SUMMER 2010
Volume 19 Issue 2

COMMAND

The Official Publication of the Illinois Association of Chiefs of Police

Legislative Update

Supreme Court

Privacy of Text Messages by Public Employees
City of Ontario vs Quon

Record Management Software

Solutions from Hanover Park, Calumet City, Rock Island and Kane County

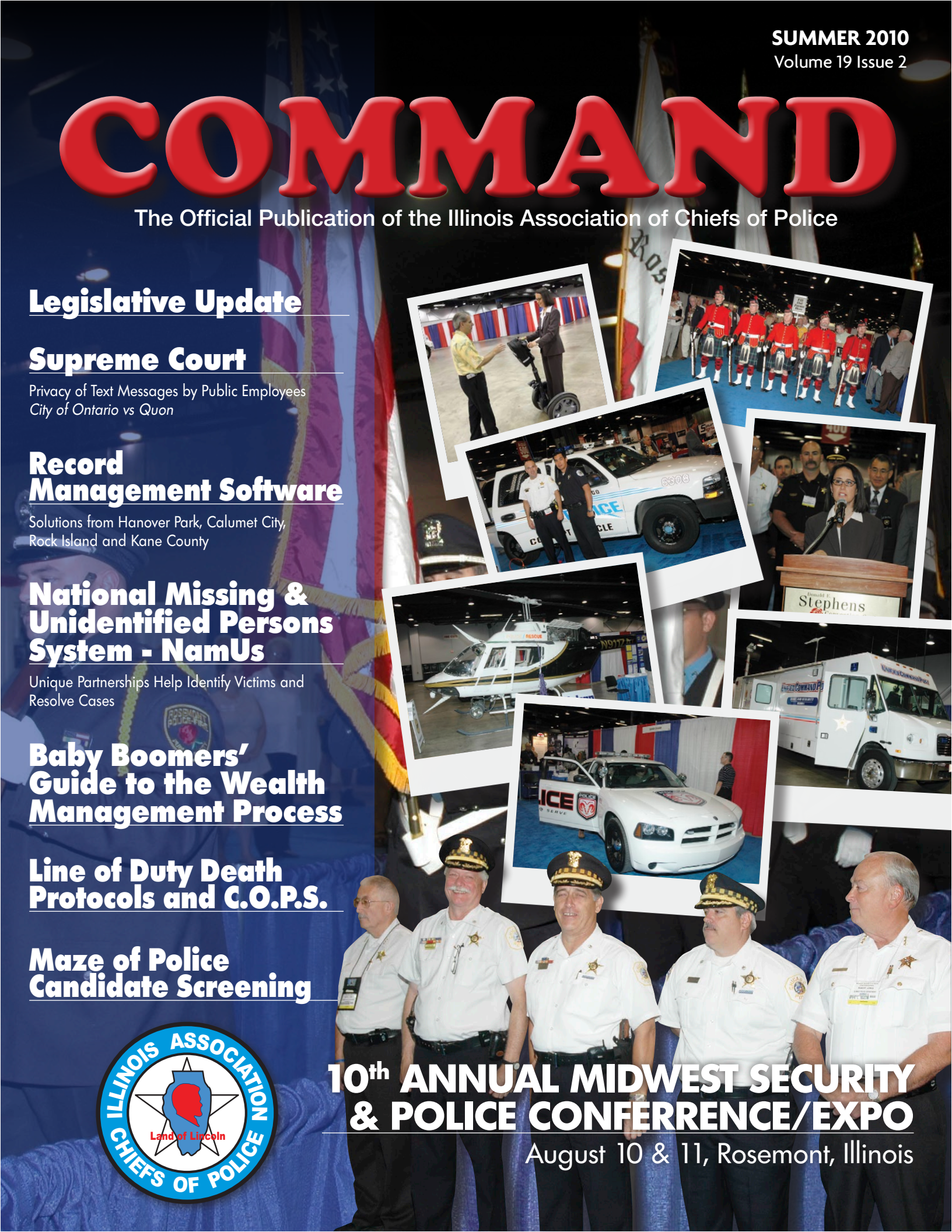
National Missing & Unidentified Persons System - NamUs

Unique Partnerships Help Identify Victims and Resolve Cases

Baby Boomers' Guide to the Wealth Management Process

Line of Duty Death Protocols and C.O.P.S.

Maze of Police Candidate Screening



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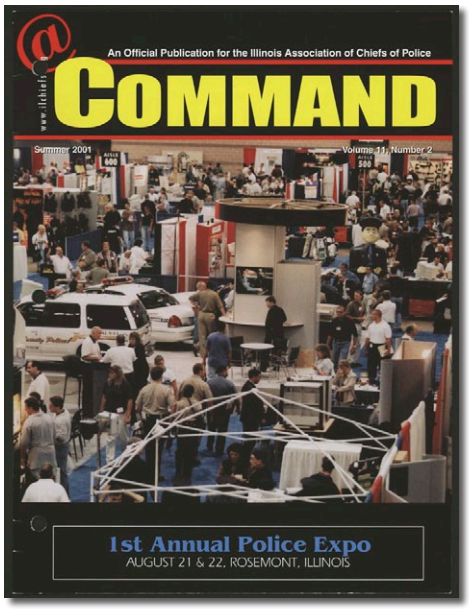

The above photo was the cover in 2001, highlighting the First Annual Police & Security Expo Midwest; 2010 marks the Tenth Annual Expo event, held at the Stephens Convention Center in Rosemont, Illinois.

This is the fifth edition that has been produced in the new format that started with the Winter 2009 edition. As you read and enjoy this edition, you may realize that you may have something to contribute for the next issue.

The ***COMMAND*** magazine is only as good as the contributors who share or write informative and educational materials for the readership. If you have any suggestions or articles for submission, or just have time to assist the staff in setting up magazine articles, please let us know.

ILACP is always seeking articles and relies upon members and non-members for their input. It starts with a phone call or an email, and then it becomes part of an excellent and growing publication.

On behalf of the staff here at ILACP, please enjoy this publication!

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Summer…2010

With this addition of *COMMAND*, I wish to express my hope that our members have had a chance to take some time during the summer with their families and loved ones. The Illinois Association of Chiefs of Police moves into its 70th year of leadership in Law Enforcement by the will and drive of those members we serve. Truly this is an organization that thrives on the participation and the momentum of its members.

I have met many new members during the past months and find many dedicated members around the state who regularly ask, what do you need me to do? I am profoundly thankful for these offers of help and for your efforts put forth in our communal name. We expected this to be a very active year in Springfield this session, but I could have never guessed the amount of time we would have dedicated to our efforts at this point in the year. Along with the normal load of legislation we normally see, it seemed as though we had a concerted effort by some legislators to ram through legislation that made many of us wonder, "What are they thinking about?" When I asked you to make phone calls, visit, or write letters, the ILACP membership came through and many "Bad Bills" were put to rest. Our legislative day and reception was an overwhelming success from both membership participation, as well as the legislator attendance perspective. I don't think I have seen so many chiefs with so many legislators during one of these occasions ever before. What was enjoyable was the fact that a large number of them came to the reception and stayed for most of the evening. I do think that with continued engagement, your local legislator will come to view you as a resource, and many have remarked to me how they were surprised to see so many chiefs taking an interest in the process. In a discussion with some of them that night, I explained their police chiefs are one of the best resources regarding policy that will affect their constituents. The chiefs work closely with the local elected officials and have no other interests at heart but good public policy. We have been able to forestall some bad bills this session, but your continued engagement is essential to our joint efforts.

I have had numerous opportunities to make Police Chief Certification presentations around the state, as well as opportunities to make Accreditation presentations. Each of these public presentations allows communities to recognize the quiet efforts of their police departments and those who serve them. I commend those committee members who tirelessly move both of these programs forward. In May, we celebrated Police Memorial Week, and I had the opportunity to speak and meet with the families of fallen officers at three occasions within the state. These moments make all of us remember why we have served. Opening ceremonies of Special Olympics this year again was highlighted by our Torch Run Officers bringing in an even larger donation this year.

Our annual Police Expo in Rosemont will be the next time we all have a chance to get together, and I encourage all members to participate and support this event. All training is free and all your staff members are welcome. I have been out to several regional meetings this year and expect to see many more of you during the coming months. I recently had breakfast with our SIPCA members downstate and discussed many of the issues we have pending before us in the coming months. Your Board members and I as your President are your voice within the state; please stay in contact with us. An Association is only as strong as its membership, and from what I can tell this Association is strong and alive.

In closing I'd like to thank our office staff and interns for their efforts on behalf of membership and the Board. They have done a great job. I would expect you will be hearing from Limey, our Legislative Chair Tim McCarthy or me in the fall, for there is always… Veto session! Continue to have a safe summer.

Chief Patrick J. O'Connor, CPC
Moraine Valley Community College Police Department
President, Illinois Association of Chiefs of Police

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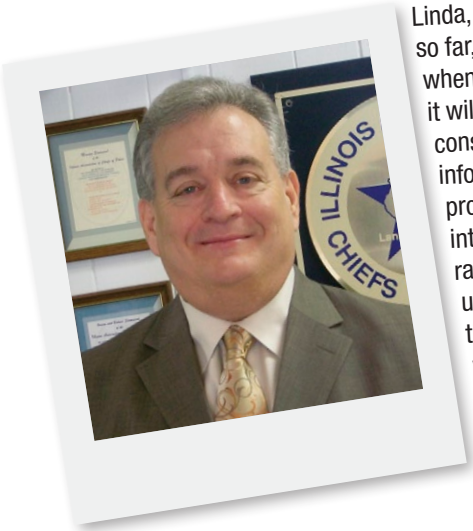
Greetings to Everyone!



Linda, Debbie and I, along with our two summer interns, have had a busy summer so far, but we have finished the updating of our membership database so that when we transfer all our membership information into our new software package it will be up-to-date. Reviewing and updating over 1,300 member files is a constant ongoing task, and it is very time consuming when you need to verify information by email or phone calls. Our final three software vendors are in the process of demonstrating acceptable data transfer from our 10-year-old system into their own and providing us with final price quotes for our new website. We ran into a delay during this phase but we are now on track. As a benefit of this update, we are in the process of sending out new tenure membership pins for the first time in four years. Over 500 members will be getting new pins when we are finished! The first group of pins was mailed out with the incorrect postage and some local postal clerks delivered them with postage due; for that we apologize. The remaining pins will go out with the correct postage, according to the Springfield Postmaster, and we can only hope your local postal clerks agree.

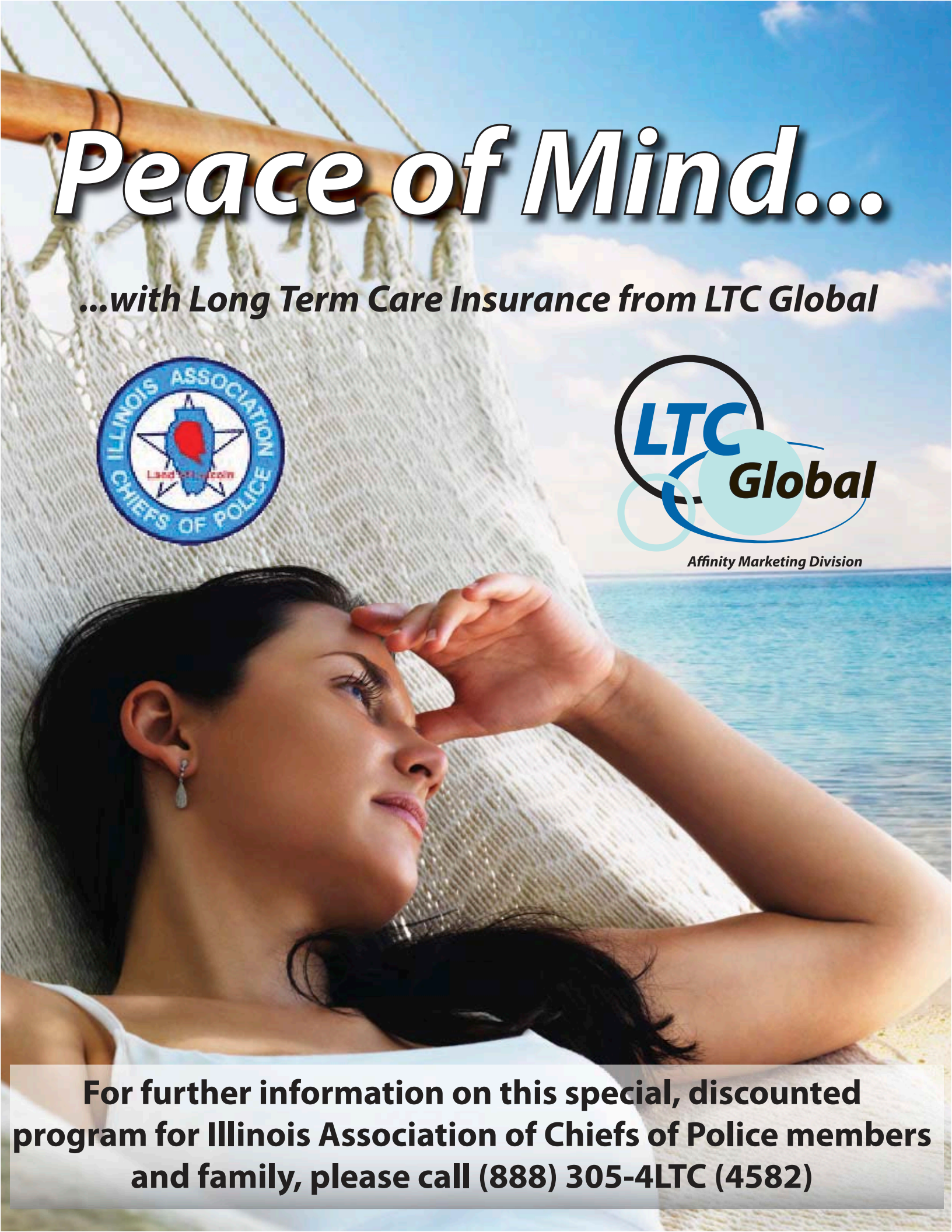
In this issue we have articles covering several wide-ranging topics providing, we hope, you and your staff useful information, including: Record Management Solutions from Kane County, Hanover Park, Calumet City and Rock Island; Investment Strategies for Baby Boomers for you or your pension funds; NamUS, a fantastic, free missing person/ homicide investigative web-based tool; navigating the Police Officer Hiring Maze; two helpful resources in Line of Duty Officer Death and Concerns of Police Survivors procedures and assistance; our legal summaries with the Chicago Gun Law Supreme Court case; and an additional in-depth analysis of the recent Quon Supreme Court ruling concerning officers' privacy issues with department-owned equipment. Of course, we have Limey's very important Legislative Review and update. We have also included the details, available at press time several weeks out, for our Midwest Police & Security EXPO, August 10 and 11, 2010, in Rosemont. Check online at *http://www.mspce.com/* for current information.

Looking ahead, we will soon be announcing the dates and locations for our 2011 EXPO and 2011 Conference & Installation. We are also designing and planning for new membership cards to be given to all our members. We are planning to take advantage of the new capabilities of our membership software for the cards and several other projects that will enhance your membership.

Finally, I would like to point out that several of our programs will not only assist you and your agency but also help your association. Hundreds of agencies use our P.O.S.T. (New, Supervisor, Dispatcher Testing) and Docview (Traffic Crash Report Web Dissemination) programs and, if you use these systems, you can help spread the word for others to at least "take a look" at these programs. Remember also that ILACP membership recruitment benefits everyone. Please consider your entire management team or area Chiefs who may not be members as viable prospects. After reading this issue of *COMMAND*, please give it to a non-member of your command staff to read (unless you save them). When vendors walk through your door or call, you should ask them if they are ILACP Associate members who support the ILACP. If they say, "Yes!" I know it will be the start of a great conversation.

Respectfully,

Mark Wilkans
ILACP Office Manager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LEGISLATIVE UPDATE

By Limey Nargelenas
Lobbyist for the ILACP

The Ninety-sixth General Assembly of Illinois 2009-2010 is coming to a close by January 2011. This has been a very interesting and confusing session with numerous political battles over the state budget, but the Illinois Association of Chiefs of Police (ILACP) legislative initiatives and efforts have been very successful. A great thank you goes out to the ILACP Legislative Committee and to the members who took time from their very busy schedules to talk or write to their legislators, and even came and testified before various legislative committees. Again, thank you.

The following is a synopsis of some of the bills that the ILACP supported and that successfully passed both houses and have been sent to the Governor for his review:

SB3293 - SEX OFFENDER REGISTRATION TELEPHONE

Provides that a sex offender must report in person a change in telephone number or cellular number with the appropriate law enforcement agency within 3 days, and the law enforcement agency shall notify the Department of State Police of such change within 3 days of the reporting by the sex offender.

SB3491 - POLICE TRAINING INVESTIGATIONS

Provides that only law enforcement officers who successfully complete training approved by the Illinois Law Enforcement Training and Standards Board may be assigned as a lead investigator in death and homicide investigations. Effective January 1, 2012.

HB5494 - FAILURE TO APPEAR

Provides that the clerk of the court shall remit $70 of the penalty assessed to the arresting agency who brings the offender in on an arrest warrant for failure to appear in court.

SB2590 - CONCEAL DEATH

Provides a person commits the offense of concealment of death when he or she knowingly conceals the death of any other person.

SB3022 - PENSION MILITARY BUYBACK

Amends the Downstate Police and Chicago Police Articles of the Pension Code. Allows police officers to establish creditable service for up to 2 years of military service before employment. Requires payment of employee and employer contributions, plus interest at actuarially assumed rate.

SB2488 - POLICE AGGRAVATED ASSAULT

Amends the Criminal Code that aggravated assault of a police officer is a Class 4 felony (rather than a Class A misdemeanor) when a knife ... or other dangerous weapon is used in the commission of the assault.

SB1702 - SEX OFFENDER REGISTRATION

Increases the initial registration fee to $100 and the annual registration fee to $100.

The following bills have been signed by the Governor as of July 20:

SB 3293, 7-19-10 PA 96-1104
SB 3491, 7-19-10, PA 96-1111
SB 935, 7-9-10, PA 96-1016
SB 2488, 7-19-10, PA 96-1109
SB 1702, 7-19-10, PA 96-1096

—H.W.

HB5154 - FOIA EXCEPTION

Amends the Personnel Record Review Act that disclosure of performance evaluations under the Freedom of Information Act shall be prohibited.

HB6101 - FALSE 911 CALL

Provides that transmitting a false 911 call is a Class 4 felony.

SB3616 - INCREASE DUI FINE

Increases the penalty upon a person who is found guilty of or pleads guilty for DUI from $500 to $750. Distributes $350 to the law enforcement agency that made the DUI arrest.

HB6151 - MINIMUM FINE

Provides that the court may order that a fine be paid within a specified period of time or in installments.

SB3029 - VEHICLE FORFEITURE

Provides for vehicle forfeiture if the person committed DUI while he or she should have known that the vehicle he or she was driving was not covered by a liability insurance policy.

SB935 - AUTOMATED RED LIGHT ENFORCEMENT

This bill allows the continued use of automated red light enforcement programs in certain communities with additional protection added for violators. This bill was in response to a number of bills introduced to ban the use of these systems in Illinois. The Governor signed this bill into law on 7-9-10 as Public Act 96-1016.

BOND INCREASE

After numerous attempts by the ILACP to increase the bond on certain offenses, the Illinois Supreme Court has agreed to increase the $75 bond to $120 and other bonds were also increased. The $75 bond has been in place for almost 20 years and an increase was necessary to keep up with inflation and additional costs for police departments in the issuance of citations.

Once again I thank the members of the ILACP for their efforts in supporting the legislative initiatives of the Association and congratulate the members in supporting the passage of significant legislation that will make Illinois a safer state. Please take time to write or call the sponsors of these bills and thank them for the support of the ILACP Legislative Program.

LEGISLATIVE UPDATE (CONTINUED)

CONTROVERSIAL MEDICAL MARIJUANA LEGISLATION STILL AN

MEDICAL CANNABIS SB1381 AND HB2514

Sponsors: *Sen. William R. Haine - Iris Y. Martinez - Jeffrey M. Schoenberg - Donne E. Trotter - Kwame Raoul, Linda Holmes and Ira I. Silverstein*

Medical Marijuana remains a legislative issue of great controversy. Please continue to make calls about this issue and consider asking your mayor and/or city manager to also call your representative and ask them to vote NO on SB1381 in the House. This bill is on third reading in the House and, if it passes, will cause Illinois and law enforcement tremendous problems. In addition, here is a LINK to an article regarding law enforcement problems in Colorado because of passage of a law similar to this Illinois Senate bill.

http://www.denverpost.com/search/ci_14289807#comments

MEDICAL MARIJUANA (ILACP OPPOSES THIS LEGISLATION)

HB2514, Rep. Lou Lang – SB1381, Sen. William Haine

Creates the Compassionate Use of Medical Cannabis Pilot Program Act. Provides that when a person has been diagnosed by a physician as having a debilitating medical condition, the person and the person's primary caregiver may be issued a registry identification card by the Department of Public Health that permits the person or the person's primary caregiver to legally possess no more than 7 dried cannabis plants and 2 ounces of dried usable cannabis. Amends the Cannabis Control Act to make conforming changes. Provides that the provisions of the Act are severable. Provides that the Act is repealed 3 years after its effective date. Repeals the research provisions of the Cannabis Control Act. Effective immediately.

