



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3641

Introduced 2/18/2025, by Rep. Justin Slaughter

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall determine whether an applicant has met the requirements of the Act and is qualified to be employed as a law enforcement officer and issue a certificate to applicants qualified to be employed as a law enforcement officer. Provides that the Board may hire investigators for the purposes of complying with the Act. Provides that the Board's investigators shall be law enforcement officers. Provides that the Board shall not waive the training requirement unless the investigator has had a minimum of 5 years experience as a sworn law enforcement officer in the State. Provides that any complaint filed against the Board's investigators shall be investigated by the Illinois State Police. Provides that the Board shall create, within the Board, a Statewide Enforcement Unit. Provides that the Statewide Enforcement Unit shall be responsible for the investigation of matters concerning automatic and discretionary decertification of full-time and part-time law enforcement officers, and the prosecution of matters under those provisions. Provides that before a law enforcement agency may appoint a law enforcement officer or a person seeking a certification as a law enforcement officer in the State, the chief executive officer, sheriff, appointing authority, or designee must: (1) perform a criminal background check including reviewing criminal history and national decertification indices, and all disciplinary records by any previous law enforcement or correctional employer, including complaints or investigations of misconduct, including the outcome of any investigation regardless of the result, and the reason for separation from employment; (2) check the Officer Professional Conduct Database; (3) verify from the local prosecuting authority in any jurisdiction in which the applicant has served as to whether the applicant is on any impeachment disclosure lists; and (4) inquire into whether the applicant has any past or present affiliations with terrorist organizations. Makes other changes.

LRB104 12151 RTM 22250 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Police Training Act is amended by
5 changing Sections 2, 6, 6.1, 6.2-5, 6.3, 8.1, 8.2, 8.3, and 9.2
6 and by adding Section 6.4 as follows:

7 (50 ILCS 705/2) (from Ch. 85, par. 502)

8 Sec. 2. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 "Applicant" means an individual who applies to the Board
11 to become certified as a law enforcement officer.

12 "Board" means the Illinois Law Enforcement Training
13 Standards Board.

14 "Criminal organization" has the meaning given to "gang" as
15 that term is defined in Section 10 of the Illinois Streetgang
16 Terrorism Omnibus Prevention Act.

17 "Full-time law enforcement officer" means a law
18 enforcement officer who has completed the officer's
19 probationary period and is employed on a full-time basis as a
20 law enforcement officer by a local government agency, State
21 government agency, or as a campus police officer by a
22 university, college, or community college.

23 "Hate group" means an organization or group that, based

1 upon its statements, principles, or activities, supports,
2 advocates for, threatens, practices, or incites discrimination
3 toward, genocide of, or violence toward, actual or perceived:
4 race, color, creed, religion, ancestry, gender, sexual
5 orientation, physical or mental disability, citizenship,
6 immigration status, or national origin of another individual
7 or group of individuals,

8 "Law Enforcement agency" means any entity with statutory
9 police powers and the ability to employ individuals authorized
10 to make arrests. It does not include the Illinois State Police
11 as defined in the State Police Act. A law enforcement agency
12 may include any university, college, or community college.

13 "Local law enforcement agency" means any law enforcement
14 unit of government or municipal corporation in this State. It
15 does not include the State of Illinois or any office, officer,
16 department, division, bureau, board, commission, or agency of
17 the State, except that it does include a State-controlled
18 university, college or public community college.

19 "State law enforcement agency" means any law enforcement
20 agency of this State. This includes any office, officer,
21 department, division, bureau, board, commission, or agency of
22 the State. It does not include the Illinois State Police as
23 defined in the State Police Act.

24 "Outwardly facing social media activity" means all
25 content, interaction, or other involvement on or in connection
26 with an individual's presence on a social media account that

1 is available or otherwise visible or accessible to other users
2 of that social media provider. "Outwardly facing social media
3 activity" includes social media activity that is available or
4 otherwise visible or accessible only to users approved by the
5 individual's account, including, but not limited to posts and
6 comments containing words, images, or both, reactions to posts
7 or comments by other users, or sharing posts or comments by
8 other users. "Outwardly facing social media activity" does not
9 include private or direct messages on a social media platform.

10 "Panel" means the Certification Review Panel.

11 "Participated with" means active and direct involvement
12 in, affiliation with, coordination or facilitation of, or
13 advocating for or supporting the goals or activities of a
14 group.

15 "Basic training school" means any school located within
16 the State of Illinois whether privately or publicly owned
17 which offers a course in basic law enforcement or county
18 corrections training and has been approved by the Board.

19 "Probationary police officer" means a recruit law
20 enforcement officer required to successfully complete initial
21 minimum basic training requirements at a basic training school
22 to be eligible for permanent full-time employment as a local
23 law enforcement officer.

24 "Probationary part-time police officer" means a recruit
25 part-time law enforcement officer required to successfully
26 complete initial minimum part-time training requirements to be

1 eligible for employment on a part-time basis as a local law
2 enforcement officer.

3 "Permanent law enforcement officer" means a law
4 enforcement officer who has completed the officer's
5 probationary period and is permanently employed on a full-time
6 basis as a local law enforcement officer, as a security
7 officer, or campus police officer permanently employed by a
8 law enforcement agency.

9 "Part-time law enforcement officer" means a law
10 enforcement officer who has completed the officer's
11 probationary period and is employed on a part-time basis as a
12 law enforcement officer or as a campus police officer by a law
13 enforcement agency.

14 "Public expression of lawlessness or bias" means any
15 expression in a public forum, including on outwardly facing
16 social media, in discussion forums, in writings, or in
17 speeches, advocating for or supporting: the overthrow of
18 government; a foreign terrorist organization; a domestic
19 terrorist organization; a criminal organization; a hate group;
20 or the discrimination toward, genocide of, or violence toward,
21 any individual or group of persons based upon actual or
22 perceived: race, color, creed, religion, ancestry, gender,
23 sexual orientation, physical or mental disability,
24 citizenship, immigration status, or national origin of another
25 individual or group of individuals. "Public expression of
26 lawlessness or bias" includes the public display of any

1 tattoo, uniform, insignia, flag, logo, or other similar symbol
2 that indicates support for the overthrow of government, a
3 foreign terrorist organization, a domestic terrorist group, a
4 criminal organization, a hate group, or discrimination toward,
5 genocide of, or violence toward any individual or group of
6 person for actual or perceived: race, color, creed, religion,
7 ancestry, gender, sexual orientation, physical or mental
8 disability, citizenship, immigration status, or national
9 origin of another individual or group of individuals. Nothing
10 in this definition is intended to infringe upon an
11 individual's rights pursuant to the First Amendment of the
12 United States Constitution.

13 "Publicly accessible components of social media accounts"
14 means all content, interaction, or other involvement on or in
15 connection with an individual's presence on a social media
16 account that is available or otherwise visible or accessible
17 to members of the public or members of the social media
18 platform, without requiring approval by the individual's
19 account.

20 "Law enforcement officer" means (i) any police officer of
21 a law enforcement agency who is primarily responsible for
22 prevention or detection of crime and the enforcement of the
23 criminal code, traffic, or highway laws of this State or any
24 political subdivision of this State or (ii) any member of a
25 police force appointed and maintained as provided in Section 2
26 of the Railroad Police Act.

1 "Recruit" means any full-time or part-time law enforcement
2 officer or full-time county corrections officer who is
3 enrolled in an approved training course.

4 "Review Committee" means the committee at the Board for
5 certification disciplinary cases in which the Panel, a law
6 enforcement officer, or a law enforcement agency may file for
7 reconsideration of a decertification decision made by the
8 Board.

9 "Probationary county corrections officer" means a recruit
10 county corrections officer required to successfully complete
11 initial minimum basic training requirements at a basic
12 training school to be eligible for permanent employment on a
13 full-time basis as a county corrections officer.

14 "Permanent county corrections officer" means a county
15 corrections officer who has completed the officer's
16 probationary period and is permanently employed on a full-time
17 basis as a county corrections officer by a participating law
18 enforcement agency.

19 "County corrections officer" means any sworn officer of
20 the sheriff who is primarily responsible for the control and
21 custody of offenders, detainees or inmates.

22 "Probationary court security officer" means a recruit
23 court security officer required to successfully complete
24 initial minimum basic training requirements at a designated
25 training school to be eligible for employment as a court
26 security officer.

1 "Permanent court security officer" means a court security
2 officer who has completed the officer's probationary period
3 and is employed as a court security officer by a participating
4 law enforcement agency.

5 "Court security officer" has the meaning ascribed to it in
6 Section 3-6012.1 of the Counties Code.

7 "Social media accounts" includes, but is not limited to,
8 social networking sites, online forums, blogs, and video and
9 content sharing platforms.

10 "Terrorist organization" has the meaning given to that
11 term in subsection (m) of Section 29D-10 of the Criminal Code
12 of 2012.

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

14 (50 ILCS 705/6) (from Ch. 85, par. 506)

15 Sec. 6. Powers and duties of the Board; selection and
16 certification of schools. The Board shall select and certify
17 schools within the State of Illinois for the purpose of
18 providing basic training for probationary law enforcement
19 officers, probationary county corrections officers, and court
20 security officers and of providing advanced or in-service
21 training for permanent law enforcement officers or permanent
22 county corrections officers, which schools may be either
23 publicly or privately owned and operated. In addition, the
24 Board has the following power and duties:

25 a. To require law enforcement agencies to furnish such

1 reports and information as the Board deems necessary to
2 fully implement this Act.

3 b. To establish appropriate mandatory minimum
4 standards relating to the training of probationary local
5 law enforcement officers or probationary county
6 corrections officers, and in-service training of permanent
7 law enforcement officers.

8 c. (blank). ~~To provide appropriate certification to~~
9 ~~those probationary officers who successfully complete the~~
10 ~~prescribed minimum standard basic training course.~~

11 c-5. To determine whether an applicant has met the
12 requirements of this Act and is qualified to be employed
13 as a law enforcement officer and to issue a certificate to
14 applicants qualified to be employed as a law enforcement
15 officer.

16 d. To review and approve annual training curriculum
17 for county sheriffs.

18 e. (blank). ~~To review and approve applicants to ensure~~
19 ~~that no applicant is admitted to a certified academy~~
20 ~~unless the applicant is a person of good character and has~~
21 ~~not been convicted of, found guilty of, entered a plea of~~
22 ~~guilty to, or entered a plea of nolo contendere to a felony~~
23 ~~offense, any of the misdemeanors in Sections 11-1.50,~~
24 ~~11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,~~
25 ~~11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,~~
26 ~~26.5 1, 26.5 2, 26.5 3, 28 3, 29 1, any misdemeanor in~~

1 ~~violation of any Section of Part E of Title III of the~~
2 ~~Criminal Code of 1961 or the Criminal Code of 2012, or~~
3 ~~subsection (a) of Section 17-32 of the Criminal Code of~~
4 ~~1961 or the Criminal Code of 2012, or Section 5 or 5.2 of~~
5 ~~the Cannabis Control Act, or a crime involving moral~~
6 ~~turpitude under the laws of this State or any other state~~
7 ~~which if committed in this State would be punishable as a~~
8 ~~felony or a crime of moral turpitude, or any felony or~~
9 ~~misdemeanor in violation of federal law or the law of any~~
10 ~~state that is the equivalent of any of the offenses~~
11 ~~specified therein. The Board may appoint investigators who~~
12 ~~shall enforce the duties conferred upon the Board by this~~
13 ~~Act.~~

14 ~~For purposes of this paragraph e, a person is~~
15 ~~considered to have been convicted of, found guilty of, or~~
16 ~~entered a plea of guilty to, plea of nolo contendere to~~
17 ~~regardless of whether the adjudication of guilt or~~
18 ~~sentence is withheld or not entered thereon. This includes~~
19 ~~sentences of supervision, conditional discharge, or first~~
20 ~~offender probation, or any similar disposition provided~~
21 ~~for by law.~~

22 e-5. To hire investigators for the purposes of
23 complying with this Act. The Board's investigators shall
24 be law enforcement officers. The Board shall not waive the
25 training requirement unless the investigator has had a
26 minimum of 5 years experience as a sworn law enforcement

1 officer in this State. Any complaint under Section 6.3
2 filed against the Board's investigators shall be
3 investigated by the Illinois State Police.

