

ILLINOIS STATE POLICE

Public Safety/Executive Agency

FY14 Headcount: 2,958

<http://www.isp.state.il.us/>

Summary of Agency Operations

The Illinois State Police (ISP) protects Illinois citizens through patrolling Illinois roadways, providing forensic and police services to local law enforcement statewide, investigating homicides, seizing illegal drugs, responding to emergencies, and maintaining law enforcement information technology systems used by the criminal justice community. ISP's budget reflects a commitment to provide public safety for Illinois citizens with an emphasis on efficiency, integrity and accountability.

Internal Hiring

Agency positions subject to restrictions based on criminal history, by statute, regulation or agency policy

Per agency's report to the Task Force, all Illinois State Police employees are subject to a criminal history check (titles not enumerated)

Statutory, regulatory restrictions applicable to internal hiring (for sworn positions)

20 ILCS 2610/9

(Appointment; qualifications for State Police officers)

Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed 2 years of law enforcement studies at an accredited college or university. Any person appointed subsequent to successful completion of 2 years of such law enforcement studies shall not have power of arrest, nor shall he be permitted to carry firearms, until he reaches 21 years of age. In addition, **all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records,** possess such prerequisites of training, education and experience as the Board may from time to time prescribe, and shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board.

Restriction type: Mandatory

Restriction duration: No time limit specified

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Agency policy restrictions applicable to internal hiring (for civilian positions)

Illinois State Police Policy Manual, PER-008, Employment Standards, Paragraph III.A:

Any applicant for a position with the Department or a current employee, sworn or code, **who has been convicted, pleads guilty, stipulates to the facts supporting the charge, or is found guilty of a reportable misdemeanor (as listed in 20 ILCS 2630/5) or a felony offense will not be hired.** This is the Department's only criminal records-based restriction for employment and is required because all employees have access to law enforcement restricted and/or public safety sensitive information by virtue of their access to Department facilities and records. Accordingly, all employees and applicants must meet this public safety sensitive regulation.

Restriction type: Mandatory for felony conviction, appeal possible for misdemeanor conviction

Restriction duration: No time limit

System of personnel administration for civilian staff

Personnel Code [20 ILCS 415]

Title 80, Ill Admin Code, Section 302.130 Removal of names from eligible list

See section IV. of the Final Report for the enumerated criminal history restrictions in the Personnel Code related to being qualified for open competitive examinations and subsequent appointment.

System of personnel administration for sworn officers

State Police Act [20 ILCS 2610/9] (a) Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the [State Police Merit] Board as being qualified for appointment.

See State Police Merit Board Fact Sheet for more detail on qualifications.

Criminal history record check procedures for civilian staff

1) Self-disclosure on application

Yes (CMS 100), per agency's report to the Task Force

2) How criminal history is obtained

Per agency's report to the Task Force, the Division of Internal Investigation, Background Investigations Unit uses the LEADS system and enters the applicant's personal information (name, sex, race, date of birth and social security number) to conduct a criminal history check. It cannot be verified through this computer check that the individual entered into the LEADS system and any criminal history information received are the same subject without a set of complete fingerprints.

Each applicant is also fingerprinted and the prints are forwarded to the Illinois State Police, Bureau of Identification and the Federal Bureau of Identification. A response is received showing the individual's complete criminal history.

3) In-house review procedure

4) The Illinois State Police Policy Manual, PER-008, Employment Standards, Paragraph III.A. states, any applicant for a position with the Department or a current employee, sworn or code, who has been convicted, pleads guilty, stipulates to the facts

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supporting the charge, or is found guilty of a reportable misdemeanor (as listed in 20 ILCS 2630/5) or a felony offense will not be hired, or once hired, may be subject to discipline up to and including termination for sworn or code positions.

Exemption, waiver, or review mechanisms for civilian applicants

For applicants with misdemeanor convictions: Illinois State Police Policy Manual, PER-008, Employment Standards, Paragraph III.B.2. States any applicant for a position not barred under Paragraph III.A. who has been convicted of a misdemeanor offense (as described in 20 ILCS 2630/5) may appeal to the Director for relief. The Director may grant such relief if the applicant establishes to the Director's satisfaction that: The circumstances regarding a criminal conviction, the applicant's criminal history, and his/her reputation are such that the applicant will not be likely to act in a manner detrimental or contrary to the interest of the Department and the public.

Number of job applicants who were subject to a criminal history records check in 2010-2011

All employees: 3,140 for 2011, and 3,357 for 2010.

There were three (3) individuals disqualified in 2010 based on criminal history information

There were two (2) individuals disqualified in 2011 based on criminal history information

There were no individuals who were disqualified where no waiver or exemption process was available.

Occupational Licensing, Certification, Regulation

Occupational licenses issued by agency that are subject to criminal history restrictions

Firearm Owners Identification (FOID) card (for occupations requiring use of firearms); Law Enforcement Agency Data System (LEADS) terminal operator

430 ILCS 65/4 (Application for Firearm Owner's Identification Card)

2) Submit evidence to the Department of State Police that: (ii) He or she has not been convicted of a felony; (viii) He or she has not been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed; (ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158).

Restriction type: Mandatory

Restriction duration: No conviction within the past 5 years

Administrative Code: Title 20, Chapter II, Part 1240, Section 1240.50. LEADS Access Security.

b. Personnel Security Requirements: 1. Thorough background screening of LEADS-related personnel is required by the employing agency. State and national criminal history record checks by fingerprint identification must be conducted for terminal operators, programmers, and

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other persons employed or utilized to effectuate access to or initiate transmission of LEADS and National Crime Information Center (NCIC) information, regardless of the frequency of access. **A fingerprint-based background check must be performed on any person with direct access to LEADS.** The agency shall submit both Illinois and FBI criminal justice applicant fingerprint inquiries to the Illinois State Police, Bureau of Identification.

2. No persons will be permitted LEADS access unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have their LEADS access denied if charged with a felony or crime of moral turpitude under the laws of this or any other jurisdiction.

3. No person may provide maintenance or technical services at or near LEADS equipment unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any persons may have their authority to provide maintenance or technical services at or near LEADS equipment denied if charged with a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction.

Restrictive Type: Mandatory

Restriction Duration: Not specified

Employment Contracting

Contracting restrictions based on criminal history, by statute or regulation

Illinois Procurement Code [30 ILCS 500/]

30 ILCS 500/50-2 (Continuing disclosure; false certification)

30 ILCS 500/50-5 (Bribery)

30 ILCS 500/50-5 (c) (Conduct on behalf of business)

30 ILCS 500/50-10 (Felons)

30 ILCS 500/50-10.5 (Prohibited bidders and contractors)

See section IV. of this report for a discussion of criminal history-based restrictions on contracting with the State in the Illinois Procurement Code.

Summary of Employment Restrictions from Agency Report

All Illinois State Police employees are subject to a criminal history check and are prohibited from employment if their criminal record includes any felony convictions. Sworn and code employees are also prohibited from employment if convicted of a reportable misdemeanor as listed in 20 ILCS 2630/5. Applicants for other positions who have been convicted of a misdemeanor may appeal to the Director for relief.

In calendar years 2010-2011, 6497 employees underwent criminal history background checks. None sought waiver, and five were found disqualified by the results of the check.