April 7, 2010

Dear Illinois Legislator:

As Past-President of the International Association of Chiefs of Police and Chief of the Algonquin Police Department, I am writing to express my profound opposition to SB1381, the Compassionate Use of Medical Cannabis Pilot Program Act, which would legalize medical marijuana.

There is an organized and well-funded movement in the United States and other countries to legalize or decriminalize the use of marijuana by marketing marijuana as medicine. These efforts have fueled a growing misconception that marijuana can be used safely, smoked and ingested and is a cure-all for everything from headaches to bi-polar disease.

The National Institute on Drug Abuse has reported that there are a number of studies that have shown an association between chronic marijuana use and increased rates of anxiety, depression, suicidal ideation, and schizophrenia. Additionally, a 2007 Yale School of Medicine Study found that long-term exposure to marijuana smoking is linked to the same health problems as tobacco smoke, such as increased respiratory symptoms.

The American Medical Association, the American Cancer Society and the American Academy of Pediatrics do not endorse the use of marijuana for medical purposes.

Furthermore, there is a reason why every major law enforcement organization opposes efforts at drug legalization or decriminalization. We are public safety experts who have witnessed first-hand the damage and horror that drug abuse visits on society. We have witnessed the lost promise of a child who becomes addicted to drugs and whose life descends into the never-ending hell of dependency and squalor. We have viewed the pain and anguish on the faces of parents and relatives who have lost a loved one to a drug overdose. And equally important, we cannot forget the countless brave and dedicated law enforcement personnel who have lost their lives trying to save others from this horrible fate.

In addition, there are already hundreds of thousands of individuals in this country desperately trying to break free of their addiction to narcotics and other dangerous drugs. The plight of these individuals is already placing a strain on our social services, our health care system and our economy. The simple truth is that legalizing narcotics will not make life better for our citizens, ease the level of crime and violence in our communities or reduce the threat faced by law enforcement officers.

I strongly urge you to recognize that legalization of medical marijuana will lead to greater availability and use of marijuana, and an increase of criminal behavior and health risks and to vote against SB1381.

Narcotics and other dangerous drugs have no place in our communities, in our schools, or on our nation's highways. It is not time to legalize drugs; it is time to get them off our streets.

Sincerely,

Russell B. Laine
Past President, ILACP

LEGISLATIVE UPDATE (CONTINUED)

ONGOING ISSUE WITH NO OFFICIAL OUTCOME YET

ILLINOIS MEDICAL CANNABIS BILL SB1381

TOO MANY PROBLEMS — TOO MANY UNANSWERED QUESTIONS

Dispelling the Myths and Misperceptions About Medical Marijuana

Prepared by Educating Voices for Illinois • Partners Educating About Marijuana (630-420-9493)

1. MARIJUANA IS NOT AN FDA-APPROVED MEDICINE.

Bypassing the well-established Federal Food and Drug Administration (FDA) process exposes patients to unsafe, ineffective drug products and increases potential for abuse. The FDA rigorously tests new drugs and determines if they are safe and effective for their intended use and the safest delivery method. The system provides for physician education so that they know what they are prescribing, for what purposes and in what safe dosages. Measures to legislate marijuana as a medicine stand in stark opposition to the standards of current medical practice. Marijuana should be required to go through the same FDA approval process as ALL other medicines in the United States.

2A. THE POSITIONS OF THE MAJOR MEDICAL ASSOCIATIONS HAVE BEEN MISREPRESENTED BY THOSE WANTING TO LEGALIZE MARIJUANA.

Here are the OFFICIAL statements of key medical organizations:

- American Medical Association: "The patchwork of state-based systems that have been established for medical marijuana is woefully inadequate in establishing even rudimentary safeguards that normally would be applied to the appropriate clinical use of psychoactive substances."
  "The AMA...calls for further adequate and well-controlled studies of marijuana and related cannabinoids..."
  "...marijuana's status as a federal Schedule I controlled substance be reviewed with the goal of facilitating the conduct of clinical research and development of cannabinoid-based medicines, and alternate delivery methods. **This should not be viewed as an endorsement of state-based medical cannabis programs, the legalization of marijuana, or that scientific evidence on the therapeutic use of cannabis meets the current standards for a prescription drug product."**
- Glaucoma Research Foundation: "Advocates of medicinal marijuana cite evidence that hemp products can lower intraocular pressure (IOP) in people with glaucoma. However, these products are less effective than safer and more available medicines. Most research regarding marijuana use took place before some current medications with fewer side effects were available… The number of significant side effects generated by long-term oral use of marijuana…make marijuana a poor choice in the treatment of glaucoma."
- Dr. Jon A. Benson of the Institute of Medicine stated, "While we see a future in the development of chemically defined cannabinoid drugs, we see little future in smoked marijuana as a medicine."

2B. MARIJUANA GROWN IN RESIDENTIAL FACILITIES POSE COMMUNITY RISKS.

Grow operations in residences are almost impossible to monitor. Indoor growing requires a lot of electricity and growers often tap into power lines, increasing risks of electrical fires. Mold resulting from the moisture needed and toxic chemicals used endanger the home's occupants. Growing marijuana in homes devalues property and makes them dangerous to clean up. Homes containing marijuana grow operations are prime targets for teens and criminals. Growers often keep firearms to protect their crops.

3. THE ILLINOIS "MEDICAL" MARIJUANA BILLS DENY CITIZENS AND MUNICIPALITIES LONG-ESTABLISHED RIGHTS.

Under current Illinois proposals, residential property owners cannot refuse to lease to a patient or caregiver and the owner of a commercial site cannot refuse to lease to dispensary growing marijuana on the property. Grow operations will not have to abide by zoning requirements. Local governments will have NO control over where marijuana can be grown or sold.

4. THERE CANNOT HELP BUT BE AN INFLUX OF MARIJUANA INTO NEIGHBORHOODS.

Under Illinois proposals, a patient may possess 3 mature plants for a 60-day period. Those plants can produce 1,764 joints, or 29 per day. What patient can smoke this number and who smokes the extra joints?

5. MEDICAL CANNABIS ORGANIZATIONS (DISPENSARIES) THREATEN CHILDREN, FAMILIES AND NEIGHBORHOODS.

Under Illinois proposals, dispensaries can open in any location except 500 feet from schools. They are only required to have "minimum oversight, minimum record-keeping and minimum security." Dispensaries are magnets for crime and violence from drug cartels, competing businesses, teenagers and other criminals.

6. "MEDICAL" MARIJUANA LAWS WITHOUT SIGNIFICANT INVESTMENT IN EFFECTIVE DRUG PREVENTION STRATEGIES ARE LIKELY TO INCREASE YOUTH MARIJUANA USE.

Marijuana laws create public perception that if marijuana is a medicine it must be "safe." Perception of risk for smoking marijuana once a month among teens 12 to 17 years is lowest in states with medical marijuana laws. Research demonstrates that a softening of risk attitudes generally precedes an increase in drug use by two years. The highest percentage of past month adolescent (12 to 17 years) marijuana users are in states with medical marijuana laws. The top five states for adolescent marijuana use have medical marijuana programs.

7. THIS BILL COULD PROVIDE COVER FOR MARIJUANA TRAFFICKING.

Mexican Drug Cartels are already working with gangs in the Chicago area to traffic marijuana. The bill could legitimize and provide them cover for their trafficking.

8. THE BILL RECOGNIZES MARIJUANA REGISTRY CARDS FROM OTHER STATES, CREATING A MAJOR LOOPHOLE.

Recognizing registry cards from other states gives the cardholders all the rights of Illinois law but none of the responsibilities. The Department of Public Health would have no way of identifying and monitoring out-of-state cardholders. It would invite the use of fake registry cards or encourage buying cards from physicians in other states. Law enforcement would have no control.

LEGISLATIVE UPDATE (CONTINUED)

SAMPLE LETTER TO THE EDITOR:
MARIJUANA LEGISLATION SETS DANGEROUS PRECEDENT

There is a great irony in the quickly-moving effort to legalize marijuana for medical use. The proponents of legalization tug at heartstrings by talking about critically ill and suffering patients who cannot find relief in any other way. We all feel compassion for that small number of people. What should also concern everyone are the thousands of currently healthy people who will become ill or suffer other harm using marijuana because they have been told that it is safe and under the new laws will find it more readily available.

It is disheartening for those of us in the drug abuse prevention and treatment fields to see that our legislators and many others incorrectly view marijuana as harmless. There is extensive research, not to mention marijuana addicts, which definitively prove its serious health risks.

However, as citizens we should have a greater concern about legislating for one selected substance while all other medicines are required to go through our well-established FDA research and approval process. Pharmaceutical companies must follow rigid protocols for their medicines. Why is marijuana not being required to follow those same steps? There are patients waiting for new and better treatments for many illnesses. Our system requires them to find alternatives while those new medicines go through testing. Not so with marijuana, which is being singled out from all other substances and voted on by legislators rather than vetted by the FDA.

If marijuana is good medicine, then let us get it through the FDA process to ensure that it is dispensed in a safe form under secure circumstances. Otherwise, we must be prepared for the additional tax and health care dollars that will be needed to treat those who will be harmed by inappropriate medical or recreational use, among other costs.

Respectfully,
[Signatures]

Illinois Organizations Opposing SB1381

Illinois State Police

Illinois Chamber of Commerce

Illinois Association of Chiefs of Police

Illinois Sheriffs' Association

Prevention First

IADDA – Illinois Alcoholism and Drug Dependence Association

Illinois Church Action on Alcohol and Addiction Problems (ILCAAAP)

Illinois Fraternal Order of Police

Illinois Police Association Inc.

Illinois MEG Directors and Task Force Commanders Association

Chicago Crime Commission

Eagle Forum

Concerned Women of America

Illinois Family Institute

Women's Christian Temperance Union

Educating Voices, Inc.

Illinois Drug Education Alliance (IDEA)

Illinois Elks Association – Drug Awareness Program

Heartland Coalition for Youth and Families – Bloomington

Drug Watch International

Central for Drug Information – Carlinville

Project Oz – Bloomington

Concerned Christian Americans

Hearts of Hope – St. Charles

Maine Community Youth Assistance Foundation – Des Plaines

Geneva Coalition for Youth – Geneva

Franklin-Williamson Human Services – Marion

ILLINOIS DUI LEGISLATION – MORE TOOLS NEEDED

By Terry D. Vandergrift – Deputy Chief of Police, Lake Zurich Police Department

In the last twenty years, the Illinois Legislature has passed a variety of new laws aimed at those who drink and drive. These stronger laws, along with other factors, have led to a steady reduction in the number of DUI arrests each year in Illinois. Although there has been a reduction in both arrests and fatal traffic crashes related to driving under the influence of alcohol, our work is not yet done. There are still a number of legislative initiatives which need to be pursued and supported by law enforcement and traffic safety advocates.

One such initiative being pursued is a new Social Host Law. For the purposes of this legislative initiative, social hosting is defined as "an event or gathering of three or more persons in which underage persons consume alcoholic beverages or illicit drugs." For the most part, current laws regulating these types of gatherings apply to parents in their homes. The social host legislation would apply to anyone of any age and to any location not just to parents or a guardian. In addition, the Social Host law can be applied to commercial establishments who knowingly allow underage consumption of alcohol. Quite often underage persons will host gatherings without the knowledge or consent of their parents. They have also been known to host parties in a variety of venues that are not necessarily covered under current laws. The social host law would address these instances. There is a clear connection between these underage drinking parties and deaths of teen drivers behind the wheel. In recent years there have been many high-profile traffic crashes in Illinois involving underage persons who had left parties impaired by drugs or alcohol. Communities such as Deerfield (2006), Oswego (2007), Prospect Heights (2008), Peoria County (2009) and St. Charles (2009) have suffered the tragic loss of young lives due to underage drinking and social host gatherings. In my opinion, there is a clear nexus between these gatherings and fatal DUI crashes. In Lake County, the Underage Drinking Prevention Task Force has developed a model ordinance for municipalities to adopt. To date, 24 communities have passed the ordinance and many others are considering it. A corresponding state statute is necessary to add the possibility of jail or prison time to those who continue to violate the law or those who host gatherings that result in sexual or physical assault, injury or death. In 2009, then State Representative Kathy Ryg introduced HB3784 proposing a state Social Host Law. This bill is currently in the Rules Committee; support is needed to bring this bill out of Committee.

Another issue left unresolved is the issue of evidential blood draws by paramedics. Illinois law provides that certified paramedics can draw blood for evidence in DUI cases. However, the local emergency medical systems and the Illinois Department of Public Health regulations do not allow paramedics to draw blood for evidence. This issue has become more critical as hospitals and treatment centers are reluctant to draw evidential blood for law enforcement. This is due to a variety of reasons including the perceived liability, shortages in staff, patient load, and conflicts with law enforcement. In my opinion the best location to draw evidential blood samples from an intoxicated offender is in the secure environment of the Booking Room, not in a public emergency/ treatment room. Many communities have paramedics on staff or have contracts for paramedic services 24 hours a day. These trained and skilled individuals should be able to assist law enforcement with gathering blood evidence. One suggested solution is to train a police officer as a phlebotomist. This option is not practical since the need to draw evidential blood occurs so infrequently that the officer would not be able to properly maintain his or her proficiency. Certified paramedics in Illinois have systems in place to maintain their skill set. Although it seems to be a common sense issue to utilize paramedics to draw evidential blood, it has turned out to be quite complicated. There is considerable opposition from medical systems and fire/paramedic services for the use of paramedics for this purpose. I believe that legislation should be the last course of action to resolve this problem. Those in the medical and paramedic community should establish a dialog with law enforcement and come up with a working solution.

Still remaining unresolved is the issue of mandatory field sobriety testing. This issue has been debated for a number of years with no change in law. A person under the influence of alcohol or drugs who wishes to obstruct an officer's investigation can simply refuse to perform the tests, without consequence. Unlike soliciting incriminating statements, there is no constitutional protection against such testing. Law enforcement and traffic safety advocates should once again pursue vigorously the issue of mandatory field sobriety testing.

These are but a few of the legislative initiatives we must continue to pursue in order to make our roads safer. All of the legislative initiatives I have covered in this article have the support of the Illinois Association of Chief of Police as well as many other traffic safety advocates. We should continue the good fight with our legislators to move along the traffic safety agenda.

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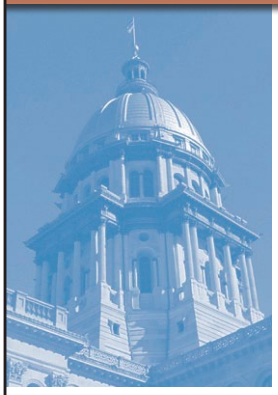

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UNITED STATES SUPREME COURT UPDATE

By James P. Manak, ILACP Legal Advisor

SUPREME COURT FURTHER NARROWS *MIRANDA* RULE

Berghuis v. Thompkins (No. 08-1470, 2010).
http://www.law.cornell.edu/supct/html/08-1470.ZS.html
http://laws.lp.findlaw.com/us/000/081470.html

After advising defendant of his *Miranda* rights, the police interrogated him about a shooting in which one victim died. At no point did defendant say that he wanted to remain silent, that he did not want to talk with the police, or that he wanted an attorney. He was largely silent during the 3-hour interrogation, but near the end, he answered "yes" when asked if he prayed to God to forgive him for the shooting. He moved to suppress his statements, claiming that he had invoked his Fifth Amendment right to remain silent, that he had not waived that right, and that his inculpatory statements were involuntary. The trial court denied the motion, and this was overturned by the Sixth Circuit Court of Appeals on habeas corpus review on the grounds that there was no implied waiver of *Miranda* rights by defendant's silence.

On appeal, the United States Supreme Court reversed in a 5-4 decision and an opinion written by Justice Kennedy. The Court continued its process of limiting *Miranda*, and ruled that defendant's silence during the interrogation did not invoke his right to remain silent. A suspect's *Miranda* right to counsel must be invoked "unambiguously," and the same rule applies to the right to remain silent. If the defendant makes an "ambiguous or equivocal" statement or no statement concerning the right to counsel, the police are not required to end the interrogation, or ask questions to clarify the accused's intent. There is no principled reason to adopt different standards for determining when an accused has invoked the *Miranda* right to remain silent and the *Miranda* right to counsel. Both protect the privilege against compulsory self-incrimination by requiring an interrogation to cease when either right is invoked. The unambiguous invocation requirement results in an objective inquiry that "avoid[s] difficulties of proof and . . . provide[s] guidance to officers" on how to proceed in the face of ambiguity. Had defendant said that he wanted to remain silent or that he did not want to talk, he would have invoked his right to end the questioning. But since he did neither, he did not exercise his right to remain silent.

Defendant argued that, even if his answer to the police could constitute a waiver of his right to remain silent, the police were not allowed to question him until they first obtained a waiver. However, the Court said, a rule requiring a waiver at the outset would be inconsistent with the Court's holding in North Carolina v. Butler, 441 U.S. 369 (1979) that courts can infer a waiver "from the actions and words of the person interrogated." Any waiver, express or implied, may be contradicted by an invocation at any time, terminating further interrogation. When the suspect has been Mirandized and knows that his *Miranda* rights can be invoked at any time, he or she can reassess his or her immediate and long-term interests as the interrogation progresses. After giving a *Miranda* warning, police may interrogate a suspect who has neither invoked nor waived *Miranda* rights. Thus, the police were not required to obtain a waiver of defendant's *Miranda* rights before interrogating him.

The dissenting opinion by Justice Sotomayor argued that the majority had created a paradox. "A suspect who wishes to guard his right to remain silent," she wrote, "must counter intuitively, speak." "At best," she said, "the court today creates an unworkable and conflicting set of presumptions. At worst, It overrules sub silentio an essential aspect of the protections *Miranda* has long provided."

The four minority Justices said the better practice in the face of ambiguous responses from a suspect would be for the police to ask follow-up questions like, "Do you want to talk to us?" This could be a preferred practice for police departments that want to take a cautious approach to the new rule, which may not be adopted by all state courts (which can afford defendants greater rights under state constitutions than the federal constitutional minimum set by the United States Supreme Court).

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James P. Manak
ILACP Legal Advisor

Mr. Manak is the publisher of Law Enforcement Legal Review, ***which now features Internet links to full copies of all cases published in the Review.*** *You can visit the* LELR *website at:* www.lelp.com *for subscription information. He is also Amicus Advocate for Americans for Effective Law Enforcement; Adjunct Counsel at the Center for Public Safety, Northwestern University, Evanston, IL; Adjunct Professor of Law at John Marshall Law School, Chicago, IL; and has served as consultant to the National District Attorneys Association since 1967. Mr. Manak is the present and former author/editor of several law enforcement publications, including* Criminal Law and Its Administration *(7th Ed. 2008), coauthored with the late professor Fred E. Inbau; the* Illinois Law of Criminal Investigation*; the* Law Enforcement Legal Defense Manual*; and* Case Commentaries and Briefs, *formerly published by the National District Attorneys Association.*

UNITED STATES SUPREME COURT UPDATE *(CONTINUED)*

NO VIOLATION OF FOURTH AMENDMENT RIGHT TO PRIVACY IN POLICE DEPARTMENT'S MONITORING OF DEPARTMENT-ISSUED PAGERS FOR PERSONAL USE

Ontario v. Quon (No. 08-1332, 2010).
http://www.law.cornell.edu/supct/html/08-1332.ZS.html
http://laws.lp.findlaw.com/us/000/081332.html

The City of Ontario, California, acquired alphanumeric pagers able to send and receive text messages. Its contract with its service provider provided for a monthly limit on the number of characters each pager could send or receive, and specified that usage exceeding that number would result in an additional fee. The City issued the pagers to police officer Quon and other officers in its police department. When the officer and others exceeded their monthly character limits for several months running, the chief of police sought to determine whether the existing limit was too low, i.e., whether the officers had to pay fees for sending work-related messages or, conversely, whether the overages were for personal messages. After the service provider provided transcripts of the officer's and another employee's text messages, it was discovered that many of the officer's messages were not work-related, and some were sexually explicit. The chief referred the matter to the department's internal affairs division. They used the officer's work schedule to redact from his transcript any messages he sent while off duty, but the transcript showed that few of his on-duty messages related to police business. He was disciplined for violating department rules.

The officer filed suit, alleging, inter alia , that the City violated his Fourth Amendment rights and the federal Stored Communications Act (SCA) by obtaining and reviewing the transcript of the pager messages, and that the service provider violated the SCA by giving the City the transcript. The Ninth Circuit Court of Appeals ruled that the officer had a reasonable expectation of privacy in his text messages, and that the search was not reasonable even though it was conducted on a legitimate, work-related rationale.

The Supreme Court reversed, all Justices agreeing with the decision reached, but in different blocs of opinions, that the search of the officer's text messages was reasonable and did not violate the officer's Fourth Amendment rights. The City's warrantless review of the officer's pager transcript was reasonable because it was motivated by a legitimate work-related purpose, and because it was not excessive in scope. There were "reasonable grounds for [finding it] necessary for a noninvestigatory work-related purpose," in that the chief of police had ordered the audit to determine whether the City's contractual character limit was sufficient to meet the City's needs. It was also "reasonably related to the objectives of the search," because both the City and the police department had a legitimate interest in ensuring that employees were not being forced to pay out of their own pockets for work-related expenses, or, on the other hand, that the City was not paying for extensive personal communications. Reviewing the transcripts was an efficient and expedient way to determine whether either of these factors caused the overages, and the review was also not "excessively intrusive." Although the officer had exceeded his monthly allotment a number of times, the department requested transcripts for only two months in order to obtain a large enough sample to decide the character limits' efficaciousness, and all the messages that the officer sent while off duty were redacted. And from the police department's perspective, the fact that the officer likely had only a limited privacy expectation lessened the risk that the review would intrude on highly private details of his life.