4 f. To establish statewide standards for minimum
5 standards regarding regular mental health screenings for
6 probationary and permanent police officers, ensuring that
7 counseling sessions and screenings remain confidential.

8 g. To review and ensure all law enforcement officers
9 remain in compliance with this Act, and any administrative
10 rules adopted under this Act.

11 h. To suspend any certificate for a definite period,
12 limit or restrict any certificate, or revoke any
13 certificate.

14 i. The Board and the Panel shall have power to secure
15 by its subpoena and bring before it any person or entity in
16 this State and to take testimony either orally or by
17 deposition or both with the same fees and mileage and in
18 the same manner as prescribed by law in judicial
19 proceedings in civil cases in circuit courts of this
20 State. The Board and the Panel shall also have the power to
21 subpoena the production of documents, papers, files,
22 books, documents, and records, whether in physical or
23 electronic form, in support of the charges and for
24 defense, and in connection with a hearing or
25 investigation.

26 j. The Executive Director, the administrative law

1 judge designated by the Executive Director, and each
2 member of the Board and the Panel shall have the power to
3 administer oaths to witnesses at any hearing that the
4 Board is authorized to conduct under this Act and any
5 other oaths required or authorized to be administered by
6 the Board under this Act.

7 k. In case of the neglect or refusal of any person to
8 obey a subpoena issued by the Board and the Panel, any
9 circuit court, upon application of the Board and the
10 Panel, through the Illinois Attorney General, may order
11 such person to appear before the Board and the Panel give
12 testimony or produce evidence, and any failure to obey
13 such order is punishable by the court as a contempt
14 thereof. This order may be served by personal delivery, by
15 email, or by mail to the address of record or email address
16 of record.

17 l. The Board shall have the power to administer state
18 certification examinations. Any and all records related to
19 these examinations, including, but not limited to, test
20 questions, test formats, digital files, answer responses,
21 answer keys, and scoring information shall be exempt from
22 disclosure.

23 m. To make grants, subject to appropriation, to units
24 of local government and public institutions of higher
25 education for the purposes of hiring and retaining law
26 enforcement officers.

1 n. To make grants, subject to appropriation, to local
2 law enforcement agencies for costs associated with the
3 expansion and support of National Integrated Ballistic
4 Information Network (NIBIN) and other ballistic technology
5 equipment for ballistic testing.

6 o. To create, within the Board, a Statewide
7 Enforcement Unit. The Statewide Enforcement Unit shall be
8 responsible for the investigation of matters under
9 Sections 6.1 and 6.3, and the prosecution of matters under
10 Sections 6.1, 6.3, and 6.4.

11 (Source: P.A. 102-687, eff. 12-17-21; 102-694, eff. 1-7-22;
12 102-1115, eff. 1-9-23; 103-8, eff. 6-7-23.)

13 (50 ILCS 705/6.1)

14 Sec. 6.1. Automatic decertification of full-time and
15 part-time law enforcement officers.

16 (a) The Board must review law enforcement officer conduct
17 and records to ensure that no law enforcement officer is
18 certified ~~or provided a valid waiver~~ if that law enforcement
19 officer has been convicted of, ~~found guilty of, entered a plea~~
20 ~~of guilty to, or entered a plea of nolo contendere to,~~ a felony
21 offense under the laws of this State or any other state which
22 if committed in this State would be punishable as a felony. The
23 Board must also ensure that no law enforcement officer is
24 certified ~~or provided a valid waiver~~ if that law enforcement
25 officer has been convicted of, ~~found guilty of, or entered a~~

1 ~~plea of guilty to~~, on or after January 1, 2022 (the effective
2 date of Public Act 101-652) of any misdemeanor specified in
3 this Section or if committed in any other state would be an
4 offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6,
5 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4,
6 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1,
7 any misdemeanor in violation of any Section of Part E of Title
8 III of the Criminal Code of 1961 or the Criminal Code of 2012,
9 or subsection (a) of Section 17-32 of the Criminal Code of 1961
10 or the Criminal Code of 2012, or to Section 5 or 5.2 of the
11 Cannabis Control Act, or any felony or misdemeanor in
12 violation of federal law or the law of any state that is the
13 equivalent of any of the offenses specified therein. The Board
14 must appoint investigators to enforce the duties conferred
15 upon the Board by this Act.

16 (a-1) For purposes of this Section, "conviction" has the
17 meaning given to that term in Section 2-5 of the Criminal Code
18 of 2012. ~~a person is "convicted of, or entered a plea of guilty~~
19 ~~to, plea of nolo contendere to, found guilty of" regardless of~~
20 ~~whether the adjudication of guilt or sentence is withheld or~~
21 ~~not entered thereon. This includes sentences of supervision,~~
22 ~~conditional discharge, or first offender probation, or any~~
23 ~~similar disposition provided for by law.~~

24 (a-2) A law enforcement officer found to be in violation
25 of subsection (a) shall be served with the notice of intent to
26 decertify by both certified and regular mail at the last known

1 address of record on file with the most recent law enforcement
2 employer. The notification shall include a statement of
3 determination, reasons for decertification, and the law
4 enforcement officer's rights to contest and appeal under
5 Section 6.4. If the law enforcement officer not appeal within
6 the time period specified in Section 6.4, then the Board may
7 deem the law enforcement officer decertified.

8 (b) It is the responsibility of the sheriff or the chief
9 executive officer of every law enforcement agency or
10 department within this State to report to the Board any
11 arrest, conviction, finding of guilt, plea of guilty, or plea
12 of nolo contendere to, of any officer for an offense
13 identified in this Section, regardless of whether the
14 adjudication of guilt or sentence is withheld or not entered
15 thereon, this includes sentences of supervision, conditional
16 discharge, or first offender probation.

17 (c) It is the duty and responsibility of every full-time
18 and part-time law enforcement officer in this State to report
19 to the Board within 14 days, and the officer's sheriff or chief
20 executive officer, of the officer's arrest, conviction, found
21 guilty of, or plea of guilty for an offense identified in this
22 Section. Failure of a convicted person to report to the Board
23 the officer's conviction as described in this Section or any
24 continued law enforcement practice after receiving a
25 conviction is a Class 4 felony. ~~Any full-time or part-time law~~
26 enforcement officer who knowingly makes, submits, causes to be

1 ~~submitted, or files a false or untruthful report to the Board~~
2 ~~must have the officer's certificate or waiver immediately~~
3 ~~decertified or revoked.~~

4 (d) Any person, or a local or State agency, or the Board is
5 immune from liability for submitting, disclosing, or releasing
6 information of arrests, convictions, or pleas of guilty in
7 this Section as long as the information is submitted,
8 disclosed, or released in good faith and without malice. The
9 Board has qualified immunity for the release of the
10 information.

11 (e) (blank). ~~Any full-time or part-time law enforcement~~
12 ~~officer with a certificate or waiver issued by the Board who is~~
13 ~~convicted of, found guilty of, or entered a plea of guilty to,~~
14 ~~or entered a plea of nolo contendere to any offense described~~
15 ~~in this Section immediately becomes decertified or no longer~~
16 ~~has a valid waiver. The decertification and invalidity of~~
17 ~~waivers occurs as a matter of law. Failure of a convicted~~
18 ~~person to report to the Board the officer's conviction as~~
19 ~~described in this Section or any continued law enforcement~~
20 ~~practice after receiving a conviction is a Class 4 felony.~~

21 ~~For purposes of this Section, a person is considered to~~
22 ~~have been "convicted of, found guilty of, or entered a plea of~~
23 ~~guilty to, plea of nolo contendere to" regardless of whether~~
24 ~~the adjudication of guilt or sentence is withheld or not~~
25 ~~entered thereon, including sentences of supervision,~~
26 ~~conditional discharge, first offender probation, or any~~

1 ~~similar disposition as provided for by law.~~

2 (e-5) If a timely appeal is not made, or if the Board
3 denies the appeal, decertification shall occur as a matter of
4 law.

5 (f) (blank). ~~The Board's investigators shall be law~~
6 ~~enforcement officers as defined in Section 2 of this Act. The~~
7 ~~Board shall not waive the training requirement unless the~~
8 ~~investigator has had a minimum of 5 years experience as a sworn~~
9 ~~officer of a local, State, or federal law enforcement agency.~~
10 ~~An investigator shall not have been terminated for good cause,~~
11 ~~decertified, had his or her law enforcement license or~~
12 ~~certificate revoked in this or any other jurisdiction, or been~~
13 ~~convicted of any of the conduct listed in subsection (a). Any~~
14 ~~complaint filed against the Board's investigators shall be~~
15 ~~investigated by the Illinois State Police.~~

16 (g) The Board must request and receive information and
17 assistance from any federal, state, local, or private
18 enforcement agency as part of the authorized criminal
19 background investigation. The Illinois State Police must
20 process, retain, and additionally provide and disseminate
21 information to the Board concerning criminal charges, arrests,
22 convictions, and their disposition, that have been filed
23 against a basic academy applicant, law enforcement applicant,
24 or law enforcement officer whose fingerprint identification
25 cards are on file or maintained by the Illinois State Police.
26 The Federal Bureau of Investigation must provide the Board any

1 criminal history record information contained in its files
2 pertaining to law enforcement officers or any applicant to a
3 Board certified basic law enforcement academy as described in
4 this Act based on fingerprint identification. The Board must
5 make payment of fees to the Illinois State Police for each
6 fingerprint card submission in conformance with the
7 requirements of paragraph 22 of Section 55a of the Civil
8 Administrative Code of Illinois.

9 (g-5) Notwithstanding any provision of law to the
10 contrary, the changes to this Section made by this amendatory
11 Act of the 102nd General Assembly and Public Act 101-652 shall
12 apply prospectively only from July 1, 2022.

13 (h) Appeals of decisions in this Section shall be governed
14 by Section 6.4.

15 (i) Any law enforcement officer who knowingly makes,
16 submits, causes to be submitted, or files a false or
17 untruthful report to the Board shall be decertified.

18 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22;
19 102-538, eff. 8-20-21; 102-694, eff. 1-7-22.)

20 (50 ILCS 705/6.2-5 new)

21 Sec. 6.2-5. Obligations of law enforcement agencies.

22 (a) Before a law enforcement agency may appoint a law
23 enforcement officer or a person seeking a certification as a
24 law enforcement officer in this State, the chief executive
25 officer, sheriff, appointing authority, or designee must:

1 (1) perform a criminal background check including
2 reviewing criminal history and national decertification
3 indices, and all disciplinary records by any previous law
4 enforcement or correctional employer, including complaints
5 or investigations of misconduct, including the outcome of
6 any investigation regardless of the result, and the reason
7 for separation from employment;

8 (A) Previous law enforcement or corrections
9 employers must provide this information, including the
10 reason for separation from employment with the law
11 enforcement agency, within 30 days of receiving a
12 written request from the law enforcement agency
13 conducting the background check.

