to \$3,146 for both their CPD Academy and Metro classes. This change represents a 21% increase and is supported by a demonstration that the currently approved amount fails to meet the operational expenses of the academy.

CDP Tuition	Current:	Actual:	Requested:
CPD Academy	\$2,508	\$2,979	\$3,146
Metro	\$2,508	\$2,979	\$3,146

Because this amount reflects an increase in the costs of operation, as well as a proportional amount to account for the additional two weeks of training under the 640-hour program, we recommend that these figures be approved for reimbursement beginning in July of 2023.

MEMO

To: All Board Members
From: John Keigher, Chief Legal Counsel
Pat Hahn, General Counsel
Date: June 5, 2023
Re: Certification Policy Updates

One major change of the SAFE-T Act requires all law enforcement officers to be “certified” before they can publicly serve as a police officer executing law enforcement authority. Under this provision, each time an officer is hired by a new agency, the officer’s certification must be “re-activated” with that specific agency.

This ensures that officers receive a full background check each time they begin new employments – including a requirement that the new chief check with past employers prior to appointment. Specifically, section 8.1 states:

*A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the officer's employing governmental agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's governmental agency that shows the law enforcement officer: (i) has accepted a full-time law enforcement position with that governmental agency, (ii) is not the subject of a decertification proceeding, and (iii) **meets all other criteria for re-activation required by the Board.***

With this, we believe the following should be the “other criteria” required by the Board.

A. General Re-activation:

The vast majority of lateral transfers arrive in the form of appointments accompanied by “waivers” seeking to hire and place the officer into service as quickly as possible. In these cases, re-activation is straightforward and simple. Nevertheless, it has been a longstanding practice of the Board to conduct criminal history checks on these officers as we are now providing a level of approval that was not required upon their initial hire.

1. More than 2 years of Experience:

For all officers who appear before the Board for “re-activation” and already have a certificate, we propose the following criteria for approval:

Criteria for re-activation under 50 ILCS 705/8.1 (b)(1)

1. Be of good character pursuant to 50 ILCS 705/6 e.
2. Not convicted, as defined by 50 ILCS 705/6.1 (a-1), of any felony
3. Not convicted, as defined by 50 ILCS 705/6.1 (a-1) of any disqualifying misdemeanor as listed in 50 ILCS 705/6.1(a)
4. Not have been involved in any crime of moral turpitude as defined in 20 Ill. Adm. Code 1720.35

2. Less than 2 years of experience:

The issue of newly trained officers leaving their initial employer has always been a concern and is now considered a problem. In the last round of academy classes, we had at least 3 incidents of officers transferring employers before their class concluded. This causes several administrative problems for the Board, the academy and the agency losing its officer.

The Section 10-2.1-14 of the Municipal Code provides that law enforcement officers with at least 2 years of experience may be given a hiring preference. In an effort to effectuate this accommodation, we believe that no waivers should be issued for officers making lateral transfers if they have less than 2 years of experience (from their date of initial hire).

B. Officers Without Certification:

Approximately 6% of all active officers are not “certified” and do not have a certificate number assigned to their PTB file. These are officers who were previously granted a “waiver” and continue to take advantage of that accommodation.

The recent administrative rule changes address this issue and allows the Board to recognize prior trainings, waivers, and exams.

Section 1720.90 SAFE-T Act Transitional Certification Authority

a) In accordance with power to administer state certification examinations, the Board may establish a process for allowing those officers who were actively employed as of July 1, 2022 but have not been issued a certificate in the course of their career, to obtain a transitional certificate and remain eligible for active law enforcement employment.

b) To ensure that all officers who were formerly issued waivers or offered provisional accommodations meet the training and examination thresholds of certification, the Board may review each such officer on a case-by-case basis and establish special conditions for certification. The procedures for applying, satisfying, and receiving a transitional certificate may include attendance of a course or set of courses and the successful passage of an exam. Upon satisfaction of all established conditions, the officer will be issued a certificate and certificate number.

1. Reciprocity with Equivalency Exam:

Of those without certification, the majority are officers who attained certification in another state and were granted Board approval under the reciprocity system. For these who were assigned a certificate number upon their passage, we wish to allow the Board to convert their waivers to full certification based upon their successful passage of the Equivalency Exam.

2. Part-time with Equivalency Exam:

Much like the reciprocity candidates identified above, many part-time officers were afforded the opportunity to take the Equivalency Examination after the 1996 conversion period. These officers generally completed some form of academy coursework outside of the full academy and have maintained their compliance with in-service mandates ever since. Because they have completed a basic exam, we ask that these officers' prior waivers be converted to part-time certification.

3. Legacy Officers:

A small number of officers remain active and continue to serve on waivers that were issued several years ago. It has been Board policy to require the completion of some form of coursework or an exam since 2000. Nevertheless, a handful of officers remain active who have not taken an examination and do not have a certification number.

Certification was required beginning in 1976 – at that time, completion of the Board approved basic academy was considered “certified.” Approximately 10 officers remain active from this period. Beginning in 1984, certification was granted after passage of the certification examination. While these officers are considered “certified” they were never assigned certificate numbers.

For both of these, we recommend that the Board assign certificate numbers to these individuals using a letter and number combination that clearly designates their status as pre-academy and academy-based certification.

4. Other Officers:

The remainder of officers without certification appear to have been granted a waiver for circumstances that are not recorded. Board staff has been looking into this issue for several months and is compiling a list of these officers after searching several record sets to ensure that their missing certification status is not the result of an oversight. Upon concluding our review, we will present additional information to the Board for consideration regarding any possible pathway toward certification.

Conclusion:

Based on the changes of the SAFE-T Act and the corresponding Administrative Rules, the Board will now require the hiring agency for all lateral transfer officers to seek “re-activation” of the officers' certificate. This requires the agency to perform a background check involving communication with past employers and will require a review by Board staff of any prior misconduct. Officers with less than 2 years of experience will not be eligible for a training waiver (in accordance with the Municipal Code). All officers must be assigned certification numbers therefore, the Board will convert prior examination passage to certification when appropriate. Those who have never passed a state certification exam will continue to be reviewed and offered a pathway to certification before the verification periods begin.