STATE AND LOCAL GUN CONTROL LAWS MUST CONFORM TO THE SECOND AMENDMENT

McDonald v. Chicago (No. 08-1521, 2010).
http://law.cornell.edu/supct/html/08-1521.ZS.html
http://laws.lp.findlaw.com/us/000/08-1521.html

In 2008 in the case of District of Columbia v. Heller, 554 U.S. ___, the Supreme Court held that the Second Amendment protects the right to keep and bear arms for the purpose of self-defense and struck down a District of Columbia (a federal entity) law that banned the possession of handguns in the home. Chicago and Oak Park had laws effectively banning handgun possession by almost all private citizens. After Heller, petitioners filed a federal suit against the City, alleging that the City's handgun ban had left them vulnerable to criminals. They sought a declaration that the ban and several related City ordinances violate the Second and Fourteenth Amendments. The Seventh Circuit Court of Appeals ruled the hand gun ordinances were constitutional.

In a 5-4 decision and an opinion written by Justice Alito, the Supreme Court reversed, concluding that the Fourteenth Amendment incorporates the Second Amendment right, recognized in Heller, to keep and bear arms for the purpose of self-defense. Reviewing cases and opinions going all the way back to the adoption of the Bill of Rights, the Court concluded that the Fourteenth Amendment makes the Second Amendment right to keep and bear arms fully applicable to the States and their political subdivisions, i.e., municipalities.

While the ruling is a symbolic victory for supporters of gun rights, its short-term practical effect was left unclear by the Court. The Court left for another day just what kinds of gun control laws can be reconciled with Second Amendment protection. The majority said little more than that there is a constitutional right to keep handguns in the home for self-defense and remanded the case to the Seventh Circuit to decide whether the ordinances are constitutional under the Second Amendment.

Justices Stevens, Breyer, Ginsburg and Sotomayor dissented.

IN DEPTH REVIEW OF *CITY OF ONTARIO V. QUON*

By Yvette A. Heintzelman, Seyfarth Shaw LLP

Until June 18, 2008, many departments, and employers generally, assumed that they were entitled to review text messages on a department-issued cell phone if the department had a policy which allowed the employer to do so and contained a waiver of privacy rights in communications via that cell phone. On June 18, 2008, the Ninth Circuit Court of Appeals called this assumption into question by holding that public employees have a reasonable expectation of privacy in the content of their text messages sent via an employer-issued pager.

Last month, a unanimous United States Supreme Court reversed the Ninth Circuit by holding that a public employer Police Department did not violate the Fourth Amendment prohibition of unreasonable searches when it obtained and reviewed transcripts of a Patrol Officer's text messages that had been sent on an alphanumeric pager provided by the Police Department during the officer's work time, for the purpose of determining whether the pager was being appropriately used. In City of Ontario, California, et al. v. Quon, decided June 17, 2010, the U.S. Supreme Court determined that because the search was motivated by a legitimate work-related purpose, and was not excessive in scope, the search was reasonable and did not violate the Fourth Amendment.

Quon was a police officer employed by the City of Ontario, California. He was issued an alphanumeric pager by the City capable of sending and receiving text messages over a system operated by a private company, Arch Wireless. The text messages did not pass through computers owned by the City. Under the City's contract with Arch Wireless, each pager was allotted a limited number of characters sent or received each month. Excess usage resulted in an additional fee. The pager was issued to Quon and other SWAT Team members in order to help the SWAT Team mobilize and respond to emergency situations.

The City had a Computer Usage, Internet and E-mail policy which applied to all employees and stated in part that the City "reserves the right to monitor and log all network activity including e-mail and Internet use, with or without notice. Users should have no expectations of privacy or confidentiality when using these resources." While the Court noted that this policy did not on its face apply to text messages, as opposed to e-mails, the City made it clear that as to employees, including Quon, the City would treat text messages the same way it treated e-mails. For example, in a City-issued memorandum, officers were informed that text messages would fall under the City's policy as public information and would be eligible for auditing.

Shortly after the pagers were issued, Quon exceeded his monthly text message character allotment. Lieutenant Stephen Duke, the officer in charge of the City's contract with Arch Wireless, told Quon that it was not his intention to audit the text messages and that if Quon reimbursed the City for his overages, the issue would be resolved.[1] Initially, Quon reimbursed the City for the overage. After the usage exceeded the maximum for several months, Duke told the Police Chief that he was tired of being a bill collector for the text message overages. In response, the Police Chief wanted to determine whether the existing character limit was too low—that is, whether officers such as Quon were having to pay fees for sending work-related messages—or if the overages were for personal messages. The Chief obtained transcripts of Quon's messages from Arch Wireless for a two-month period and found that many messages were not work-related and some were sexually explicit. The Chief referred the matter to the Internal Affairs Division for investigation. The Internal Affairs investigator first eliminated "off-duty" messages from its investigation. The investigator then determined that the vast majority of the messages sent by Quon while on duty were unrelated to work. According to an internal report quoted by the Court, Quon sent 456 messages in August 2002 during work hours of which 57 were work-related. He sent or received an average of 28 messages per work day during work hours, of which only 3 were related to police business.[2]
The investigation concluded that Quon violated departmental rules and he was, therefore, disciplined.

Quon filed suit against the City alleging that the search violated his Fourth Amendment right against unreasonable search and seizure, as applied to the City under the Fourteenth Amendment, and brought the action under 42 U.S.C. Section 1983. While Quon also alleged a violation of the Stored Communications Act, 18 U.S.C. Section 2701, and California law, and named Arch Wireless as a defendant, the Supreme Court only addressed the constitutional issues in its opinion.

The trial court initially determined that Quon had a reasonable expectation of privacy in the content of his text messages but ruled for the City after a jury determined that the Police Chief acted for a legitimate purpose. The Court of Appeals for the Ninth Circuit reversed the trial court's decision. The Court of Appeals based its decision on the premise that even though the search might have been conducted for a legitimate reason, it was not reasonable in scope because there were less intrusive means available to the chief. For example, according to the Ninth Circuit, the Chief could have asked Quon himself to redact the transcript of his messages. The Court of Appeals further concluded that Arch Wireless had violated the Stored Communications Act by turning over the transcript to the City even though the City was the subscriber of the service.[3]

The Supreme Court reversed the Ninth Circuit's decision as to the constitutional claims raised by Quon. The Court began by noting that the Fourth Amendment's prohibition against unreasonable searches applies not just to criminal investigations, but also when the Government acts in its capacity as an employer. Although as a general matter warrantless searches are per se unreasonable under the Fourth Amendment, there are a few specifically established and well-delineated exceptions to that general rule. In the past, the Court has held that the special needs of the workplace justify one such exception. See O'Connor v. Ortega, 480 U.S. at 725 (1987), Treasury Employees v. Van Raab, 489 U.S. at 666-667 (1989).

The Supreme Court reasoned that a government employer's warrantless search can be reasonable when conducted for a non-investigatory, work-related purpose, or for the investigation of work-related misconduct. Such a search is reasonable if it is justified at its inception and if the measures adopted are reasonably related to the objectives of the search. The measures adopted should not be excessively intrusive in light of the circumstances giving rise to the search.

Recognizing the rapidly changing technological world in which we live, the Court cautioned that:

> Prudence counsels caution before the facts in the instant case are used to establish far-reaching premises that define the existence, and extent, of privacy expectations enjoyed by employees when using employer-provided communication devices.

For purposes of this case, the Supreme Court assumed that Quon had a reasonable expectation of privacy in the text messages, that the City's review of the transcripts of those messages constituted a search under the Fourth Amendment, and that the principles applicable to a government employer's search of an employee's office apply with equal force to an employee's privacy in the "electronic sphere."

In *Quon*, the Court held that the City's search satisfied the standard of the O'Connor plurality and was reasonable under that approach. The City's search

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was justified at its inception because there were reasonable grounds for suspecting the search was needed for a non-investigatory work-related purpose, i.e., whether the character limit on the City's contract was sufficient to meet the City's needs. The City had a legitimate interest in ensuring that employees were not paying out of their own pockets for work-related expenses and that the City was not paying for extensive personal communications.

The scope of the search was reasonable because reviewing the transcripts was an efficient way to find out whether Quon's overages were the result of personal use or work-related messaging. The review was not excessively intrusive, since it was limited to two months and the Internal Affairs nvestigator redacted messages *Quon* sent or received while off-duty. Furthermore, even assuming Quon had a limited expectation of privacy in the contents of his messages, the extent of that expectation was relevant to assessing whether the search was too intrusive, according to the Court. In this case, it would not have been reasonable for Quon to conclude that his messages were in all circumstances immune from scrutiny, particularly since he had been told by the City that his messages were subject to auditing.

The Supreme Court criticized the Ninth Circuit's holding that there were other ways to verify the efficacy of the texting character limit. Justice Kennedy noted that the Supreme Court has repeatedly refused to declare that only the least intrusive search practical can be reasonable under the Fourth Amendment. Otherwise, judges engaged in post hoc evaluations of government conduct could almost always imagine some alternate means by which the objectives of the government might have been accomplished.

The Court specifically rejected Quon's argument that because Arch Wireless may have violated the SCA by giving the City the transcripts of Quon's messages, the search was per se unreasonable. An otherwise reasonable search by the City was not rendered unreasonable under the assumption that Arch Wireless violated the Stored Communications Act by turning over the transcripts. The Court further noted that the merits of the Stored Communications Act claim were not before the Court.

In a separate concurring opinion, Justice Stevens observed that Quon, as a law enforcement officer who served on a SWAT Team, should have understood that all of his work-related actions, including his communications on his official pager, were likely to be subject to public and legal scrutiny.

PRACTICE POINTERS

Although the Supreme Court stated that its decision was not meant to provide general guidance, the decision does nonetheless support some important practices:

(i) Employers should have a detailed policy concerning all forms of employer-provided electronic communication devices and clearly address employee expectations of privacy in the workplace and with respect to such devices and authorize review of text messages.

(ii) The employer's policy needs to be clearly communicated to employees because, as the Supreme Court noted, that may set the employee's expectation of privacy.

(iii) Any employer-conducted search should have a legitimate operational or business reason and should relate only to work-related items (e.g., messages sent during working time).

(iv) Although the Court's decision does not require an employer to use the least intrusive means possible for its search, an employer should consider less intrusive methods in deciding on the scope of a search.

(v) The decision left open the question of whether a supervisor's conduct could, on an ad hoc basis, modify the employer's written policy. Public employers should consider including a provision stating that the policy cannot be modified by a supervisor's statements, or that it may only be modified in writing.

[1] It was based upon this conversation between Lt. Duke and Quon that Quon contended that he had a reasonable expectation of privacy in his text messages if he paid for the overages.

[2] Setting aside the privacy issues, one wonders how Quon had so much free time to send personal text messages during work hours.

[3] This case highlights the applicability of the Stored Communications Act to an employer's ability to access text messages sent by employees over an employer-subscribed service. Generally, the Stored Communications Act provides that either the sender or the recipient must consent to disclosure even if the device and the service is paid for by the employer. Accordingly, for purposes of accessing these messages and, for example, determining compliance with the Freedom of Information Act, an acknowledgement for receipt of a department- issued cell phone with text messaging capabilities should include a consent to disclosure of those text messages to the employer.

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CRIMINAL JUSTICE TRAINING CASE

By Don Hays – Illinois Prosecutor Services, LLC

Rivera v. Garcia, (1st Dist., No. 1-09-0786, April 30, 2010)

This is a Law Enforcement Liability case. ISSUE: Were these officers liable for the plaintiffs' injuries?

FACTS: A young boy is robbed by three unknown Hispanic males. The boy calls his father, an off-duty police officer, and tells him of the incident. The boy's father enlists the help of another police detective and his brother, a sheriff's deputy, to look for these suspects. The three officers drive a covert vehicle, which is unmarked and does not have any oscillating lights, radio or other emergency equipment, around the neighborhood looking for the suspects. The boy calls his father to inform him that somebody had told him that the perpetrators of the robbery are in a white SUV. As it turns out, the SUV is stolen and at least one occupant of that vehicle is armed. Soon thereafter, the three officers see the SUV, make an abrupt U-turn and begin pursuit. According to the officers, they know that a covert vehicle is not supposed to be used in a pursuit and that their use of the vehicle is contrary to established CPD procedures. In any event, the officers pull up alongside the white SUV and identify themselves as police officers. This prompts the driver of the white SUV to pick up speed and flee. According to the plaintiffs, however, the officers never identify themselves as police officers and their vehicle is rammed from behind and sideswiped several times by the officers during this chase. During this pursuit several shots are exchanged between the officers and one of the occupants of the suspect car. The shooter in the suspect car apparently throws his gun out the car window at some point during this chase. The father continues firing from the covert vehicle for several blocks and the suspect vehicle is dodging through several residential streets and at least two alleys. After finally stopping the suspects, the detective and the father approach the vehicle and see a black shiny object in the driver's hands, which they believed to be a gun. They fire their weapons, killing the driver and wounding another occupant of the car. No gun is found in the suspect car. Based upon this conduct, the plaintiffs bring suit against the defendant officer contending that the involved officers willfully and wantonly engaged in the pursuit with a covert vehicle, leading to the shooting death of the driver and the shooting injury and alleged battery of another passenger. A jury finds in favor of the plaintiffs and awards them over $1 million in damages. The trial judge sets aside this verdict and rules that the plaintiffs failed to prove that the willful and wanton conduct of the defendants actually caused the plaintiff's injuries. This appeal follows.

ISSUE: Were the officers and the City liable for the death of one plaintiff and the injury to the other?

ARGUMENTS: The plaintiffs argued that the chase by the defendants was the proximate cause of their injuries. Therefore, they maintained that the trial court improperly set aside the plaintiffs' judgments.

FINDING: The Illinois Appellate Court agreed with the arguments of the plaintiffs and reinstated the plaintiffs' $1.4 million judgment against the defendants. The Court ruled that the pursuit in this case was initiated by an off-duty detective, who was the father of a crime victim. The pursuit escalated into a high-speed chase throughout a residential neighborhood, accompanied by frequent gunfire and by alerts to other units to join the pursuit. The pursuit conducted by the defendants in a covert car was in direct contravention of the policies of their department. Rather than suspend the inappropriately initiated pursuit, the defendants enlisted the assistance of other officers who would, quite naturally, be at a heightened state of anxiety and in a reasonable fear for their lives. But for the recklessly joined pursuit by the victim's off-duty detective father and his fellow officers, the injury and death to the victims would not have occurred.

COMMENT: This case illustrates that just because the police have the authority to react in various situations, sometimes it is wiser to think before they act. In this case, the conduct of the officers was so over-the-top that the jury could not resist finding for the plaintiffs even though the plaintiffs were far from innocent in this case. Common sense on the part of the officers should have governed their conduct.

QUIZ QUESTIONS FOR THE CRIMINAL JUSTICE TRAINING CASE

Rivera v. Garcia, (1st Dist., No. 1-09-0786, April 30, 2010)

1. In Illinois, in order to be liable for injuries caused by the conduct of police officers, plaintiffs must first prove that the conduct of the officers actually caused their injuries.

   a. True
   b. False

2. Does a police officer's act of violating a police department general order constitute willful and wanton conduct on the part of that officer under the Local Governmental and Governmental Employees Tort Immunity Act?

   a. Yes
   b. No

3. Is an off-duty police officer who detains and then places a suspect under arrest within his or her jurisdiction acting within his official capacity as a police officer?

   a. Yes
   b. No

4. A police officer can be held to be liable for his or her negligent driving during a high-speed chase when that negligent driving results in an injury to another person.

   a. True
   b. False

QUIZ QUESTIONS, ANSWERS, AND DISCUSSION FOR THE CRIMINAL JUSTICE TRAINING CASE

Rivera v. Garcia, (1st Dist., No. 1-09-0786, April 30, 2010)

1. In Illinois, in order to be liable for injuries caused by the conduct of police officers, plaintiffs must first prove that the conduct of the officers actually caused their injuries.

   a. True This is called "Proximate Causation." While this sounds simple, as the above case illustrates, it is not always easy to prove what actually caused the injuries of the plaintiff. Harrison v. Hardin County Community Unit School District No. 1, 197 Ill. 2d 466, 476 (2001).

2. Does a police officer's act of violating a police department general order constitute willful and wanton conduct on the part of that officer under the Local Governmental and Governmental Employees Tort Immunity Act?

   b. No Countermanding a police department general order does not generally constitute negligence or willful and wanton conduct per se under the Local Governmental and Governmental Employees Tort Immunity Act. However, such a violation of an internal police department rule can constitute some evidence of willful and wanton conduct. Hudson v. City of Chicago, 378 Ill. App. 3d 373, (2007).

3. Is an off-duty police officer who detains and then places a suspect under arrest within his or her jurisdiction acting within his official capacity as a police officer?

   a. Yes Illinois Courts have held that the nature of a policeman's job requires that he be fit for duty at all times, whether or not he is on or off duty. Since the officer is always obligated to attempt to prevent the commission of crime in his presence, any action taken by him toward that end, even in his official off-duty hours, falls within the performance of his duties as a police officer. Banks v. City of Chicago, 11 Ill. App. 3d 543, (1973).

4. A police officer can be held to be liable for his or her negligent driving during a high-speed chase when that negligent driving results in an injury to another person.

   b. False A public employee is not liable for his act or omission in the execution or enforcement of any law unless such act or omission constitutes willful and wanton conduct. Since mere negligence on the part of the officer does not generally constitute willful and wanton conduct, the officer would not generally be held liable for his negligent driving while engaged in the enforcement of his duties. *Ries v. City of Chicago*, 919 N.E. 2d 465 (2009) and 745 ILCS 10/ 2-202.

Questions and discussions of this case and these questions can be directed to "the forum" on the law enforcement page of the website: *www.illinoisprosecutorservices.com.*

SINCE 9-11 WHAT'S THE STATE OF COMMUNITY POLICING?

By Chief Patrick O'Connor

As we look back over the last 10 years, living through the war on terror and the current financial crisis, we are experiencing a degrading or elimination of those programs we have worked so hard to build over the years. At a recent meeting I attended, I heard a conversation between two chiefs who were discussing how they have been gutting many of their outreach programs because of financial concerns. The conversation was especially interesting because I had just had a conversation with a group of chiefs the night before who stated their seizure funds — which they had relied on over the years to help fund equipment and program essentials — have been drying up over the last few years. Some of them have been pulling their officers out of these cooperative federal task forces, to supplement shortages in patrol and investigations within their communities. So who is working the task force assignments? Not a big surprise to anyone, nobody is! We saw a drop in customs federal forfeiture seizures throughout the state starting six or seven years ago, followed by DEA asset-sharing numbers beginning to fall soon after that. While the training, networking and experiences are all invaluable assets to the development of young investigators, in practical terms if there is not an upside to the participating agencies, what's the point?

As things have tightened up on the local level from a financial perspective, agency heads have to do a careful cost benefit review to evaluate the officers they have assigned to these many task forces. Base pay, benefit packages, pension, overtime and the cost of that officer not being within the agency is now a much bigger deal to communities that are laying off officers for the first time in their community's history. Elected officials are looking at any way to cut their operational budgets.

With this being said, we see departments not replacing retiring officers and even laying off officers because of funding issues. This places tremendous pressure on chiefs to not only staff their patrol division but also support many of their outreach programs. These include programs that were once thought sacred such as DARE, community outreach officers, gang prevention, senior citizen liaisons, school resource officers and the like. Chiefs are now asking for schools and community groups to help participate in the funding of many of these programs. In many cases, should that not be supported, we revert to our primary function and these programs are ended. Larger urban communities and universities have pulled away from satellite or drop-in centers where young adults could get to know area police officers on a less formal basis. With these departments pulling out, we move away from the informal interactions with members of our communities. As we step back to traditional policing methods, we move them away from those they need to communicate with the most, thus, losing the relationships and intelligence it took us so long to develop.

I am not telling anyone something you don't already know; but during the next few years I feel police executives will be faced with consolidation of service and more shared resources than ever before. Early on in my career, I realized that the next great thing for many of us was regionalized policing or Metro-policing. That never materialized, in most part because local towns could afford to keep their own police departments as parts of their own identities. Having their own police department gave communities their own sense of self, but as expenses climb and communities teeter on the brink of insolvency, we see these discussions popping up again throughout the country. I hope we as leaders are progressive enough to prepare for those possibilities. The cost of police and fire protection is something that was always a non-issue in the past; you just do it — but not today.

Since 9-11 we have seen many unfunded mandates both in training and policy passed down to the local agencies from the federal government in the name of security. I know there are few things that get police chiefs more worked up than discussing new NIMs training that is required by the federal government. I also hear that investigative help in combating urban and suburban gang and drug investigations is not as forthcoming by the federal government as it once was. Street gangs which were actively investigated by many federal agencies during the '90s seem to go unnoticed, and local police task forces seem to be doing more with less in these areas.

Continues on page 23

Illinois Association of Chiefs of Police Testing Program

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Continued from page 21

Illinois law enforcement has now been drawn into the immigration enforcement debate. Local law enforcement has been asked to assist and supplement federal immigration efforts while trying to maintain links with those in our communities who have grown comfortable with dealing with local police over the last few years. These relationships are faltering as the Arizona discussion heats up. As we have discussed in the past, we as police chiefs and command officers are trying to connect with members of our communities who need to be able to speak to police officers locally without fear, yet now they don't trust us the way they did previously. The mixed messages they are getting from the administration results in distrust of local police. ICE has increased their efforts in many of the urban areas around the state over the last few years, and some communities have signed on to have their officers trained in immigration enforcement. The federal government has actively started discussing reform of our immigration policies and filed suit against Arizona to block enforcement of their law. The impact of this very public confusion in policy from the federal government results in the lower-level street officers finding members of the immigrant communities around the state are no longer willing to participate in informational exchanges because of fear of prosecution and/or deportation. This also results in a rise in unreported street crime for fear of deportation of the victims themselves.

