



WILLIAM J. SCOTT
ATTORNEY GENERAL
STATE OF ILLINOIS
SPRINGFIELD



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OFFICERS:
Police Training Act -
Training of Permanent
Police Officers

Mr. Mervin G. O'Melia
Executive Director
Illinois Local Governmental Law
Enforcement Officers Training Board
301 North Second Street
Springfield, Illinois 62702

Dear Mr. O'Melia:

I have your letter wherein you ask the following questions:

Is the Illinois Local Governmental Law Enforcement Officers Training Board obligated to certify all schools which offer a curriculum that meets established minimum standards for the training of permanent police officers?

Can the Board provide funding for non-basic training courses at a lesser level than basic recruit training courses?

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According to section 7 of the Police Training Act (Ill. Rev. Stat. 1975, ch. 85, par. 507), the Board has the duty to adopt minimum standards for schools which offer a curriculum for the training of permanent police officers. Section 7 enumerates a number of law enforcement subjects that may be included in the curriculum of these schools.

Schools which meet the minimum standards established by the Board do not have a right to Board certification. Section 6 of the Act (Ill. Rev. Stat. 1975, ch. 85, par. 506) provides that the Board has the authority to "select and certify" schools for training permanent police officers. The Board may thus certify schools on a selective basis. The answer to your first question is therefore in the negative. The fact that a school meets the Board's minimum standards does not obligate the Board to certify the school.

The Board's training program for law enforcement officers of local governmental agencies has two aspects, basic and non-basic training. The Board is required to administer basic training for probationary police officers.

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The Board, in its discretion, may also administer non-basic training for permanent police officers. The Board's training program for permanent police officers does not have to include all the subjects enumerated in section 7. This is made clear in section 10.1 of the Act which reads as follows:

"The Board, in its discretion, may initiate, administer and conduct training programs for permanent police officers in addition to the basic recruit training program. The training for permanent police officers may be given in any schools selected by the board. Such training, if offered, may include all or any part of the subjects enumerated in Section 7 of this Act, but may be discontinued by the Board upon either a temporary or permanent basis. The corporate authorities of all participating local governmental agencies may elect to participate in the advanced training for permanent police officers but non-participation in this program shall not in any way affect the right of governmental units to participate in the probationary police officer program. The failure of any permanent police officer to successfully complete any course herein authorized shall not affect his status as a member of the police department of any local governmental agency."

It is apparent from section 10.1 that local governmental agencies are not required to participate in the Board's training program for permanent police officers. However, agencies that choose to participate in this type of training

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are entitled to reimbursement from the Board to the same extent that they are reimbursed for the costs of basic training. Section 9 of the Police Training Act (Ill. Rev. Stat. 1975, ch. 85, par. 509) provides that the Board shall reimburse local governmental agencies participating in its training program. No distinction is made between basic and non-basic training. Section 9 states in pertinent part as follows:

" * * * * The Board, not later than September 1st of each year shall reimburse the local governmental units participating in the training program in an amount equalling 1/2 of the total sum paid by them during the State's previous fiscal year for tuition at training schools, salary of trainees while in school, necessary travel expenses and room and board for each trainee. No more than 50% of any appropriation under this Act shall be spent in any city having a population of more than 300,000. If at the time of the annual reimbursement to local governmental units participating in the training program there is not a sufficient amount of money in the special fund in the State Treasury to make reimbursement in full, the fund shall be apportioned among the participating local governmental agencies." (emphasis added.)

The answer to your second question is therefore that the Board cannot fund non-basic training at a lesser level than basic recruit training. Assuming that there is

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a sufficient amount of money in the Local Governmental Law Enforcement Officers Fund, the Board must reimburse governmental agencies for 1/2 of the total cost of their participation in the Board's training program which includes both basic and non-basic training. Of course, section 10.1 of the Act authorizes the Board to restrict the curriculum of its non-basic training program. With regard to non-basic training, governmental agencies are only entitled to reimbursement for those courses that are part of the Board's training program for permanent police officers.

Very truly yours,

A T T O R N E Y G E N E R A L