

Law Enforcement Licensing



AN OVERVIEW & UPDATE WITH THE POLICE TRAINING COMMISSION

PTC Staff

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General License Information

- ▶ The licensing law took effect on **January 1, 2024**.
- ▶ Approximately 40,000 officers received licenses on that date.
- ▶ Acadis administrators should continue to review rosters for accuracy and update them as officers are hired or retire.

General License Information – Cont'd

- ▶ All sworn law enforcement officers must be licensed.
 - ▶ This includes Class I, Class II, and Class III officers.
- ▶ A license is valid for **three years**.
- ▶ The rosters show the license expiration date for each officer.
- ▶ The license is due for renewal upon the expiration date.

General License Information – Fees

- ▶ There is a one-time \$500.00 fee for new officers due upon academy graduation prior to the issuance of an initial license.
 - ▶ Applicable unless applicant is a SLEOI or SLEOIII, or unless the fee has previously been paid.
- ▶ Class II officers will incur a \$100.00 fee
 - ▶ If a Class II is waived to PO, there is a \$400.00 fee due.

LE Agency Compliance with Licensing

- ▶ Each agency appoints a chief law enforcement executive
 - ▶ Persons may be assigned to the actual licensing function
 - ▶ The chief is responsible for compliance. Action may be taken against the chief's license but only for willful non-compliance
- ▶ **Note:** The IA process is still with the local agency. Other than determining eligibility for a license, the PTC does not control hiring or IA.

Record-Keeping Requirements

- ▶ The records for each officer must be maintained
- ▶ Records of applicants must be maintained for at least 5 years
- ▶ Records must be available for inspection and review
- ▶ Hiring and terminations must be reported to the PTC
- ▶ Acadis administrators can update the records
- ▶ On-line reporting took the place of NONA forms

Qualifications for LE Employment

- ▶ An applicant must be:
 - ▶ 18 years of age
 - ▶ US Citizen
 - ▶ High school graduate or GED
 - ▶ Valid driver's license
 - ▶ If a veteran, cannot have a dishonorable discharge

Qualifications for LE Employment – Cont'd

- ▶ An applicant must submit a completed application to the LE agency, which includes:
 - ▶ A waiver form allowing access to employment-related records
 - ▶ Includes IA records
 - ▶ A complete list of all social media accounts and a release allowing access to those accounts
 - ▶ DMs not viewed
 - ▶ A list of any organizations that advocates violence/overthrow of the government
 - ▶ A list of membership in certain organizations
 - ▶ An acknowledgement of a continuing duty to notify of any changes

Qualifications for LE Employment – Cont'd

- ▶ Applicants must also successfully pass:
 - ▶ Background investigation
 - ▶ Medical examination
 - ▶ Psychological screening
 - ▶ Drug screening
 - ▶ Physical ability test

Background Checks

LE Agency must obtain:

- ▶ Educational records
- ▶ Military records – if applicable
- ▶ Motor vehicle records
- ▶ Employment history
 - ▶ including National Decertification Index – automatic disqualifier
- ▶ PTC adverse license action
- ▶ Disciplinary records
- ▶ Employment-related information
 - ▶ including rejection by other LE agencies
- ▶ Reference checks (must be in writing)
- ▶ Fingerprinting and data base checks (NCIC, ACS, ATS, E-courts, PREA, etc.)

Background Checks – Cont'd

- ▶ LE Agencies are responsible for conducting background checks.
- ▶ Agencies must do their due diligence.
- ▶ Full and complete background checks are required.
- ▶ Check with the PTC for history and status.

Initial Licenses – Basic Requirements

Includes many of the same basic qualifications as for LE employment:

- ▶ 18 years of age
- ▶ US Citizen
- ▶ High school graduate or GED
- ▶ Fingerprinted
- ▶ Passed medical/psych evaluation
- ▶ Be of good moral character
- ▶ Passed physical requirements
- ▶ Valid driver's license
- ▶ If a veteran, cannot have a dishonorable discharge

Initial Licenses - Mandatory Denials

An applicant's initial license will be denied if the applicant has:

- ▶ A conviction of a crime in this state or any other state or federal offense.
- ▶ An act of domestic violence.
- ▶ An offense that would preclude an applicant from carrying a firearm.