All local police chiefs recognize the need for secure borders in this country since 9-11. The last 10 years have been a roller coaster for us dealing with the changing requirements and federal initiatives placed on us. It is my belief that Illinois Law Enforcement is resilient and will find the way, as we have for so many years. Nevertheless, with less support from the federal investigative services and the cutting of our local staffing, we will be doing much of our work with less.

Community policing methods bring us close to those we serve, empowering officers to be part of the community. I feel this will be a dynamic decade of change and many traditional methods and structures will be gone in 10 years. The one thing that will help us survive as agencies is to share resources and methods, while embracing regionalization to help us complete our tasks. An agency providing services and programs independently is an expensive luxury many communities can't afford much longer. We have seen some police agencies just go away and turn everything over to the sheriff's office, but this is just shifting the problem and somebody will eventually have to pay for services.

Fundamental policing will always be more successful if the community trusts and believes in their police services. The initial reaction to revert to "response-based policing" just because of staffing cuts is to be expected, but I encourage our ILACP members to find ways to preserve our community outreach efforts and learn ways to share methods, programs and resources with our neighbors. Innovation has always been the strength of law enforcement in this state.

CHIEF PAT O'CONNOR, PRESIDENT ILACP/2010

Pat O'Connor was installed as ILACP President on January 17, 2010. He currently serves as Police Chief of the Moraine Valley Community College Police Department in Palos Hills. Previously he served as Chief of Police for the Village of Worth from 2001 to April 2007, and was appointed Director of Public Safety with administrative oversight of both the police and fire protection within the Village of Worth in 2003. Chief O'Connor served 24 years with the Village of LaGrange, retiring as an Operations Commander, and served as Acting Chief of Police. He also served two years with the City of Highland Park Police Department and is a 32-year veteran of the law enforcement service.

Chief O'Connor is a member of the South Suburban Chiefs of Police, serving as president, and a past president of the 5th District Chiefs organization. He is a certified Chief of Police, holding a master's degree in public administration, a B.S. in criminal justice and two associate's degrees. Chief O'Connor is a graduate of Northwestern University, School of Staff and Command Class #146, where he served as class president and was a member of the 1991 University of Illinois, British Police Exchange. O'Connor is chairman of the Expo Committee, is a member of the Long Range Planning and Funding Committee and serves as an assessor with the Illinois Chiefs Assessment Team. He is currently the State of Illinois SACOP representative to the International Chiefs Association.

Chief O'Connor was a member of the Executive Committee for Southwest Central Dispatch and served as president of that board. He was founding director of the 5th District Rapid Response Team. During his career, Chief O'Connor has received numerous awards and commendations, including the IPA Distinguished Law Enforcement Officers Award. He is a member of two national honor societies and an adjunct professor of criminal justice at both Moraine Valley Community College in Palos Hills and Kaplan University of Iowa.

MIDWEST SECURITY & POLICE CONFERENCE/EXPO

TUESDAY, AUGUST 10, 2010

8:00 A.M. – 9:45 A.M.

Illinois Association of Chiefs of Police/ Executive Board/General Session Meeting

8:30 A.M. – 10:00 A.M.

The FBI's N-DEx Information Sharing System: Its Role in Illinois and the Country*

Carol Gibbs, Illinois State Police, Boyd Butler, ICLEAR Program Manager, Illinois State Police, David Gavin, IACP N-DEx Outreach Consultant, International Association of Chiefs of Police, Melissa J. Farrell, N-DEx Liaison Specialist, FBI CJIS Division

1. FBI presenting the description, status and future direction of N-DEx. This presentation would include a description of N-DEx functions, with either a real or pre-developed demo of the operational system. A description of the benefits of N-DEx to local law enforcement agencies and how it can be used by their detectives, analysts and patrol officers. Especially important in this presentation is a description of the initiatives of surrounding states and how the availability of other-states' information through N-DEx can provide significant benefits to Illinois law enforcement agencies. 2. IACP-International presenting the strategic importance of N-DEx to law enforcement and homeland security efforts across the country. This presentation will include the role of the major law enforcement associations in the planning, development and roll-out of N-DEx. Especially important in this presentation will be the message of support from IACP-International for N-DEx as the national system for sharing law enforcement incident and related data across the country. 3. ISP pulling together the relationship between N-DEx and the developing in-state plan for information sharing. This presentation will describe what ISP is currently developing for in-state law enforcement incident sharing and how those plans will roll out. It will also describe how those plans include N-DEx and how Illinois agencies will be able to participate in N-DEx through the state plan. Especially important in this presentation is the education of Illinois agencies on the in-state developments and how they provide key in-state sharing while they will also reach out to maximize local value through participation in the national system.

8:30 A.M. – 10:00 A.M.

Introduction to the Federal Marketplace for Industry Members

Scott Orbach, President, EZGSA

Did you know that federal agencies spent nearly $2.5 billion on security and law enforcement products and services during fiscal year 2009? Chances are that some of your top competitors were beneficiaries of that government spending bonanza, were you? The easiest way for members of the security and law enforcement industries to sell their products to the federal government is through a GSA Schedule 84 contract. GSA Schedules are government-wide acquisition contracts that allow federal agencies to purchase mass quantities of products and services from private companies like your own. Find out how you can regain substantial market share from your competitors by entering the federal marketplace. Scott Orbach, author of Getting a GSA Schedule: A Step by Step Guide, will break down the federal marketplace to help you discover how your company can benefit from the opportunities available only to companies with a federal sales presence.

9:00 A.M. – 9:45 A.M.

Project Management for Public Safety*

Sean Smith, Senior Consultant, RCC Consultants

This presentation highlights the do's and don'ts of project management for public safety agencies. Concentration on CAD, RMS, 911, and mobile data systems selection, evaluation, and procurement.

9:00 A.M. – 9:45 A.M.

VHF/UHF Mandatory Narrowband*

Alan S. Tilles, Esq.; Partner, Shulman Rogers Gandal Pordy & Ecker P.A.

VHF/UHF Mandatory Narrowbanding By 2013 – Are You Ready? Two way radio systems in the VHF and UHF bands are required by the FCC to narrow their transmissions by 2013. This will require many municipalities to replace their entire radio infrastructure and subscriber units. Yet there is a tremendous amount of misinformation about what must be replaced to meet the new requirements. With only two budget cycles left, are you prepared? Hear from one of the land mobile industry's leading lawyers on the real rules, and clear up the misconceptions on narrowbanding.

9:00 A.M. – 9:45 A.M.

Why your Police Agency Should Join the Illinois Truck Enforcement Association

Bryce Baker, President, Illinois Truck Enforcement Association

The Illinois Truck Enforcement Association will be presenting a 45-minute training session at the expo this year. Come and hear what the ITEA is all about and why your agency should join. The training will briefly cover new legislation in 2010 and what that means for your police agency and municipality. The presentation will also work through some pitfalls truck enforcement officers find themselves in that could bring liability upon your police department, and what the ITEA is doing to help prevent this.

9:45 A.M. - 10:00 A.M.

Ribbon Cutting Ceremony, Hall G

10:00 A.M. - 12:00 P.M.

Uninterrupted Expo Time

12:00 P.M. – 12:45 P.M.

PowerPoint for Public Safety*

Thomas M. Manson; Owner, Police Technical, Inc.

Flagship course of Police Technical, PowerPoint® for Public Safety™ is designed to help all public safety personnel become more efficient and proficient with PowerPoint®. Go beyond text slide; utilize custom animation and multimedia.

12:00 P.M. – 12:45 P.M.

Introduction to the Federal Marketplace for Security and Law Enforcement Personnel*

Scott Orbach, President, EZGSA

State and local governments generally are limited in the types of goods and services they can purchase from federal government contracts. Fortunately, GSA Schedule 84, a contract vehicle used by most government agencies, is available for security and law enforcement purchasing needs. Federal agencies also offer specific programs designed specifically with security and law enforcement personnel in mind. Scott Orbach, author of Getting a GSA Schedule: A Step by Step Guide, will explain the government purchasing programs available to you and your staff. Find out: What is GSA Schedule 84? • What is the 1122 Program? • What is the Disaster Recovery Purchasing Program? • What is the Cooperative Purchasing Program? • What is the Federal Surplus Personal Property Donation Program? • How to use these purchasing programs to your advantage

12:00 P.M. – 12:45 P.M.

Situation Management: A Cure for What Keeps You Awake at Night*

Moti Shabtai; Executive VP, NICE Systems

Security incidents can happen anytime, anywhere – and at a high cost: lives, lawsuits and damage to your reputation. So how can you anticipate threats? Minimize their impact? In this session, you'll learn how to achieve greater situational awareness by fusing disparate security and safety systems/sensors/ silos into a common operational view.

12:00 P.M. – 12:45 P.M.

Lessons Learned Info Sharing*

Christie Woodward, Outreach and Partnership Mgr, LLIS.gov

The national, online network of lessons learned, best practices, and innovative ideas for the emergency response and homeland security communities. Sponsored by the US Department of Homeland Security's Federal Emergency Management Agency, LLIS.gov provides free and secure access to a validated member community of emergency preparedness and response professionals.

1:00 P.M. – 1:45 P.M.

Officer Survival of Aggressive & Dangerous Dogs*

Jim Osorio; Training Director, HUMANEK9.US-National Humane Law Enforcement Academy

This course if designed to give law enforcement officers who encounter dogs on their job a better understanding on countering dog attacks. In the course officers will leave with a better understanding on how to prevent an attacking dog, making a stand, OC Spray, taking a bite, and much more. In this course officers should be able to conquer their fear, prevent a dog attack and control the encounter with more confidence, but remember if you panic and let fear take over and try to turn and run in an attempt to avoid an attack, you could be setting yourself up for serious injury or possible death.

1:00 P.M. – 1:45 P.M.

Introduction to the Federal Marketplace for Security and Law Enforcement Personnel* (continued)

Scott Orbach, President, EZGSA

1:00 P.M. – 1:45 P.M.

Managing Reporting Resources*

Pattie D. Banas; Director, Sussex Management Associates

Utilize Powerpoint and open discussion to uncover needs of departments, provide possible solutions, and stress importance of effective reporting in today's LE environment. Introduce in-house resources, and draw on more than 20 years experience teaching report writing to motivate officers, trainers, and supervisors.

1:00 P.M. – 1:45 P.M.

Illinois Statewide Radio System, STARCOM21 Update*

John Kedzierski; Area Sales Manager, Pat Hughes; Area Sales Manager, Motorola, Inc.

STARCOM21 is the Illinois statewide Project 25 compliant digital trunking radio system. STARCOM21 provides mobile coverage across the entire state of IL with portable coverage in the larger Cities in Illinois as well as the Chicago metro area (Cook County and Collar Counties).

2:00 P.M. – 2:45 P.M.

Welcome To Argosy University – The Human Side of Success

Laura Beal, Associate Director of University Outreach, Argosy University, Chicago

1. Who we are; 2. Why Argosy University; 3. Program Offerings; 4. Financial Resources; 5. Steps to Getting Started; 6. Q & A

2:00 P.M. – 2:45 P.M.

Building Effective Public/Private Partnerships*

Tony Ramos - Co-chair IACP Public and Private Liaison Committee and founder of Integra Security Alliance, Robert Piscia - Chief of Police Village Frankfort IL and Co-chair IACP Public and Private Liaison Committee

Understanding the value of an effective public and private working relationship, this session will provide a brief overview of the committee, accomplishments and programs introduced to help foster a more co-operative relation. We will also review our newest endeavor and joint venture with the National Retail Federation (NRF) Midwest Investigator Group. About the NRF-The NRF is world's largest retail trade association and the voice of retail worldwide, the National Retail Federation's global membership includes retailers of all sizes, formats and channels of distribution as well as chain restaurants and industry partners from the U.S. and more than 45 countries abroad. In the U.S., NRF represents the breadth and diversity of an industry with more than 1.6 million American companies that employ nearly 25 million workers and generated 2009 sales of $2.3 trillion.

2:00 P.M. – 2:45 P.M.

Best Screening Practices*

Jed Voller; Vice President, Kevin Doughty; Investigations Manager, Personnel Evaluation, Inc.

By utilizing general character (honesty) testing and interviewing techniques, you can effectively shorten or alleviate your background investigations. A case study will be presented, featuring written screening and a one-on-one interview. Learn why it is important to go beyond the standard written exam and PHQ.

2:00 P.M. – 2:45 P.M.

Converged Platforms*

James Darnell, Technology Specialist, Schmidt Associates, Inc.

Identifies the advantages of converged (or IP-based) electronic security systems.

3:00 P.M. – 3:45 P.M.

Mobile Computing*

Joe Mayer; Solutions Consultant, Motorola, Inc.

For years, enterprise businesses have been leveraging mobile computing to streamline their operations, reduce costs and capture more revenue. These benefits are every bit as applicable to government agencies as well, and many state, provincial, municipal and county customers are excited about custom-designed applications for their unique operational requirements.

3:00 P.M. – 3:45 P.M.

Prevention, Recognition and Management of Personality Disorders- A Major Reason Why Police Officer Fail to Perform the Essential Job Functions*

Michael A. Campion, PhD; Consulting Police Psychologist, Campion, Barrow, and Associates, Thomas R. Campion, PhD; Consulting Police Psychologist, Campion, Barrow, and Associates

Officers with personality disorders have behavioral patterns that cause difficulty in dealing with everyday stresses and problems. Their behavioral patterns cause serious conflict with relationships and working with others. Every person has their own unique personality traits with their strengths and weaknesses. The stresses of life and policing can erode the less stress hardy. Recognition of maladaptive behavior patterns of officers on-the-job may enable the leadership team to initiate appropriate intervention strategies.

MIDWEST SECURITY & POLICE CONFERENCE/EXPO

3:00 P.M. – 3:45 P.M.

Policing and Leading in Challenging Times*

Timothy Goergen; Chief of Police (Ret.), Bloomingdale Police Department

Law enforcement is changing faster than any other time in history. Leaders dealing with economic fallout must be focused and fair to the community, organization and officers. Leaders must: (1) identify stakeholders: (2) develop a measured approach with each; and, (3) create value system within the organization to become stronger than ever.

3:00 P.M. – 3:45 P.M.

Green Video Surveillance Technology*

Thomas Carnevale; President/CEO, Sentry 360 Security

Traditional camera technology only provides at best 5-10% of the information within a Field-of-View (FOV) that's needed to gain the entire story. Immersive video or 360-degree technology has no moving parts and no blind spots and delivers complete situational awareness to the end-user with no unbroken video. Simply put, if a camera was pointed to the right and the incident happened on the left, the camera was worthless. 360-degree technology embraces wide-angle lens with high resolution sensors and, with software, corrects the users perspective view in a dewarped or unwrapped section of the source video, for full retrospective Pan-Tilt-Zoom capability in live or recorded video.

3:00 P.M. – 3:45 P.M.

Why Your Police Agency Should Join the Illinois Truck Enforcement Association

Bryce Baker, President, Illinois Truck Enforcement Association

The Illinois Truck Enforcement Association will be presenting a 45-minute training session at the expo this year. Come and hear what the ITEA is all about and why your agency should join. The training will briefly cover new legislation in 2010 and what that means for your police agency and municipality. The presentation will also work through some pitfalls truck enforcement officers find themselves in that could bring liability upon your police department, and what the ITEA is doing to help prevent this.

WEDNESDAY, AUGUST 11, 2010

8:30 A.M. – 10:00 A.M.

The FBI's N-DEx Information Sharing System: Its Role in Illinois and the Country*

Melissa Farrell, FBI N-DEx Liaison Specialist, FBI CJIS Division , David Gavin, N-DEx Outreach Representative; International Association of Chiefs of Police (IACP-International)

1. FBI presenting the description, status and future direction of N-DEx. This presentation would include a description of N-DEx functions, with either a real or pre-developed demo of the operational system. A description of the benefits of N-DEx to local law enforcement agencies and how it can be used by their detectives, analysts and patrol officers. Especially important in this presentation is a description of the initiatives of surrounding states and how the availability of other-states' information through N-DEx can provide significant benefits to Illinois law enforcement agencies. 2. IACP-International presenting the strategic importance of N-DEx to law enforcement and homeland security efforts across the country. This presentation will include the role of the major law enforcement associations in the planning, development and roll-out of N-DEx. Especially important in this presentation will be the message of support from IACP-International for N-DEx as the national system for sharing law enforcement incident and related data across the country. 3. ISP pulling together the relationship between N-DEx and the developing in-state plan for information sharing. This presentation will describe what ISP is currently developing for in-state law enforcement incident sharing and how those plans will roll out. It will also describe how those plans include N-DEx and how Illinois agencies will be able to participate in N-DEx through the state plan. Especially important in this presentation is the education of Illinois agencies on the in-state developments and how they provide key in-state sharing while they will also reach out to maximize local value through participation in the national system.

9:00 A.M. – 9:45 A.M.

Counter Terrorism Strategies Applied Locally*

Brian Churchill; Owner, Alpha Tactical Solutions
Thomas Stone; Owner, Alpha Tactical Solutions

Local security and law enforcement professionals are increasingly faced with new terrorist threats. This interactive session will explore strategies for proactively recognizing and ultimately mitigating attacks. Expert presenters will also discuss proven counter-insurgency tactics, providing attendees with effective tools to apply to their own security and law enforcement agencies.

10:00 A.M. - 11:00 A.M.

Uninterrupted Expo Time

11:00 A.M. – 3:00 P.M.

The Warriors Within - Motivational Leadership for 21st Century Police*

Sponsored by Illinois Drug Enforcement Officers Association

Daniel Roach, Captain, Illinois State Police
A course of instruction on leading and motivating front-lines police personnel in the 21st century. This is a hard-core, no nonsense, and gritty four (4)-hour presentation on effective, real world, leadership practices that can be utilized daily by police personnel, supervisors, and administrators. The premise of the discussion is based on trusting relationships being the cornerstone for effective leadership, and how to develop and maintain these trusting relationships. The instructor will provide dozens of leadership tips and practices that he has learned in over 20 years of supervising law enforcement personnel, and apply these towards how to create highly cohesive teams and a trusting organizational environment. Additionally, the instructor will explain how to motivate subordinates, peers, and bosses by focusing on the importance of the overall mission of law enforcement in today's society, and how what they do makes a significant difference in the lives of our citizens. Finally, the threats, dangers, and challenges of our law enforcement mission will be discussed in the context of our intrinsic warrior role within society. It will be demonstrated that the police culture and roles within our society closely align with all of the characteristics of the warrior title that is traditionally applied to our military brothers. As such, it will be demonstrated that law enforcement warriors protect our country from within our borders, while our military warriors largely protect our country from outside our borders.

11:00 A.M. – 11:45 A.M.

Scenario-Based Training Safety*

Bernard Hogancamp, Sergeant, Homewood Police Dept. and NEMRT

As vital as reality-based training is to successful perform our duties, far too many officers have been lost to tragic training accidents. This seminar will provide simple, common-sense best-practices to ensure that training can be accomplished effectively and safely.

11:00 A.M. – 11:45 A.M.

Building Success in the Criminal Justice Classroom*

Ron Harper, IL/WI Regional and Criminal Justice Program Coordinator, Rasmussen College, Rockford

To address curriculum development that includes but is not limited to cultural differences among students, diverse learning styles, and the use of Bloom's Taxonomy to build relevant curriculum and criminal justice programs. Keys to maintaining good student retention metrics within the program and job placement will be covered in addition to the use of strength based psychology for student success. Attendees will be encouraged to share experiences and use critical thinking to solve potential student learning issues.

11:00 A.M. – 11:45 A.M.

Police Stress - Walking the Thin Blue Line*

Gail Sullivan, Program Director-School of Justice, Westwood College - O'Hare Airport Campus

Being a police officer requires that cops have specific skills in order to maintain positive and healthy attitudes within their professional and personal lives. The social images of law enforcement officers, the police culture and the media conspire to portray a negative image of police officers. These pressures take their toll. The effects upon officers is seen in the increased alcoholism, suicide, divorce and domestic battery rate. The modern law enforcement professional needs to learn to modulate his/her stress in order to maintain the balance required for a long, productive and successful career in law enforcement.

11:00 A.M. – 12:45 P.M.

2010-2011 Legal Update*

12:00 P.M. – 12:45 P.M.

Workplace Violence, Why the Increase and How a Local Agency can Respond to Request/s for Service.*

Leonard (Leo) Richard; Retired Master Sergeant, Illinois State Police

Participants will gain insight into what is Workplace Violence, why is there an increase and possible strategies to deal with it. Also, what you can do as a Local Law Enforcement Agency to prepare to deal with such an incident and how to perform a facility safety assessment. Presentation will include videos, discussion and role plays.

11:00 A.M. – 3:00 P.M.

The Warriors Within- Motivational Leadership for 21st Century Police* (continued)

Sponsored by Illinois Drug Enforcement Officers Association

12:00 P.M. – 12:45 P.M.

Extremism & Public Safety*

Dr. James F. Pastor, SecureLaw Ltd./Calumet College

This dynamic and cutting edge presentation portends how increased extremism will change policing. This new model, Public Safety Policing, emphasizes tactical methods, surveillance technologies, and order maintenance provisions. It will lead to the continued expansion of private security in public environments performing critical public safety services.

