

**Law and Justice Commission
MTU 8**

Minutes

November 1, 2011

Members Present:

Beth Kimmlerling	Mark Doran	Mike Emery	Rusty Thomas
Jamey Kessinger	Rick Bleichner	David Warner	Gordon Beck
Chris Lane	Mike Scott	Scott Schaefer	Nichol Bleichner
Pat O'Grady	Dale Sparks	Robert Wall	Randy McKinley
Rick Davis	Mike Reidy	Greg Scott	Brent Wick

Staff Present:

Mark Kotte	Denelle Hetrick
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Members of the Public Present:

Jeff Elston	Jason Chambers
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- I. Call to Order: Meeting was called to order by Chairman Wick at 1:05 p.m. at Heartland Community College in Normal, IL
- II. Roll call and establishment of quorum: Sign-in sheet passed around and quorum established.
- III. September minutes – Thomas requested an amendment be made to VII. C. He requested the minutes state two written submittals obtained by Hetrick and a verbal submittal from Elston that was obtained by Kotte were presented. The amendment will be made and submitted for approval at the January meeting.
- IV. Financial Report: Motion to approve September and October expenses made by Kimmerling and seconded by Sparks – voice roll call vote taken with all voting yea – motion carried.
- V. Correspondence
 - A. Director stated the ILETSB Board meeting will be held on December 6-7 in Chicago. A 1 hour ASSIST meeting will be held.
 - B. Director stated correspondence was received introducing Laura Kunard as the new director of the Center for Public Safety & Justice.
 - C. Director stated correspondence was received from Director McClain regarding non-governmental, legally unrecognized, & unauthorized auxiliary/reserve police organizations. These organizations are not legitimate and have no affiliation with a municipality. These organizations should not be utilized. The Attorney General's opinion is the organizations are not legal and they may be charged. Two examples of these organizations are the Illinois Police Reserves and the Illinois Police Bureau.
 - D. Director stated the MTU received a subpoena from the Law Firm of Koth & Gregory requesting a copy of the operational plan for roadside checks. The MTU must respond by November 7.

- E. Emery requested a copy of the subpoena and a copy of the correspondence regarding unauthorized auxiliary/reserve officers be sent to all member agencies.

VI. New Business

- A. Director stated there have been changes made to the Open Meetings Act. He is checking Pat Hahn with the State Training Board to see if members of the Advisory Board or the officers of the Board need to go through Open Meetings Act training online.
- B. Heartland Community College will be closed December 26, 2011 through January 2, 2012. Director stated the MTU staff will be working from home. Phones will be transferred.
- C. Director stated Patrick Hahn is the new ILETSB Manager of In-service Training. He will be visiting MTU 8 on November 10 and 1:30 p.m. If any of the Board members would like to meet Pat, they are welcome to attend.
- D. Discussion regarding litigation – Emery requested this item be moved to the end of the meeting as an executive session.

VII. Old Business

- A. Director reminded all Police Chiefs & Deputy Police Chiefs of the State Mandated 20 hours annual training (Public Act 94-354)
- B. Director stated PPCT instructor recertification had been scheduled for Dec. 19-21 with Lt. John Bennett from Charleston P.D. instructing.

VIII. Curriculum

- A. F.A.T.S. training – Oct. 30- Nov. 6, 2011. Hetrick reminded everyone there are hour long training spots available. If anyone would like to get their officers enrolled, please call the office.
- B. Child Abuse Investigations – Nov. 8, 2011
- C. Command and General Staff – Nov. 14-18, 2011
- D. Domestic Abuse for Telecommunicators – Dec. 7, 2011
- E. High Tech Investigations – Dec. 8, 2011. Hetrick stated this course has received very good evaluations at other MTUs.
- F. C.R.I.M.E. 1-2-3 – December 12, 2011
- G. Sex Offenders: The Evil Among Us - Dec. 15, 2011
- H. Iraq & Afghanistan – Not Your Father's War – Dec. 16, 2011
- I. Crisis Intervention Team Training – March 12-16, 2012
- J. Investigating Domestic Violence Homicides – March 19-21, 2012

IX. Executive Session

- A. With the Board under the impression it will go into executive session, a motion was made for staff to stay in executive session made by Emery and seconded by Kimmerling – all in favor – motion carried.
- B. Motion to go into executive session to explain VI. D. was made by Emery and seconded by Reidy – all in favor – motion carried.