14 (B) Documentation of the contact between law
15 enforcement agencies must be available for review by
16 the Board for a minimum of 5 years after the law
17 enforcement's termination, retirement, resignation, or
18 another separation with that law enforcement agency.

19 (2) check the Officer Professional Conduct Database;

20 (3) verify from the local prosecuting authority in any
21 jurisdiction in which the applicant has served as to
22 whether the applicant is on any impeachment disclosure
23 lists; and

24 (4) inquire into whether the applicant has any past or
25 present affiliations with terrorist organizations.

26 A prospective employing law enforcement agency may

1 establish higher standards for background investigations of
2 applicants if those standards are not contrary to State or
3 federal law.

4 (b) Obligations for law enforcement officer reporting and
5 recordkeeping.

6 (1) All law enforcement agencies shall create and
7 maintain the following records for each officer:

8 (A) The date the law enforcement officer was
9 hired.

10 (B) With respect to any separation from
11 employment:

12 (i) The date of separation of employment.

13 (ii) The nature of any separation, including,
14 but not limited to, retirement, resignation, or
15 termination of employment.

16 (iii) If the law enforcement agency initiated
17 the separation, then the reason given to the
18 officer.

19 (iv) The reason the law enforcement officer
20 was terminated if the law enforcement officer was
21 terminated for cause.

22 (v) If known to the law enforcement agency,
23 then whether the separation occurred while the law
24 enforcement agency or any other entity was
25 conducting an investigation of the law enforcement
26 officer based on allegations that the law

1 enforcement officer violated any rule, policy,
2 procedure, law, or engaged in other misconduct
3 covered by this Act.

4 (C) A record of the background check performed by
5 the law enforcement agency.

6 (D) A record reflecting each type of complaint
7 against, investigation of, and discipline of the
8 officer known to the law enforcement agency, including
9 each:

10 (i) sustained complaint against the officer.

11 For the purposes of this item, a "sustained
12 complaint" means a complaint in which the
13 investigation produced a preponderance of evidence
14 to prove the allegation of an act that was
15 determined to be misconduct;

16 (ii) investigation of the officer by an
17 internal affairs unit, an internal review board, a
18 civilian oversight board, or a comparable body;

19 (iii) arrest of the officer;

20 (iv) discipline imposed on the officer,
21 including any last chance agreement or separation
22 agreement;

23 (v) criminal prosecution against the officer;

24 (vi) written reprimand of the officer;

25 (vii) suspension of the law enforcement
26 officer's employment or order that the officer

1 take a leave from employment;
2 (viii) determination by a prosecutor's
3 office's that the officer is not be called as a
4 witness in court or that the officer's misconduct
5 must be disclosed to defendants; and

6 (ix) complaint, investigation, or disciplinary
7 matter vacated or resolved in favor of the
8 officer;

9 (E) A record reflecting each form of in-service
10 training, retraining, and training on policies that
11 the officer completed, whether or not such training is
12 required by this Act;

13 Information compiled in this Section shall be available
14 for review by hiring agencies for the purpose of hiring
15 background checks and for the Board for the purpose of
16 evaluation of aggravating and mitigating factors under Section
17 6.3.

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

24 (A) the determination leads to a suspension of at
25 least 10 days;

26 (B) any infraction that would trigger an official

1 or formal investigation under a law enforcement agency
2 or the Illinois State Police policy;

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

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

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

13 (3) The law enforcement agency or the Illinois State
14 Police shall report to the Board within 10 days of a final
15 determination and final exhaustion of any administrative
16 appeal, contractual dispute resolution process, or the law
17 enforcement officer's resignation or retirement, and shall
18 provide information regarding the nature of the violation.
19 This notification shall not necessarily trigger
20 certification review.

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

26 (5) Within 14 days after receiving notification from a

1 law enforcement agency or the Illinois State Police, the
2 Board must notify the law enforcement officer of the
3 report and the officer's right to provide a statement
4 regarding the reported violation. The law enforcement
5 officer shall have 14 days from receiving notice to
6 provide a written objection contesting information
7 included in the law enforcement agency's report. The
8 objection must be filed with the Board on a form
9 prescribed by the Board and a copy must be provided by the
10 law enforcement agency. The objection shall remain in the
11 Officer Professional Conduct Database with the reported
12 violation.

13 (c) Penalties.

14 (1) All law enforcement agencies are required to
15 comply with the provisions of this Act and the rules
16 adopted under this Act. Whenever the Board finds that any
17 law enforcement agency is in violation of any provision of
18 this Act, or any rule adopted under this Act, the Board
19 shall notify the law enforcement agency of the violation
20 and of the law enforcement agency's duty to comply with
21 the provision or rule. This notification of non-compliance
22 shall be sent to the law enforcement agency head via
23 certified U.S. Mail or delivered by hand. The notice shall
24 include a specific reference to the statute or regulation
25 that the law enforcement agency has violated, the periods
26 of alleged violation, and a brief statement of the factual

1 basis for the finding of violation along with any
2 supporting materials.

3 The law enforcement agency must come into compliance
4 within 30 days.

5 (2) If after 30 days the law enforcement agency has
6 failed to come into compliance, then the Board shall issue
7 an order of failure to respond to the Notice of
8 non-compliance. This order may include a civil penalty not
9 to exceed \$1,000 per violation per day the law enforcement
10 agency is not in compliance. This penalty shall be payable
11 to the Board. The Board shall send a notice to a right to a
12 conference to challenge the finding of non-compliance
13 under Section 6.4 and a calculation of the penalty owed
14 including the date from which the penalty should be
15 calculated.

16 (50 ILCS 705/6.3)

17 Sec. 6.3. Discretionary decertification of full-time and
18 part-time law enforcement officers.

19 (a) Definitions. For purposes of this Section 6.3:

20 "Duty to intervene" means an obligation to intervene to
21 prevent harm from occurring that arises when: an officer is
22 present, and has reason to know (1) that excessive force is
23 being used or that any constitutional violation has been
24 committed by a law enforcement official; and (2) the officer
25 has a realistic opportunity to intervene. This duty applies

1 equally to supervisory and nonsupervisory officers. If aid is
2 required, the officer shall not, when reasonable to administer
3 aid, knowingly and willingly refuse to render aid as defined
4 by State or federal law. An officer does not violate this duty
5 if the failure to render aid is due to circumstances such as
6 lack of appropriate specialized training, lack of resources or
7 equipment, or if it is unsafe or impracticable to render aid.

8 "Excessive use of force" means using force in violation of
9 State or federal law.

10 "False statement" means (1) any knowingly false statement
11 provided on a form or report, (2) that the writer does not
12 believe to be true, and (3) that the writer includes to mislead
13 a public servant in performing the public servant's official
14 functions.

15 "Perjury" means that as defined under Sections 32-2 and
16 32-3 of the Criminal Code of 2012.

17 "Tampers with or fabricates evidence" means if a law
18 enforcement officer (1) has reason to believe that an official
19 proceeding is pending or may be instituted, and (2) alters,
20 destroys, conceals, or removes any record, document, data,
21 video or thing to impair its validity or availability in the
22 proceeding.

23 (b) Decertification conduct. The Board has the authority
24 to decertify a full-time or a part-time law enforcement
25 officer upon a determination by the Board that the law
26 enforcement officer has:

1 (1) committed an act that would constitute a felony or
2 misdemeanor which could serve as basis for automatic
3 decertification, whether or not the law enforcement
4 officer was criminally prosecuted, and whether or not the
5 law enforcement officer's employment was terminated;

6 (2) exercised excessive use of force;

7 (3) failed to comply with the officer's duty to
8 intervene, including through acts or omissions;

9 (4) tampered with a dash camera or body-worn camera or
10 data recorded by a dash camera or body-worn camera or
11 directed another to tamper with or turn off a dash camera
12 or body-worn camera or data recorded by a dash camera or
13 body-worn camera for the purpose of concealing, destroying
14 or altering potential evidence;

15 (5) engaged in the following conduct relating to the
16 reporting, investigation, or prosecution of a crime:
17 committed perjury, made a false statement, or knowingly
18 tampered with or fabricated evidence; or ~~and~~

19 (6) engaged in any unprofessional, unethical,
20 deceptive, or deleterious conduct or practice harmful to
21 the public; such conduct or practice need not have
22 resulted in actual injury to any person. As used in this
23 paragraph, the term "unprofessional conduct" shall include
24 any departure from, or failure to conform to, the minimal
25 standards of acceptable and prevailing practice of an
26 officer.

1 (b-5) The Board has the authority to decertify a full-time
2 or part-time law enforcement officer notwithstanding whether a
3 law enforcement agency takes disciplinary action against a law
4 enforcement officer for the same underlying conduct as
5 outlined in subsection (b).

6 (c) Notice of Alleged Violation.

7 (1) The following individuals and agencies shall
8 notify the Board within 7 days of becoming aware of any
9 violation described in subsection (b):

10 (A) A law enforcement agency as defined in Section
11 2 or any law enforcement officer of this State. For
12 this subsection (c), law enforcement agency includes,
13 but is not limited to, a civilian review board, an
14 inspector general, and legal counsel for a law
15 enforcement agency.

16 (B) The Executive Director of the Board;

17 (C) A State's Attorney's Office of this State.

18 "Becoming aware" does not include confidential
19 communications between agency lawyers and agencies
20 regarding legal advice. For purposes of this subsection,
21 "law enforcement agency" does not include the Illinois
22 Attorney General when providing legal representation to a
23 law enforcement officer under the State Employee
24 Indemnification Act.

25 (2) Any person may also notify the Board of any
26 conduct the person believes a law enforcement officer has

1 committed as described in subsection (b). Such
2 notifications may be made confidentially. Notwithstanding
3 any other provision in state law or any collective
4 bargaining agreement, the Board shall accept notice and
5 investigate any allegations from individuals who remain
6 confidential.

7 (3) Upon written request, the Board shall disclose to
8 the individual or entity who filed a notice of violation
9 the status of the Board's review.

10 (d) Form. The notice of violation reported under
11 subsection (c) shall be on a form prescribed by the Board in
12 its rules. The form shall be publicly available by paper and
13 electronic means. The form shall include fields for the
14 following information, at a minimum:

15 (1) the full name, address, and telephone number of
16 the person submitting the notice;

17 (2) if submitted under subsection (c)(1), the agency
18 name and title of the person submitting the notice;

19 (3) the full name, badge number, employing agency, and
20 physical description of the officer, if known;

21 (4) the full name or names, address or addresses,
22 telephone number or numbers, and physical description or
23 descriptions of any witnesses, if known;

24 (5) a concise statement of facts that describe the
25 alleged violation and any copies of supporting evidence
26 including but not limited to any photographic, video, or

1 audio recordings of the incident;

2 (6) whether the person submitting the notice has
3 notified any other agency; and

4 (7) an option for an individual, who submits directly
5 to the Board, to consent to have the individual's identity
6 disclosed. The identity of any individual providing
7 information or reporting any possible or alleged violation
8 to the Board shall be kept confidential and may not be
9 disclosed without the consent of that individual, unless
10 the individual consents to disclosure of the individual's
11 name or disclosure of the individual's identity is
12 otherwise required by law. The confidentiality granted by
13 this subsection does not preclude the disclosure of the
14 identity of a person in any capacity other than as the
15 source of an allegation.