12:00 P.M. – 12:45 P.M.

Integrated Command Center*

Joe Mayer; Solutions Consultant, Motorola, Inc.

The pulse of any communications network is the command center. It is the hub of decision-making and communication. With advances in technology, there is now unprecedented access to information, voice, data and video from within an agency and from neighboring agencies.

1:00 P.M. – 1:45 P.M.

Older Adults, or Adult Learner*

Michael D. Green; Deputy Chief (Retired), Northbrook, IL Police Dept.

Review the effectiveness of crime prevention training, and how to enhance presentations that target older adults by encouraging crime prevention officers to utilize self-directed learning techniques in the design and implementation of crime prevention education, and enhance their knowledge of the aging process and how it impacts adult learners.

11:00 A.M. – 3:00 P.M.

The Warriors Within - Motivational Leadership for 21st Century Police* (continued)

Sponsored by Illinois Drug Enforcement Officers Association

1:00 P.M. – 2:00 P.M.

Mass Violence Planning and Response - Target Hazards*

Chris Mailliard, CEO, Fusion Preparedness

When you look back at the last 10 years you see several high profile Active Shooter incidents that have tested Public Safety Responders and Planners. From Columbine to Fort Hood you can see a trend towards more determined, better armed and more violent bad guys. Looking outside the United States you can see even more violent actions and prolonged events with the Moscow Theater Incident, Beslan School Incident and the Mumbai Terror Attacks. Public Safety agencies should begin developing plans and response capabilities for these 4th Generation Warfare type incidents. Schools, Malls, Churches, and other Soft Targets may not have the security measures in place to protect those in the establishment and these occupancies become prime targets for those with the goal of harming as many as possible. If you are responding to a hotel, high rise office building or hospital for a mass violence incident you should know more about the building than the bad guys. Law Enforcement Agencies can take a cue from the fire service and begin Pre-Planning the Target Hazards in their community. These Pre-Plans can provide with vital information about the facility you are responding to to give you a tactical advantage.

1:00 P.M. – 1:45 P.M.

Why Your Police Agency Should Join the Illinois Truck Enforcement Association

Bryce Baker, President, Illinois Truck Enforcement Association

The Illinois Truck Enforcement Association will be presenting a 45-minute training session at the expo this year. Come and hear what the ITEA is all about and why your agency should join. The training will briefly cover new legislation in 2010 and what that means for your police agency and municipality. The presentation will also work through some pitfalls truck enforcement officers find themselves in that could bring liability upon your police department, and what the ITEA is doing to help prevent this.

* Course is accredited by ILETSB

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CONSULTING SERVICES ARE DESIGNED TO:

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Cherry Valley	Flossmoor	La Grange	New Lenox	Quincy	Warrenville
Collinsville	Genoa	Lake Zurich	Northlake	River Forest	Wenona
East Dundee	Highland	Morrison	Paris	Rock Falls	Winthrop Harbor

RECORD MANAGEMENT SOFTWARE

"As more Counties, Regional Groups and Towns look toward implementing integrated Record Management Software for increased efficiencies, doing more with less, we have invited major Illinois RMS vendors to provide case studies for your review. The ILACP does not endorse any specific RMS but does encourage integrated data."

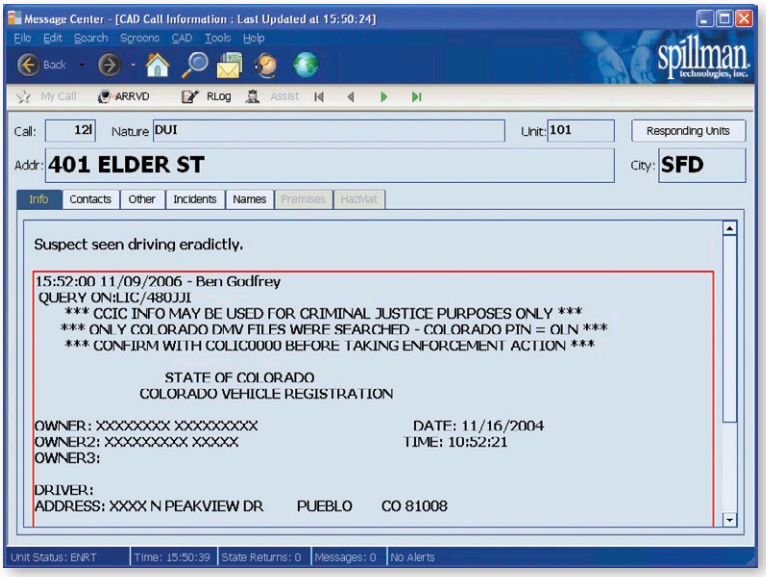
CALUMET CITY AND E-COM DISPATCH CENTER

By Lynze Lenio, Marketing Writer with Spillman Technologies

Calumet City and the E-Com Dispatch Center are using software from Spillman Technologies to work efficiently and increase productivity during the economic downturn. In Calumet City, police are using Spillman's records management and mobile software to stretch the agency's limited resources and combat gang activity, while the E-Com Dispatch Center uses Spillman to dispatch calls for multiple agencies and analyze local crime trends and patterns.

"Calumet City has been hit by tough economic times, and the city's police department is no exception," said Calumet City Police Department Commander Bill Siems. The agency laid off 18 police officers in recent months, leaving 80 officers to respond to the city's approximately 80,000 calls for service annually. For a city of 40,000 people, Siems said, that's an average of two calls per resident per year.

"Since the city adopted Spillman six months ago," he said, "the software has allowed officers to spend more time in the community and less time filing reports and searching for data at the station."



Officers use laptop computers equipped with Spillman's Mobile software to search for information about suspects, including images, aliases, gang affiliations, and relationships with other known criminals from the field. Officers can search their agency database, as well as other Spillman, non-Spillman, state, and national databases without leaving their vehicles or requesting dispatch assistance.

"Our officers are loving the ability to look up names and conduct searches [from the field]," Siems said.

"Many local gang members go by 'street names,'" he said. Officers can enter the street name into the Spillman system to retrieve the suspect's real name, address, physical description, identifying marks and tattoos, and more.

Continues on page 28

RECORD MANAGEMENT SOFTWARE *(CONTINUED)*

"Our officers love it because of how functional it is," he said. "They don't have to come back to the station to see who 'Doughboy' is."

Once a suspect's name is searched in the system, an officer can easily see if the person is a known gang member or has any affiliation to other gang members in the database.

"An officer in the field can easily see the name of every Latin King that we have operating in our town," Siems said.

Officers can also use Spillman to see how a suspect is connected to other names, incidents, property, and locations in the database. Siems said officers frequently use Spillman Involvements® to see how suspects are connected to gang members and crimes. "Involvements recently allowed officers to see a gang connection to a recent street fight," he said.

"There were nine people fighting, and Spillman showed that two of the people involved are Latin Kings," he said. "That gives us a pretty good idea who started the fight."

Using Spillman's Imaging module, the agency can attach multiple digital images to an electronic record. Officers working on their laptop computers can often upload images of gang graffiti to help identify the graffiti they encounter on the street, Siems said. They can also pull up mug shots to identify suspects, he said, which is especially useful when suspects give police a fake name or try to deny their identity.

"There are a lot of people who try to play name games with us and say they're somebody they're not," Siems stated. "When you pull up the software and say, 'Well, there's your picture,' there is not a lot they can do to deny it."

The software also helps the Calumet City Police Department evaluate its policing strategies. Spillman's CompStat Dashboard calculates trends and patterns using information stored in the agency's database. Siems said the department used the software to spot a slight decrease in crime over the last 25 days.

"We can show that the arrests we've made are making a difference," Siems said.

For the last five years, Spillman has been helping the Homewood-based E-Com Dispatch Center efficiently dispatch calls for 12 police and fire departments in Homewood, Flossmoor, Glenwood, Hazel Crest, Riverdale, and South Holland.

"Spillman has proven itself year after year," said E-Com Deputy Director Bob Radtke.

Dispatchers use Spillman Geobase to pinpoint locations using common place names, Radtke said, a crucial feature for a high-volume dispatch center like E-Com. The southern Illinois facility serves a population of 93,000 and receives approximately 130,000 calls per year.

"If someone reports a call in front of Joe's Coffee Shop, there's no guessing and no looking on a map – [the address] is going to show up," Radtke said.

The multi-jurisdictional dispatch center saves the communities money, Radtke said, because it allows each city to share operational costs.

"It improves the overall service to each of the member communities, and helps each of them trim their budget," Radtke said. "Communities are paying one-sixth of the bill, instead of paying 100 percent."

Before forming E-Com, several of the participating cities operated pen-and-paper dispatch centers. Radtke said that operating a multi-jurisdictional dispatch center would be virtually impossible without computer-aided dispatch software like Spillman.

Using Spillman, the participating agencies can share data, including law records, fire incidents, names, vehicles, property, and digital images. The shared system allows agencies to enhance investigations with real-time data from neighboring communities and work together to prevent emergencies.

The software also allows many agencies to conduct statistical crime analysis, Radtke said. With Spillman's Pin Mapping module, agencies can see a visual distribution of crimes by displaying them on an electronic map.

"This wasn't available before, except by writing down addresses and putting them on a paper map," Radtke said.

Spillman's Mobile Voiceless Dispatch is helping E-Com dispatchers communicate with field personnel more efficiently, allowing police and firefighters to react quickly to calls. With Spillman, police and fire personnel can use their laptop computers to receive call assignments, view addresses, and see unit and call statuses.

"Officers are able to get a clearer picture of the environment on the streets," Radtke said.

Another benefit, Radtke said, is that critical calls are no longer competing for radio bandwidth with non-critical calls like barking-dog complaints.

Calumet City and E-Com are among 14 agencies in Illinois and more than 800 agencies in 36 states across the nation using software from Spillman Technologies. Spillman has provided public safety personnel with state-of-the-art software backed by unparalleled customer service for more than 30 years. Spillman specializes in integrated software, including CAD, RMS, Mobile Data & Field Reporting, Mapping & GIS, Crime Analysis & CompStat, JMS, Fire, Data Sharing, and Personnel & Resources.

COMMUNITY CONNECTIONS

STREAMLINING COMMUNICATIONS DELIVERS RESULTS IN ROCK ISLAND

CONTACT INFORMATION

Rock Island Police Department, IL
Jason Foy
316 16th Street
Rock Island, IL 61201
309.732.2677

DEPARTMENT PROFILE

Rock Island County Consortium, IL includes:
East Moline Police Department
Milan Police Department
Moline Police Department
Rock Island County Sheriff's Office
Rock Island Police Department
Silvis Police Department

PRODUCT PROFILE

Computer-Aided Dispatch (OSSI CAD)
Records Management System (OSSI RMS)
Jail Management System (OSSI JMS)
Mobile Computing (OSSI MCT)

SITUATION:

Nestled along the Mississippi River on the Illinois/Iowa border between Chicago and Des Moines, Rock Island County is part of the Quad Cities Metropolitan Area and has a population of approximately 360,000 residents. The Rock Island Consortium is composed of six law enforcement agencies, using a single multi-jurisdictional OSSI Records Management System (RMS) and Jail Management System (JMS), as well as individual OSSI Computer-Aided Dispatch (CAD) and Mobile Computing Technology Systems (MCT).

The Rock Island Police Department Communication Center (RICOMM) dispatches for the police, fire, and EMS departments and shares records and jail information with four other police departments and the sheriff's department. Even though the agencies share information, it was apparent that field officers needed a way to stay connected with the communications center and their station, as well as with personnel from surrounding cities. The Rock Island Police Department required a secure, streamlined solution that would allow them to push information to the field.

SOLUTION:

In 2006, the Rock Island Police Department added 26 mobile laptops with SunGard Public Sector's OSSI MCT to their squad cars. This gave officers the ability to leverage the functionality of their OSSI CAD, RMS, and JMS systems. The MCT application provides voiceless dispatch, status updates, car-to-CAD messaging, car-to-car messaging, and information queries from vehicles. Field personnel can access local, state, and national warrants, stolen vehicle and property information, mug shots, and records management information.

OSSI MCT provides voiceless dispatch, reducing the amount of radio traffic previously used to dispatch a call. "Prior to using the OSSI mobile system, anything we said over the radio could be accessed by citizens via a scanner," says patrolman Timothy Metzger. "We use the mobile computers to en route, arrive, and clear ourselves from calls. When a dispatcher sends me to a call, I am notified over the laptop with any notes on the call. And because this all happens over the computer and not the radio, suspects and wanted criminals don't know that we are coming for them. And if it's a sensitive call, we can send messages back and forth among the squads or with our supervisors.

"When I'm not dispatched to a call, I can run plates through our mobile system, without involving our dispatchers,"notes Metzger. "I can run 20–100 plates a day, and more often than not, I get people driving with suspended driver's licenses—a violation that is often linked with open arrest warrants. Because I can see any outstanding warrants, I can immediately take the individual into custody, then serve the warrant, making me more productive and the streets a little safer."

Integrated mapping delivers geographic analysis and visual reference to field personnel. Using the same map engine as the OSSI CAD system, real-time graphical representation of officers' locations and call information is available. "With the general status screen, I can see the location of all the other units and know what kind of calls they are on, so if they need backup, I can help them out," explains Metzger. "The mapping portion is huge—a lot of officers are new to this town, so they don't know all the areas. There are areas of this town that you 'can't get there from here,' so if you're not familiar with the area, the mapping feature is a great tool."

OSSI MCT supplies critical information about previous events, hazardous materials, or other potential dangers at a location, as well as mug shots. "Having access to mug shots has helped increase officer safety and remove criminals from the streets faster," says Metzger. "Prior to this functionality, if we wanted to see a mug shot, we had to go to the county sheriff's office, which took us out of our beat, and now we have them electronically at the station and in our cars. Also, if an officer writes a ticket to someone in Moline or E. Moline, then any agency has access to that information."

IMPACT:

"When we first got the mobiles in the cars, the officers literally fought over them. If they got in a squad with no computer, nobody would want to drive it—that's how big of a deal it was," explains Metzger. "It makes that much of a difference. It's an everyday occurrence on traffic stops to identify people—and people lie to me every day about their names. Just recently, I pulled a car over and the woman gave me a false name; eventually, we got a partial name. I entered it into the computer, and the system showed me that she had been arrested in Rock Island County, so we had a mug shot on her. The system also revealed that she had a warrant for arrest, so we took her into custody and served the warrant. Without OSSI MCT, we probably could not have proven who she was and would have had to let her go. With OSSI MCT, we were able to take a dangerous person off the street, making the community safer for everyone."

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ILACP Partners with CARFAX and DOCVIEW

The Illinois Association of Chiefs of Police, CARFAX and Docview have partnered together to bring to each law enforcement agency an **Ecommerce Accident Report Dissemination solution which will allow your agency to continue to receive 100% of your crash report revenue while cutting your agency's overhead**!

Docview is an Internet based application that was developed to help law enforcement agencies and insurance companies manage and access traffic accident reports in a more efficient manner. Through the use of cutting edge online document management technology, you are now able to rapidly find and view an accident report within minutes of being submitted to Docview. Insurance companies and citizens no longer have to wait in line or mail in report request forms. They can securely access your reports over the Internet, 24 hours a day!

Docview Benefits Include:

- Flexible searching tools help you find the report quickly and easily.
- Reports are usually available within 24 hours of being scanned.
- Secure PDF formatted, so you can view, save, print and email reports.
- The system is accessible 24 hours a day, seven days a week.
- Provided at NO cost to your agency.

How Docview Works

Again, at NO cost to your agency, Docview provides law enforcement agencies the ability to manage and sell reports online using the latest imaging and web application technologies. Using a powerful web based document management system as the backend, Docview turns your department's accident and crime reports into electronic documents that can then be sold to insurance companies, citizens and any other entity you wish. We provide simple solutions for managing your reports regardless if they are stored on paper, in an imaging system or in e-report format.

Once you sign up, your agency will receive a courtesy account application for the Carfax Vehicle History Service for police investigations. There are over 6 billion vehicle specific records on this database and many law enforcement agencies have used it as a tool to help break up vehicle theft and cloning rings and title odometer fraud activities.

Please contact Kellee M. Remer at 248-535-4925 for an in person or online demo, and for more information on how to implement in your agency.

SharePoint

TECHNOLOGY AND COMMUNITY POLICING IN HANOVER PARK

In today's law enforcement environment, it is important to give police officers as many tools as possible to get the job done efficiently. To do this, it is important to maximize the amount of resources available to them in their mobile office commonly referred to as a squad car. This was especially true at our department when we implemented a new community policing initiative, which we wanted to merge with our current intelligence driven approach to fighting crime. The initiative involves assigning officers to areas for one-year periods. Our command staff wanted to increase the amount of information available to the officers when on patrol or investigating criminal activity in order to improve their chances of success. It allowed them to stay in the field rather than come into the station to retrieve needed information. We also wanted to give the officers the ability to share information to improve their working knowledge while patrolling their assigned areas.

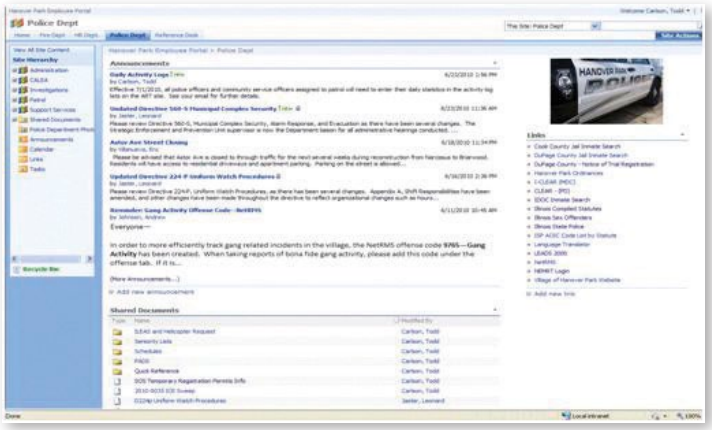
What resulted was the use of a web platform that was inexpensive, had a simple interface and had the necessary information officers might need at their fingertips in the form of a department "webpage." The webpage allowed all this information to be found in one basic location. *The webpage was created using Microsoft® SharePoint® which is a designed web interface. Microsoft describes SharePoint as "an integrated suite of server capabilities that can help improve organizational effectiveness by providing comprehensive content management and enterprise search, accelerating shared business processes, and facilitating information-sharing across boundaries for better business insight."* http://sharepoint2007.microsoft.com/product/Pages/default.aspx. The "webpage" allows police department personnel to access documents, policies, memorandums, announcements, intelligence bulletins, email, village databases and post information from their squad car, office desktop and/or home computer.

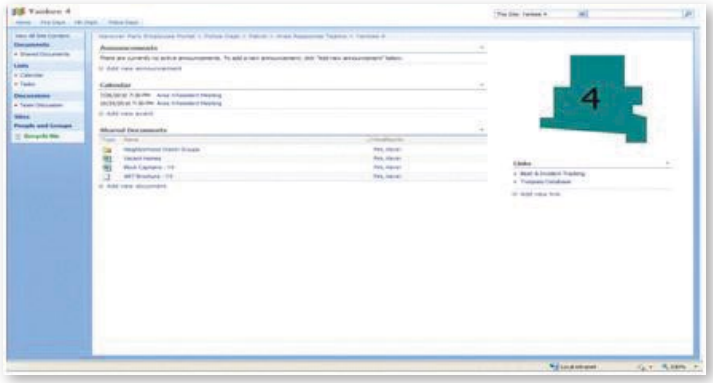
Our system administrator is our Crime Analyst Todd Carlson who oversaw the lion's share on the development and implementation on this project. Great thought went into improving functionality of the department and in determining how to integrate that function with a website that will be usable down to the line officers. All of our squad cars have wireless 3G cellular cards that allow our street officers to have access to the website from the Internet. Because of this Internet access, officers and supervisors are able to log in from any location to access department information or enter information. The final design, which was implemented, created a site hierarchy by department function.

The main page is organized into five sections: 1) Common Web-links, 2) Department Announcements, 3) Public Documents, 4) Department Photos and 5) the Site Hierarchy. In a glance, the officer can see any new announcements, review a new memo, policy or intelligence bulletin, get information quickly from a website, and then move on to his patrol section for further detailed information that affects him/her.

From the Main page, subsites were created for each department function (e.g. CALEA, Patrol, Investigations, and Support). Additional subsites were created from these sites that were further broken down by function. In Hanover Park, we are on 12-hour shifts and there are six community patrol beats that exist across all shifts. As a result, six patrol subsites were created. These subsites have several features where beat officers are able to communicate across all shifts and patrol teams. Each beat site has a document storage area, announcement area, calendar, and discussion board. This enables each beat officer to communicate about issues affecting their beats and other issues. In addition, they can save any document that is pertinent to their beat like neighborhood block captains, watch members, elected officials, etc.

Continues on page 32





SHAREPOINT *(CONTINUED)*

Continued from page 31

An important feature that we wanted incorporated was the ability to allow officers to enter and track problems affecting their beats. The webpage does this using a feature called a List. A list functions like a spreadsheet but has features that are more robust. Officers are able to enter beat problems and incidents. Other officers along with the initiating officer then work on the problems until they are resolved. Once the problem is entered, the webpage is set up to automatically email the officers and supervisor assigned to the respective beats. Any updates that are entered are also emailed out to the beat officers and supervisor. This makes the tracking problems and officers' response to the problems more easily recorded. It is a great community-policing tool.