- C. Hetrick read a list of voting members present. All those present who were non-voting were requested to step out of the room. Board went into executive session at 1:30 p.m.
- D. Motion to move out of executive session made by McKinley and seconded by Doran – all in favor – motion carried.
- E. Board moved out of executive session at 1:55 p.m.

Wick stated there would be a 10 minute break. The meeting resumed at 2:10 p.m.

X. Further New Business

- A. Beck stated there were issues regarding PPCT and the operation of the MTU that need to be discussed.
- B. Elston stated he had FOIA'd the McLean Co. Sheriff's Office for emails between the MTU and McLean Co. Sheriff's Office. The county stated he needed to narrow the scope of his request. He then FOIA'd Heartland for the emails. Some copies of the emails he obtained were passed out. Elston stated he had no intentions of retiring prior to being re-certified as PPCT Instructor Trainer for the MTU. He stated he had stated he would be interested in continuing as Chairman for another term. Elston stated Emery accused him of playing in a good old boys system in the hiring of Kotte as Director. He stated Emery felt Hetrick should have been appointed as Director. Elston stated Hetrick was nervous in the interview and he had to lead her at times. Elston stated he was the only one on the Executive Board who brought up Hetrick as a possibility while all the others on the Executive Board only looked at the other candidates. They then voted to recommend Kotte. Elston stated Emery told him he wanted to get rid of Kotte and he would have a part in the appointment of the new director. Elston accused Emery and Hetrick of conspiring to have Kotte fired. Emery and Hetrick denied the accusation. Elston stated he feels Kotte won't get a fair shake while a representative of McLean Co. Sheriff's Office is on the Executive Board.
- C. McKinley asked if there was anything with PPCT that his department should be concerned about.
- D. Davis asked if Elston was aware of a law suit against McLean Co. Sheriff's Office regarding PPCT tactics used. Elston stated he was not. Elston stated PPCT should be made aware of any law suit. He stated PPCT is research based and PPCT will testify on a department's behalf.
- E. Elston stated he offered in an informal meeting with Kotte and Hetrick that he would be willing to instruct a PPCT re-certification course for free. N. Bleichner asked Kotte if this was the case. Kotte said he did recall this. N. Bleichner asked if he just didn't recall this piece of information at the September meeting as she may have made a different decision regarding who to hire to instruct the re-certification. Kotte stated he just went off the packet that was sent by Elston stating he would charge \$600 for the course and it was not stated at the September meeting that Elston would instruct the re-certification course for no fee. Elston said he sent packets to all MTU's regarding his interest in instructing for them.
- F. Kotte said Elston gave him the emails he FOIA'd as he felt they were damaging to the organization.
- G. Emery asked Kotte to introduce Jason Chambers. Kotte introduced Chambers as a candidate for McLean Co. State's attorney and stated he was Chambers' campaign chair. Kotte stated Chambers was invited by a Board member to attend not him. Beck said Chambers said he was just at the meeting to sit in.
- H. Kotte stated the emails made it apparent Emery has it out for him. He stated he feels betrayed by Hetrick. He stated Emery questioned his attendance of IMRF meetings and said Hudson has been FOIA'd to see if he put in for reimbursement for expenses through the them as well as the MTU.

He stated the IMRF representative told him Emery asked her if meetings in question were held and if Kotte actually attended as an MTU 8 representative. IMRF representative stated Kotte did attend all meetings as an MTU 8 authorized agent.