16 Nothing in this subsection (d) shall preclude the Board
17 from receiving, investigating, or acting upon allegations made
18 confidentially or in a format different from the form provided
19 for in this subsection.

20 (e) Preliminary review.

21 (1) The Statewide Enforcement Unit ~~Board~~ shall
22 complete a preliminary review of the allegations to
23 determine whether there is sufficient information to
24 warrant a further investigation of any violations of the
25 Act. Upon initiating a preliminary review of the
26 allegations, the Statewide Enforcement Unit ~~Board~~ shall

1 notify the head of the law enforcement agency that employs
2 the law enforcement officer who is the subject of the
3 allegations. At the request of the Statewide Enforcement
4 Unit Board, the law enforcement agency must submit any
5 copies of investigative findings, evidence, or
6 documentation to the Statewide Enforcement Unit Board in
7 accordance with rules adopted by the Statewide Enforcement
8 Unit Board to facilitate the Statewide Enforcement Unit's
9 ~~Board's~~ preliminary review. The Statewide Enforcement Unit
10 ~~Board~~ may correspond with the law enforcement agency,
11 official records clerks or any investigative agencies in
12 conducting its preliminary review.

13 (2) During the preliminary review, the Statewide
14 Enforcement Unit Board will take all reasonable steps to
15 discover any and all objective verifiable evidence
16 relevant to the alleged violation through the
17 identification, retention, review, and analysis of all
18 currently available evidence, including, but not limited
19 to: all time-sensitive evidence, audio and video evidence,
20 physical evidence, arrest reports, photographic evidence,
21 GPS records, computer data, lab reports, medical
22 documents, and witness interviews. All reasonable steps
23 will be taken to preserve relevant evidence identified
24 during the preliminary investigation.

25 (3) If after a preliminary review of the alleged
26 violation or violations, the Statewide Enforcement Unit

1 ~~Board~~ believes there is sufficient information to warrant
2 further investigation of any violations of this Act, the
3 alleged violation or violations shall be assigned for
4 investigation in accordance with subsection (f).

5 (4) If after a review of the allegations, the
6 Statewide Enforcement Unit ~~Board~~ believes there is
7 insufficient information supporting the allegations to
8 warrant further investigation, it may close a notice.
9 Notification of the Statewide Enforcement Unit's ~~Board's~~
10 decision to close a notice shall be sent to all relevant
11 individuals, agencies, and any entities that received
12 notice of the violation under subsection (c) within 30
13 days of the notice being closed, except in cases where the
14 notice is submitted anonymously if the complainant is
15 unknown.

16 (5) Except when the Board has received notice under
17 subparagraph (A) of paragraph (1) of subsection (c), no
18 later than 30 days after receiving notice, the Statewide
19 Enforcement Unit ~~Board~~ shall report any notice of
20 violation it receives to the relevant law enforcement
21 agency, unless reporting the notice would jeopardize any
22 subsequent investigation. The Board shall also record any
23 notice of violation it receives to the Officer
24 Professional Conduct Database in accordance with Section
25 9.2. The Board shall report to the appropriate State's
26 Attorney any alleged violations that contain allegations,

1 claims, or factual assertions that, if true, would
2 constitute a violation of Illinois law. The Statewide
3 Enforcement Unit Board shall inform the law enforcement
4 officer via certified mail that it has received a notice
5 of violation against the law enforcement officer.

6 If the Statewide Enforcement Unit Board determines
7 that due to the circumstances and the nature of the
8 allegation that it would not be prudent to notify the law
9 enforcement officer and the officer's law enforcement
10 agency unless and until the filing of charges ~~a Formal~~
11 ~~Complaint~~, the Statewide Enforcement Unit Board shall
12 document in the file the reason or reasons a notification
13 was not made.

14 (6) If the law enforcement officer is involved in a
15 criminal proceeding on the same subject as the notice of
16 violation, the Statewide Enforcement Unit Board is
17 responsible for maintaining a current status report
18 including court dates, hearings, pleas, adjudication
19 status and sentencing. A State's Attorney's Office must
20 notify the Board of any criminal charges filed against a
21 law enforcement officer, and must provide updates of
22 significant developments to the Board in a timely manner
23 but no later than 30 days after such developments.

24 (f) Investigations; requirements. Investigations are to be
25 assigned after a preliminary review, unless the investigations
26 were closed under paragraph (4) of subsection (e), as follows

1 in paragraphs (1), (2), and (3) of this subsection (f).

2 (1) A law enforcement agency that submits a notice of
3 violation to the Board under subparagraph (A) of paragraph
4 (1) of subsection (c) shall be responsible for conducting
5 an investigation of the underlying allegations except
6 when: (i) the law enforcement agency refers the notice to
7 another law enforcement agency or the Statewide
8 Enforcement Unit Board for investigation and such other
9 agency or the Board agrees to conduct the investigation;
10 (ii) an external, independent, or civilian oversight
11 agency conducts the investigation in accordance with local
12 ordinance or other applicable law; or (iii) the Executive
13 Director Board has determined that it will conduct the
14 investigation based upon the facts and circumstances of
15 the alleged violation, including but not limited to,
16 investigations regarding the Chief or Sheriff of a law
17 enforcement agency, familial conflict of interests,
18 complaints involving a substantial portion of a law
19 enforcement agency, or complaints involving a policy of a
20 law enforcement agency. Any agency or entity conducting an
21 investigation under this paragraph (1) shall submit
22 quarterly reports to the Statewide Enforcement Unit Board
23 regarding the progress of the investigation. The quarterly
24 report shall be reviewed by the individual or individuals
25 at the Statewide Enforcement Unit Board who conducted the
26 preliminary review, if available.

1 Any agency or entity conducting an investigation under
2 this paragraph (1) shall, within 7 days of completing an
3 investigation, deliver an Investigative Summary Report and
4 copies of any administrative evidence to the Statewide
5 Enforcement Unit Board. If the Executive Director Board
6 finds an investigation conducted under this paragraph (1)
7 is incomplete, unsatisfactory, or deficient in any way,
8 the Statewide Enforcement Unit Board may direct the
9 investigating entity or agency to take any additional
10 investigative steps deemed necessary to thoroughly and
11 satisfactorily complete the investigation, or the Board
12 may take any steps necessary to complete the
13 investigation. The investigating entity or agency or, when
14 necessary, the Statewide Enforcement Unit Board will then
15 amend and re-submit the Investigative Summary Report to
16 the Executive Director Board for approval.

17 The Statewide Enforcement Unit Board shall submit a
18 report to the investigating entity disclosing the name,
19 address, and telephone numbers of persons who have
20 knowledge of facts which are the subject of the
21 investigation and identifying the subject matter of their
22 knowledge.

23 (2) The Statewide Enforcement Unit Board shall
24 investigate and complete an Investigative Summary Report
25 when a State's Attorney's Office submits a notice of
26 violation to the Board under (c) (1) (C).

1 (3) When a person submits a notice to the Statewide
2 Enforcement Unit ~~Board~~ under paragraph (2) of subsection
3 (c), The Board shall assign the investigation to the law
4 enforcement agency that employs the law enforcement
5 officer, except when: (i) the law enforcement agency
6 requests to refer the notice to another law enforcement
7 agency or the Board for investigation and such other
8 agency or the Board agrees to conduct the investigation;
9 (ii) an external, independent, or civilian oversight
10 agency conducts the investigation in accordance with local
11 ordinance or other applicable law; or (iii) the Executive
12 Director ~~Board~~ has determined that it will conduct the
13 investigation based upon the facts and circumstances of
14 the alleged violation, including but not limited to,
15 investigations regarding the Sheriff or Chief ~~Chief or~~
16 ~~Sheriff~~ of a law enforcement agency, familial conflict of
17 interests, complaints involving a substantial portion of a
18 law enforcement agency, or complaints involving a policy
19 of a law enforcement agency.

20 The investigating entity or agency shall submit
21 quarterly reports to the Board regarding the progress of
22 the investigation in a form to be determined by the Board.
23 The quarterly report shall be reviewed by the individual
24 at the Statewide Enforcement Unit ~~Board~~ who conducted the
25 preliminary review, if available.

26 The investigating entity or agency shall, within 7 days of

1 completing an investigation, deliver an Investigative
2 Summary Report and copies of any evidence to the Statewide
3 Enforcement Unit and the Executive Director Board. If the
4 Statewide Enforcement Unit or Executive Director Board
5 finds an investigation conducted under this subsection
6 (f)(3) is incomplete, unsatisfactory, biased, or deficient
7 in any way, the Executive Director Board may direct the
8 investigating entity to take any additional investigative
9 steps deemed necessary to thoroughly and satisfactorily
10 complete the investigation, or the Statewide Enforcement
11 Unit Board may take any steps necessary to complete the
12 investigation. The investigating entity or agency or, when
13 necessary, the Statewide Enforcement Unit Board will then
14 amend and re-submit the Investigative Summary Report to
15 the Executive Director Board for approval. The
16 investigating entity shall cooperate with and assist the
17 Statewide Enforcement Unit Board, as necessary, in any
18 subsequent investigation.

19 (4) Concurrent Investigations. The Statewide
20 Enforcement Unit Board may, at any point, initiate a
21 concurrent investigation under this Section section. The
22 original investigating entity shall timely communicate,
23 coordinate, and cooperate with the Statewide Enforcement
24 Unit Board to the fullest extent. The Board shall
25 promulgate rules that shall address, at a minimum, the
26 sharing of information and investigative means such as

1 subpoenas and interviewing witnesses.

2 (5) Investigative Summary Report. An Investigative
3 Summary Report shall contain, at a minimum, the
4 allegations and elements within each allegation followed
5 by the testimonial, documentary, or physical evidence that
6 is relevant to each such allegation or element listed and
7 discussed in association with it. All persons who have
8 been interviewed and listed in the Investigative Summary
9 Report will be identified as a complainant, witness,
10 person with specialized knowledge, or law enforcement
11 employee.

12 (6) Each law enforcement agency shall adopt a written
13 policy regarding the investigation of conduct under
14 subsection (a) that involves a law enforcement officer
15 employed by that law enforcement agency. The written
16 policy adopted must include the following, at a minimum:

17 (a) Each law enforcement officer shall immediately
18 report any conduct under subsection (b) to the
19 appropriate supervising officer.

20 (b) The written policy under this Section shall be
21 available for inspection and copying under the Freedom
22 of Information Act, and not subject to any exemption
23 of that Act.

24 (7) Nothing in this Act shall prohibit a law
25 enforcement agency from conducting an investigation for
26 the purpose of internal discipline. However, any such

1 investigation shall be conducted in a manner that avoids
2 interference with, and preserves the integrity of, any
3 separate investigation by the Statewide Enforcement Unit
4 ~~Board~~ being conducted.

5 (8) The Board, executive director, and investigators
6 performing investigations conducted under this Section
7 shall preserve all evidence. This information shall be
8 contained in a single investigation file. Upon the filing
9 of formal complaint seeking decertification, the
10 investigation file shall be subject to unredacted
11 disclosure to the law enforcement officer subject of the
12 investigation.

13 (g) Formal complaints. Upon receipt of an Investigative
14 Summary Report, the Statewide Enforcement Unit ~~Board~~ shall
15 review the Report and any relevant evidence obtained and
16 determine whether there is reasonable basis to believe that
17 the law enforcement officer committed any conduct that would
18 be deemed a violation of this Act. If after reviewing the
19 Report and any other relevant evidence obtained, the Statewide
20 Enforcement Unit ~~Board~~ determines that a reasonable basis does
21 exist, the Statewide Enforcement Unit ~~Board~~ shall file a
22 formal complaint with the Certification Review Panel.