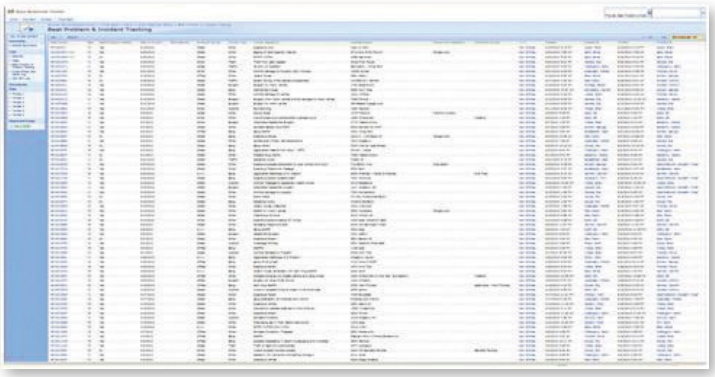
One of the hardest challenges for any organization is to open the communication lines across the organization. This challenge is even greater for police departments because of the 24 hour/7 days a week operation with personnel assigned to patrol, investigations, gang enforcement, crime prevention, etc. This is especially true for police departments, like ours, who are on 12-hour shifts, which make communication even tougher. The webpage provides the answer to this communication problem for officers and command personnel alike.

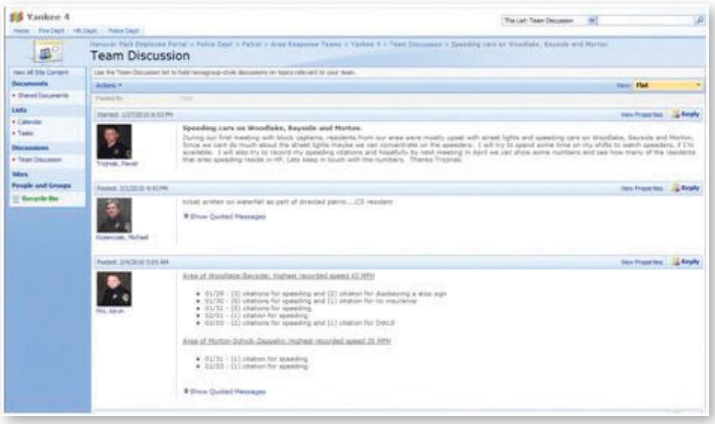
We currently track all officer activity including daily activity, special details and directed patrols. Officers are able to review their activity whether in the station, car or at home. Supervisors are able to view their subordinates as well and then integrate the information into staff meetings, employee evaluations, and for monitoring performance of the officers.

Training has been simplified in that a master training calendar is viewable in either Microsoft® Outlook® or directly on the website. In addition, the website allows integration of training forms and tracking of training certifications. The website is able to read the form, which is created, and export it directly to a list once the information is entered. The website can also perform workflows. A workflow is a series of tasks to complete. For example, when an officer fills out the training form and saves it, the system will notify the officer's supervisor by email that a training form has been created. The supervisor will review the form and, once he approves it, the website will then notify the Training Lieutenant by email so he can review and approve the form.

We currently have our intelligence bulletins distribution set up in a workflow. When an intelligence bulletin is created, it automatically emails the relevant supervisor that an intelligence bulletin has been created. Once the supervisor has approved the bulletin, the website will email the entire department that an intelligence bulletin is ready to be viewed. This has increased our officers' working knowledge because officers can view photos and refer to past bulletins and other pertinent information right from the squad's laptop at any location.

Community policing initiatives continue today in many communities, and departments that utilize technology can increase their chances for success by getting available information to officers on the street. Web-based interfaces are a great tool, and departments that implement this web-based technology correctly can increase communication and share their department's intelligence and response. Software platforms like SharePoint that can handle a vast array of content shaped to department needs and that maximizes the use of increasing mobile computing speeds will provide departments with resources officers wished they had long ago.





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RECORD MANAGEMENT SOFTWARE TECHNOLOGY TEAMWORK

PERFECT-FIT TECHNOLOGY, TEAMWORK AND FORWARD-THINKING ADVANCE PUBLIC SAFETY IN KANE COUNTY

By Sarah Bajek, Communications Specialist, New World Systems®

Kane County, Illinois, is using technology to overcome the never-ending challenges of serving and protecting more than half a million people in their community. Faced with growing data-sharing requirements, increasing citizen expectations and reduced funding, Kane County launched a countywide initiative to improve public safety and services to constituents. Seeking to improve efficiency for the Sheriff's Office, Jail and 911 Communications Center, the County made updating their technology the backbone of the project.

"The integration of technology in all facets of public safety is really what creates a more efficient system, and that is what we strive for here in Kane County," said Kane County Board Chair Karen McConnaughay. "Especially in a time when it is economically more challenging for government entities, trying to find this efficiency through a better system requires an investment in technology."

Considerations for the Large Agency

Neighboring metropolitan Chicago, the Kane County Sheriff's Office polices over 520 square miles and has a service population of more than 500,000 people. Additionally, Kane County's 911 Emergency Communications Center dispatches for 16 agencies, and the County Jail houses on-average more than 600 inmates at any given time.

Several years ago, the County launched an ongoing effort, spearheaded by McConnaughay and Kane County Sheriff Patrick Perez, to improve public safety and make the Sheriff's Office, Jail, and 911 Communications Center better equipped to handle the ever-growing multi-jurisdictional needs of their large community. At the time, communication and efficiency were limited by older technology, inadequate buildings, and disparate legacy software applications.

"Any large complex public safety agency like the Kane County Sheriff's Office needs to have access to accurate information and be able to quickly communicate across all departments," said Roger Fahnestock, Executive Director of IT for Kane County. "We lacked that seamless integration, and that is what we set out to fix."

Connecting the County

To drastically improve communication across Kane County, the first step was to install an advanced network to connect the entire County. With the help of Cisco Systems®, Kane County installed an advanced fiber network that included a wireless solution to tie in distant facilities. With the new infrastructure in place, the Sheriff's Office was positioned to comply with the State of Illinois regulations for enhanced 9-1-1 (E9-1-1) and equipped to quickly connect decision-makers throughout the County during an emergency. In 2007, their hard work paid off when

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RECORD MANAGEMENT SOFTWARE TECHNOLOGY TEAMWORK *(CONTINUED)*

Continued from page 33

Kane County was honored by Computerworld® at their Best Practices in Infrastructure Management Awards for the advanced network they constructed.

The next step in modernizing operations was to consolidate their technology direction and software on to a single Microsoft® platform that would work for the entire County well into the future. Having applications on multiple platforms was draining resources and costing the County precious funds. Kane County's progressive Information Technology department successfully completed the platform consolidation and utilized virtualization to dramatically improve redundancy and data recovery.

One of the most important projects during this time was the selection of new public safety software to replace a legacy solution and disparate software applications that were holding them back. The new solution had to fit into the County's new technology and platform plans, and handle the volume and multi-jurisdictional needs of the Sheriff's Office and 911 Center. In addition to meeting Kane County's current requirements, Kane County officials wanted to ensure they were making a 15- to 20-year investment that would stay up-to-date with trends in technology.

While the Kane County Sheriff's Office is large, some jurisdictions within the County are small rural villages, forest preserves, and medium-sized communities that need access to the County's public safety solutions as well. It was important, especially for the 911 Center, for the County's new solution to work with each agency in order to make this project a complete success.

"Dispatching for as many agencies of varying size as we do, we face certain challenges that smaller agencies may not," said Jennifer Baustian, 911 Director for Kane County. "The trend in 911 right now is consolidation to save money without sacrificing service. It was very important that our new solution operate flawlessly in any environment."

After conducting a thorough Request for Proposal, viewing demonstrations, and performing a comprehensive analysis of company stability and references, Kane County officials found New World Systems® to be a perfect technology and vision match for where the Sheriff's Office and County were headed.

"There were so many things that were important to us in our new public safety software," explained Fahnestock. "Our new solution had to fit into our model; .NET direction, SQL Server, virtual environment, etc. However, the final straw came when our review panel of Sheriff's deputies test-drove New World's product. The users selected New World Systems, and it fit our technology requirements; the decision to partner with the company was easy after that."

Kane County also commissioned the building of a new Sheriff's Office and 640-bed Adult Correctional Facility that offers room to grow and the latest safety and security features. After moving the Sheriff's Office and Jail, the County relocated their 911 Communications Center and Office of Emergency Management to a renovated building in the County Government Center complex with updated safety and back-up measures. Leveraging their solid infrastructure and New World Systems' solutions, the 911 Center was able to make a seamless transition to the new building, without interruption in 911 services, over the course of three days. Since completing the relocations and implementation of New World's Aegis/MSP® Computer Aided Dispatch, Mobile Computing, Records Management, and Corrections solutions, Kane County has been able to overhaul and streamline many processes from call-taking and

RECORD MANAGEMENT SOFTWARE TECHNOLOGY TEAMWORK *(CONTINUED)*

dispatching, to booking inmates. With complete integration between departments, information entered into one application is accessible from anywhere throughout the system. This has eliminated many of the frustrations the Sheriff's Office struggled through with disparate systems.

"Better integration equates to better time management," said Sheriff Patrick Perez. "Instead of navigating through screens, and exiting software programs, our officers are retrieving information much faster. And obviously when we better manage our time, we are more productive and provide better service to the community."

The Right Technology for Interoperability

Each piece of the Kane County project was critical to the overall success of improving integration and interoperability through a single software solution. The fiber network and new structural designs, positioned Kane County to make the most of the scalability, integration, and the technology behind the new public safety software.

The improvements have made it easier for Kane County 911 dispatchers to quickly respond to calls and transfer the most accurate information to first responders at any of the police and fire agencies for which the County dispatches.

"As a dispatcher, everything is time sensitive," said Jennifer Baustian. "The interoperability and ease of use of New World's software has eliminated redundant data entry and improved organization for our dispatchers, especially during mutual aid responses. We now have much more information available for officer safety and assistance in coordinating a faster response time during an emergency than we ever had before."

The Sheriff's Office is also positioned to benefit from information sharing with other municipalities in and out of Kane County. Because the agencies within Kane County are able to use the new software, and many surrounding agencies are also implementing the same solution, the County is no longer limited to radio communication between agencies. Information can now be shared electronically in a faster and more reliable way. Criminals do not obey jurisdictional lines, and now the Sheriff's Department is better equipped to combat crime and aid other agencies.

"Lack of information sharing has hindered us for years," said Sheriff Perez. "As police agencies, if we cannot easily share information and multiple agencies are not all on the exact same page, the criminals win. One of the biggest assets in utilizing New World's solutions is the integration and interoperability — not just within our agency, but with the State's Attorney, Judiciary offices and the many surrounding municipalities."

The Investments Are Paying Off

When Kane County began their public safety improvement projects, County officials knew that the improvements would eventually deliver long-term savings, but they never imagined such a fast return on their investment. Combined with savings from smart spending, the new technology and infrastructure in place in Kane County is paying off.

- Among other advantages, the new network and infrastructure has helped the County reduce phone and conferencing bills by more than $150,000 per year.
- By eliminating older technology and moving to SQL Server and virtual environments, Kane County saves significantly each year in maintenance fees and new equipment.
- In August 2008, the County completed the construction of the new Adult Corrections Facility and Sheriff's Office on time and under budget, saving more than $2 million.
- With the help of more flexible reporting from New World System's Aegis/MSP Corrections software, Kane County has implemented a special bond program to combat growing inmate population and is saving close to $2 million a year.
- In August 2009, by adaptively reusing a facility in their Government Center Complex, Kane County saved $150,000 on the relocation of their 911 Communications Center.

"We made sure to make an investment where the investment was needed without getting extravagant, which is a particularly good achievement in these times," said Karen McConnaughay.

Positioned for the Future

The benefits of upgrading their infrastructure and finding the right technology match in Kane County continue to mount. The County has been able to aid in FBI investigations for gang and drug sweeps by providing more crime data, officers have increased awareness in the field with access to in-house booking photos from their vehicles, and dispatchers and first responders are leveraging advanced mapping and oblique aerial imagery for greater situational awareness.

"We needed to physically relocate some of our facilities to make them safer and more efficient, but the integration of technology through New World's software has really been a critical component to the long-term increased efficiency of our entire public safety organization," said Karen McConnaughay.

All of the public safety improvements Kane County has worked hard to achieve in the last six years are impressive. Thanks to a dedicated and progressive IT Department and County Executives with a vision for moving the County forward, they are one of few agencies of their size in the country that have met the integration needs of their organization, improved interoperability, and positioned themselves on the forefront of technology.

NamUs

(PRONOUNCED "NAME US")

NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM

By Paul L. Rizzo, Support Services Deputy Chief

NamUs: providing a force multiplier for missing persons and unidentified remains investigations

When a loved one first goes missing, there is usually a frenzy of activity; police are called, reports are filed, descriptions and pictures are distributed, local, regional and national law enforcement databases are notified, and the investigation barrels forward, especially in cases where foul play is suspected.

But what happens if the case grows cold? What happens when all known leads, tips, rumors, etc. are investigated, but there is still no resolution? At some point, police, other public service members, media and volunteers all have to go back to their other duties, but someone still has a loved one who isn't accounted for, and in almost every instance, they are left on their own. But sometimes even worse is the feeling that they could be doing something, anything to continue the search, but there is nothing that they know of for them to do.

What if there was a tool that could provide one way of empowering someone suffering from this type of loss, and allow them to fulfill the unspoken but understood promise that we all make to never give up searching for those we love.

Operating under the United States Department of Justice's National Institute of Justice, the National Missing and Unidentified Persons System (NamUs) is a clearinghouse for missing persons and unidentified decedent records. NamUs is a free online system that can be searched by medical examiners, coroners, law enforcement officials and even the general public to solve these cases.

The system is comprised of two separate databases, both of which operate in essentially the same way:

- The **Unidentified Persons Database** contains information entered by medical examiners and coroners concerning people who have died and whose bodies have not been identified. Anyone can search this database using characteristics such as sex, race, distinct body features, tattoos, jewelry clothing, prosthetics and even dental information, although sensitive data is locked and available to law enforcement only.

- Unlike the computerized databases most of us are familiar with, such as CODIS, VICAP, NCIC, LEADS (in Illinois) or RISS (Regional Information Sharing System), to name a few, one of the many unique features of the **Missing Persons Database** is that information about missing persons can be entered by anyone; before it appears as a case on NamUs, the information is validated.

When information is entered into the system, an automatic cross-check occurs between the two databases. The system will then send an alert to local law enforcement or families when, while automatically comparing profiles, a missing persons report bears similarities to unidentified remains. But so far, successes have largely come from family members of victims, or others, who scan the site.

MP= Missing Person • UP = Unidentified Person

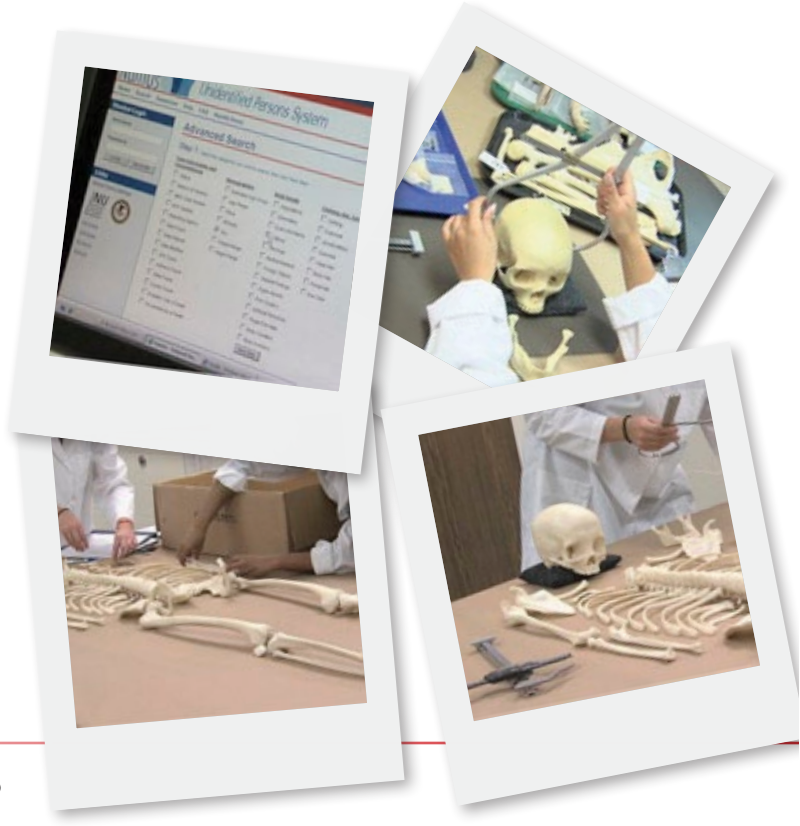
MISSING PERSONS MATCHED WITH UNIDENTIFIED REMAINS

NamUs SUCCESS STORY

Name: Sonia Lente
NamUs case #: UID#2726 and MP#597
Person Missing: October 3, 2002
Body Found: 2004
Location: Albuquerque, NM
Body Identified: June 2009

In June, a citizen searching NamUs noticed a remarkable similarities between a woman who had been missing since 2002 and an unidentified body found near Albuquerque two years later. Although authorities had initially thought the cases might be the same person, a DNA test was not close enough to make a definitive match and the case grew cold. When the citizen cyber-sleuth saw a potential match in NamUs, she alerted the NamUs contact. A forensic odontologist, available through NamUs to assist jurisdictions free of charge, assisted in the identification of remains. Two days later, the family of woman who had been missing for over six years was notified that their loved one's remains had finally been identified.

NamUs Role:
NamUs allowed a private citizen to access information through a single system, where records from across the nation are now stored in one place. Providing public access to the data was critical to the success of solving the Sonia Lente case.



NamUs *(continued)*

According to a 2009 *Washington Post* article, each year about 4,400 sets of unidentified human remains turn up in parks, woods, abandoned houses and other places, based on information from a 2007 federal report. Although authorities quickly identify most of them, about 1,000 are still unknown a year later. Estimates of the total vary widely, from 13,500 to 40,000.

The ready availability of the NamUs system results in an exponential increase in the amount of information and the number of eyes available on any given case. Search capabilities of the system are as detailed as indicating a crown on a specific tooth, or a description of a design or the text contained in a tattoo, and a query can be built based on numerous parameters.

NamUs also provides the ability to print posters and even map out possible travel routes in a search of a missing person. Other resources include links to state clearinghouses, medical examiner and coroner offices, law enforcement agencies, victim assistance groups and pertinent legislation.

Registered law enforcement users of the system have access to a wide variety of professionals, including odontologists, anthropologists and fingerprint experts, as well as DNA testing at no cost to their agency. The system also incorporates geo-mapping technology to allow a search for law enforcement agencies or medical examiners/coroners along a particular route, or within a given area.

While every case is critical to the families, friends and loved ones of those involved, we are all well aware that few cases receive widespread attention, and even fewer maintain that focus for any extended period of time. Unlike traditional methods, or even local or regional media coverage, the NamUs database opens up each and every case wherever it originates to anyone with Internet access and a desire to help, and isn't limited by the amount of air time or print space available or the relative importance of other news of the day.

In Illinois, the addition of "Suzanne's Law" improved our documentation and reporting of all missing adults, but in many states, reporting by law enforcement in certain instances is still voluntary. We are one of only a small number of states where it is required. One of the stated goals of NamUs is to fill this gap and make this vital information available nationwide. They have pledged and continue to work with state clearinghouses and the public to ensure that any and all information on these "officially" unreported cases is included in their database and others at a national level.

This initiative brings together many disciplines involved in the investigation and identification of missing persons and unidentified deceased victims, as well as enabling the participation of the public in ways that were previously unlikely, if not impossible.

NamUs fills the need for a unified, online, free database for reports of missing persons and unidentified remains. It is the one place where everyone with any interest in a case—law enforcement, medical examiners and coroners, victim advocates, families and even the general public—can share information to help solve cases that would so often remain unsolved, sometimes forever.

For most of us it would be very difficult to imagine that confirming your missing loved one is deceased would provide any comfort, but for some, just the knowledge that they finally have closure may bring a certain amount of peace.

NamUs SUCCESS STORY

Name: Jody King
NamUs case #: MP #1992
Person Missing: April 20, 2009
Body Found: June 18, 2009
Location: Connecticut
Body Identified: June 19, 2009

In April 2009, a man disappeared following a car accident in Connecticut. Police and dogs searched the area, finding the man's wallet and some clothing, but not the driver himself. A few weeks later, the man's aunt entered very thorough information — including dental records and images of tattoos and a wedding band — into NamUs. The following month, a body was found near the accident scene and, in June 2009, with the help of the dental records that were readily accessible in NamUs, the body was identified as Jody King, the man who had disappeared following the car accident.

NamUs Role:
Because dental records were quickly available via NamUs, authorities were able to positively identify the body of Jody King.

NamUs SUCCESS STORY

Name: Luis Fernandez
NamUs case #: MP #1768 and UP #1870
Person Missing: July 2007
Body Found: December 3, 2007
Location: Ringgold County, Iowa
Body Identified: January 11, 2010

In July 2007, Luis Fernandez went missing in Omaha, NE. His family reported him missing in June 2008. Fernandez's case was entered into NamUs in March 2009 after Officer Jim Shields of the Omaha Police Department learned about NamUs at a conference at the University of North Texas Center for Human Identification. On April 6, 2009, a civilian from Iowa contacted Officer Shields and alerted him of a possible match between Luis Fernandez – MP #1768 and UP #1870. The ME in Ringgold County, Iowa, was pulled into the case and began comparing dental records, which were ultimately inconclusive. Family DNA reference samples were taken from Fernandez's family members. On January 11, 2010, the UP in Iowa was positively identified as Luis Fernandez.