Initial Licenses - Waivable Disqualifiers

- ▶ Waivable disqualifiers include:
 - ▶ Conviction of a DP or PDP offense involving dishonesty, fraud, or lack of good moral character or if de minimis to officer's ability to serve
 - ▶ Conviction of two or more DWI or Reckless Driving
- ▶ Only the Commission may waive these requirements
- ▶ To waive, applicant must show:
 - ▶ Conviction(s) occurred five or more years prior to application
 - ▶ Taken rehabilitative steps since the conviction(s) and having no further conviction(s)
 - ▶ Currently of good moral character and applicant submits 3 letters of recommendation

Transfers

- ▶ The former agency must notify the PTC, preferably prior to the last day, and the new agency must also notify the PTC.
- ▶ A transfer applicant then must apply for an initial license to begin at the new LE agency.
- ▶ License will go inactive when officer departs from the agency.
- ▶ If an officer resigns or is terminated, the license will become inactive until reactivated.

Renewal Licenses

- ▶ Officers submit a renewal application to their agency certifying that they meet all the requirements as outlined in Section 17 of the Law.
- ▶ The LE agencies review the renewal application and the chief certifies whether the officer has met the requirements.
- ▶ The LE agencies then submit the completed application to the PTC.
- ▶ **Note:** When submitting applications, check the box that says the document contains SSN. This ensures confidentiality.

Renewal Licenses – Cont'd

- ▶ Updated renewal forms have been issued – use these forms
- ▶ Renewals can begin at any time, but should be started by June 1 and must be completed by November 1
- ▶ Under the statute, the applicant is responsible for demonstrating to the PTC that he/she is licensable.

Adverse Licensure Action

- ▶ Officers must continue to meet the requirements for licensing to maintain their license.
- ▶ LE Agencies must report to the PTC officers who no longer meet the requirements.
 - ▶ Must be reported within 2 business days
- ▶ Remember to notify!
 - ▶ Staff continues to find incidents in the media without agency notification. Information from other sources can lead to an investigation that may result in deactivation of their license.

Adverse Licensure Action – Cont'd

- ▶ The PTC can take adverse licensure actions, including;
 - ▶ Limitations or restrictions on a license
 - ▶ Levy a penalty on the officer meeting conditions, such as care counseling or treatment
 - ▶ Suspension
 - ▶ Revocation

Adverse Licensure Action – Cont'd

- ▶ Grounds for denials/refusal to renew/adverse licensure action include:
 - ▶ Criminal charges/convictions
 - ▶ PTI
 - ▶ Restraining order
 - ▶ Crime of moral turpitude without conviction
 - ▶ Fraudulent or deceptive conduct
 - ▶ Conduct that would undermine public confidence
 - ▶ Failure to maintain proper licensing standards
 - ▶ Failure to discharge legal obligations
 - ▶ Displayed incapacity to serve as a law enforcement officer
 - ▶ Knowingly submits false, untrue or misleading statements
 - ▶ ERPO/TERPO

Appeals

- ▶ An officer can appeal adverse determinations to the full Commission and ultimately through the courts.
 - ▶ If an initial application is denied, the applicant's agency files the appeal.
 - ▶ If a renewal application is denied, the applicant files the appeal.
- ▶ Typically, hearing officers hear the appeals

Trainings

- ▶ LE agencies are also responsible for providing required training.
- ▶ Trainings are available on Acadis.
- ▶ Ensure that all officers have Acadis access.
- ▶ Continue to update rosters and check for accuracy.

Trainings – Cont'd

- ▶ For 2025, the following trainings are mandatory:
 - ▶ Firearms Qualifications – twice annual
 - ▶ Use of Force Policy
 - ▶ Pursuit Driving Policy
 - ▶ Domestic Violence Policy
 - ▶ CLEAR
 - ▶ Case law updates
 - ▶ Search and seizure updates/Active Shooter Refresher
 - ▶ Defensive Tactics
 - ▶ Barricaded Subjects – per AG directive

Questions?