23 (h) Formal Complaint Hearing.

24 (1) Upon issuance of a formal complaint by the
25 Enforcement Unit, the Panel shall set the matter for an
26 initial hearing in front of an administrative law judge.

1 At least 30 days before the date set for an initial
2 hearing, the Panel must, in writing, notify the law
3 enforcement officer subject to the complaint of the
4 following:

5 (i) the allegations against the law enforcement
6 officer, the time and place for the hearing, and
7 whether the law enforcement officer's certification
8 has been temporarily suspended under Section 8.3;

9 (ii) the right to file a written answer to the
10 complaint with the Panel within 30 days after service
11 of the notice;

12 (iii) that if the law enforcement officer fails to
13 comply with the notice of the default order in
14 paragraph (2), the Panel shall enter a default order
15 against the law enforcement officer along with a
16 finding that the allegations in the complaint are
17 deemed admitted, and that the law enforcement
18 officer's certification may be revoked as a result;
19 and

20 (iv) that the law enforcement officer may request
21 an informal conference to surrender the officer's
22 certification.

23 (2) The Board shall send the law enforcement officer
24 notice of the default order. The notice shall state that
25 the officer has 30 days to notify the Board in writing of
26 their desire to have the order vacated and to appear

1 before the Board. If the law enforcement officer does not
2 notify the Board within 30 days, the Board may set the
3 matter for hearing. If the matter is set for hearing, the
4 Board shall send the law enforcement officer the notice of
5 the date, time and location of the hearing. If the law
6 enforcement officer or counsel for the officer does
7 appear, at the Board's discretion, the hearing may proceed
8 or may be continued to a date and time agreed upon by all
9 parties. If on the date of the hearing, neither the law
10 enforcement officer nor counsel for the officer appears,
11 the Board may proceed with the hearing for default in
12 their absence.

13 (3) If the law enforcement officer fails to comply
14 with paragraph (2), all of the allegations contained in
15 the complaint shall be deemed admitted and the law
16 enforcement officer shall be decertified if, by a majority
17 vote of the Panel ~~panel~~, the conduct charged in the
18 complaint is found to constitute sufficient grounds for
19 decertification under this Act. Notice of the
20 decertification decision may be served by personal
21 delivery, by mail, or, at the discretion of the Board, by
22 electronic means as adopted by rule to the address or
23 email address specified by the law enforcement officer in
24 the officer's last communication with the Board. Notice
25 shall also be provided to the law enforcement officer's
26 employing law enforcement agency.

1 (4) The Board, at the request of the law enforcement
2 officer subject to the Formal Complaint, may suspend a
3 hearing on a Formal Complaint for no more than one year if
4 a concurrent criminal matter is pending. If the law
5 enforcement officer requests to have the hearing
6 suspended, the law enforcement officer's certification
7 shall be deemed inactive until the law enforcement
8 officer's Formal Complaint hearing concludes. The Board or
9 the law enforcement officer may request to have the
10 hearing suspended for up to 6 additional months for good
11 cause. This request may be renewed. For purposes of this
12 paragraph (4), "good cause" means an incident or
13 occurrence that is beyond the control of the requester and
14 that prevents the hearing from occurring, or holding the
15 hearing would impose an undue hardship or prejudice on the
16 requester.

17 (5) Surrender of certification or waiver. Upon the
18 Board's issuance of a complaint, and prior to hearing on
19 the matter, a law enforcement officer may choose to
20 surrender the officer's certification or waiver by
21 notifying the Board in writing of the officer's decision
22 to do so. Upon receipt of such notification from the law
23 enforcement officer, the Board shall immediately decertify
24 the officer, or revoke any waiver previously granted. In
25 the case of a surrender of certification or waiver, the
26 Board's proceeding shall terminate.

1 (6) Appointment of administrative law judges. The
2 Board shall retain any attorney licensed to practice law
3 in the State of Illinois to serve as an administrative law
4 judge in any action involving a law enforcement officer
5 under this Act. The administrative law judge shall be
6 retained to a term of no greater than 4 years. If more than
7 one judge is retained, the terms shall be staggered. The
8 administrative law judge has full authority to conduct the
9 hearings.

10 Administrative law judges will receive initial and
11 annual training that is adequate in quality, quantity,
12 scope, and type, and will cover, at minimum the following
13 topics:

14 (i) constitutional and other relevant law on
15 police-community encounters, including the law on the
16 use of force and stops, searches, and arrests;

17 (ii) police tactics;

18 (iii) investigations of police conduct;

19 (iv) impartial policing;

20 (v) policing individuals in crisis;

21 (vi) Illinois police policies, procedures, and
22 disciplinary rules;

23 (vii) procedural justice; and

24 (viii) community outreach.

25 The Board shall determine the content and extent of
26 the training within the scope provided for by this

1 subsection.

2 (7) Hearing. At the hearing, the administrative law
3 judge will hear the allegations alleged in the complaint.
4 The law enforcement officer or ~~7~~ the counsel for ~~of~~ the
5 officer ~~officer's choosing,~~ and the Statewide Enforcement
6 Unit Board, ~~or the officer's counsel,~~ shall be afforded
7 the opportunity to present any pertinent statements,
8 testimony, evidence, and arguments. The law enforcement
9 officer shall be afforded the opportunity to request that
10 the Board compel the attendance of witnesses and
11 production of related documents. After the conclusion of
12 the hearing, the administrative law judge shall report any
13 findings of fact, conclusions of law, and recommended
14 disposition to the Panel. If the law enforcement officer
15 objects to any procedural or substantive legal portion of
16 the report, the officer may do so by written brief filed
17 with the Panel within 14 days after receipt of the report.
18 The Panel may grant reasonable extensions for good cause
19 shown or when mutually agreed upon by the parties.

20 No later than 28 days before the hearing, the law
21 enforcement officer or the law enforcement officer's
22 counsel ~~a party~~ shall disclose the following to the Board:

23 (i) The name and, if known, the address and
24 telephone number of each individual likely to have
25 information relevant to the hearing that the law
26 enforcement officer ~~disclosing party may use to~~

1 ~~support its claims or defenses. This includes, but is~~
2 ~~not limited to, any name that has previously been held~~
3 ~~as confidential by the Board.~~

4 (ii) A copy of any documents and videos that are in
5 the possession, custody, or control of the law
6 enforcement officer party, and that the law
7 enforcement officer disclosing party may use to
8 support its ~~claims or~~ defenses.

9 No later than 28 days after the filing of a formal
10 complaint, the Statewide Enforcement Unit shall give
11 to the law enforcement officer or their counsel a copy
12 of the complete and unredacted "investigation file" as
13 defined in paragraph (f) of subsection (f) including,
14 but not limited to, any name that has previously been
15 held as confidential by the Statewide Enforcement Unit
16 or Board.

17 (8) Certification Review Meeting. Upon receipt of the
18 administrative law judge's findings of fact, conclusions
19 of law, and recommended disposition, and any submitted
20 objections from the law enforcement officer, the Panel
21 shall call for a certification review meeting.

22 In such a meeting, the Panel may adjourn into a closed
23 conference for the purposes of deliberating on the
24 evidence presented during the hearing. In closed
25 conference, the Panel shall consider the hearing officer's
26 findings of fact, conclusions of law, and recommended

1 disposition and may deliberate on all evidence and
2 testimony received and may consider the weight and
3 credibility to be given to the evidence received. No new
4 or additional evidence may be presented to the Panel.
5 After concluding its deliberations, the Panel shall
6 convene in open session for its consideration of the
7 matter. If a simple majority of the Panel finds that no
8 allegations in the complaint supporting one or more
9 charges of misconduct are proven by clear and convincing
10 evidence, then the Panel shall recommend to the Board that
11 the complaint be dismissed. If a simple majority of the
12 Panel finds that the allegations in the complaint
13 supporting one or more charges of misconduct are proven by
14 clear and convincing evidence, then the Panel shall
15 recommend to the Board to decertify the officer. The Panel
16 shall prepare a summary report as soon as practicable
17 after the completion of the meeting including the
18 following: the hearing officer's findings of fact,
19 conclusions of law, recommended disposition, and the
20 Panel's order.

21 (9) Final action by the Board. After receiving the
22 Panel's recommendations and any objections by the law
23 enforcement officer, and after due consideration of the
24 Panel's recommendations, the Board, by majority vote,
25 shall issue a final decision to decertify the law
26 enforcement officer or take no action in regard to the law

1 enforcement officer. No new or additional evidence may be
2 presented to the Board. If the Board makes a final
3 decision contrary to the recommendations of the Panel, the
4 Board shall set forth in its final written decision the
5 specific written reasons for not following the Panel's
6 recommendations. A copy of the Board's final decision
7 shall be served upon the law enforcement officer by the
8 Board, either personally or as provided in this Act for
9 the service of a notice of hearing. A copy of the Board's
10 final decision also shall be delivered to the last
11 employing law enforcement agency, the complainant, and the
12 Panel.

13 (10) Reconsideration of the Board's Decision. Within
14 30 days after service of the Board's final decision, the
15 Panel or the law enforcement officer may file a written
16 motion for reconsideration with the Review Committee. The
17 motion for reconsideration shall specify the particular
18 grounds for reconsideration. The non-moving party may
19 respond to the motion for reconsideration. The Review
20 Committee shall only address the issues raised by the
21 parties.

22 The Review Committee may deny the motion for
23 reconsideration, or it may grant the motion in whole or in
24 part and issue a new final decision in the matter. The
25 Review Committee must notify the law enforcement officer
26 and their last employing law enforcement agency within 14

1 days of a denial and state the reasons for denial.

2 (i) This Section applies to conduct by a full-time or
3 part-time law enforcement officer in violation of subsection
4 (b) that occurred before, on, or after the effective date of
5 this amendatory Act of the 102nd General Assembly.

6 (j) Notwithstanding any provision of law to the contrary,
7 the changes made to this Section by this amendatory Act of the
8 102nd General Assembly and Public Act 101-652 take effect July
9 1, 2022.

10 (k) Annual report. The Board shall submit an annual report
11 to the Governor, Attorney General, President and Minority
12 Leader of the Senate, and the Speaker and Minority Leader of
13 the House of Representatives on or before March 1, 2026, and
14 every year thereafter indicating:

15 (1) the number of complaints under this Section
16 received in the preceding calendar year, including but not
17 limited to the race, gender, and type of discretionary
18 decertification complaints received;

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

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

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

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

1 (6) the number of officers decertified in the
2 preceding calendar year;

3 (7) the number of officers where insufficient cause
4 for decertification was found by an investigator
5 conducting an investigation under this Section; and

6 (8) the number of officers where insufficient cause
7 for decertification was found by an administrative law
8 judge, review panel, or Board.

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

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

12 (50 ILCS 705/6.4 new)

13 Sec. 6.4. Denials and Certain Appeals

14 (a) The Board shall issue a formal written notice of the
15 denial of training waiver, denial of initial certification or
16 the intent to decertify under Section 6.1 within 15 days of the
17 decision. The Board shall set forth the specific reasons for
18 the waiver denial, denial of initial certification or
19 automatic decertification and serve the officer, personally,
20 by e-mail, or by certified mail. The Board shall also inform
21 the law enforcement officer of the ability to appeal the
22 decision in writing or by a hearing.