Interested agencies can obtain training in several ways:

- System administrators are available to provide individualized assistance with learning the system or entering cases.
- Online, pre-recorded training sessions are available that provide overviews of how to register, track cases, use advanced search capabilities, create a new case and add details — *projects.nfstc.org/namus*
- Live WebEx sessions can be scheduled for a team desiring a system demonstration, training on specific functions or a Q&A with a system administrator.
- Also look for NamUs workshops or information at seminars and conferences.

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NAMUS *(CONTINUED)*

NamUs SUCCESS STORY

Name: Paula Beverly Davis
NamUs case #: UP #985
Person Missing: August 9, 1987
Body Found: August 10, 1987
Location: Englewood, Ohio
Body Identified: December 11, 2009 (Montgomery County)

In August 9, 1987, Paula Beverly Davis went missing from, Kansas City, MO. Her body was found in Montgomery County, Ohio,14 hours after she was reported missing. In October 2009, Davis' sister, Stephanie Clack, was watching an episode of "the forgotten" and saw the NamUs PSA and website. She went to NamUs.gov and searched the UP side with the information she had about her sister's case. After looking at a number of records, she was able to identify her sister by descriptions of her unique tattoos – a unicorn and a red rose – that the NamUs record contained. Family DNA reference samples were taken from Davis' father. On December 11, 2009, Paula Davis was positively identified.

Funding for NamUs is provided through Award No. 2007-IJ-CX-K023 by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.
NamUs rev. March 2010

Continued from page 37

In addition to the NamUs databases, the organization's web site contains information on the use of DNA to identify remains, and provides links to its regional administrators, as well as some federal agencies and other organizations dedicated to missing and unidentified persons cases. The contact for Illinois is namus.14@findthemissing.org.

If you feel this system has value and you would like to support it, H.R. 3695.RFS has passed the House and is currently in the Senate, http://www.thomas.gov/cgi-bin/bdquery/z?d111:h.r.03695: The bill would authorize $10 million in grants that could be used to train NamUs users and help cover data entry costs. It would also authorize another $2.4 million a year and ensure permanent funding. Additionally, the bill would allow a link between NamUs and NCIC, available now only to law enforcement; however, confidential data from NCIC would be withheld when necessary.

NamUs (www.namus.gov) *is funded through the National Institute of Justice and is managed by the National Forensic Science Technology Center, 7881 114th Avenue North, Largo, FL 33773, 727.549.6067 or at nfstc.org. The NFSTC is a 501(c)(3) not-for-profit corporation, also providing forensic services including training, assessment, technology assistance and evaluation to the justice and forensic communities. Funding for NFSTC is received from the NIJ and other federal agencies.*

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A 27-year veteran of law enforcement, Paul was one of the department's first motorcycle officers and has served in every division of the department. As a lieutenant, he commanded the Traffic Bureau before being appointed to the rank of Commander in 2007, and then Deputy Chief in 2009. As Patrol Division Commander, Paul had more police officers under his command than more than three-fourths of all municipal police departments have in their entire agency. He currently serves as the department's CALEA Accreditation Manager and is anxiously awaiting his on-site in May.

Traffic safety has always been a priority to Paul, and he has devoted a large portion of his off-duty and leave time to the cause. He is a founding member of the "Red, White & Blue Child Passenger Safety Team," has been a Child Passenger Safety Technician Instructor since 2000, is a past member of the National Child Passenger Safety Board and currently serves on the Illinois Child Passenger Safety Board. Paul also assisted in the development of an early version of NHTSA's "Child Passenger Safety in School Buses" curriculum. He has presented to the Commission on Accreditation for Law Enforcement Agencies, a SafeUSA forum on occupant protection, and the 2002 National Lifesavers Conference, as well as the Illinois School Transportation Association. Paul has been on a panel discussing construction zone safety for the International Association of Chiefs of Police (IACP) and was a presenter at the 2008 Illinois Traffic Safety Leaders conference.

Since 2000, he has served as Vice-Chair of the Illinois Association of Chiefs of Police Traffic Committee, helping develop the "Saved by the Safety Belt/Child Seat" program, and has for the past 10 years been Co-Director of the Illinois Traffic Safety Challenge, a highway safety recognition program sponsored by the Illinois Chiefs and funded through a grant administered by the Illinois DOT. He was named to the IACP Highway Safety Committee in 2006.

Under Paul's leadership, the department received state and national recognition for its traffic-safety programs. He is also the recipient of numerous departmental awards, as well as the Warren Award for Excellence from the Police Training Institute, and was a nominee for the Carnegie Foundation Award for Heroism. Traffic safety-related recognition includes the Kuska Award for Excellence in Child Passenger Safety in Illinois, a Superior Performance Award from the Illinois DOT, and most notably, in 2007, he received the J. Stannard Baker Award, presented each year by the IACP and NHTSA to one municipal police officer in recognition of lifetime achievement in traffic safety.

THE BABY BOOMERS' GUIDE TO THE WEALTH MANAGEMENT PROCESS

By Richard D. Barrett

Whether you are an individual that is looking down the tunnel to retirement or you are a board member of your respective municipality, it may be worth your while to review what you have in place for your wealth management process. It has been our experience that too often the finest laid plans are outdated and do not take into consideration more contemporary concepts and investment products.

At the foundation of your relationship with your financial advisor is a precise, disciplined approach to long-term investing. We believe that before you make an investment decision, it's important that we understand where you are today and where you want to be in meeting your investment goals. We suggest a five-step process in designing a custom plan for you.

STEP ONE:

Determining Your Objectives and Risk Tolerance

The investment process begins with a comprehensive understanding of your present financial resources, liabilities and objectives (both short- and long-term). You should also seek to understand how much risk you are willing to bear in pursuing your desired returns before developing your investment strategy.

Every individual/pension plan is different and it is important to recognize how risk-averse you are in the process.

STEP TWO:

Preparing Your Plan (Making Revisions Throughout Life's Stages)

Using a consultative, educational approach and state-of-the-art technology, a financial advisor should develop a comprehensive investment plan that addresses your risk tolerance, incorporates asset allocation[1] and sets parameters to help you achieve your goals.

The double whammy of longevity and inflation creates an asset allocation dilemma for boomers. In our opinion, the old adage of subtracting a client's age from 100 to obtain the optimal percentage of equities just does not hold for a five-decade retirement portfolio. Invest too conservatively, and their money may not grow enough to last their lifetime considering the erosion effect of long-term inflation. Invest too aggressively, and they run the increasing risk of outright capital loss without adding significant years to their plan under average market conditions. Think long term!

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[1] Asset allocation does not eliminate the risk of fluctuating prices and/or uncertain returns.

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THE BABY BOOMERS' GUIDE TO THE WEALTH MANAGEMENT PROCESS *(CONTINUED)*

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STEP THREE:

Selecting Appropriate Investments

An appropriate investment plan can provide diversification, help enhance return potential, lower overall potential portfolio volatility and position your portfolio to help you take advantage of developing investment opportunities.

In today's marketplace, there are countless alternatives available for your investment dollars. Be certain to weigh the choices available. Fees may take up a significant part of your investment returns. The simple fact is know what you are paying for and then make a decision as to if it is worthwhile.

STEP FOUR:

Implementing Your Plan

The consultant should review the details of your customized plan and confirm your interpretation before executing any specific recommendations. Once your custom plan is approved, it should be remembered, there is no such thing as a "dumb question."

We recommend you work with a financial advisor who has an open architecture to service and product. Be certain to keep asking many questions about strategy until you are satisfied.

STEP FIVE:

Monitoring Your Progress

Your plan should have ongoing monitoring and evaluation of your portfolio results. As market conditions or your goals change, continue to evaluate the impact on your total investment plan in an attempt to keep you on track to your goals.

Perhaps the most overlooked activity in the wealth management process is monitoring. For a plan to be effective, we believe you should have an accurate benchmarking tool that assists in giving you a "report card" to help show how you are doing.

On a quarterly basis, reviewing your risk tolerance and your asset allocation can give you a better road map as to financial independence. Be flexible and revise your plan along the way as appropriate.

Richard D. Barrett
Managing Director — Investments
Financial Advisor

After earning his degree in business administration from Southern Illinois University, Richard Barrett began his career at the investment firm F.I. DuPont in Chicago. Three years later, he moved his financial practice to Loewi & Co., a predecessor firm of Wells Fargo Advisors. For the past 35 years, he has been recognized as a member of the firm's Premier Advisors for his sales performance and for providing outstanding client service. In 2004, he received the Wachovia Way Award, which the firm celebrates the accomplishments of Financial Advisors who have achieved extraordinary success in their professional and personal lives.

Richard has been featured in the *Chicago Tribune's* "Ask the Expert" column, and he was inducted into Southern Illinois University's School of Business Hall of Fame. In addition, he is a graduate of the Securities Industry Institute held at the University of Pennsylvania's Wharton School of Finance and Commerce, and he has lectured at the University of Illinois.

Active in his community, Richard is a member of the Board of Directors of Wellness House, a cancer respite center. In addition, he was the charter president of the Hinsdale Gateway Rotary Club, co-chairman of the Laidlaw School Board of Western Springs, member of the Oak Brook Association of Commerce and Industry, and director of the Ruth Lake Country Club. An experienced yachtsman, he has sailed worldwide. Richard and his family live in Burr Ridge and attend Christ Church of Oak Brook.

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Jessie Barrett, CFP®
Senior Vice President — Investments
Financial Advisor

Jessie Barrett is a professional Financial Advisor dedicated to helping his clients meet their financial goals. He takes the time to understand each client's unique investment opportunities and, through clear and frequent communication, strives to keep his clients' portfolios on track toward their investment objectives. Jessie joined Wells Fargo Advisors in 1999, having previously worked for Van Kampen Funds in sales and marketing. He has also served as an intern on the Chicago Board of Trade with ADM, on the floor of the NYSE for LaBranche & Co. and with Wells Fargo Advisors' predecessor firms EVEREN and Kemper Securities.

Jessie earned a bachelor's degree in history from DePauw University. He also has obtained his Certified Financial Planner™ certificate. Jessie served on the Board of Directors for the University Club of Chicago and is a member of the Ruth Lake Country Club. In his spare time, he enjoys golfing, sailing, running and skiing.

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ILEAS Training Center Schedule

1701 E. Main Street
Urbana, Illinois 61802

The ILEAS Training Center in Urbana is home to a multitude of events and training. Since it opened in June of 2008, ILEAS has hosted over 250 events and 7,000 attendees. The Training Center sponsors not only law enforcement training, but also emergency management, communications, public health, etc. This is a list of the currently scheduled law enforcement events.

If you are interested in any of these training sessions, please contact Michele Watson at 217-328-3800 or at mwatson@ileas.org. For more details on these, or any other events at the ILEAS Training Center, see the Training tab on the ILEAS website at www.ileas.org.

EVENT	DATES
Officer Survival of Aggressive and Dangerous Dogs	August 12, 2010
Rapid Medical Response	August 16, 2010
Tactical Emergency Medicine Workshop	August 23, 2010
Behavioral Threat Assessment Team Training	September 28, 2010
Rapid Medical Response	September 29, 2010
Undercover Surveillance & Operational Planning	September 29–30, 2010
APCO Training	October 4–6, 2010
Critical Infrastructure and Key Resources Awareness	October 5, 2010
WMD Tactical Operations	October 11–15, 2010
W-Z Criminal Interview & Interrogation Techniques	October 18–20, 2010
Fingerprint Development & Recovery Techniques	October 25–27, 2010
Report Writing for Supervisors and FTOs	October 26–28, 2010
Report Writing for Police Officers	October 26–27, 2010
Public Information in a WMD/Terrorism Incident	November 16–17, 2010
Enhanced Threat and Risk Assessment	December 15–16, 2010
Best Practices Grant Writing Training	February 8–9, 2011
Grants Management Training	February 10, 2011
IESMA Meetings	February 11, 2011
Tactical Planning for WMD Incidents	March 15–17, 2011
CIT Course	April 4–8, 2011
WMD Advanced Tactical Operations	April 11–15, 2011
The Bulletproof Mind	April 26, 2011

DEATH OF AN OFFICER

By J.C. Paez, Lieutenant, Special Services Division Commander, Hoffman Estates Police Department

Grievances, budget cuts, staffing shortages, abuse of sick time, citizen complaints, and officer misconduct are on the list of the troubling issues that every Chief will be called upon to deal. That being said, every Chief is usually prepared to deal with those issues, having received some formal training at one point or another. What many Chiefs are lacking is the formal training to deal with the death of an officer. The issues related to a line of duty death can bring any Chief to his/her knees and be devastating to the agency and the surviving family members if not managed properly. No Chief is an expert on every topic, nor should they be expected to manage the entire incident on their own. However, making sure that a representative on the department possesses the knowledge should be a priority for every Chief. All departments should have a line of duty death policy, if they don't already have one, which includes information and protocol from the death notification, visitation and funeral protocol, to the myriad of financial benefits available for the surviving family members.

One of the best resources for a Chief to reach out to for training is Concerns of Police Survivors, Inc. (C.O.P.S.). C.O.P.S. wants every agency to be prepared to handle a law enforcement death; as such, they conduct a variety of training sessions. Training provided by C.O.P.S. can be as brief as a four-hour in-service training to as in-depth as a three-day session. *(Editorial Note: As was provided at the 2009 ILACP Summer conference. mw.)*

C.O.P.S.' FOUR-HOUR TRAINING COVERS SUCH TOPICS AS:

- Myths vs. facts about coping with the loss of a law enforcement officer
- Support issues for the surviving family, the agency, agency personnel and their families
- Being prepared with a General Order for a line of duty death
- Regular updating of family information and beneficiary cards
- Discussion of state/local benefits
- Organizing financial matters
- Symptoms of Post-Traumatic Stress Disorder
- Psychological/critical incident stress debriefing teams to address the needs of effected co-workers and co-workers' families
- Spouse seminars and employee assistance programs
- The survivors' perspective

Geared toward officers who deal with the survivors, C.O.P.S.' all-day session includes the above topics as well as:

- Death notification: injury vs. critical injury vs. death
- Assisting the family at the hospital
- Support for the family during the wake and funeral
- Cultural differences that influence law enforcement funerals
- Providing information and assistance on benefits to the surviving family
- Continued follow-up with the family
- Department support for the surviving family awaiting trial
- National Police Week activities
- Individual officer/family issues the agency should address

Every year C.O.P.S. also presents "The Traumas of Law Enforcement" at various locations across the country. This three-day, 21-hour training has been called "the Chicken Soup of law enforcement." Line of duty death, police suicide, the traumatized officer, the effects of trauma on officers, and police disability are all explored in depth to help agencies develop general orders for these "traumas" that affect law enforcement agencies nationwide. Over the years, C.O.P.S. has presented this training to nearly 8,000 individuals from the law enforcement community. In addition to providing training, C.O.P.S. offers the following programs nationwide to assist in the healing process for surviving members:

- Spouse's Weekends
- Outward Bound for children ages 15-20
- C.O.P.S. Kids Summer Camp
- C.O.P.S. Teens Wilderness Outings
- Siblings' Retreat
- Parents' Retreat
- In-Laws' Retreat
- Affected Co-Workers
- Counseling Assistance
- Trial & Parole Support

For further information on upcoming training sessions and programs, visit the website, *www.nationalcops.org*.

DEATH OF AN OFFICER *(CONTINUED)*

The Elmhurst, Illinois Fire Department Training Academy presents the "Organizing Tragedy" course twice a year. The 16-hour course was exclusively designed to prepare law enforcement and fire service agencies for a line of duty, non-line of duty, and retiree death. Taught in a logistic-based, classroom setting, students are exposed to the aspects involved with the loss of a comrade.

Besides providing the necessary information to create an efficient operating procedure, this course also allows students to communicate with important individuals such as funeral home directors, clergy, and surviving family members. With these opportunities, students also develop a personal awareness of the importance of being prepared. For further information or to register, visit: *http://www.honorguardtraining.org/organizing_tragedy.htm*

The death of an officer is an emotionally traumatic event for the surviving family members, and it can also be financially devastating. Having an understanding of the financial benefits available and the application procedures following a line of duty death is an essential part of the process. A benefits officer must be trained in advance and should be assigned to ensure that the surviving family members receive all of the benefits they are entitled to and that their financial needs are cared for.

At the federal level, the Public Safety Officers' Benefit (PSOB) offers a one-time payment to eligible survivors for officers killed in the line of duty. The current benefit as of October 1, 2009, is $311,810. This benefit is not reduced by benefits received from the state or local level, and it is not subject to federal income tax, execution or attachment by creditors. The PSOB also includes the Public Safety Officers Educational Assistance Act (PSOEA). This educational benefit is available after the PSOB claim process has been completed and benefits have been awarded. The PSOEA provides financial assistance to defray educational expenses. The current benefit is $925 per month of class and is available to the spouse and children; however, the PSOEA awards must, by law, be reduced by the amount of any other governmental assistance that a student is eligible to receive. For complete details on the PSOB and PSOEA, visit: www.ojp.usdoj.gov/BJA/grant/psob/psob_main.html

The State of Illinois also offers a one-time payment to eligible survivors under the Line of Duty Compensation Act (820 ILCS 315). The current benefit as of January 1, 2010, is $313,887.96. The benefit also covers a death while an officer was traveling to or from his/her employment as a law enforcement officer, or during any meal break, or other break, when on duty as a law enforcement officer. The compensation provided in this Act is in addition to, and is not exclusive of, any pension rights, death benefits or other compensation, and is not subject to income tax. An additional burial benefit of up to a maximum of $10,000 is payable to the surviving spouse or estate; however the benefit is paid only when the family pays for the funeral/burial expenses. Applications for this benefit are available from the Court of Claims Administrative Office (217-782-0111) or the Attorney General, Court of Claims Division (312-814-6125).

The Public Safety Employee Benefits Act (820 ILCS 320/10) requires employers to pay the entire premium of the employer's health insurance plan covering the spouse, and for each dependent child, of any full-time law enforcement who suffers a catastrophic injury or is killed in the line of duty. The Act contains a remarriage clause and benefits payable from any other source shall reduce the benefits payable under this act.

Educational benefits are also available under the Public Safety Employee Benefits Act (820 ILCS 320/15). The State shall waive certain educational expenses which children of officers killed in the line of duty incur while obtaining a vocational-technical certificate or an undergraduate education at a state-supported institution. The amount waived shall equal the cost of the tuition, matriculation and registration fees for a total of 120 credit hours. Applications for educational benefits can be obtained from the Illinois Student Assistance Commission in Deerfield (847-943-8500) or Springfield (217-782-6767).

Chief Patrick J. O'Connor, President, Illinois Association of Chiefs of Police, will be discussing with the Board of Officers his wish to create an ad hoc "Protocol Committee" for our Association to assist agencies in planning events of all types – but most critically, when it involves the loss of an officer.

Let us not forget: on average one police officer in the nation dies in the line of duty every 57 hours, an average of three per week. In 2009, 127 officers made the ultimate sacrifice; and as of July 10, 2010, 90 officers have died in the line of duty, four from the State of Illinois. Being prepared to manage the loss of an officer is essential knowledge that every agency must possess.

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"Better faithful than famous - Honor before prominence"

J. C. Paez is a 26-year veteran of law enforcement currently holding the rank of Lieutenant with the Hoffman Estates (Illinois) Police Department. He is a member of the Northern Illinois Critical Incident Stress Management Team and has conducted numerous debriefings for line of duty deaths and other traumatic incidents. He holds a master's degree in management from National-Louis University and is a graduate of the FBI National Academy – Session #228, and Northwestern University School of Police Staff and Command Class #100. He is an adjunct professor with Kaplan University, and serves on the Criminal Justice Advisory Board for Rasmussen College.

He has taught on the topic of line of duty death benefits for a number of organizations including North East Multi-Regional Training, the Illinois Law Enforcement Training and Standards Board Executive Institute – Enduring, Surviving & Thriving as a Law Enforcement Executive course, the Illinois Tactical Officers Association, the Illinois Police Accreditation Coalition, and the FBI National Academy Associates Northern Illinois Division.

LINE OF DUTY DEATH PROTOCOLS

By Myra D. West, Psy.D., Licensed Clinical Psychologist

Illinois Association of Chiefs of Police President Pat O'Connor raised an essential, but complex, topic in the Spring 2010 issue of *COMMAND*: protocols that assist us in "thinking about those who shared our lives." Protocols for Line of Duty Death (LODD) and Post-Incident Shootings, among other traumatic events that occur in the field of law enforcement, help to organize the responsibilities of law enforcement personnel in the midst of chaos. While these protocols are functionally relevant to police departments, they also focus on the mental health and emotional well-being of law enforcement personnel and their families.

The South Suburban Association of Chiefs of Police (SSACOP) recently developed a Line of Duty Death Protocol that will be utilized among the 72 police organizations in the South and SouthWestern portions of Cook County. This Protocol was created by a Committee made up of law enforcement personnel, a surviving spouse, a chaplain, and a psychologist. The Protocol is a comprehensive document intended to provide a Department with the necessary resources to implement a response to a Line of Duty Death. Essentially, the Committee should activate immediately to provide support and guidance where needed (i.e., agency, family, hospital, etc.) so that the department may respond to their personnel and the family of the fallen officer.

The first step in ensuring this process moves as smoothly as possible is that all officers should complete and update, periodically, their personal contact information sheet. This form carries out officer-defined notifications during a time when they may not be able to communicate their preferences. REMEMBER: The manner in which this message is delivered will never be forgotten by the survivors!

