



ILLINOIS STATE BOARD OF INVESTMENT
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August 22, 2012

Illinois Criminal Justice Information Authority
Idetta Phillips, Authority Research Analyst
300 West Adams Street, Suite 200
Chicago, Illinois 60606

Dear Ms. Phillips:

In accordance with the Task Force on Inventorying Employment Restrictions Act (Act) (20 ILCS 5000), this letter contains the reporting requirements as set forth in the Act.

The following information are descriptions of employment restrictions that are based on criminal records for each occupation under the Illinois State Board of Investment's (ISBI) jurisdiction and that of its boards, if any, including, but not limited to, employment within ISBI; employment in facilities licensed, regulated, supervised, or funded by ISBI; employment pursuant to contracts with ISBI; and employment in occupations that ISBI licenses or provides certifications to practice.

- For each occupation subject to a criminal records-based restriction, ISBI has set forth the following:
 - Job title, occupation, job classification, or restricted place of employment, including the rate of occupations affected in such places: ***All ISBI employees are subject to a criminal records-based restriction.***
 - Statute, regulation, policy, and procedure that authorize the restriction of applicants for employment and licensure, current employees, and current licenses: ***Illinois Department of Central Management Services (DCMS) Personnel Transactions Manual is utilized for job titles under DCMS (see attachment). ISBI's practice for all job titles is to request the Illinois State Police (ISP) to perform background investigation. Hiring decisions are based on the result reported by ISP and the nature of the position being filled. Job offers are occasionally extended pending the result of ISP's background investigation report.***
 - Substance and terms of the restriction, and the statute, regulation, policy or practice enumerates disqualifying offenses, a list of each disqualifying offense, the time limits for each offense, and the point in time when the time limit begins: ***N/A – none noted.***
 - If the statute, regulation, policy or practice does not enumerate disqualifying offenses and instead provides for ISBI's discretion in determining disqualifying offenses, the criteria ISBI has adopted to apply the disqualification to individual cases. Restrictions based on ISBI discretion include, but are not limited to, restrictions based on an offense "related to" the practice of a given profession; an offense or act of "moral turpitude"; and an offense evincing a lack of "good moral character". ***N/A – none noted.***

- Procedures used by ISBI to identify an individual's criminal history, including but not limited to disclosures on applications and background checks conducted by law enforcement or private entities: ***DCMS Personnel Transactions Manual is utilized for job titles under DCMS (see attachment). ISBI's practice for all job titles is to request the ISP to perform background investigation. Hiring decisions are based on the result reported by ISP and the nature of the position being filled. Job offers are occasionally extended pending the result of ISP's background investigation report.***
- The procedures used by ISBI to determine and review whether an individual's criminal history disqualifies that individual: ***ISP provides a letter of background investigation result of applicants to ISBI. ISBI makes a determination, based on the information furnished by ISP and nature of the vacant position, whether the criminal history disqualifies the applicant.***
- Year the restriction was adopted, and its rationale: ***N/A – none noted.***
- Exemption, waiver, or review mechanisms available to seek relief from the disqualification based on a showing of rehabilitation or otherwise, including the terms of the mechanism, the nature of the relief it affords, and whether an administrative and judicial appeal is authorized: ***N/A – none noted.***
- Statute, rule, policy and practice that require an individual convicted of a felony to have his civil rights restored to become qualified for the job: ***N/A – none noted.***
- 9 copies of the following documents:
 - Forms, applications, and instructions provided to applicants and those denied or terminated from jobs or licenses based on their criminal record: ***See attached forms for job titles under DCMS. There are no forms, applications, and instructions for other job titles.***
 - Forms, rules, and procedures that ISBI employs to provide notice of disqualification, to review applications subject to disqualification, and to provide for exemptions and appeals of disqualification: ***N/A – none noted.***
 - Memos, guidance, instructions to staff, scoring criteria and other materials used by the ISBI to evaluate the criminal histories of applicants, licensees, and employee: ***Performed by ISP.***
 - Forms and notices used to explain waiver, exemption and appeals procedures for denial, suspensions and terminations of employment or licensure based on criminal history: ***N/A – none noted.***

The following are the required information as set forth in the Act. This information only reflects the past two years, February 1, 2010 – January 31, 2012.

- Total number of people currently employed in the occupation whose employment or licensure required criminal history disclosure, background checks or restrictions: ***11 employees.***
- Number and percentage of individuals who underwent a criminal history background check: ***three newly hired employees, 100%.***
- Number and percentage of individuals who were merely required to disclose their criminal history without a criminal history background check: ***None, 0%.***
- Number and percentage of individuals who were found disqualified based on criminal history disclosure by the applicant: ***None, 0%.***
- Number and percentage of individuals who were found disqualified based on a criminal history background check: ***None, 0%.***
- Number and percentage of individuals who sought an exemption or waiver from the disqualification: ***None, 0%.***

- Number and percentage of individuals who sought an exemption or waiver who were subsequently granted the exemption or waiver at the first level of ISBI review (if multiple levels of review are available): **None, 0%.**
- Number and percentage of individuals who sought an exemption or waiver who were subsequently granted the exemption or waiver at the next level of ISBI review (if multiple levels of review are available): **None, 0%.**
- Number and percentage of individuals who were denied an exemption or waiver at the final level of ISBI review, and then sought review through an administrative appeal: **None, 0%.**
- Number and percentage of individuals who were denied an exemption or waiver at the final level of ISBI review, and then sought review through an administrative appeal and were then found qualified after such a review: **None, 0%.**
- Number and percentage of individuals who were found disqualified where no waiver or exemption process is available: **None, 0%.**
- Number and percentage of individuals who were found disqualified where no waiver or exemption process is available and who sought administrative review and then were found qualified: **None, 0%.**
- If ISBI maintains records of active licenses or certifications, ISBI shall provide the total number of employees in occupations subject to criminal history restrictions: **ISBI does not maintain these records.**

If you have any questions or need additional information, do not hesitate to contact me.

Sincerely,

ILLINOIS STATE BOARD OF INVESTMENT



Adanna C. Ene
Chief Fiscal Officer

Enclosures (3)

cc: William Atwood, Executive Director
Katherine Spinato, Deputy Executive Director
Alise White, Chief Financial Officer / Investment Portfolio Accounting Officer