23 (1) A law enforcement officer whose application for a
24 training waiver is denied by the Board, who is denied
25 initial certification, or who is notified of the intent to

1 decertify under Section 6.1, may submit an appeal that
2 shall include the particular reasons why the law
3 enforcement officer believes that the decision to deny the
4 waiver, certification, or decertify pursuant to Section
5 6.1 was incorrect and all relevant document the law
6 enforcement officer believes supports the appeal, within
7 10 days after service of the notice of the denial. The
8 officer may request a summary hearing in front of the
9 Board where limited testimony may be offered to provide
10 evidence not available via documentary evidence.

11 (b) When a Notice of Non-Compliance has been sent under
12 Section 6.2, the law enforcement agency may request to
13 schedule the matter for an informal conference at which the
14 law enforcement agency will meet with the Board in an attempt
15 to resolve the matter.

16 A request by the law enforcement agency for an informal
17 conference must be received by the Board within 15 days after
18 the receipt of the Notice of Non-Compliance. Should a
19 resolution not be reached, the matter shall be set for
20 hearing.

21 (c) The Board may create a committee to hear and decide the
22 appeals under this Section.

23 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

24 Sec. 8.1. Full-time law enforcement and county corrections
25 officers.

1 (a) The Board shall establish minimum certification
2 standards for all officers that shall include: ~~No person shall~~
3 ~~receive a permanent appointment as a law enforcement officer~~
4 ~~or a permanent appointment as a county corrections officer~~
5 ~~unless that person has been awarded, within 6 months of the~~
6 ~~officer's initial full time employment, a certificate~~
7 ~~attesting to the officer's~~ successful completion of the
8 Minimum Standards Basic Law Enforcement or County Correctional
9 Training Course as prescribed by the Board to be completed
10 within 6 months of the applicant's initial full-time
11 employment; or ~~has been awarded~~ a certificate attesting to the
12 applicant's ~~officer's~~ satisfactory completion of a training
13 program of similar content and number of hours and which
14 course has been found acceptable by the Board under the
15 provisions of this Act. ~~;~~ ~~or~~ The Board shall grant a training
16 waiver by reason of prior law enforcement or county
17 corrections experience, obtained in Illinois, in any other
18 state, or with an agency of the federal government, where the
19 basic training requirement is determined by the Board to be
20 sufficient ~~illogical and unreasonable~~. Agencies seeking a
21 reciprocity waiver for training completed outside of Illinois
22 must conduct a thorough background check and provide
23 verification of the officer's prior training. After review and
24 satisfaction of all requested conditions related to training,
25 the officer shall be awarded an equivalency waiver ~~certificate~~
26 satisfying the training requirements of this Section. Within

1 60 days after the effective date of this amendatory Act of the
2 103rd General Assembly, the Board shall adopt uniform rules
3 providing for a training waiver process for a person
4 previously employed and qualified as a law enforcement or
5 county corrections officer under federal law or the laws of
6 any other state, or who has completed a basic law enforcement
7 officer or correctional officer academy who would be qualified
8 to be employed as a law enforcement officer or correctional
9 officer by the federal government or any other state. These
10 rules shall address the process for evaluating prior training
11 credit, a description and list of the courses typically
12 required for reciprocity candidates to complete prior to
13 taking the exam, and a procedure for employers seeking a
14 pre-activation determination for a reciprocity training
15 waiver. The rules shall provide that any eligible person
16 previously trained as a law enforcement or county corrections
17 officer under federal law or the laws of any other state shall
18 successfully complete the following prior to the approval of a
19 training waiver:

20 (1) a training program or set of coursework approved
21 by the Board on the laws of this State relevant to the
22 duties and training requirements of law enforcement and
23 county correctional officers;

24 (2) firearms training; and

25 (3) successful passage of the equivalency
26 certification examination.

1 If such training is required and not completed within the
2 applicable 6 months, then the officer must forfeit the
3 officer's position, or the employing agency must obtain a
4 waiver from the Board extending the period for compliance.
5 Such training waiver shall be issued only for good and
6 justifiable reasons, and in no case shall extend more than 90
7 days beyond the initial 6 months. Any hiring agency that fails
8 to train a law enforcement officer within this period shall be
9 prohibited from employing this individual in a law enforcement
10 capacity for one year from the date training was to be
11 completed. If an agency again fails to train the individual a
12 second time, the agency shall be permanently barred from
13 employing this individual in a law enforcement capacity.

14 If the Board declines to grant a training waiver, the
15 Board must mail the refusal to the applicant and their
16 supporting law enforcement agency by both certified and
17 regular mail at the last known address of record. The
18 notification shall include a statement of determination,
19 reasons for denial, and the applicant's and law enforcement
20 agency's rights to contest and appeal under Section 6.4.
21 Should the applicant or law enforcement agency not appeal
22 within the time period specified in Section 6.4, the Board may
23 deem the law enforcement officer's waiver denied.

24 (4) successful completion of a background
25 investigation including:

26 (A) a state and national background check,

1 including, but not limited to, a full employment
2 history; provided, that if the applicant has been
3 previously employed in law enforcement in any state or
4 United States territory or by the federal government,
5 the applicant's full employment record, including
6 complaints, discipline, and rejected applications,
7 shall be evaluated in the background check. The
8 background check shall be conducted under the
9 procedures established by the Board and include a
10 criminal background records check in accordance with
11 the Prison Rape Elimination Act (PREA), 28 C.F.R.
12 115.317, the National Decertification Index, the
13 National Crime Information Center database, and the
14 Law Enforcement Agencies Data System (LEADS).

15 (B) a social media search of the applicant. This
16 search shall include, but is not limited to, the
17 following, whether the applicant has:

18 (i) Made statements, posts, shared posts, or
19 comments in support of, or that demonstrates,
20 espouses, advocates, or supports public expression
21 of lawlessness or bias or discrimination. The
22 Board shall preserve a copy of any posts, shared
23 posts, or comments in support of anything
24 violative of this Section the investigation files
25 as evidence of unsuitability; or

26 (ii) Outwardly facing social media activity

1 that would otherwise undermine public confidence
2 in law enforcement or in the applicant's ability
3 to carry out the public safety mission in a legal,
4 constitutional, unbiased, and non-discriminatory
5 fashion. The Board shall preserve a copy of any
6 posts, shared posts, or comments in support of
7 anything violative of this Section the
8 investigation files as evidence of certification
9 unsuitability; and

10 (iii) A check of the applicant's lack of
11 participation with any foreign terrorist
12 organization, domestic terrorist group, criminal
13 organization, hate group, or a group that
14 advocates for, espouses, or promotes the
15 commission of acts of force and violence, or any
16 other unlawful means, to overthrow a local, state,
17 or Federal government of the United States.

18 This search shall not include, and the Board
19 may not consider, posts that contain
20 characteristics of age, race, religion,
21 disability, or sex of the applicant.

22 (C) That the applicant has not been convicted of,
23 found guilty of, entered a plea of guilty to, or
24 entered a plea of nolo contendere to a felony offense,
25 any of the misdemeanors in Sections 11-1.50, 11-6,
26 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,

1 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
2 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
3 violation of any Section of Part E of Title III of the
4 Criminal Code of 1961 or the Criminal Code of 2012, or
5 subsection (a) of Section 17-32 of the Criminal Code
6 of 1961 or the Criminal Code of 2012, or Section 5 or
7 5.2 of the Cannabis Control Act, or a crime involving
8 moral turpitude under the laws of this State or any
9 other state which if committed in this State would be
10 punishable as a felony or a crime of moral turpitude,
11 or any felony or misdemeanor in violation of federal
12 law or the law of any state that is the equivalent of
13 any of the offenses specified therein.

14 (i) The Board may deny certification to a
15 person who received a sentence of supervision,
16 conditional discharge, or first offender
17 probation, or any similar disposition provided for
18 by law for a violation under 6.1. The Board shall
19 review shall consider any evidence of
20 rehabilitation and mitigating factors contained in
21 the person's record, including any of the
22 following factors and evidence, to determine if
23 the violation will impair the ability of the law
24 enforcement officer:

25 (I) the lack of direct relation of the
26 offense for which the person was previously

1 convicted to the duties, functions, and
2 responsibilities of the law enforcement
3 officer;

4 (II) the age of the applicant at the time
5 of the criminal offense;

6 (III) successful completion of sentence;

7 (IV) evidence of the applicant's present
8 fitness and professional character;

9 (V) evidence of rehabilitation or
10 rehabilitative effort during or a term
11 conditional discharge, or first offender
12 probation, or any similar disposition provided
13 for by law; and

14 (VI) any other mitigating factors that
15 contribute to the person's potential and
16 current ability to perform as a law
17 enforcement officer.

18 ~~An individual who is not certified by the Board or whose~~
19 ~~certified status is inactive shall not function as a law~~
20 ~~enforcement officer, be assigned the duties of a law~~
21 ~~enforcement officer by an employing agency, or be authorized~~
22 ~~to carry firearms under the authority of the employer, except~~
23 ~~as otherwise authorized to carry a firearm under State or~~
24 ~~federal law. Sheriffs who are elected as of January 1, 2022~~
25 ~~(the effective date of Public Act 101-652) are exempt from the~~
26 ~~requirement of certified status. Failure to be certified in~~

1 ~~accordance with this Act shall cause the officer to forfeit~~
2 ~~the officer's position.~~

3 ~~An employing agency may not grant a person status as a law~~
4 ~~enforcement officer unless the person has been granted an~~
5 ~~active law enforcement officer certification by the Board.~~

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

9 (1) A law enforcement officer's certification becomes
10 inactive 60 days after ~~upon~~ termination, resignation,
11 retirement, or separation from the officer's employing law
12 enforcement agency for any reason. The Board shall
13 re-activate a certification upon written application from
14 the law enforcement officer's law enforcement agency that
15 shows the law enforcement officer: (i) has accepted a
16 full-time law enforcement position with that law
17 enforcement agency, and (ii) is not the subject of a
18 decertification proceeding, ~~and (iii) meets all other~~
19 ~~criteria for re-activation required by the Board.~~ The
20 Board may also establish special training requirements to
21 be completed as a condition for re-activation.

22 The Board shall review a notice for reactivation from
23 a law enforcement agency and provide a response within 30
24 days. The Board may extend this review for no more than
25 additional 60 days if there is missing or incomplete
26 information about the law enforcement officer available to

1 the Board sufficient to make a decision. The reason for
2 this extension must be documented. A law enforcement
3 officer shall be allowed to be employed as a full-time law
4 enforcement officer while the law enforcement officer
5 reactivation waiver is under review.

6 A law enforcement officer who is refused reactivation
7 or an employing agency of a law enforcement officer who is
8 refused reactivation under this Section may request a
9 hearing in accordance with the hearing procedures as
10 outlined in subsection (h) of Section 6.3 of this Act.

11 If the Board seeks to deny reactivation to a law
12 enforcement officer due to issues unrelated to training or
13 employment, it must proceed to discretionary
14 decertification under Section 6.3.

15 ~~The Board may refuse to re-activate the certification~~
16 ~~of a law enforcement officer who was involuntarily~~
17 ~~terminated for good cause by an employing agency for~~
18 ~~conduct subject to decertification under this Act or~~
19 ~~resigned or retired after receiving notice of a law~~
20 ~~enforcement agency's investigation.~~

21 (2) A law enforcement agency may place an officer who
22 is currently certified on inactive status by sending a
23 written request to the Board. A law enforcement officer
24 whose certificate has been placed on inactive status shall
25 not function as a law enforcement officer until the
26 officer has completed any requirements for reactivating

1 the certificate as required by the Board. A request for
2 inactive status in this subsection shall be in writing,
3 accompanied by verifying documentation, and shall be
4 submitted to the Board with a copy to the chief
5 administrator of the law enforcement officer's current or
6 new employing agency.