The SSACOP Line of Duty Death Protocol (LODD) consists of four phases:

Phase 1: Initial Response (Scene, Family Notifications, Hospital, and Department)
Phase 2: Funeral Planning
Phase 3: Wake and Funeral
Phase 4: Support for Survivors

PHASE 1

Initial Response

Officers should establish radio priority and identify a responding officer as the Officer "In-Charge" (OIC) until relieved by Supervisory Personnel. Officer assignments should be made to "stand-by" the victim and/or offender. Once emergency first aid is provided, call for an ambulance and assign an officer to accompany the victim and/or offender to the hospital. If a Law Enforcement Officer (LEO) death has occurred, consult the Illinois State Police Crime Scene Protocol to determine whether the fallen Officer's body should remain at the scene.

Protect the Crime Scene

Summon assistance and post assisting officers to establish and protect the crime scene. Control and/or assign assisting units where needed and secure the victim/officer's equipment for evidence (uniform, squad car, service weapon, personal effects). Assign a scribe to the OIC to keep track of responding units.

Secondary Tasks at the Crime Scene

Establish an incident command, a staging area for assignment of assisting units by the incident commander, a media area with a public information officer, and be sure to secure any witnesses at the scene. The Chief or Chief's Designee should make notifications to the family members at this time.

Notification of Family/Families

A Family Liaison Officer (FLO) should be assigned to the family and participate in notifying immediate family members. Notifications should occur as soon as possible and should be done in pairs. If a chaplain is available, it is highly recommended to have him/her accompany the officers, unless otherwise specified in the officer's contact information sheet. Notifications should be made inside the home. Immediate family members should be notified in person by Department members whenever practical. Out-of-town family members should be notified in person by the local law enforcement agency.

Department members should transport or drive the family car to the hospital. If childcare is necessary, a Department employee should be designated. Evaluate whether medical attention is necessary for any elderly family members or any other risks that may occur as a result of the tragic news the family will receive. The FLO should remain with the family at home or at the hospital. The FLO should be someone close to the officer, and perhaps the officer's family, who can provide support throughout this lengthy process (i.e., through Police Memorial Week, Gold Star Family Events, the anniversary of the death, etc.). Ensure that family members do NOT report to the crime scene.

Hospital Operations

An OIC should be designated for "Hospital Operations" and carrying out the following tasks. Coordinate with hospital staff to provide distinct areas in the hospital for: the family w/FLO and police chief/senior staff (if applicable); fellow Officers, friends and extended family; and the media. Please note that anyone wanting access to the "family" area must have family approval.

With the family's permission, the FLO should attend meetings with the family and medical staff for updates. This is important as the family may not be able to process and retain the information being provided by the physician due to their level of distress. A FLO should take notes of pertinent medical information so the family can review it when they are better able to process the information. The "Hospital Operation" continues until removal of the officer or family.

Police Department Operations

An OIC of Department Operations (Police Station) should be identified. This officer should secure a copy of the Employee Family Notification Form[1]. Continued communication with the FLO is essential and should be ongoing whether the FLO is with the family at the home or hospital. The OIC of Department Operations should also establish a media area at the department to handle any media response to the incident.

PHASE 2

Funeral Arrangements

The LODD Committee will meet with the Department, if requested. The LODD committee is a resource that can assist with the LODD process as the Department deems appropriate. The Committee may also participate in planning meetings if the Department and family so choose. Department representatives should meet with the family members to discuss their desires related to the service. Once the family and the Department representatives have determined the type of service to be held, they each meet with the funeral director. The Department then calls a meeting with the LODD Committee to discuss the issues of wake and funeral arrangements. The LODD Committee can assist with the facilitation of the logistical issues related to the services (i.e., traffic, parking, media, etc.).

LINE OF DUTY DEATH PROTOCOLS *(CONTINUED)*

PHASE 3

Wake & Funeral Implementation
Several OICs will be necessary for a successful implementation of the wake and the funeral. While it is important to have officers from the affected Department involved in these roles, it is not necessary for each of the assignments. Please see below for more explanation.

Wake Arrangements: At the wake, there should be an OIC for the following five areas: funeral home, chapel (should be a ranking officer of the affected department), parking lot, honor guard (supervisor from affected department), and traffic control (should be from the local jurisdiction of the funeral home).

Funeral Arrangements: At the funeral, OICs should be assigned to each of the following: funeral home, motorcades including immediate family ONLY from the funeral home to the church, church, church parking lot, if chosen by the family, a full honors motorcade from the church to the cemetery; and cemetery.

Remember that family members should have input on who will serve as pallbearers. Some details of the wake/funeral may change due to unforeseen circumstances. This is to be expected. The important thing to remember is that plans can be made and changed as late as during the wake. The key is to reduce distress to the family and loved ones of the fallen officer.

PHASE 4

Support for Survivors
Forms and Paperwork: At the Department's request, the LODD Committee should make itself available to the surviving family and to the Department's Family Liaison Officer in order to ensure that the family receives necessary and valuable information regarding mental health and financial issues that may concern them following a LODD.

Family members will need to complete an abundance of forms following the death of their loved one. The FLO and LODD Committee should be utilized if the family wishes. Forms for insurance include life and health insurance. Benefits the family may be entitled to may come from the following: Social Security, Pension, State Death Benefits, Federal Death Benefits, and Veteran's Benefits. Monetary and educational awards may also be available to survivors from various organizations including the Fraternal Order of Police, the Gold Star Families, National C.O.P.S., and the Hundred Club. Scholarships may be available to minor children and spouses of fallen officers. The LODD Committee should have resources available for families who are interested.

Families may also wish to contact a private attorney for legal assistance with wills, estates, trusts, workman compensation, or wrongful death issues. Creditors may also need to be contacted by the family to notify them of the death. Proof of death may be requested and the LODD Committee can assist the family in getting certificates of death and the number of copies they may need to complete the process. There are many other necessary documents that survivors should request which can also be discussed with the FLO or LODD Committee members.

Social Services Support: A Line of Duty Death is a tragedy, a trauma, and an abnormal event. The reactions of those left behind should be viewed as a normal reaction to an abnormal event. Although a survivor's reaction may be viewed as a typical response, referrals for families and departmental staff to therapists specializing in traumatic grief and loss, complex bereavement, or post-traumatic stress disorder (PTSD) may be necessary and beneficial in their healing process. While their grief may never completely go away, the goal is to reduce the level of distress that individuals are experiencing. The mental health representative or chaplain of the LODD Committee should provide referrals to the family and Department if the need arises. Referrals should be based on the insurance carrier and coverage of the individual being referred. Spiritual guidance, counseling, and support may be necessary for some families and not others, but the key is to make sure individuals know these options are available. Family and Department personnel should be provided with follow-up services for as long as they need…unfortunately, there is no time limit on bereavement and grief!

One of the most helpful things someone can do for a survivor is to LISTEN. Survivors don't want their loved ones to be forgotten and often like to talk about them and tell stories. Please encourage them to do so. The FLO should continue to be involved with the family and extend invitations to Department-sponsored social events…they have lost their loved one; don't allow them to lose part of their social network, too. The FLO should inform the family about C.O.P.S. events, Police Memorial Week (attending with the FLO is highly recommended), and other resources for the family. For the Department, a large group meeting identifying typical reactions to traumatic grief and loss may be beneficial. Provide each in attendance with resources so they do not have to ask. Ensure that each individual has access to services if they are desired. Some individuals may be embarrassed to ask for help, so give them the resources so they can seek assistance in private.

President O'Connor also mentioned keeping the families of the fallen officer involved with and connected to the department; otherwise, the family is likely to experience additional feelings of loss. The overall goal is to prevent secondary trauma to the family. Concerns of Police Survivors (C.O.P.S.) is an excellent resource.

The LODD Protocol is in place and ready to implement throughout the southern suburbs of Cook County, should the need arise. If you have questions about the SSACOP LODD Protocol or would like to request a presentation by the SSACOP, LODD Committee, please contact Myra D. West, Psy.D. at mdwestpsyd@gmail.com or SSACOP President William Villanova at www.ssacop.com.

This article is part one of a two-part series discussing Line of Duty Deaths and After Incident Counseling.

[1] Name of form used for the South Suburban Association of Chiefs of Police Line of Duty Death (LODD) Protocol to identify who the officer chose to be contacted in the event of an emergency.

THE MAZE OF POLICE CANDIDATE SCREENING

By David Christensen, President – Police Consultants, Inc.

It has been said that, "For every problem, there is one solution which is simple, neat, and wrong."

For nearly two decades it has been apparent that intelligence testing by itself is an insufficient indicator of police success. This means that an intelligence measure should not be used as a primary screening test. While it is true that a certain level of general intelligence is necessary for successful police performance, once this level is reached the majority of the prediction power for law enforcement is dependent upon personality and attitudes.

In recent years, the changing needs of law enforcement have added a new dimension to the desired candidate's profile. This requires that the potential officer be willing to place special emphasis on the needs of others. As communities nationwide adapt to new styles of policing, it is critical that we select personnel capable of working in accordance with these new models.

Many of the written entrance tests available today rely on research which is essentially blind to current social changes and new demands of the current police standards.

Another source of error in the old police selection research is in the criterion measure. The criterion is the benchmark of police performance, used as the standard to shape the test scoring formula.

A common error involves the use of scores in the training academy to target the desirable candidate. This criterion is used by many researchers because it not only makes the research easy but assures the appearance of good validation. Think about it. Tests that measure intelligence will always agree with performance in a learning environment. Police chiefs will readily agree that good academy grades do not ensure good street performance.

Until recently, even the best tests relied on measures of job performance given by direct supervisors as the job performance benchmark. Although this approach has many positive features, certain qualities of the patrol officer's likeability and supervisors' favoritism are difficult to control. To some extent, this can result in selecting new candidates who possess a likeable personality while ignoring the candidate's actual street performance.

A valuable added performance benchmark may be found in the detailed records of field training performance. These records often reveal a more accurate and unbiased measure of an array of the daily activities of recruits.

Performance data criteria can include such measures as:
- Written Communications
- Public Interaction
- Patrol and Investigations
- Telecommunications
- Motor Vehicle Operations
- Traffic Enforcement

Testing lotteries conducted by some departments to randomly reduce the number of candidates is viewed as negligent behavior when you are passing out badges and guns. Tests that don't work risk the cost and embarrassment of firing incompetent and dangerous people. What value can be placed on the loss of credibility your department faces each day that an incompetent patrol officer reports to work?

A proper written entrance examination should provide you with the most complete picture available of each candidate early in the selection process. In addition to reporting job-critical reading and listening skills, the test you choose should measure attitudes and behavior and then combine them with police intelligence in a precise mathematical formula. Such a hiring procedure will select patrol officers capable of performing well in all phases of the probationary process that is ahead of them.

If your hiring procedure is in compliance with current law, it is based upon a single gender norm in accordance with the Civil Rights Act of 1991. Your hiring process should also employ noninvasive language in order to avoid violating the constitutional right to privacy guaranteed by the Bill of Rights. Constitutional and Title VII issues also arise with both bio data testing and "integrity" testing. The Office of Technology Assessment of the United States Congress along with Division 14 of the American Psychological Association has inveighed against "attitudes towards crimes" as "indictments."

Predicting future human behavior will never, by its very nature, be a perfect science. In the selection of sworn police personnel, nothing less than your very best effort is acceptable. Irrespective of processes following the written exam, such as oral interview technologies, the final phase of selection should involve an individual psychological assessment by a licensed clinical psychologist.

In this age of high liability for public safety agencies, no pre-employment procedure has enjoyed a greater growth spurt than the individual psychological assessment for entry-level police candidates. Common sense alone would indicate that people in positions of high public trust who are empowered to use deadly force should be examined by any means necessary to assure fitness for duty.

In the past, commissions and police agencies relied upon the psychological assessment as a "hole card" to guide them through the hiring process. Many agencies have found that a comprehensive psychological assessment was critical as a support tool in order to provide leads in background investigations. The psychological assessment was also used to help "frame" issues for traditional oral interviews.

Many psychologists were willing to offer both good and bad points regarding applicants' qualifications. Often these areas of concern were listed without definitive conclusions. This was done in order to provide more empowerment and freedom of choice for the hiring body. In the past, physicians also reported the physical conditions of examinees, without firm recommendations for employment.

Although this amount of freedom for hiring bodies has occasionally led to some tough decisions, most commissions and chiefs were willing to accept the burden of these decisions in return for the freedom of choice in their hiring process. As a safety net, pension bodies often enjoyed their own medical standards. If candidates failed the pension physical or psychological, the candidate could be rejected for the position.

The trend towards high tort liability for police and fire employment has helped expand the use of psychological screening. The International Chiefs of Police and various national and local accrediting agencies joined in support of psychological screenings. Many of the guidelines set by these agencies were reactions to the legal exposure which departments faced for negligent hire or negligent retention of employees.

THE MAZE OF POLICE CANDIDATE SCREENING *(CONTINUED)*

For several years, the use of pre-employment psychological assessments could be characterized as a "win-win" situation for all involved.

Enter the Americans with Disabilities Act (ADA). It would be difficult to criticize the intent of the legislature in the drafting of the Americans with Disabilities Act. This legislation enjoyed nearly universal support in the Congress.

Unseen by most lawmakers were the implications of this act upon the unique and rigid format of public safety employment.

When the Federal Polygraph Act was passed, making the polygraph illegal for most employment use, it permitted and encouraged the use of lie detector tests for public safety employment. No such exception was granted for public safety under that Americans with Disabilities Act.

Although the specifics of the act are quite detailed, one area that impacted prior hiring practices was the mandate that hiring bodies must extend a conditional offer of employment to prospective hirees prior to the acceptance of any information regarding a medical condition. The act specifically prohibited any further employment processing, interviews, background or polygraphs after medical information has been received. This requirement placed a special burden on examining physicians to pass or fail candidates without further interaction with the hiring body. Without this rule, the legislature feared that hiring bodies would reject candidates for medical reasons while using the pretext of failing an oral interview or having the wrong personality for the job.

This legal situation caused most agencies to become very specific as job-related with their medical examinations and increased local interaction with their medical consultants.

Initially, most of us considered the psychological assessment to be a non-medical examination. Then technical manuals were issued by the federal government making it clear that any diagnostic interaction with a psychologist or psychiatrist that permitted a search for pathologies, that is, a classifiable mental disorder, was a medical procedure.

The immediate response of most psychologists was to split their assessment into two phases: first, the non-medical classification of personality fit; second, the diagnostic scan for emotional disorders. The interpretation became short-lived when in 1994 the Equal Employment Opportunity Commission issued a notice regarding when a psychological assessment will be considered a medical examination. Eight determining factors outlining the medical boundaries of psychological examinations were issued by the Equal Employment Opportunity Commission making it clear that almost all police or fire psychological assessments of any kind would be considered medical examinations.

Some factors that classify a psychological assessment as a medical procedure include answers to these questions:

- Is the test administered by a psychologist or psychiatrist?
- Are the results of the test interpreted by a psychologist or psychiatrist?
- Are the instruments and procedures used designed to reveal an impairment or measure of mental health, even if that is not its intended use in the procedure?
- Does the procedure measure psychological concepts rather than job-related task performance?
- Is the procedure normally performed in a mental health setting rather than in a work environment?

The government has indicated that, in some cases, one of the above factors alone may be sufficient to classify the procedure as medical.

Although these federal guidelines would clearly permit the use of personality analysis in a written computer-scored test, most experts agree that any evaluation conducted one-on-one by a licensed psychologist or psychiatrist would be classified as a medical examination. Agility tests and polygraph examinations are non-medical, provided that no medical information or tests (e.g. blood pressure) are used as part of the examination.

We find many departments are exposing candidates to their psychologists prior to the completion of a background investigation or final oral interview or polygraph. The law is clear; once a conditional offer of employment is given by a hiring body, no further discretionary action as to employment is permitted by law. The fact is, after the conditional offer of employment is made, acting on background investigations or polygraph findings would be illegal.

In recent years, the challenges inherent in police selection have multiplied. A down economy has increased candidate pool size by increasing the number of counterfeit candidates who have no real commitment to law enforcement. Legal exposures have ramped up the focus on selection precision and defensibility. Shrinking government budgets are limiting new hires. State-of-the-art policing techniques require a higher level of many skills than was previously necessary.

Efficient and effective screening is quickly becoming more of a priority than ever before. The goal for every problem may still be to find a "solution which is simple [and] neat." Let us do our best to assure it is not wrong.

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Founded in 1968 by one of the first police psychologists for the City of Chicago, Police Consultants, Inc. has serviced police agencies in 29 states and Canada. In addition to the headquarters in Westmont, affiliate offices served Pennsylvania and Milwaukee, Wisconsin, locally. Adding to the core administrative staff, the corporation employs test couriers and police officers (both active and retired) for certified police personnel functions. Clinical psychologists are also on staff.

The corporation is a full-range consulting firm serving all police human resource needs. David E. Christensen is the technical director. Since 1976, he has worked in approximately 1000 police departments. He has provided expert witness testimony in both state and federal courts and has advised over 200 law firms nationally. He has taught in master's degree programs in law enforcement administration at Calumet College. In these capacities, he routinely travels 40,000 ground miles per year.

He specializes in test construction and validation and technical and procedural police personnel issues including union negotiation problems. He also has expertise in construction and analysis of law enforcement merit systems and procedures and police "general orders." He also consults with departments seeking national police accreditation (CALEA).

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In Illinois, N-DEx implementation is being coordinated with the Illinois State Police and the ICLEAR program. Your local agency can derive significant value from participating in that partnership.

For more information, please contact ICLEAR at ICLEAR info@isp.state.il.us or the IACP at ndex@theiacp.org.

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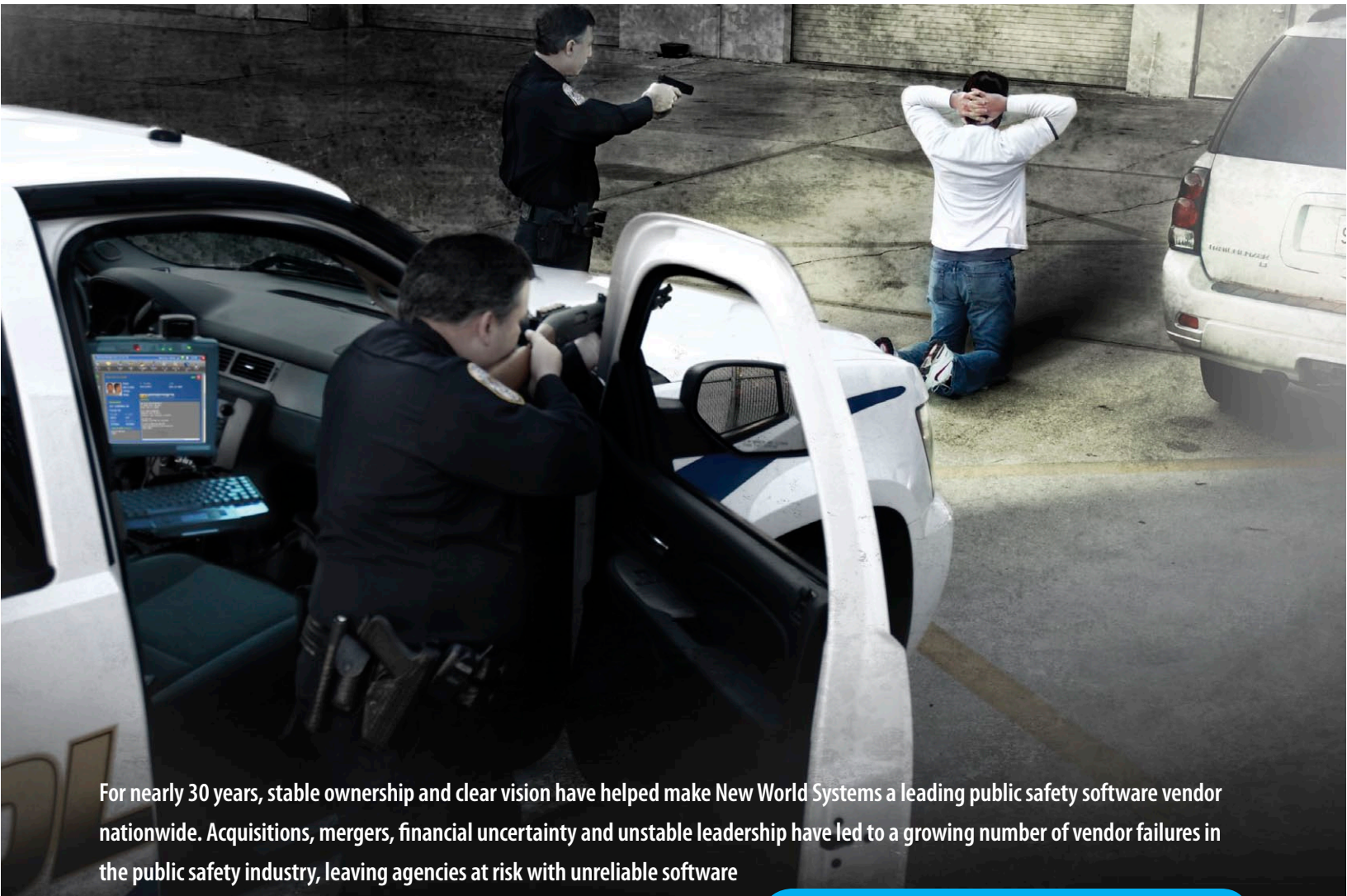

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