- I. McKinley stated there is a chain of command and Hetrick did not follow the proper chain of command by communicating with Emery.
- J. Kimmerling stated she feels the issues and problems should try to be worked out. Kimmerling stated there was a counseling session in March. She stated it was left as the Director and Assistant Director were to work things out. Hetrick stated she felt she was doing 95% of the work for the MTU and had stated this in the meeting with Elston and Kimmerling in March. She stated that things had not changed.
- K. N. Bleichner stated she sees a communication problem.
- L. Schaefer asked if Emery was a previous chair. Emery stated he was.
- M. Emery stated he did investigate the IMRF meetings and the expenses involved. Emery stated he questioned, at the June meeting, the expenses for a 2 hour IMRF meeting that Kotte attended in the Chicago area. Emery asked Kotte if his mother lives in the area. Kotte said she does. Kotte stated he had to go to the IMRF meetings. He also stated he doesn't agree with the \$2100 figure Emery gave for him attending IMRF meetings unless Emery included his salary. Emery stated he did include the salary as that is part of the expense.
- N. Emery stated there was a Rural Chiefs meeting held on the previous Friday. He said he also received a call from the media. They stated Chambers had called them and asked them to attend the Advisory Board meeting. Emery questioned why Chambers would want the media present.
- O. Emery stated Elston sent a letter of resignation as the Chair of the Advisory Board on May 23 which was effective immediately. He said Elston also stated in the letter he would like to offer to continue to instruct PPCT for the MTU. (Emery read the letter of resignation aloud.) Emery stated the Vice Chairman then becomes the Chairman. Emery stated Elston did Kotte's evaluation on June 6 which was after Elston resigned. Emery asked Kotte if he would give his approval for Emery to present his evaluation. Kotte gave him permission. Emery stated Elston gave him a rating of "exceeds expectations" in every category but did not offer an explanation of the rating which is required for any other category than "meets expectations". Emery stated at the June 7 meeting Kotte presented the possibility of hiring Elston as a lead PPCT instructor for a fee. Emery stated Kotte then presented Elston to instruct a PPCT re-certification course at the Sept. meeting.
- P. Emery stated he felt the two presentations by the Director and Elston validated that they investigated Emery because they did not like what he was opposed to. Emery stated the Board voted to prevent it.
- Q. Emery stated Kotte completed Hetrick's evaluation on June 28. Emery said Kotte rated Hetrick as "exceeds expectations". Kotte said he did so because Hetrick is an excellent worker and her work is stellar. Emery stated Hetrick is a hard-working, loyal, dependable, ethical employee. He also stated Hetrick is in the office and available.
- R. Kotte stated he was offended by the allegations that Elston and he were conspiring. Kotte stated he asked Elston to complete his evaluation since he was his supervisor for 11 months and 1 week.
- S. Emery stated it is not true that he did not want Kotte hired and it is not true he wants him fired. He stated he did not feel the process was done correctly with the questions that were asked in the interview. He stated he would have been at the meeting opposing the hiring of Kotte if he were that opposed.
- T. Emery stated he contacted Kotte late in the afternoon on Friday. He said they talked about issues or presumed issues between them. He briefed him on the pending law suit. Emery said Kotte

stated he was trying to get him fired and Emery said he was not. Emery said he invited Kotte to a cup of coffee on Monday to try to resolve the issues. Kotte said he declined to meet on advise of an Executive Board member.

- U. Kimmerling stated there are many personnel issues. Emery stated he felt the issues can be resolved. Emery recommended the Executive Board should meet with the staff.
 - V. McKinley stated he has not had issue with any staff at the MTU. McKinley stated he agrees the MTU must be budget conscious. He thinks the staff issues may be beyond working out.
 - W. N. Bleichner recommended the staff makes a list of all of their current duties.
 - X. Elston stated it was never the case he was conspiring with the Director to get hired by the MTU. McKinley stated Elston was one of the best instructors he ever taught with.
 - Y. Doran stated the last two hours were disheartening and he was at the meeting because he wants to get his people trained. Doran stated after listening to everything he may go to MTU 12. Emery asked him not to make that decision until he sees what changes are made. Doran said he thinks someone may need to go.
 - Z. Schaefer stated the Board needed to come up with a plan. Beck suggested the Executive Board due an in-house investigation. R. Bleichner stated he has confidence the Executive Board can review.
 - AA. Lane stated this needs to be done properly and to remember this is a personnel issue and not a personal issue.
 - BB. Motion made by Sparks and seconded by Beck to have the Executive Board investigate and make a recommendation to the Advisory Board by December 1 – all in favor – motion carried.
- XI. Motion to adjourn made by Davis and seconded by Sparks – all in favor – motion carried

Next regular meeting will be held on Tuesday, January 17, 2012, at 1:00 p.m. at Heartland Community College, Room CCB 2012.