7 (3) Certification that has become inactive under
8 paragraph (2) of this subsection (b) shall be reactivated
9 by written notice from the law enforcement officer's
10 agency upon a showing that the law enforcement officer:
11 (i) is employed in a full-time law enforcement position
12 with the same law enforcement agency, and (ii) is not the
13 subject of a decertification proceeding, ~~and (iii) meets~~
14 ~~all other criteria for re-activation required by the~~
15 ~~Board.~~

16 (4) Notwithstanding paragraph (3) of this subsection
17 (b), a law enforcement officer whose certification has
18 become inactive under paragraph (2) may have the officer's
19 employing agency submit a request for a waiver of training
20 requirements to the Board in writing and accompanied by
21 any verifying documentation. A grant of a waiver is within
22 the discretion of the Board. Within 7 days of receiving a
23 request for a waiver under this Section, the Board shall
24 notify the law enforcement officer and the chief
25 administrator of the law enforcement officer's employing
26 agency, whether the request has been granted, denied, or

1 if the Board will take additional time for information. If
2 a ~~A law enforcement agency~~ whose request for a waiver
3 under this subsection is denied the law enforcement
4 officer, law enforcement agency, or both the law
5 enforcement officer and the law enforcement agency are ~~is~~
6 entitled to request a review of the denial by the Board.
7 The law enforcement agency must request a review within 20
8 days of the waiver being denied. The burden of proof shall
9 be on the law enforcement agency or law enforcement
10 officer to show why the law enforcement officer is
11 entitled to a waiver of the legislatively required
12 training and eligibility requirements.

13 (c) No provision of this Section shall be construed to
14 mean that a county corrections officer employed by a
15 governmental agency at the time of the effective date of this
16 amendatory Act, either as a probationary county corrections
17 officer or as a permanent county corrections officer, shall
18 require certification under the provisions of this Section. No
19 provision of this Section shall be construed to apply to
20 certification of elected county sheriffs.

21 (d) Within 14 days, a law enforcement officer shall report
22 to the Board: (1) any name change; (2) any change in
23 employment; or (3) the filing of any criminal indictment or
24 charges against the officer alleging that the officer
25 committed any offense as enumerated in Section 6.1 of this
26 Act.

1 (e) All law enforcement officers must report the
2 completion of the training requirements required in this Act
3 in compliance with Section 8.4 of this Act.

4 (e-1) Each employing law enforcement agency shall allow
5 and provide an opportunity for a law enforcement officer to
6 complete the mandated requirements in this Act. All mandated
7 training shall be provided at no cost to the employees.
8 Employees shall be paid for all time spent attending mandated
9 training.

10 (e-2) Each agency, academy, or training provider shall
11 maintain proof of a law enforcement officer's completion of
12 legislatively required training in a format designated by the
13 Board. The report of training shall be submitted to the Board
14 within 30 days following completion of the training. A copy of
15 the report shall be submitted to the law enforcement officer.
16 Upon receipt of a properly completed report of training, the
17 Board will make the appropriate entry into the training
18 records of the law enforcement officer.

19 (f) This Section does not apply to part-time law
20 enforcement officers or probationary part-time law enforcement
21 officers.

22 (g) Notwithstanding any provision of law to the contrary,
23 the changes made to this Section by Public Act 101-652, Public
24 Act 102-28, and Public Act 102-694 take effect July 1, 2022.

25 (h) An individual who is not certified by the Board or
26 whose certified status is inactive shall not function as a law

1 enforcement officer, be assigned the duties of a law
2 enforcement officer by an employing law enforcement agency, or
3 be authorized to carry firearms under the authority of the
4 employer, except as otherwise authorized to carry a firearm
5 under State or federal law. Sheriffs who are elected as of
6 January 1, 2022 (the effective date of Public Act 101-652) are
7 exempt from the requirement of certified status. Failure to be
8 certified in accordance with this Act shall cause the officer
9 to forfeit the officer's position.

10 An employing law enforcement agency may not grant a person
11 status as a law enforcement officer unless the person has been
12 granted an active law enforcement officer certification by the
13 Board.

14 No provision of this Section shall be construed to mean
15 that a county corrections officer employed by a governmental
16 agency at the time of the effective date of this amendatory
17 Act, either as a probationary county corrections officer or as
18 a permanent county corrections officer, shall require
19 certification under the provisions of this Section. No
20 provision of this Section shall be construed to apply to
21 certification of elected county sheriffs who are elected as of
22 January 1, 2022 (the effective date of Public Act 101-652.)

23 (Source: P.A. 102-28, eff. 6-25-21; 102-694, eff. 1-7-22;
24 103-154, eff. 6-30-23; 103-389, eff. 1-1-24.)

1 Sec. 8.2. Part-time law enforcement officers.

2 (a) A person hired to serve as a part-time law enforcement
3 officer must obtain from the Board a certificate ~~(i)~~ attesting
4 to the officer's: (i) successful completion of the part-time
5 police training course or ~~or (ii) attesting to~~ the officer's
6 satisfactory completion of a training program of similar
7 content and number of hours that has been found acceptable by
8 the Board under the provisions of this Act, ~~or (iii)~~ a training
9 waiver attesting to the Board's determination that the
10 part-time police training course is unnecessary because of the
11 person's prior law enforcement experience obtained in
12 Illinois, in any other state, or with an agency of the federal
13 government: (ii) successful completion of a background
14 investigation as dictated by Section 8.1(a)(2)(a)-(c).. A
15 person hired on or after March 14, 2002 (the effective date of
16 Public Act 92-533) ~~this amendatory Act of the 92nd General~~
17 ~~Assembly~~ must obtain this certificate within 18 months after
18 the initial date of hire as a probationary part-time law
19 enforcement officer in the State of Illinois. The probationary
20 part-time law enforcement officer must be enrolled and
21 accepted into a Board-approved course within 6 months after
22 active employment by any department in the State. A person
23 hired on or after January 1, 1996 and before March 14, 2002
24 (the effective date of Public Act 92-533) ~~this amendatory Act~~
25 ~~of the 92nd General Assembly~~ must obtain this certificate
26 within 18 months after the date of hire. A person hired before

1 January 1, 1996 must obtain this certificate within 24 months
2 after January 1, 1996 (the effective date of Public Act
3 89-170) ~~this amendatory Act of 1995~~. Agencies seeking a
4 reciprocity waiver for training completed outside of Illinois
5 must conduct a thorough background check and provide
6 verification of the officer's prior training. After review and
7 satisfaction of all requested conditions, the officer shall be
8 awarded an equivalency certificate satisfying the requirements
9 of this Section. Within 60 days after January 1, 2024 (the
10 effective date of Public Act 103-389) ~~this amendatory Act of~~
11 ~~the 103rd General Assembly~~, the Board shall adopt uniform
12 rules providing for a waiver process for a person previously
13 employed and qualified as a law enforcement or county
14 corrections officer under federal law or the laws of any other
15 state, or who has completed a basic law enforcement officer or
16 correctional officer academy who would be qualified to be
17 employed as a law enforcement officer or correctional officer
18 by the federal government or any other state. These rules
19 shall address the process for evaluating prior training
20 credit, a description and list of the courses typically
21 required for reciprocity candidates to complete prior to
22 taking the exam, and a procedure for employers seeking a
23 pre-activation determination for a reciprocity training
24 waiver. The rules shall provide that any eligible person
25 previously trained as a law enforcement or county corrections
26 officer under federal law or the laws of any other state shall

1 successfully complete the following prior to the approval of a
2 waiver:

3 (1) a training program or set of coursework approved
4 by the Board on the laws of this State relevant to the
5 duties and training requirements of law enforcement and
6 county correctional officers;

7 (2) firearms training; and

8 (3) successful passage of the equivalency
9 certification examination.

10 The employing agency may seek an extension waiver from the
11 Board extending the period for compliance. An extension waiver
12 shall be issued only for good and justifiable reasons, and the
13 probationary part-time law enforcement officer may not
14 practice as a part-time law enforcement officer during the
15 extension waiver period. If training is required and not
16 completed within the applicable time period, as extended by
17 any waiver that may be granted, then the officer must forfeit
18 the officer's position.

19 An individual who is not certified by the Board or whose
20 certified status is inactive shall not function as a law
21 enforcement officer, be assigned the duties of a law
22 enforcement officer by an agency, or be authorized to carry
23 firearms under the authority of the employer, except that
24 sheriffs who are elected are exempt from the requirement of
25 certified status. Failure to be in accordance with this Act
26 shall cause the officer to forfeit the officer's position.

1 If the Board declines to grant a training waiver, the
2 Board must mail the refusal to the applicant and their
3 supporting law enforcement agency by both certified and
4 regular mail at the last known address of record. The
5 notification shall include a statement of determination,
6 reasons for denial, and the applicant's and law enforcement
7 agency's rights to contest and appeal under Section 6.4.
8 Should the applicant or law enforcement agency not appeal
9 within the time period specified in Section 6.4, the Board may
10 deem the law enforcement officer's waiver denied.

11 (a-5) A part-time probationary law enforcement officer
12 shall be allowed to complete 6 ~~six~~ months of a part-time police
13 training course and function as a law enforcement officer as
14 permitted by this subsection with a waiver from the Board,
15 provided the part-time law enforcement officer is still
16 enrolled in the training course. If the part-time probationary
17 law enforcement officer withdraws from the course for any
18 reason or does not complete the course within the applicable
19 time period, as extended by any waiver that may be granted,
20 then the officer must forfeit the officer's position. A
21 probationary law enforcement officer must function under the
22 following rules:

23 (1) A law enforcement agency may not grant a person
24 status as a law enforcement officer unless the person has
25 been granted an active law enforcement officer
26 certification by the Board.

1 (2) A part-time probationary law enforcement officer
2 shall not be used as a permanent replacement for a
3 full-time law enforcement officer.

4 (3) A part-time probationary law enforcement officer
5 shall be directly supervised at all times by a
6 Board-certified ~~Board-certified~~ law enforcement officer.
7 Direct supervision requires oversight and control with the
8 supervisor having final decision-making authority as to
9 the actions of the recruit during duty hours.

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

13 (1) A law enforcement officer's certification becomes
14 inactive 60 days after ~~upon~~ termination, resignation,
15 retirement, or separation from the employing agency for
16 any reason. The Board shall reactivate ~~re-activate~~ a
17 certification upon written application from the law
18 enforcement officer's employing agency that shows the law
19 enforcement officer: (i) has accepted a part-time law
20 enforcement position with that a law enforcement agency,
21 and (ii) is not the subject of a decertification
22 proceeding, ~~and (iii) meets all other criteria for~~
23 ~~re-activation required by the Board.~~

24 If the Board seeks to deny reactivation to a law
25 enforcement officer due to issues unrelated to training or
26 employment, it must proceed to discretionary

1 decertification under Section 6.3.

2 ~~The Board may refuse to re-activate the certification~~
3 ~~of a law enforcement officer who was involuntarily~~
4 ~~terminated for good cause by the officer's employing~~
5 ~~agency for conduct subject to decertification under this~~
6 ~~Act or resigned or retired after receiving notice of a law~~
7 ~~enforcement agency's investigation.~~

8 (2) A law enforcement agency may place an officer who
9 is currently certified on inactive status by sending a
10 written request to the Board. A law enforcement officer
11 whose certificate has been placed on inactive status shall
12 not function as a law enforcement officer until the
13 officer has completed any requirements for reactivating
14 the certificate as required by the Board. A request for
15 inactive status in this subsection shall be in writing,
16 accompanied by verifying documentation, and shall be
17 submitted to the Board by the law enforcement officer's
18 employing agency.

19 (3) Certification that has become inactive under
20 paragraph (2) of this subsection (b) shall be reactivated
21 by written notice from the law enforcement officer's law
22 enforcement agency upon a showing that the law enforcement
23 officer is: (i) employed in a part-time law enforcement
24 position with the same law enforcement agency, and (ii)
25 not the subject of a decertification proceeding, ~~and (iii)~~
26 ~~meets all other criteria for re-activation required by the~~

1 ~~Board~~. The Board may also establish special training
2 requirements to be completed as a condition for
3 reactivation ~~re-activation~~.

4 The Board shall review a notice for reactivation from
5 a law enforcement agency and provide a response within 30
6 days. The Board may extend this review. A law enforcement
7 officer shall be allowed to be employed as a part-time law
8 enforcement officer while the law enforcement officer
9 reactivation waiver is under review.

10 A law enforcement officer who is refused reactivation
11 or an employing agency of a law enforcement officer who is
12 refused reactivation under this Section may request a
13 hearing in accordance with the hearing procedures as
14 outlined in subsection (h) of Section 6.3 of this Act.

15 (4) Notwithstanding paragraph (3) of this Section, a
16 law enforcement officer whose certification has become
17 inactive under paragraph (2) may have the officer's
18 employing agency submit a request for a waiver of training
19 requirements to the Board in writing and accompanied by
20 any verifying documentation. A grant of a waiver is within
21 the discretion of the Board. Within 7 days of receiving a
22 request for a waiver under this Section ~~section~~, the Board
23 shall notify the law enforcement officer and the chief
24 administrator of the law enforcement officer's employing
25 agency, whether the request has been granted, denied, or
26 if the Board will take additional time for information. If

1 ~~a A law enforcement agency or law enforcement officer,~~
2 ~~whose~~ request for a waiver under this subsection is
3 denied, the law enforcement officer and/or law enforcement
4 agency is entitled to request a review of the denial by the
5 Board. The law enforcement agency must request a review
6 within 20 days after the waiver being denied. The burden
7 of proof shall be on the law enforcement agency or law
8 enforcement officer to show why the law enforcement
9 officer is entitled to a waiver of the legislatively
10 required training and eligibility requirements.

11 (c) The part-time police training course referred to in
12 this Section shall be of similar content and the same number of
13 hours as the courses for full-time officers and shall be
14 provided by Mobile Team In-Service Training Units under the
15 Intergovernmental Law Enforcement Officer's In-Service
16 Training Act or by another approved program or facility in a
17 manner prescribed by the Board.

18 (d) Within 14 days, a law enforcement officer shall report
19 to the Board: (1) any name change; (2) any change in
20 employment; or (3) the filing of any criminal indictment or
21 charges against the officer alleging that the officer
22 committed any offense as enumerated in Section 6.1 of this
23 Act.

24 (e) All law enforcement officers must report the
25 completion of the training requirements required in this Act
26 in compliance with Section 8.4 of this Act.

1 (e-1) Each employing agency shall allow and provide an
2 opportunity for a law enforcement officer to complete the
3 requirements in this Act. All mandated training shall be
4 provided for at no cost to the employees. Employees shall be
5 paid for all time spent attending mandated training.

6 (e-2) Each agency, academy, or training provider shall
7 maintain proof of a law enforcement officer's completion of
8 legislatively required training in a format designated by the
9 Board. The report of training shall be submitted to the Board
10 within 30 days following completion of the training. A copy of
11 the report shall be submitted to the law enforcement officer.
12 Upon receipt of a properly completed report of training, the
13 Board will make the appropriate entry into the training
14 records of the law enforcement officer.

15 (f) For the purposes of this Section, the Board shall
16 adopt rules defining what constitutes employment on a
17 part-time basis.

18 (g) Notwithstanding any provision of law to the contrary,
19 the changes made to this Section by Public Act 102-694 ~~this~~
20 ~~amendatory Act of the 102nd General Assembly~~ and Public Act
21 101-652 take effect July 1, 2022.

22 (Source: P.A. 102-694, eff. 1-7-22; 103-389, eff. 1-1-24;
23 revised 7-29-24.)

24 (50 ILCS 705/8.3)

25 Sec. 8.3. Emergency order of suspension.

1 (a) The Board, upon being notified that a law enforcement
2 officer has been arrested or indicted on any felony charge or
3 charges, may immediately suspend the law enforcement officer's
4 certification for a term specified by the Board to begin no
5 sooner than the date of the violation. The Board shall also
6 notify the chief administrator of any law enforcement agency
7 currently employing the officer. The Board shall have
8 authority to dissolve an emergency order of suspension at any
9 time for any reason.

10 (a-5) The Board may consider the following factors in
11 determining the term of a suspension:

12 (1) the seriousness of the conduct resulting in the
13 arrest;

14 (2) whether the offense contains an element of actual
15 or threatened bodily injury or coerce against another
16 person;

17 (3) the law enforcement officer's previous arrests;

18 (4) the law enforcement officer's previous
19 certification suspensions;

20 (5) actual or potential harm to public safety; and

21 (6) rebuttal evidence regarding mitigating factors.

22 (b) Notice of the immediate suspension shall be served on
23 the law enforcement officer, the employing agency, the chief
24 executive of the employing agency, and state the reason for
25 suspension within seven days.

26 (c) Upon service of the notice, the law enforcement

1 officer's employing agency shall have 30 days to request to be
2 heard by the Panel. The hearing, if requested by the officer,
3 shall follow the hearing procedures as outlined in ~~subsection~~
4 ~~(h)~~ of Section 6.4 ~~6.3~~ of this Act. In the hearing, the written
5 communication and any other evidence obtained therewith may be
6 introduced as evidence against the law enforcement officer;
7 provided however, the law enforcement officer, or their
8 counsel, shall have the opportunity to discredit, impeach and
9 submit evidence rebutting such evidence to explain why the
10 officer's certification should not be suspended or why the
11 suspension should be shortened. The law enforcement officer
12 may also present any rebuttal evidence of mitigating factors.

13 (d) The Panel shall review the recommendation from the
14 administrative law judge regarding the suspension, and if the
15 Panel finds that the proof is evident or the presumption great
16 that the officer has committed the offense charged, the Panel
17 can sustain or reduce the length of the suspension. If the
18 Panel does not find that the proof is evident or the
19 presumption great that the officer has committed the offense
20 charged, the Panel can reverse the suspension.

21 If the law enforcement officer does not request to be
22 heard or does not appear, the Panel may hold the hearing in the
23 officer's absence. The law enforcement officer and the
24 employing agency shall be notified of the decision of the
25 Panel within 7 days. The law enforcement officer may request
26 to suspend the hearing until after the officer's criminal

1 trial has occurred, however the suspension will remain intact
2 until the hearing.

3 (e) Findings and conclusions made in hearing for an
4 emergency suspension shall not be binding on any party in any
5 subsequent proceeding under this Act.

6 (f) A Panel member acting in good faith, and not in a
7 willful and wanton manner, in accordance with this Section,
8 shall not, as a result of such actions, be subject to criminal
9 prosecution or civil damages, including but not limited to
10 lost wages.

11 (g) Notwithstanding any provision of law to the contrary,
12 the changes made to this Section by this amendatory Act of the
13 102nd General Assembly and Public Act 101-652 take effect July
14 1, 2022.

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

16 (50 ILCS 705/9.2)

17 Sec. 9.2. Officer professional conduct database;
18 transparency.

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

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

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

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

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

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

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

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

24 ~~(b) (blank). Within 14 days after receiving notification~~
25 ~~from a law enforcement agency or the Illinois State Police,~~
26 ~~the Board must notify the law enforcement officer of the~~

1 ~~report and the officer's right to provide a statement~~
2 ~~regarding the reported violation. The law enforcement officer~~
3 ~~shall have 14 days from receiving notice to provide a written~~
4 ~~objection contesting information included in the agency's~~
5 ~~report. The objection must be filed with the Board on a form~~
6 ~~prescribed by the Board and a copy must be served on the law~~
7 ~~enforcement agency. The objection shall remain in the database~~
8 ~~with the reported violation.~~

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

1 certified individual for a violation of an employing agency's
2 rules, policy or procedure or other misconduct or improper
3 action.

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

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

23 (3) The database, documents, materials, or other
24 information in the possession or control of the Board that
25 are obtained by or disclosed to the Board under this
26 subsection shall be confidential by law and privileged,

1 shall not be subject to subpoena, and shall not be subject
2 to discovery or admissible in evidence in any private
3 civil action when sought from the Board. However, the
4 Board is authorized to use such documents, materials, or
5 other information in furtherance of any regulatory or
6 legal action brought as part of the Board's official
7 duties. The Board shall not disclose the database or make
8 such documents, materials, or other information it has
9 obtained or that has been disclosed to it to the public.
10 Neither the Board nor any person who received documents,
11 materials or other information shared under this
12 subsection shall be required to testify in any private
13 civil action concerning the database or any confidential
14 documents, materials, or information subject to this
15 subsection.

16 (d) The Board shall maintain a searchable database of law
17 enforcement officers accessible to the public that shall
18 include: (i) the law enforcement officer's employing agency;
19 (ii) the date of the officer's initial certification and the
20 officer's current certification status; and (iii) any
21 sustained complaint of misconduct that resulted in
22 decertification and the date thereof; provided, however, that
23 information shall not be included in the database that would
24 allow the public to ascertain the home address of an officer or
25 another person; provided further, that information regarding
26 an officer's or another person's family member shall not be

1 included in the database. The Board shall make the database
2 publicly available on its website.

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

24 (e-1) An investigation is complete when the investigation
25 has either been terminated or the decertification action,
26 including the administrative review process, has been

1 completed, whichever is later.

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

6 (f) (blank). ~~Annual report. The Board shall submit an~~
7 ~~annual report to the Governor, Attorney General, President and~~
8 ~~Minority Leader of the Senate, and the Speaker and Minority~~
9 ~~Leader of the House of Representatives on or before March 1,~~
10 ~~2023, and every year thereafter indicating:~~

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

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

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

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

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

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

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

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

7 (h) Notwithstanding any provision of law to the contrary,
8 the changes made to this Section by this amendatory Act of the
9 102nd General Assembly and Public Act 101-652 take effect July
10 1, 2022.

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

12 (50 ILCS 705/6.2 rep.)

13 Section 10. The Illinois Police Training Act is amended by
14 repealing Section 6.2.

1 INDEX

2 Statutes amended in order of appearance

3 50 ILCS 705/2 from Ch. 85, par. 502

4 50 ILCS 705/6 from Ch. 85, par. 506

5 50 ILCS 705/6.1

6 50 ILCS 705/6.2-5 new

7 50 ILCS 705/6.3

8 50 ILCS 705/6.4 new

9 50 ILCS 705/8.1 from Ch. 85, par. 508.1

10 50 ILCS 705/8.2

11 50 ILCS 705/8.3

12 50 ILCS 705/9.2

13 50 ILCS 705/6.2 rep.